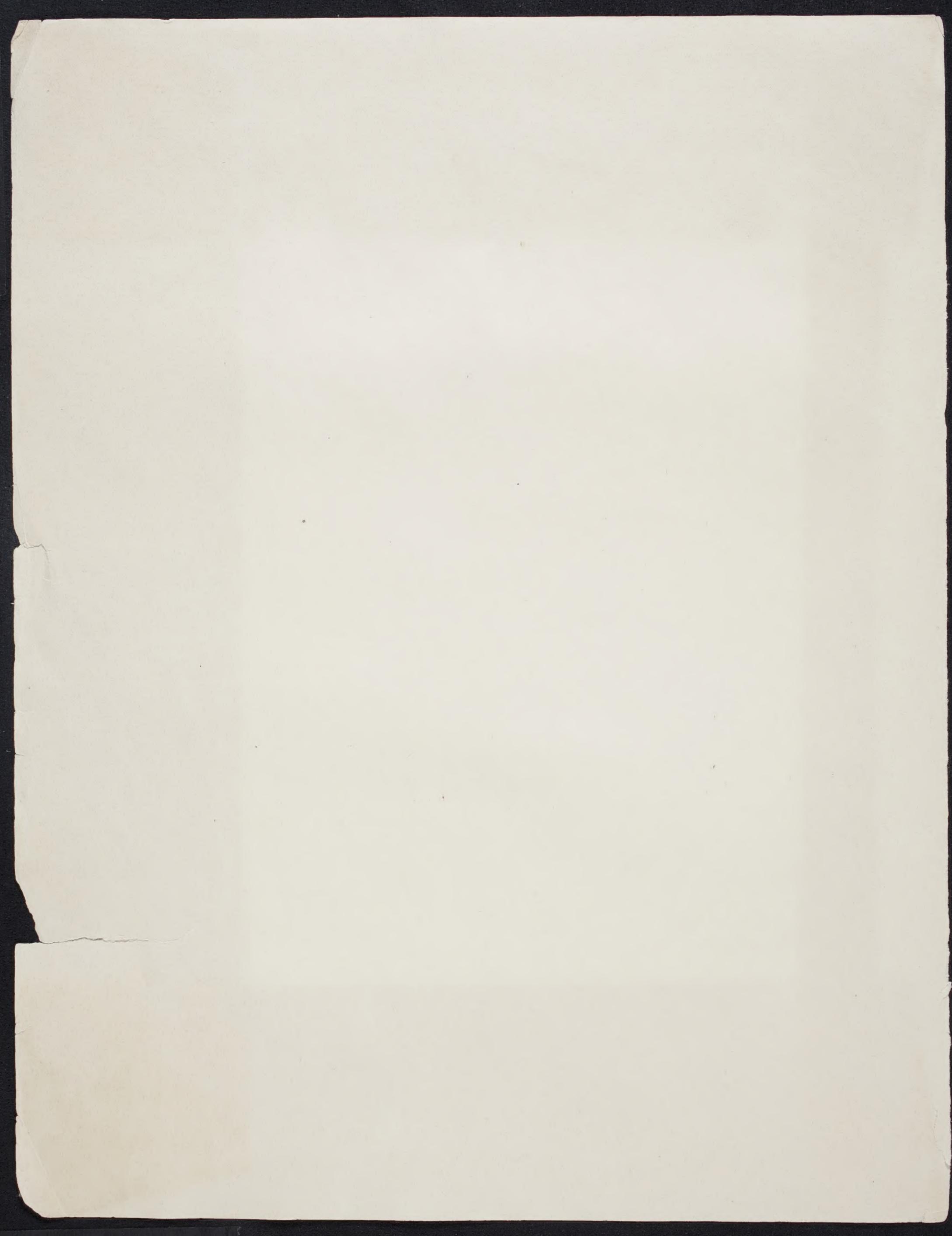
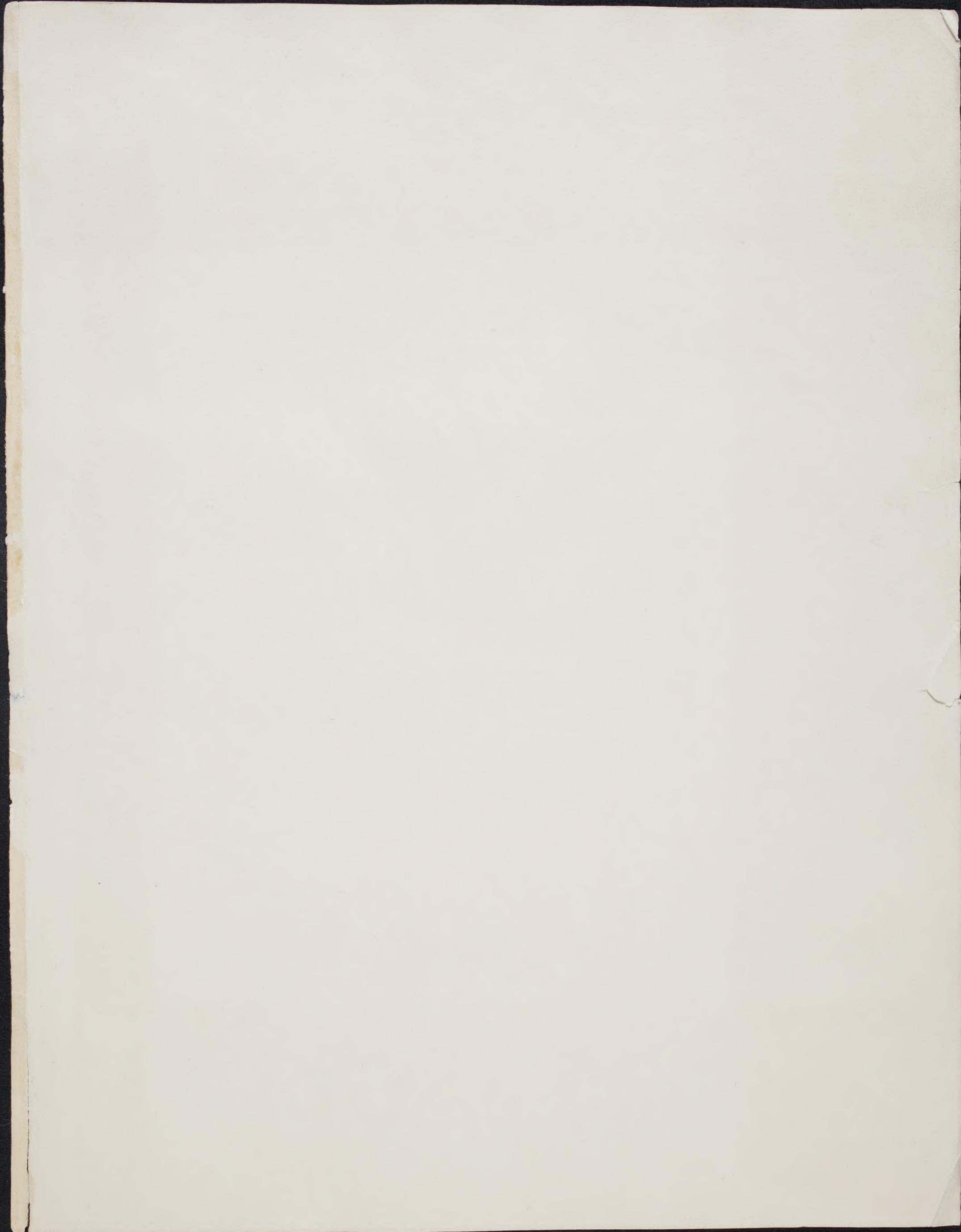
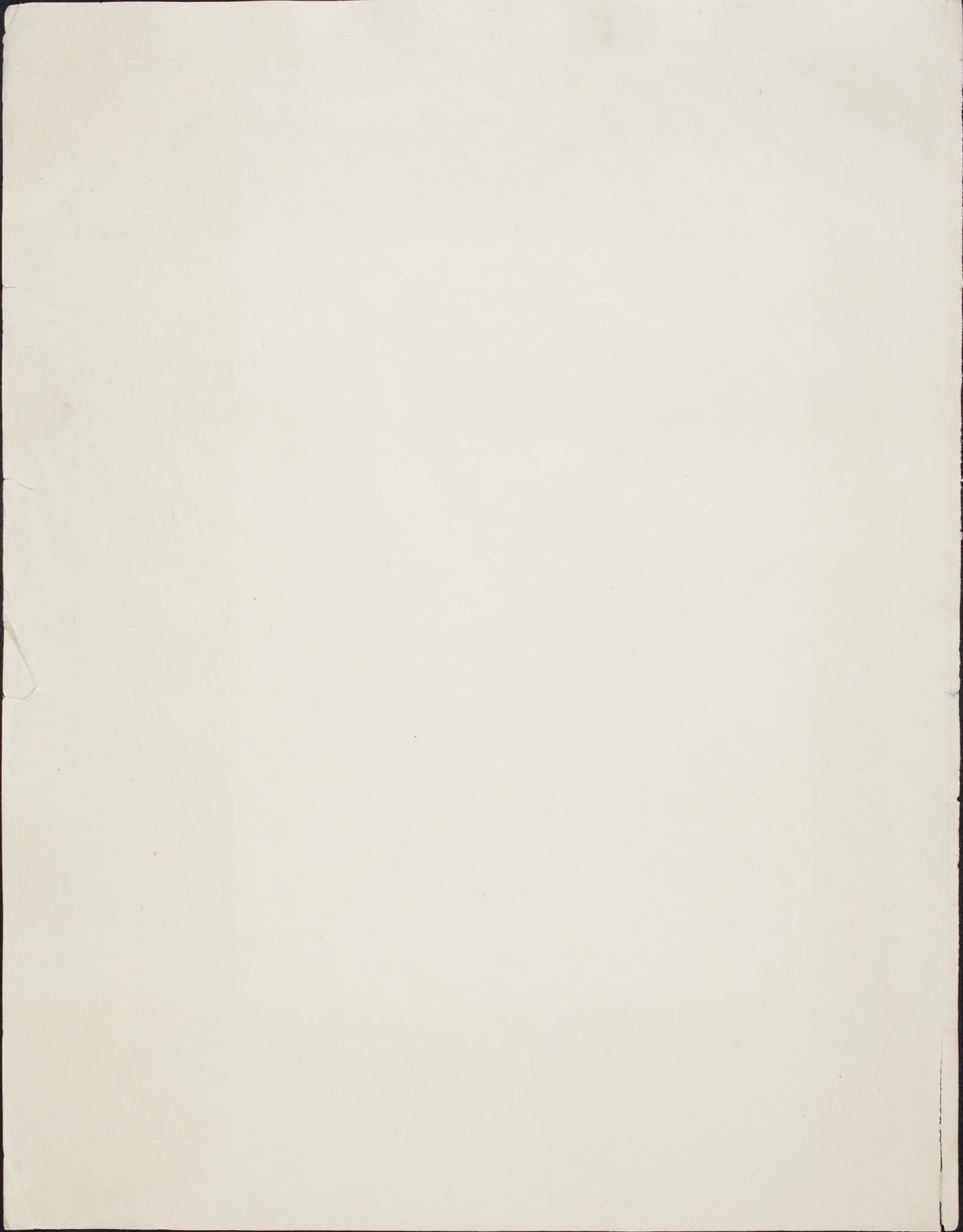


Entries dated 1628 - 45.







This Book belonged to Edward Hutchinson
of Boston who being employed by the
Government to enter upon a Treaty with
a Tribe of Indians in 1675 was treacherously
waylaid & mortally wounded by them
& died & lies buried in the town of
Marlborough the first English
Settlement to which he could then
be carried. In the year 1769 an old
man of the name of Rice died in
~~Marlborough~~^{Worcester} who was present and
perfectly remembered having seen
Mr Hutchinson brought in to Marlboro
Rice died at the age of 102. Edward
Hutchinson received the freedom of the
City in 1634 Sept. 3. (see p. 81) and Mr
William Hutchinson his father received
his the 5. of March following — p. 82

Handwritten text, likely bleed-through from the reverse side of the page. The text is mirrored and difficult to decipher due to its orientation and fading. It appears to be a list or a series of entries, possibly related to a historical document or a collection of items.

The Court bo. of
 the Governour and Society of the Massachusetts Bay
 in New England.

to be cast into the ballast of the shippes and 2. loads of
 10. ypon and of bricke.

the prison
 halfe night at tounce
 of the wylde lane for
 aquabite.

with Raylod
 Iron
 Steele
 Fild lead
 Raylod
 Salt
 Sayle cloath
 Hopp

Iron 1 tun.
 Steele 2. faggots.
 Fild lead 12 foddor.
 Fild lead 2. Barrells.

Apparall for 100 men.

- 400 paire of shoes. 200. paire of shoes about 11^d or 13^d a paire. in Deputy
- 300 paire of storkind wherof 100. paire of knitt storkind about 2^d 4^d a paire in Deputy
- 10 Dussen paire of Rounne garter about 5^d a Dussen paire.
- 400 Sijts
- 100 Smits dublett and hose of leather lined wth oyle st in leather the hose end doublet wth hooded eye.
- 100 Smits of Rorden Dussend or Hampshire tervise lined the hose wth skinned the doublet. the hose
- 400 Bands. 300 plaine falling bands. of Bilford or Godhymon tervise 2^d 10^d in 3^d a yare 4^d
- 100. other bands. in 5. yaredes suit. at the Bourgo in South France
- 100. Wastroate of greene Cotton bound about wth red tape.
- 100. Leather girdles.
- 100. Mummoutz rapped about 2^d a peere.
- 100. Blatte hatts lined in the browes wth leather.
- 100. Red knitt rapped wth about 5^d a peere.
- 200. Dussen of hoods and eyes, and smale hoods and eyes for mandilion.
- 16. Dussen of vlobes wth of fivels Dussen talfe leather of 2. Dussen fande rapped
- filled of skin hymon for handkercheifed.
- 1/2 A Duffer of leather of the best bound leather.
- 50. Hatts to be made 50. bound aboard shipp.
- 50. Ruggs.
- 50. Paire of blan kette of wolle Cotton.
- 100. paire of shoes.
- 50. bed tyted and bolster wth wolle, to put them in stottish syking.
- hymon for towels and table cloths and napkin.
- Sea rags.
- 3 lb. pepper wth hopp. 1. lb. particulars.
- 16. manys. a yered the apparall to be 100. mandilion lined wth wite rotten 12^d a yare
- brayes and wastroate and 100. leather smits dublette of brayes of wite leather 100 x
- of brayes of leather drawed to serve to wear wth boots the other smits.

To provide to send for New England.

- Wimstord.
- Wolent under Seale. Egeries pear apples quire turnell. Copper bottles of the ffroing making
- Seale. pomegranat seed. liquorice wthout barres of iron about 500.
- to be full in making steds, roots stut and madder roots. Oyle skinned of leather.
- ity of salt. Potatoes. Hype roots. Hemp seeds. Madder seeds.
- plantid. flax seeds against winter. Comyns. Liad Scarbrooke by the sea.
- to be barly, aated. Emerant plants. Tame furdies. Claretion to hymon of
- in y care. Shood, hymon cloath, scollen cloath. To remember if the
- Perk of smits Powder bottles of wite of quarts. You at sea
- 2 kilnes brass

one hundred pounds in parts of the freight of the Obigall, Henry
 to the merchants, the goods shipped by bill of lading dated 20. June 16
 46 $\frac{1}{2}$ tuns of goods besides by charge of Captaine's ship
 in his Company's their passage and dyett.

Wm Sherman. 26. William Sherman hath liberty for 14. days to
 Higham ferry.

26. February 1628.

Mr Humphrey.

Necessaries & contrivances meete for our intended voyage for new England to be prepared for
 for our 5. pieces of Ordnance long since bought and payed for by Mr John Humphrey's interest
 and doth promise forthwith to cause them to be delivered to Samuel Chayce, who is to be
 care for having fitt carriage made for them.

Ordered for 100 men.

2. March.

- 3. Drummed, to carry 2. payes of heads.
- 2. Ensignes.
- 2. Purser for Captaine and Lieutenant.
- 3. Halberds for 3. Sergeants.
- 80. Bastard musketeers wth snapshotted 4. footes in the barrell wth out wth.
- 6. Long fowling peices wth musket bores 6. footes long.
- 4. Long fowling peices wth bastards musket bores 5 $\frac{1}{2}$ footes long.
- 10. Full musketeers 4. footes barrell wth matheports and wth.
- 90. Bandoliers for the musketeers wth a bullet bagge.
- 10. Small peices for the long fowling peices to hold a $\frac{1}{2}$ a peice and a peice for shot.
- 100. Swords and beltes.
- 60. Ho. Lotts and 60. pyked. 20. halfe pyked.
- 12. Gun Powder 8 Barrells for the fowling
 4. for small shot.
 Shot $\frac{1}{2}$ to a Bandolier.

Pieces of Land Ordnance for the fowling peices & already provided

- namely
- 2. Demis Culverins 30. lb weight a peice.
 - 3. Satterd day weighing 25. lb weight.
- to provide
- 1. whole Culverin as long as may be.
 - 2. small peices from dratted.

for great shot, A fitt proportion to the ordnance.
 A Bayne, being a nett to fise wth.

for the Calbutt, 100. passengers & 35. mariners, 3. months the mariners accounted double

- 17. Tunne betwe wth 6. tun. 4. } betwe. Maligo and Camery 16. a tun.
- 6. Tunne of water.
- 12. lb of bread after $\frac{3}{4}$ lb to a man.
- 22. heads of beefe.
- 40. bushells of pease, a peice a man for voyage.
- 20. bushells of oatmeale.
- 14. lb. haberdyns, 62. tynple dayes & day tynple makes $\frac{1}{2}$ a peice a man p day.
- 8. Duffen pounds of tandelod
- 2. Picules of beere byneger.
- 1 $\frac{1}{2}$. bushell mustard seeds.
- 20. gallons oyle gallipoly or Maypole a qrt a man.
- 2. flintind A souer.
- 2. Handlette Spanish wine 10. gallons a peice.
- 4. thousand of killets.
- 10. flintind of butter.
- 10. lb. of cheese.
- 10. lb. of aquabite.

26. February 1628

Agreed wth John Newson to make 8. paines of woth watted Leather good closd on the
outsides wth a skaine to be substantiall goods over leather of the best and 2. soles, the
inner sole of good watted leather and the outer sole of tallowd bark. to be 2. pt
of 10. mags, 2. pt 11. mags, 2. pt 12. mags & 2. pt 13. mags.

The proportion we intend is —

- 1. pt of 10 mags.
- 3. pt of 11 mags.
- 1. pt of 13 mags.
- 3. pt of 12 mags.
- 2. of 8 mags
- 2. of 9 mags

2. March 1628.

This day James Edwards a sayler fischer and a Cooper was chosen
for the Company and also Edward Miller a Cooper and a Shoemaker wth so de manding 45.
for him and his man for first yeare, 30th a yeare for seconds and third yeares, and Edwards
demands being 10th for first yeare, 15th for seconds and 20th for third yeare. Both hold for
Deare for the Company to be at their owne will.

- Present.
- Mr Robert.
- Mr Deputy.
- Mr Edmoud.
- Mr Daffall.
- Mr Harwood.
- Mr Coulson.
- Mr Adams.
- Mr Howel.
- Mr Negron.
- Mr Jones.
- Mr Burgess.

Also for Mr Walbon, it was propounded he having still in iron work, and willing
in 25th in stocke it should be accepted ad 30th, and his engaged to be bound out and home
before England, and upon his returne and reports what may be done about iron works
consideration to be had of providing therein accordingly, and further recompense if there be
cause to intertaine him.

Concerning making of Salt, it was ~~proposed~~ fit that Commodities should be made
for the generall stocke benefit, yet wth this proviso that any planter or brother of
the Company should have ad more ad he might any way have occasion to make
at cheap rate ad himselfe could make it, provided that if the Company be not
sufficiently provided for themselves then particular men may have liberty to make for
their owne expense or use any way but not to transport or sell.

Salt.

Concerning John Childham, the Court was ordered to conferre wth him upon any
indifferent course that might not be
materiall to the Company.

John Childham.

Also it being propounded by
had promised, being not in our
that now their desire was
in the joynt stocke they wth
above 250th more, a
thing thence it be
if forward, yet
is most desir
Cartage

for behalf of the Boston men (wpproof divers
then to adventure 400th in the joynt stocke)
if they might indurwith 25th a man
be shipped & adventure in their part
to send out for manning the
all stocke by the abatement
condur more to the good of

Mr George

The 3. March 1628.

Mr Samuel Chayes who was one of our late best an agreement formerly made in the behalf of the Company to employ him 10th of annu for 3. yeares to have the oversight of the building of the fort to be built upon the plantation and what else may be in our artillery business to give his advice in, but for all other employments was left to be intertayned by any particular brethren of the Company who for other occasions had intertayned men already and held no fit to be at further charge in that kinde, whereupon the said Chayes is intertayned to observe the servants and employments of certaine particular men of the Company. but for the generall presented a bill for three drummes and other particular articles to the value of 500 pounds which was by the Company ordered to pay.

Dec 3.

Present.
The Governour.
Mr Deputy.
Mr Treasurer.
Mr Secretary.
Capt. Wom.
Mr Dringet.
Mr Howell.
Mr ...
Mr ...

The 5. March 1628.

A new proposition being made in the behalf of Mr. Bligham to be intertayned for his Company it was deferred to further consideration.

Mr. John Wadsworth being propounded for Secretary to the Company, it was resolved to intertayne him, but deferred till another meeting.

A proposition being made by Mr. William Brewerton to the Governour of a Patent for him of lands in the Massachusetts Bay by Mr. John Deane, and that if the Company should make him a promise so as he should be allowed to underwrite with the Company it might be prejudicial to his Patent, it was resolved that answer should be given him to the effect that if he pleased to underwrite without any condition whatsoever, but to come in at all other adventures due he should be wellcome upon the same conditions that we have.

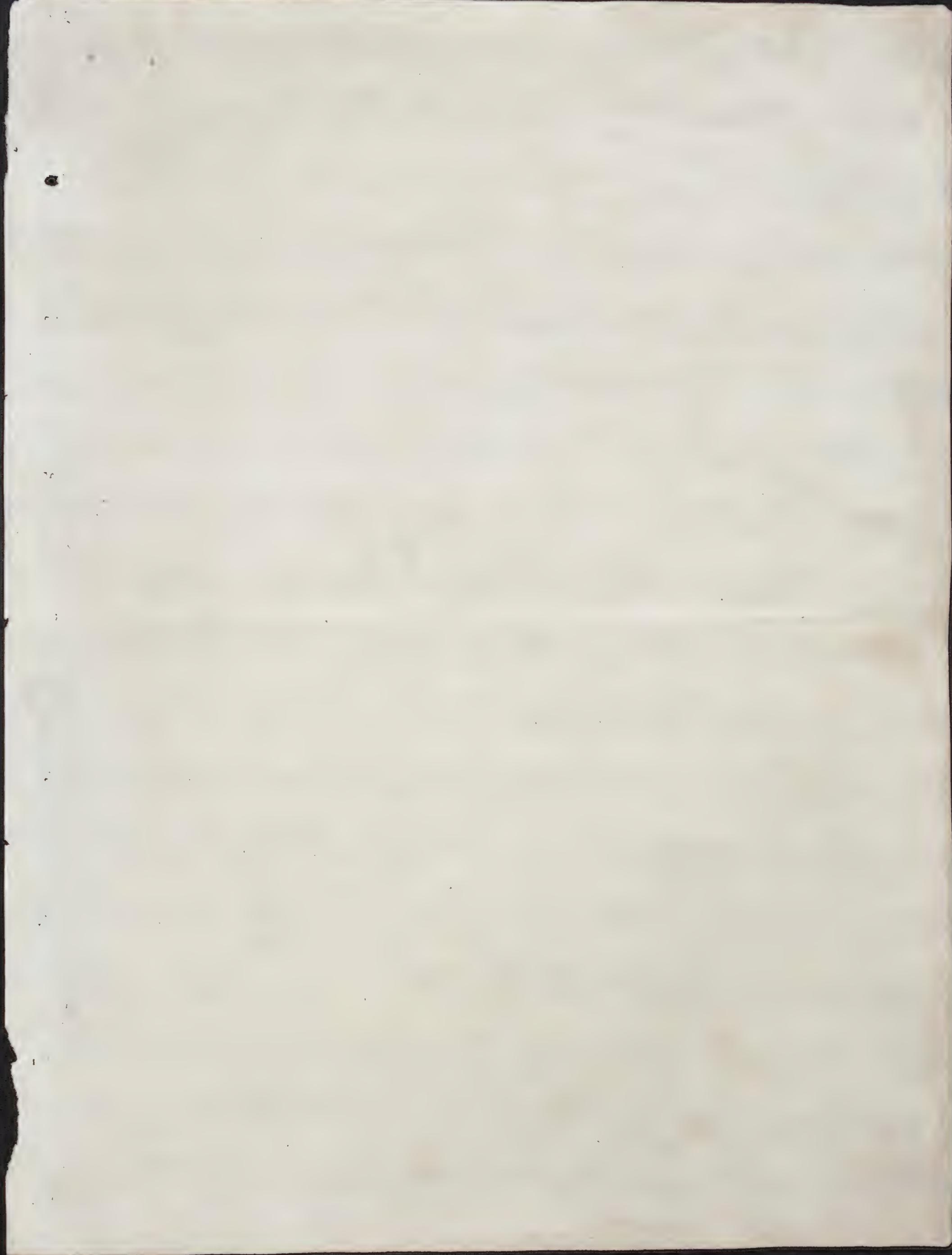
A proposition being made to intertayne a Surgeon for the plantation, Mr. ... was propounded as an able man upon these conditions namely,

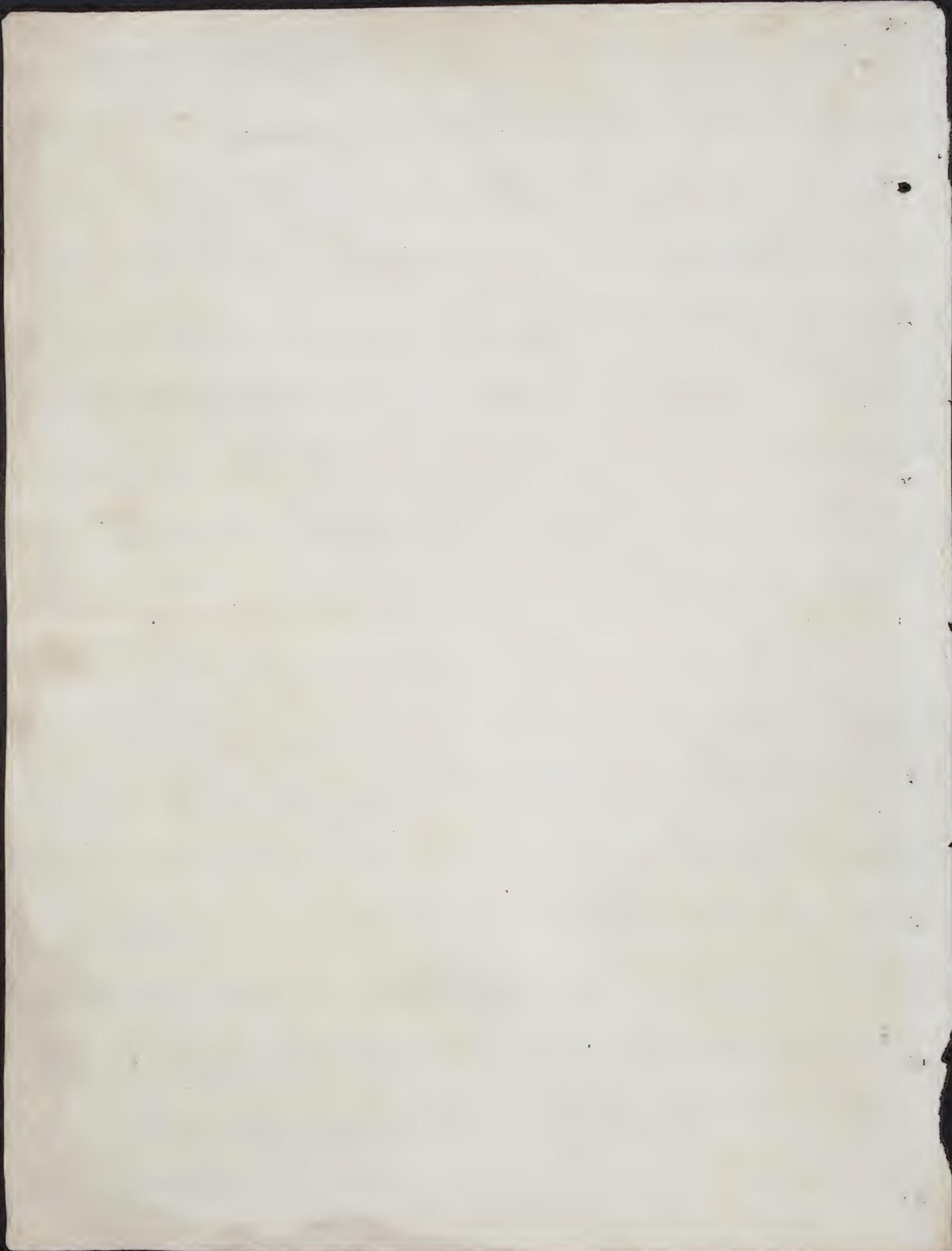
That 40th should be allowed him vizt for his Chest, 25th, the rest for his own Salary for the first yeare, provided if he continue 3. yeares, the Company to be at charge of transporting him to the place, and he to have 20th a yeare for house at the Company's charge, and if he stay but one yeare then the Company to pay him 10th, and he to leave his servant

Robert ...

Agreed with the ...
Barber Surgeon to be the
... to have ...
... as a ... and
his

... late of ...
... for 3. yeares ...
... yeares ...
... belonging to ...
... and f ...
... on sight o ...
... and f





their intent to attorne me in their service to the ends of the
 to be at the charge of the transportation into New England
 a boy and a man servant and shall to build me a
 and my said family at the charge and to assign me ¹⁰ ^{lb}
 of land, and to have parts thereof planted at the Company's charge
 coming of my family's whereby they may subsist till I shall be possessed of
 family to performe the same as others is to allowe me some competency of necessaries
 victualled for the subsistence of me and my family till the next season of planting or
 reaping after their arrivall. And it is further agreed that if I continue in the Company's
 my employment for three years the payment of five pounds p month for my salary
 is to be made, and my yearly allowance in money from the time of my first arrivall
 in New England to the end of three years to be after the rate of fifty pounds
 by the year. Provided allways that my said family's going over and aforesaid
 shall be such a proportion of land allowed me for them hereafter, as if they
 had now taken their passage with me in the ship now bound for New England.
 And for further contentment for my true and faithfull service in the said Company's
 employments which I doe promise by Gods assistance to performe truly and faithfully
 to the best of my ability and understanding I doe and shall reserve my selfe
 wholly to the Company's discretion at my true and due and the success thereof
 through Gods mercy shall intom me them to doe, In witness of all the promises I
 have hereunto sett my hand and seal this present 20th day of March Anno -
 1628. in London. Thomas Brabed. At Seal.

Witnessed herunto. George Harwood
 John Wren.

Chap. 10th. March. 1628.

A proposition was made this day by Samuel Sharpe who was formerly intertained
 to doe his service in the Company's employments touching his business and appen-
 tory the 3rd of this month that all or the better parts of his salary might be paid him
 now to provide him appaill wherewith he should be able to live before he had departed
 it, his said appaill should satisfie it, upon debate whereof it was thought fitt that twenty
 pounds should be paid him, and that to be the Treasurer's warrant for payment thereof
 upon his salary of 10th a year for three years, of say twenty pounds to be paid him
 presently.

Present
 The Governor
 Mr Deputy
 Capt Wren
 Mr Wren
 Mr Bassall
 Mr Eaton
 Mr Adams
 Mr Nutcombe
 Mr V. at the
 20th to Mr Sharpe.

This day being appointed to take into consideration touching the division of the lands
 in New England where our first plantation shall be, It was after much debate thought
 fitt to referre this business to the Governor and a Committee to be chosen to that
 purpose to assiste him, and whatsoever they shall doe herein that to stand for good.

Division of lands.

This day order was given to the Treasurer for payment of twenty pounds more to
 Mr John Humphrey towards charge of our Patent, and that to be his warrant for the
 payment thereof.

20th charged for
 Patent.

James Wren Mr Eaton Mr Samuel Bassall and Mr Nutcombe or
 any three of them are intrusted with power to conferre with Mr John Oldham to see
 if any accommodation may be made betwixt the Company and him that he may be
 accommodated.

Committed to con-
 sult with Mr Oldham.

The 12th of March 1628.

on gent and m^r Samuel Browne of Foxroche in Essex
to their passage in the Companyes Shippes for New England
in finding to plant there. It is agreed by these presents
their passage and dyett they shall paye firste p^{er} month of their
their encouragement lands shall be allotted to the answerable at their shippes
wth ffifty pounds in the generall stocks, and to enjoye the priviledges as offered
that are in the Patent doct.

John Browne.
Samuel Browne.

Stanford agreement

John and Clayton aged 34 yeares or thereabouts Carpenter and hatter being desir-
ous to transporte himselfe his wife and daughter of 7 yeares old his sister of 14
yeares old, his brother Barnaby Clayton aged 23 yeares, and his brother in law Thomas
Hanstombe aged 21 yeares for New England in the Companyes Shippes, It is permitted
him this day that he being able to furnishe 40^l towards the charge of him and his
what shall be wanting the Company will supplye upon this condition that upon
their arrivall in New England what he shall be indebted to the Company shall be
repaid by the labor of himselfe and his two servants or brother as aforesaid allowing
them all there 3rd the day for so long time till they have payed his debt and
in that time finding the 3rd persons dyett at the Companyes charge, and whilst
he is earning out his debt to instruct any of the Companyes servants in the trade
of a ploughwright, and there is lands to be allotted to him and his as is usual by the
Companyes orders to those that transport themselves. W^{ritten} this 12th of March 1628.

I cannot yete his voyage. At hand Clayton.

The 16th of March 1628.

72. p^{er} good.

Bespoken by m^r Durbidge at 2nd - 7th a p^{er} 6. Dussen p^{er} good to be in his wth
vizt 1. Dussen p^{er} of tenub. 4 p^{er} 88.
2. Dussen p^{er} of 11.
2. Dussen p^{er} of 12.
1. Dussen p^{er} of 13.

The 16th of March 1628.

20. 2nd of bedsted.

Bespoken of m^r Hraio at 10^{1/2} d p^{er} yards for bed of boulders.
20. bed fiked Stotts tirking 3/4 broad 2 1/8 long of 1 1/2 yards broad.
11. yards in darts bed of boulders.

Bespoken the day aforesaid 8. Dussen paine wth leather / good,
of Robert Harrot 1 Dussen 10. { a - 2nd - 7th p^{er} to be good liquors
3 Dussen 11 { wth leather according to the pattern.
3 Dussen 12
1 Dussen 13.

Estimate of charges.

Estimate of 100. men charge of them and their provisions wth offered now to be sent.
100 men their charge 15th a man. 1500.
freight of the Shippes 2 albut 5 moneths 80th p^{er} mo. 400th } 400.
virtuall and wayed 32 men 70th a moneth 350 }
The 2nd of wth sell to sea 500.
20. Cowes of bulles 4th a p^{er} a 80th } 80.
10. Hares and horses 6th a p^{er} a 60. } 140.
Charged of the 470 }
3360.

Thurs. Martij 1628.

Agreed wth Jasper Smythill for 100. swords wth fine hilts
good blades at 4^s 6^d a p^{er}ce to have all trayed.
and 10. best swords at 2^s a p^{er}ce.
and Polonia hilts at 3^s 4^d as many as we like to be wthin 8. dayes.

Bought of Affolij a woman dwelling in ffildok lane,
17. swords at 4^s a p^{er}ce }
7. Ditto at 3^s a p^{er}ce } 4^s 12^d 00.
4. Ditto at 2^s a p^{er}ce }
25. swords

The woman.

Agreed wth m^r Walter wright in ffildok lane for 12. gallons aquavitae 2^s 6^d a gallon. wright.
12. Syde of baron dy by John Gladwing at m^r Boffe of 74. stone $\frac{1}{2}$ daye stone 8^d
at 2^s a stone.

17. Martij 1628.

A warrant was made for payment of 120^l to m^r Nathaniell wright for so much Rente of
payd by him to m^r Jervis Stuke and William Bartley and m^r Robert Gaulton
for the shipps.

Also to pay for iron of steel.
Also to pay for Barre to make millstones 110 - 2^s a p^{er}ce bought
of Edward Gason of London wright
14^l of Plaster of Paris 18^d p^{er} c^u } 1 - 1 - 0
And portridge wiggins for plaster } 12 - 1 - 0
and rasting out of the Barre } 0 - 3 - 0
12 - 4 - 0

Thurs. 19. of Martij 1628.

A warrant was made for payment of twelve pounds and twelve shillings unto m^r Coppard.
Gowen Holmes and Thomas Birtched for 2. Coppard for the shipps wright of say for 12-12.

Thurs 19th of Martij 1628.

A warrant was made for payment of 18^l unto m^r } 23 rowns and 18^l for one } 18^l fleshy
Banks of fflores boats for the shipps wright of say

Thurs 19th of Martij 1628

A warrant was made for payment of twenty five pounds ffiftene shillings unto m^r } 26^l 5^s mant.
John wright of ffading for thirty quarters of mant to goe in the shipps of say 25-15

Thurs 23rd of Martij 1628.

At this meeting intimation was given by m^r Rowell by letters from m^r Haacke Johnson Present.
that one m^r Higginson of Weisther an able minister proposed to goe to our Plantation, }
who being approved for a wetherward grave minister fitt for our present occasion, }
was thought fitt by the present to intreate m^r John Symmes to ride presently to Weisther }
and if m^r Higginson may conveniently be had to goe his present voyage that he should }
deale wth him, first if his remove from hence may be without scandall to that people, }
and approved by the consent of some of the best affected among them, wth the approbation }
of m^r Wyldeham of ffildok de la Cour. Secondly that in regard of the shortness of the time }
the Company conceive it would be best if he should be best if he should goe to leave his wife and family }
till towards Bartholomew tyme for the better accomodation, yet if he should be sold }
in tyme that may be referred to himselfe to take his wife or one or two children w }
the childen that for his intertainment of the Company will give him such accomodation }
any thing have yet intertainment or are in party wth or rather better chd doubt not but }
his do had content

Present.
The Honorable
The Deputies
Sir Wm. Saltwastale
m^r Dabenvort.
Capt. Wdson
m^r Symmes
m^r William Bassall
m^r Symon wright
m^r Jm wright Rowell.

1628. March 23.

This day according to the tenor of the Charter the persons following were sworn for the performance of their severall places and offices according to the tenor of their severall oaths.

Deputy
and

M^r Thomas Woffe took the oath of Deputy to this Company by the name of the Lord and Company of the Massachusetts Bay in New England.

Assistants.

Sir Richard Saltonstall Captain Wm^r and John Humphrey and Symon Norstrombe and Thomas Adams and Samuel Wessall and George Foxcroft and William Wessall and Increase Nowell and Richard Perry and M^r Thomas Hutterind took the oath of Assistants to the said Company.

Treasurer.

M^r George Hurwood took the oath of Treasurer.

Ward.

Humphrey Seale took the oath of Ward.

Servants.

A motion was made by the Governour that 6. of the Company should take the oaths and daylie to see where the Company's servants are employed and how they demean themselves to the end if there be cause such as shall be found idle or dishonest may be dismissed whereupon these following have promised to see the same performed, vizt.

M^r Thomas Adams. M^r Increase Nowell.

M^r Thomas Hugeson. M^r George Foxcroft.

M^r Daniel Ndirge. M^r Owen Howe.

M^r Thomas Hutterind. M^r Symon Norstrombe.

Land.

Thomas Beard of St. Martins Spemaler singleman aged 30. years desired to get over at his owne charge where is 50. acres of land to be assigned to him by order of this Company & 5^l payd in by him for his passage to the Treasurer.

Ward of Brands.

W^m and William Dial and Thomas Braide Cooper, of the Company have agreed that they shall give halfe at the charge of M^r Governour and the other halfe and at the charge of the Company the other halfe, and so the Governour is to appoint ten men, the Governour one halfe and the Company the other halfe.

50. acres a person.

It is agreed that every person that shall goe over at his owne charge that he shall have fifty acres of land.

Private.

After this it is agreed that if any of the Company send over any servants or others, they shall have fifty acres of land to be at their masters disposing at their pleasure.

24 May.

ward
wages.

By a bill to M^r Brewton for 12^l - 15^s - 0. for a table and 86. yards of Bayle - cloath by to the byond wages.

24 Ditto.

By a bill to John John Dibed for 15^l for disbursements for the byond wages, & for to give account for it.

24 Ditto. malt

By a bill to John Nidgett for 30. q^{ts} of malt at 17^s 6^d p^r q^r. 26^l - 5^s - 0.

26. Ditto. wood

By a bill to Robert Yarratt for 8. d^{ns} of wood at 2^d - 7^d p^r 2 12^l - 8^s - 0.

30. Maie 1629.

Mr John Ndis's Roomaker a warrant for 18⁴ being for 12. Duffen papers of stoods
8. Duffen p^r at 2^d - 7^d a p^r. 1 Duffen of 13.
And 4. Duffen of 8th & 9th at 2^d - 5^d a p^r. 3. Duffen of 12.
3. Duffen of 11.
1. Duffen of 10.

Mr John fficombe a warrant for 3. Duffen of fwise spades at 3^d - 8^d a p^r steel spades
fford & ffane ober. Spades.

John Blaine's plaisterer doth desire you to pay into his mother Mary Blaine the
summe of twenty shillings within 10. dayes after the Compamys a board in parte
of his wages & say
witness John Ndis Roomaker. John Blaine's mark.

A warrant to Mr Molton for 10th

Do Mr Robt Molton a warrant for 13th

warrants to pay money.

Mr a warrant to Mr John Hugheson Roomaker for 22th - 14^d - 6^d

Mr a warrant to Mr Taylor for worke upon the hand w^{ch} is for 30th

Mr a warrant to Mr Clarke in pt of castle 30th

Mr a warrant to Mr Camer in pt of castle 30th

Warrants of the 30th of Maie for money to be payd to the Treasurers and fellows. Warrants to receive money.

- | | |
|--------------------------------------|---|
| Mr William Bartysse 25 th | Mr Hugh Peter 25 th |
| Mr Owen Howe 25 th | Mr Good Glover 25 th |
| Mr John Porters 25 th | Mr Daniel Hudson 25 th |
| Mr George fforsythe 25 th | Mrs A G 25 th |
| Mr John Bowles 25 th | Mr William Crowther 25 th |
| Mr Robert Crane 25 th | Mr John Warr 50 th |
| Mr Daniel Waringe 25 th | Mr Richard Yonge 50 th |
| Mr Joseph Davon 25 th | Mr Thomas Huttig 25 th |
| Mr Richard Cuffnaye 50 th | Mr Nathaniel Mansly 25 th |
| Mr John Dabemporte 25 th | Mr Christopher Eaton 25 th |
| Mr Samuel Aldersey 75 th | Mr Christopher Coulson 25 th |
| Mr Richard Poorry 25 th | Mr Richard Wight 50 th |
| Mr Nathaniel Wrigge 25 th | Mr Edward fforde 25 th |
| Mr Richard Dabry 25 th | Mr Samuel Bassall 50 th |
| Mr James fflowell 25 th | Mr Simon Wightomb 85 th |
| Mr Edmund Wight 25 th | Mr Edward ffonside 25 th |
| Mr John Symson 25 th | |

1629. A note of the tools provided & bought by
William Byall.

- 2. Barge axes 2^l a piece. _____ 0-4-0
 - 2. Sawdells 1. 18^d of 1. 12^d. _____ 0-2-6
 - 2. Two hollow sawboreds of storked to him 18^d a piece _____ 0-3-0
 - 2. Boring bored 2^l a piece, too deare 6^d a pte _____ 0-4-0
 - 2. Pliers stork 8^d a piece. _____
 - 1. clods of 2^l. 1. other adds 20^d is naught. _____
 - 2. Felling axes, 2^l for one the other 18^d. _____ 0-3-6
 - 1. Round Chace _____ 0-1-4
 - 1. Joynter iron 1^l 2. Small iron for planes 3^d & 3^d _____ 0-1-8
 - 1. Spoke Chace - 8^d a fmyer 8^d.
 - 1. Steele saw 3^l - 4^d, 1. heading knife 2^l - 6^d 6^d too deare _____ 0-5-10
 - 1. marking Iron, 1. Hammer.
 - 2. wimbles. 1. gouge, 1. scraper 16^d
 - 1. Croze iron 8^d
 - 1. Holdfast 8^d. a drawing knife 10^d. naught.
 - 2. Duffen of Perser bits
 - 1. Broad axe 2^l - 8^d ve too deare. _____
 - 1. Bill 15^d. A Crossin Iron _____
 - 1. Bit of & beating Iron _____
- brought in by William Byall.
- 1. Croze wth an iron to it, a pair of compasses 1. adds, 1 sawdell.
 - 2. sawbored 1. hollow 1. round, 1 barge axe. 1 Chace.

Curbile.

Ordinances written of m^r Edward Curbile as followeth.

16-2-0	16-2-0
10-2-0	12-2-0
16-2-0	12-01-0
16-3-0	41-1-0
16-3-0	83-0-0
83-0-0	127-1-0

at 13^l p^r q^r is 80^l 15^l 3^d

Curbile

A warrant by m^r Crasmore to pay the said money the 2^d of April 1629.
to m^r Curbile for the ordinance above mentioned by aboard the mynd w^{ch} followeth.

Wedelster.

A warrant by m^r Christoph Wedelster the 2. of April 1629. for the
summe of two pounds ffiftene shillings. _____ 2^l 15^l

Chap 2. of April 1629.

This day these persons following were present in what house Governor Gov. Present
Mr Tho: Doffe Deputy. Mr George Harwood Treasurer and the rest following,
Mr William Daffall Mr John Browne, Mr Francis Webb Mr Richard Perry. Mr
Increase Howell Mr Thomas Aldam Mr Sam: Daffall.

It is ordered that Mr Moulton Carpenter and two or three men are to goe
to New England and Mr Doffe is to beare a charge of these men.

Chap 6. of April 1629.

This day these persons on the margin mett and consulted.

It is agreed that all the cattell that Mr Doffe shall shippe shall be halfe for the
Company and the other halfe for the Governour's use. Also for sending the
warrant to the Isle of Wight and if he may have sufficient Company to send
for speedily; to appoint some to see the hangout a board.

- Mr Mat: Cradocke Gov.
- Mr Tho: Doffe Deputy.
- Mr Sig: Saltonstall.
- Mr Sig: Daryd.
- Mr Sam: Daffall.
- Mr Sim: Negstrombe.
- Mr Yonge.
- Mr Tho: Aldam.
- Mr Daniel Wintge.
- Mr Owen Howe.
- Mr George Foxcroft.
- Mr Jo: Porocke.
- Mr Increase Howell
- Mr Goulson.
- Mr Sig: Perry.
- Mr Aldam.
- Mr Dyer.
- Mr Higgeson.
- Mr Wm Daffall.
- Mr Webb.
- Captaine Daffall.
- Captaine Damm.

These were appointed to be committed for making orders and power for mitt
goverment of New England, to write letters to Captaine Endicott to order
division of land and whatsoever may concern the Company's affaires, and
to appoint a Committee to joyne with the Governour any five of these with Gov
or Deputy. To divide the Company in families by the said Committee.

- Mr Dabonport.
- Mr Higgeson.
- Mr Daffall.
- Mr Damm.
- Mr Sig: Saltonstall
- Mr Dwyer.
- Mr Aldam
- Mr Eaton
- Mr Daffall
- Mr Goulson.
- Mr Treasuror.

The Company is content to give unto Mr Dwyer s^t towards his losse of his wages
in the Country and his charge being in London.

- Mr Dwyer and Mr John Browne took the oath of assistants this day.
- Appointed Mr Deputy to get the Governour's warrant letter to the Customs.
- Appointed to Mr Negstrombe to get the Exemplification of the Letters Patents.
- To have some cattell ranged as are unfit to carry.

Chap 8. of April 1629.

Mr Francis Higgeson and Mr Samuel Skelton intended ministers for this Plantation,
and it being thought meete to consider of their intertainment, w^{ch} expressing their
willingnesse together also w^{ch} Mr Francis Dwyer being now present to doe their best
endeavour in their places of the ministers as well in providing waterizing as also
in teaching or causing to be taught the Company's servants of their children, as also
the salvages and their children, w^{ch} w^{ch} to their uttermost to further the maine ends
of this plantation being by the Assistance of Almighty God the conversion of the
Salvages, the propositions concluded on w^{ch} Mr Francis Dwyer the 2. of February
last were reciprocally accepted of by Mr Francis Higgeson and Mr Samuel Skelton, w^{ch}
are in every respect to have the like conditions as Mr Dwyer hath, on this w^{ch} -
Mr Higgeson hath 8. children it is intended that 10th more yearly shall be allowed him
towards their charge. And it is agreed that the increase of the improvement of all
their grounds during the first 3. yeares shall be at the Company's disposing w^{ch}
are to fynde them dyett during that time and some p^{er}cent more to Mr Higgeson
towards his present fitting him and his for the voyage.

- Present at Mr Dwyer.
- Mr Sig: Saltonstall.
- Mr Dabonport.
- Mr Higgeson.
- Mr Dwyer.
- Capt Daffall.
- Capt: Damm.
- Mr Aldam.
- Mr Skelton.
- Mr Dwyer.
- Mr Goulson.
- Mr Higgeson.
- Mr Negstrombe.
- Mr Wm Daffall.
- Mr John Porocke.

Francis Higgeson.
Samuel Skelton.

3. April. 1629.

Conjuring in halfe Smiths order was given to the Governour to confer wth him and if he will give it under his hand not to exercise the ministry wthin the limits of our Plantation neither publick nor private without the consent and approbation of the Governour here established by us that when he shall be accommodated in his passage and so ad during his being wthin the limits of our Plantation he promise not to distribute our proceedings but to submit to such orders as shall be here established.

13. April 1629.

This day notice was given that Mr William Bartgouze had freely bestowed upon his Company to send for New England these booke following for wch heanted was given by the Governour and these present to the said Mr Bartgouze in the Companys behalf.

Present.
The Governour.
Mr Deputy.
Mr Treasurer.
Mr Sam: Walfall.
Mr Geo: Olddams.
Mr Wm. Bartgouze.

The English Bible in folio of the last print.
The booke of Common Prayer.
Mynsworthe worke in folio.
Bishop Basingtons worke.
Galvins Institution.
Hobbes against Atheists.
Maldorott upon St Johns Gospell.

A booke called the ffrench Country faine.
To provide to send for New England
12. Barrell powder wch weest 3. fine.
3. A weight of shot for bastards muskets.
6. A weight of shot for fowlinge.
1. A pound of lead.

Shot for the great ordnance Hammers sprunged leaded a wadgooke.

The 16th of April 1629. Mr Skelton notes of

Bookes.

Present this day.
Mr Governour.
Mr Deputy.
Mr Adams.
Mr Browne.
Mr Knight.

1. Boudins meditation 2 0 1 2.
1. Hooked to faith 2 0 0 9.
1. Fogtub worke 2 0 7 0.
1. Downsam guide 2 0 10 0.
1. Mynsworthe 2 0 13 0.
1. Downsam new faine 2 0 13 0.
1. Helaine on the listles 2 0 3 0.
1. Dod on the Commandments 2 0 2 2.
1. Robinsons flayed 2 0 2 8.
1. De Weeds of Antichrist 2 0 2 0.
1. Practise of piety 2 0 1 6.
1. Dyke on the heart 2 0 2 0.
1. De Conscience 2 0 1 0.
1. Downsam on the Commandments 2 0 1 6.
1. Communion yfth 2 0 1 6.
1. Charon against Idolatry 2 0 0 6.
1. Stradder on the Lords prayer 2 0 1 2.
1. Hooked to happinesse 2 0 1 0.
1. Stradder directions 2 0 1 6.
1. De Rayler 2 0 1 0.

1. Gemmitij Harmon:
Parons de Imaginibus.
Pistrator in dicitur.
in Exod.
Deuteronomio.
in Cronis.
Samuel.
in Regum.
in Psalmos.
in Prophetis minoribus.
in Proverbia et Sententia.
in Jobum.
in Isaiam.

Cruxtor fii Synagoga Judaica.
Bellarminus enervatus. 2. vol:
1. Anotij medulla. 12.
Holorius 2 0 3 15 3.
Amount unto 2 3 15 3.

3 - 6 - 3.

A note of the best of the booke 16. of April 1629.

1.	A Strayula	_____	0	—	13	—	0
1.	A Concordance	_____	0	—	15	—	0
1.	Parous in Dom:	_____	0	—	7	—	0
1.	De Wittes works	_____	0	—	6	—	0
1.	Paget against Chynsworth	_____	0	—	2	—	6.
1.	Adamed his Image	_____	0	—	2	—	0
1.	Bernard against Brownists	_____	0	—	1	—	8.
1.	A bible	_____	0	—	6	—	0
1.	Raising Brownisme	_____	0	—	0	—	8.
1.	Moses unbayned	_____	0	—	}	1	4
1.	Poyist glorying	_____	0	—			
1.	Leonards grammar	_____	0	—	1	—	6
1.	Samdens grammar	_____	0	—	1	—	2.
1.	Sp. grooke of latin	_____	0	—	1	—	2
2.	Chynsworth psalms	_____	0	—	1	—	4.
2.	Duffen of ten Catechismes	_____	0	—	3	—	0
1.	Fider London.	_____	0	—	7	—	0
					3	—	10 — 4.

16. April 1629.

80 women of Maypo.
 26. Guilden.

300. men wth virtnall^l armed wth tooles of necessary appaill for them.

12. ffaggotts of straw.

5. Tunnes of Iron.

340. H^heads of meale.

120. H^heads of malt.

60. q^uarters of pease.

60. w^hais of pease.

80. w^hais of Salt.

60. ffurkes of butter.

140. H^heads of cattell wth hay of provender for them.

40. goats.

40. H^heads of beife of port.

8. Peires of ordinaunce.

40. Barrells of powder.

200. musketts.

60. Pykes.

3. ffogges of lead.

In newgarding of severall knyves ad stittles, bugles, spoones, knives, strivers, tumbled, -
 linnen and woollen cloths and other thinge in all the value of £ 350⁰⁰.

After my hearty commendations. wherwith his Majesty and by his Letters Patents
 under the grante Seals of England bearing.

The 27. of April 1629.

A warrant by this day to Mary Slayme for 20.
Mr Wingston was sworn into the Company's Assistant.
The letters that are written unto Captaine Endicott are approved of and copied
of them to be taken notice of.

17.
Mr. Sent. this day
Mr. Bore, Mr. Dyer
Mr. Cate, Mr. King
Mr. Oldam, Mr. Wain
Mr. Howell, Mr. V.
Mr. Humphrey, Mr. Widge.
Mr. Crane, Mr. Wingston.
Mr. Rownt, Mr. Widge.
Mr. Ndarren, Mr. Colbron.
Mr. Bartgouse, Mr. Ballard.
Mr. Wobb.

The 30. of April 1629.

A warrant unto Richard Crett for 2. sealed in silver the summe of 2
To Mr John Clarke for 2
Unto Richard Rowry for five parts of his agreement 12
To Mr Thomas Prime 6

Present this day.
Mr. Governour.
Mr. Deputy.
Mr. Cate.
Mr. Oldam.

It is agreed for the three shippes that are to goe for the new England, the
one halfe of the charges to be the Governours and the other to be at the Companies
charge.

Mr. Howell.
Mr. Nason.
Mr. Wingston.
Mr. Humphrey.
Mr. Hunterson.
Mr. Sam. Waffall.
Mr. Wdm. Waffall.
Mr. King. Waring.
Mr. Tho. Wadsworth.
Mr. Herbert. Wollam.

The letters read were sent in the George of Calbut and confirmed.

Mr Sammel Alderson took his oath of Assistant.

Mr John Endicott and Mr Sammel Savage being both put to election for Governour
of the Plantation in the Massachusetts Bay Captaine John Endicott was chosen by
a full and free election for the yeare following to be Governour, and the yeare
to begin from the time he shall take his oath.

Mr Francis Higginson, Mr Sammel Skelton, Mr Francis Bridget, Mr John Browne
Mr Sammel Browne, Mr George or any one of them, but in case of all their absence
Abraham Palmer or Chas. Styleman are to administer the oath sent herewith to
the said Governour Mr Endicott for the execution of his place.

Mr Francis Higginson, Mr Sammel Skelton, Mr Francis Bridget, Mr John Browne
Mr Sammel Browne, Mr Thomas Drabed, Mr Sammel Savage, these by free
election of hands were chosen to be of the Comissall of the Massachusetts Bay for the
yeare ensuing after they have taken their oaths to assist the Governour Captaine
John Endicott or his Deputy being such as shall be chosen to assist.

Comissall.

By election of hands the old planters here that will live under our government are
herby authorized to choose 2. of the distressed men amongst themselves to be of
the Comissall, but in case they refuse then the Governour or Deputy and the
7. of the Comissall abovenamed or the major parts of them are to choose 2. in
lieu of them to be of the Comissall.

By election of hands the Governour or Deputy and the 7. of the Comissall abovenamed
named or the major parts of them are to choose 3. more to be of the Comissall,
such as they shall esteem fittest thereto.

Comissall.

It is ordered that the Governour and the Comissall or the major parts of them
shall choose a Deputy Governour for the yeare ensuing to assist the Governour and
the Comissall in his absence, and that the Governour shall give the Deputy and
the Comissall their oaths appertaining to their places a Copy whereof is sent
herewith.

Deputy Governour.

articles of order
first.

It is further ordered by these presents that the Governour or his Deputy and Councill
aforesaid or the major parte of them shall make choice of a Secretarie and surr other
officers as shall in their discretions seeme requisite and needfull for the portable
and quiet government of the Plantation and to frame surr oaths and to administer the same
to every of them for the execution of his place and office for the yeares ensuing next after
they shall have taken the said oaths, and they in their discretions or the greater number of
them shall thinke good.

Officers to continue
for a yeare.

And it is ordered that the said Governour Deputy Councill and other officers aforesaid
shall be established and continue in their said severall places for one whole yeare or untill
his Honor shall thinke fitt to remove them in the place or places of them or any of them
and in the case of death &c.

Orders lawfull or to
be made not contrary
to the lawes of England.

It is further ordered that the said Governour and Councill or his Deputy and the said Councill
being chosen as aforesaid and having taken their oaths respectively to their places or the
greater number of them, whereas the Governour or Deputy to be always one at any their
meetings (where the said Governour at his discretion or in his absence the Deputy is hereby
authorized to appoint as oft as shall be occasion) shall have full power and authority
and are hereby authorized by power derived from his Majesty's Letters Patentes to make ordinances
and establish all manner of wholesome and reasonable orders laws Statutes Ordinances
directions and instructions not contrary to the lawes of the Realme of England for the
present government of our plantation and the inhabitants residing within the limits of our
plantation: a copy of all the orders is from time to time to be sent the Company to
London.

Acts of orders ingrossed
shall be sent for
New England.

It is ordered by these presents that a Coppy of the acts or orders made by the present
day for the settling the government in the Plantation of the Massachusetts Bay aforesaid
shall be fairly ingrossed and sent under the Companies Seale subscribed by the Governour
and Deputy by the speediest conveyance for New England that may be had.

Execution of hands.

All this confirmed by execution of hands.

Committee to frame
the Governours oath.

M^r Aldgrave M^r Wolgam M^r Humphrey M^r Rowell are intrusted to frame the
forme of the oaths for the Governour and Councill and also for his Deputy, and for
the Councill which is to be sent over and be administered to them in New England.

The 7th of May 1629.

- Present.
- The Governour.
- M^r Deputy.
- M^r Aldersey.
- M^r Adams.
- M^r Hnting.
- M^r Coulson.
- M^r Rowell.
- M^r Humphrey.
- M^r Sp. Pulyston.

The last Comett was read and confirmed by these presents.
 A forme of an oath for the Governour beyond the sea and of an oath for the
 Councill here was framed drawn and deliberated M^r Humphrey to send to Comsell.
 Letters are to be written about lands to be allotted to oare Aldentwer, also about
 M^r Francis's widdes business for a mill &c.
 To have these promised beyond sea that sell ymmed.
 To have some more lands lands forgotten.

The 11. of May 1629.

This day Mr Buldham propounded unto Mr Justice that he would have his Patent examined and it is agreed by the Court not to have any treaty wth him about it by reason its thought he doth it not out of love but out of some sinister respect.

A warrant is made into Mr Seale for 2 dozen and two hats at 2^d dozen for the summe of

19.
Present this day
Mr Deputy
Mr Treasurer
Sir John Saltonstall.
20 - 4. Mr Aldam
Mr Howell.
Mr Hutton.
Mr Humphrey.
Mr John Waffall.
Mr Peter.
Mr William Pimpton.
Mr Foxcroft.

The 13 of May 1629.

A warrant into Sirgard Rowley for a 12th and 2/3 parts of 18th the other 1/3 being to be payd by the Governour and is for his apprentice Robert Seale his time.

Mr Mathew Girdle is this day chosen by the consent of the generality of the Company to be Governour to the New England Company for the year following. Mr Thomas Doffe Deputy, also Mr George Harwood Treasurer to the said Company.

The assistants being this day to be chosen two of the former assistants mentioned in the Patent vizt Mr John Endrott and Mr John Brown being out of the land, the other 16 were confirmed vizt Sir Sirgard Saltonstall Mr Isaac Johnson and Samuel Aldersby Mr John Wem Mr John Humphrey Mr Symon Wadstrombe Jurward Rowell Sirgard Perry - Nathaniel Wriggt Samuel Waffall Thosophilus Eaton, Thomas Aldam Thomas Hutton George Foxcrofte William Waffall and William Pimpton: and to make up the number of 18. Mr John Worcke and Mr John Coulson were chosen assistants, and of these all excepting Mr Isaac Johnson Samuel Aldersby John Wem Nathaniel Wriggt Samuel Waffall Thosophilus Eaton and John Coulson took their oaths appoyning.

William Wriggt Humphrey Sewe John Wafforne of Lawrence for being all put in election for the place of Secretary, by a free election Mr William Wriggt was chosen Secretary for the year ensuing.

Humphrey Seale chosen and sworn beadle.

It is this day ordered that whosoever any Court of assistants shall be summoned whosoever of the assistants cometh not twice 25. Maies and 29. Sept before eight of the clock in the morning, and from 29. Sept to 25. Maies before 9. of the clock in the morning shall forfeit 12^d for every such offence, and if he come not within two hours after either of the said times respectively then two shillings for every default every man to forfeit and pay and for want of payment within 7 days after demand made by the Officer of the Company the s^{ayd} double to be sett upon his account, always provided upon leave of the Governour or Deputy or a lawfull excuse to the approbation of the Court, the s^{ayd} fine not to be regarded.

It is also agreed that for any that shall have private conference after the Court is summoned by the Governour or his Deputy knocking of the hammer twice on the table to sit downe and attend the Court, that 6^d by every person for every such offence shall be payd.

It is agreed that three pounds shall be payd John Wafforne for his payed as Secretary to the Company for the tyme past.

Present this day
Mr Governour.
Mr Deputy.
Mr Treasurer.
Mr Glover.
Sir John Saltonstall.
Mr Aldam.
Mr Wiffalls.
Mr Wadstrombe.
Mr Foxcrofte.
Mr John Waffall.
Mr Perry.
Mr Howell.
Mr Pimpton.
Mr Hutton.
Mr Johnson.
Mr Hartjouse.
Mr Ballard.
Mr Wafforne.
Mr Wadstrombe.
Mr Justice.
Mr Peter.
Mr Crane.
Mr Humphrey.
Mr Wadbe.
Absent assistants to be fined.

Private conference not to be in Court.
Secretary Wafforne rewarded.

The names of the Governour Deputy Treasurour and Assistants for the year 1629. and other Officers.

Governour
Deputy
Treasurour

M^r Mathew Gindorke Governour.
M^r Thomas Hoffe Deputy
M^r George Yarwood Treasurour.

Assistants.

S^r Richard Saltonstall
M^r Charles Johnson
M^r Samuel Aldersey
M^r John Wem.
M^r John Symfury.
M^r Simon Nhetrombe.
M^r Hercules Howell.
M^r Richard Perry.
M^r Abraham Wriget.
M^r Samuel Dassall.
M^r Theobald Eaton.
M^r Thomas Oldam.
M^r Thomas Hutzind.
M^r George Forroster.
M^r William Dassall.
M^r William Pingson.
M^r John Porotte.
M^r Christopher Goulson.

Secr.
Beadle.

William Ingrid Secretarie.
Symfury Beale Beadle.

Present, M^r Governour
M^r Deputy M^r George
Yarwood Treasurour
M^r John Symfury
M^r Thomas Oldam

At a Court of Assistants upon munday the 18th of May 1629.
William Ingrid chosen by the last generall Court to be Secretarie for the new estab-
lishment was now admitted and sworne accordingly, upon the Ballot of 100 marks from the
day he was chosen for the said year.

(Officers in N.E.)
M^r Simon Nhetrombe
M^r Richard Perry.
M^r John Porotte.
M^r George Forroster.

The acts made at a Court the 30th of April last for choosing and establishing a Governour
a Deputy Governour and other Officers in New England was now read and the Court
thought fitt to add therunto that they shall be established in their said places for
one whole year or till such time as the Company shall think fitt to choose others in
the stead of them, or any of them. And that in case any of them shall depart his life
before the expiration of his time they were so chosen for, that the Governour or Deputy and
Council at an ample Court assembled shall have power to nominate and choose fitt
person or persons to succede him or them so deceased in the said place or places for the
residue of his time unexpired.

Provision for
M^r Endicott.

M^r Symfury and M^r Oldam are desired to meete and consider what provision
are fitt to be now sent over to Captaine John Endicott and his family and to
provide the same accordingly.

200 Acres of Land
to be allotted.

The names of all the Adventurers to be now sent over with the severall Summes by
them underwritten. And it is ordered that the Governour and Council shoulde
have power to allot into every particular Adventurer, that shall desire the
same by himselfe or his assignee, 200. acres of land upon the Summe of 50th.
adventure in the generall stocke in his first dividend and proportionably four-
more or lesse according to their severall adventures. And the Governour, Deputy,
M^r Wriget, M^r Oldam and M^r Nhetrombe are to meete at M^r Governours house to-
morrow morning at five of the clocke to advise and conclude of this business.

The 19th of May 1629.

M^r Governour.
M^r Weyt.
M^r Weytomb.
M^r Adams.

Allotment of lands.

Concerning the allotment of lands to those persons ad are ad-
ventured in the common stock; It is thought fit that letters be
written to the Governour to sett out and allot unto them after the pro-
portion of two hundred acres of land for 50th adventur^{er}, and after
that rate for more or lesse, to the intent to build their houses and to
improve their labours thereon, by any particular adventur^{er} in the common
stock or his servant for him. And if within ten dayes after their arrivall
and demand made the same be not so allotted, then every man being an adventur^{er}
it hereby permitted free liberty to build in any place, where himselfe shall thinke
most convenient with reservation not to build or manure that already built on or
manured. Provided that if the plott of ground where the Towne is intended to be
built, be sett out, that it be publicly knowne to be intended for that purpose, that then
no man shall presume to build his house any where els unless it be in the Massachusetts
Bay, and there according to such directions as shall be thought meete for that place) but
in case his allotment be not sett out within the Towne where he shall build, and having
in his owne name or in the behalf of his master made request to the Governour to have
the same assigned to him, if it be not done within ten dayes after his arrivall; It
shall be free for any in such case being an adventur^{er} in the common stock to build
his house within the foresaid plott of ground sett out for the Towne to be built on
and to imple to his owne use proportionable to halfe an acre of ground for 50th
adventur^{er} in the common stock, unless a greater or lesser proportion be formerly
determined of by the Governour and Comtroll in which case that proportion is to be
made use of and appropriated to every man within the libertie of the plott sett
out for the Towne to be built on. And it is ordered that Homage be made in
the Companys name w^{ch} the Common stock of the Company to it to any that
shall desire it for every mans partable enjoying of that land he holdes at the
charge of the Company.

It is further thought fit and ordered that all such persons ad goe over at their owne charge
and are adventur^{er} in the common stock shall have lands allotted to them for themselves
and their families forthwith, 50. Acres of land for every person, but being no adventur^{er}
in the common stock, shall have 50. Acres of land for the master of the family, and
such a proportion of land more if there be cause, as according to their charge and
quality the Governour and Comtroll of New England shall thinke necessary for them,
whereby their charge may be fully and amply supported, unless it be to any w^{ch}
some the Company in London shall make any other particular agreement, to
whiche relation is to be had in such case.

And for such ad transportes servants lands shall be allotted for every servant 50.
Acres to the master, whiche land the master is to dispose of at his discretion
in regarde the servants transportation wages or is at the Masters charge.

Present
 Mr Hobbes
 Mr Woffe Deputy
 Mr Warriner
 Mr Warriner
 Mr Foxcroft
 Mr Eaton
 Mr Brisson
 Mr John Howell
 Mr Symonds
 Mr William Waller
 Mr Hutchins

A Court of assistants on Thursday the 21th of May 1629.
 Mr Eaton took the oath of assistance: And he is desired to accompany Mr Symonds
 Mr White the Comptroller to be satisfied touching the administration ordered to the Governor
 and Council in New England. Mr Warriner is also desired to be with them.

The Court of the 18th of May was now read and also the order touching by Mr
 Governor and order touching the allotment of lands, and a parte of the letter for-
 merly written in this particulare was confirmed, whereunto this Court thought fitt to
 add, if within ten dayes after arrival of these shippes and demands made by any person
 Adventurer in the Common stocke or his or their servant of their allotment of lands
 the same not being done, that then any person be permitted to setle himselfe in a con-
 venient place not formerly built nor manured and to build his house and inclose the
 same to his or their use not exceeding the one halfe of that proportion whiche by the
 former order of this Court is allowed, and upon the dividend is made to be free to
 make his choice within the said allotment if he dislike that he had formerly chosen.

Orders to be
 drawne out.

It is thought fitt that the Secretary drawe out at large the orders touching
 the establishment of the Governor and Council in New England, and also the order
 made touching the allotment of lands. And Mr Governor Mr Deputy Mr Treasurer
 Mr Adams Mr Eaton Mr Hutchins Mr Howell Mr Warriner Mr William Waller or
 any forme of them, whereof the Governor or Deputy to be always one are desired
 and appointed to meete and resolve of these orders, and to affix the Com-
 panyes seals therunto, and also for preparing letters to be now written and to
 resolve and determine of all other business requisite for dispatch of these shippes.

Meeting at the Governor's house on Friday the 22th of May 1629.

Present
 Mr Governor
 Mr Deputy
 Mr Adams
 Mr Symonds

The orders drawne for the establishment of the Governor Deputy and Council
 and other officers in the plantation at the Mattamusetts Bay in New England, and also
 the order for the dividing and allotment of lands here to the Adventurers and
 others were now read, advised on touched and concluded on. Together with
 the generall letter from the Company here to the Governor and Council here.
 All which are appointed to be finally ingrossed and the said orders to be sealed
 with the common seals of the Company and sent over upon the shippes now
 ready to depart for New England.

Orders for establi-
 shing of officers
 in N. E.

A generall Court the 11. of June 1629.

This Court was appointed to take consideration of raising of money for payment of diverse debts and bills, and thereupon an estimate was made of what was owing by said bills and wherby are of necessity to be presently paid.

- Present
- M^r Robert
- M^r Deputy
- M^r Farwood
- M^r Adam
- M^r John Wilm
- M^r Bartholomew
- M^r Wm Bassall
- M^r Noble
- M^r unfray
- M^r Evans
- M^r Bulliston
- M^r Foxroffe

That another day be appointed and the whole Company to be summoned by tickets wherby is thought fitt to be on Wednesday next.

M^r Didden M^r of the Shippe made demand of freighte protested to be due unto him for his last voyage, but he not expressing a certaine summe, & his Assent being thought fitt to deferre him till the next Court. And in the meane time he is desired to bring in a note of what is due, and also to give security to the Company to free them from any further demands of and thereupon a small conclusion thereof to be made.

A generall Court hold at the Deputy's house on Wednesday the 17. of June 1629.

M^r Johnson was sworn an assistant of this Company being chosen thereunto by a Court the 13. of May 1629.

- Present
- M^r Robert
- M^r Deputy
- M^r B. B. Ballonstall
- M^r Dido. Floycroft
- M^r W. Down
- M^r Adam
- M^r Wightombe
- M^r W. W. W.
- M^r Johnson
- M^r Howell

M^r Dovern moved that a course might be settled for bringing in of money. And M^r W. was not returned a note concerning the restorers men.

- It was proposed,
- To encrease their former subscriptions.
- To invite others to underwrite.
- To borrow money for a time to supply the occasion.
- To take up money at interest.

That the best here present doe furnish 200, or 100. a peece and to have allowance for it.

The Court taking into consideration the necessity of a present supply of the summe of fiftene hundred pounds for discharging of debts and bills and that the money underwritten by the old members and not yet brought in, nor likely to be brought in, in convenient time for satisfaction of these debts and bills, wherby are of necessity to be presently paid, upon severall propositions made it is desired and concluded on that these of the Company here present would ease of them voluntarily lend such a summe of money as he shall think fitt for advancing the summe wanted, and to have the Common Seals of the Company for the repayment thereof according to the time for which he or they so lend the same. And also that the Secretary be appointed to goe to such others of the Company not present as M^r Dovern shall name, to intimate the same unto them, and to desire them to underwrite what summe they will lend for this occasion according as many of the Company here present have done.

- M^r Farwood
- M^r Wight
- M^r Wollam
- M^r Quaker
- M^r Clarke
- M^r Halland
- M^r Poulson
- M^r W. W. W.
- M^r Dabnd
- M^r Edm. W. W.
- W. W. W.
- M^r Dabid
- M^r Tho. Andrewes
- M^r Aldersey

Names of those in Court that underwrote to lend.

B. B. Ballonstall	100.	M ^r Dovern	150.	M ^r Deputy	50.
M ^r Down	25.	M ^r Adam	50.	W. W. W.	25.
George Farwood	50.	W. W. W.	25.	M ^r Clarke	25.
Simon Wightombe	25.	Tho. W. W.	25.	Edm. W. W.	50.
Dan. Balland	25.	Edm. W. W.	20.	Joseph Paron	25.
M ^r Aldersey	50.	Tho. Andrewes	25.		

And it is ordered that the Common Seals of the Company be given to them, and

all orders that will lend for repayment hereof at such time as they shall desire the same.

Auditors appointed

Auditors appointed for auditing the accounts vizt m^r Simon Noystrombe, m^r Nathaniel Noystr, m^r Rowell, m^r Perry, m^r Crane, m^r Clarke, m^r Eaton and m^r Andrews, these 8. or any 4. or more of them to meete at a convenient time and place to audit the accounts.

Committee to reduce former orders into a method.

A Committee for reducing of all former orders into a method, vizt the Honorable m^r Noystr m^r Dabonport m^r Johnson Captaine Waller Captaine Demm m^r Chelcusey m^r Adam m^r Noystr and m^r Douby they or any 4 of them. And to present the same to the next generall Court to be ratified and confirmed in warte or in wbole as shall be then thought fit. Nothing are then by the Secretarie to be entered into a fine booke to be kept for that purpose, according to the usage and custome of other Companies.

A generall Court holden for the Company of the Whittarbusetts Bay in New England at m^r Doughtys house on Tuesday the 28. of July 1629. Present.

m^r Matt: Guadocke Ho^r.
m^r Thomas Doffe Deputy.
m^r George Harwood, Clerke

Assistants.

m^r Thomas Adam
m^r Nathaniel Noystr
m^r Theophilus Eaton.
m^r Fitzwilliam Perry.
m^r Rowell.
m^r Simon Noystrombe
m^r John Perotte
m^r Golson.
m^r Hutchins.
m^r Pimshion.

m^r Sam: Bassall. Assistant.
m^r Jos: Wadsworth.
m^r Wmnot.
m^r Hibet.
m^r Dan: Ballard.
m^r Symptome.
m^r Tho: Johnson.
m^r Woodgate.
m^r Wabb
m^r Crane.
Generality.

Accounts to be audited.

The business treated on at the last meeting was now read and thereupon the accounts of m^r Dabonport m^r Deputy and m^r Crasmoor being now presented to the Court, the Auditors formerly appointed for auditing the Companies accounts were now desired to meete and peruse and audit these accounts, whiche they have agreed to doe to morrow in the afternoon.

It was moved by m^r Dabonport that a shipp of 400. Tunned and of good force being now to be sold, should be bought for the Company if upon their generall sorte or that some particular members of the Company would undertake to buy the said shipp in regard the Company are now in Cass. And that the Company will not only employ that shipp but take other shipp of them of lesse defence for transport of their Gattall and all other Commodities from time to time so long as they shall be willing to furnish such shipping.

Whereupon m^r Dabonport declared that he was willing to take warte of the said shipp.

And

- And did write e — $\frac{1}{8}$ pf.
- m^r Deputy e — $\frac{1}{16}$
- m^r Adams e — $\frac{1}{8}$
- m^r Wright e — $\frac{1}{8}$
- m^r Eaton e — $\frac{1}{16}$
- m^r Wadstrombe e — $\frac{1}{16}$.
- m^r Keble e — $\frac{1}{16}$
- m^r Aldersey e — $\frac{1}{16}$
- m^r Wilburno e — $\frac{1}{8}$
- m^r Johnson e — $\frac{1}{16}$
- Esq^r Company e — $\frac{1}{8}$.

et.

A Letter of the 27th of May from m^r John Endicot was now read, wherein amongst other things he complained of the prophane and dissolute living of divers of our Relation former & vnder to the parts and of their irregular trading wth the Indians touching to his late late Proclamation, desiring that the Company would take the same into their serious consideration, and to use some speedy means here for reformation thereof; whereupon the Proclamation made in Anno 1622. was read. And it is thought fit, that suit be made to his Matie or the Lords for renewing thereof, with addition of such beneficial clauses as shall be needfull for reforming the great and insufferable abuses. And m^r Governour, m^r Aldersey, m^r Wright, and m^r Eaton are desired to repair to the Lords Keeper and m^r Secretaries of State to acquaint their honours herewith, and afterwards a petition to be presented to the Council Board accordingly.

A letter from
John Endicot
reads.

A note of divers propositions offered to the consideration of this Company by one John Betts was read, pretending that he is able to discover divers things for the good and advancement of the plantation and the benefit of this Company, whereupon some of those persons present were desired to enquire further of him, not only of his ability but of his deportment in his life and conversation and then the Company to treat with him as they shall think fit.

Propositions of
John Betts.

Also m^r Wadstrombe moved touching a stranger man being a Physician, and otherwise well qualified who is desired to goe over to live upon the Companyes plantation, and gives good commendations both of his sufficiency, and of his goodly life and conversation, and of one m^r Wandiner, an able and expert man in divers faculties, who are to be further enquired of, and treated with against the next meeting of the Company.

A strange
Physician.
m^r Wandiner.

It is also thought fit and ordered that letters be written to those in the Country to say in what they are bound upon their subscriptions, and that some tradesmen here in London that have occasion to travel into any of those parts be desired to write the money for the Companyes behalf.

Letters to be written
to divers for bringing
in their subscriptions.

And lastly m^r Choburne read certaine propositions touching by himselfe, vizt That for the advancement of the plantation, the indenting and encouraging persons of worth and quality to transplant themselves and families thither, and for other weighty reasons therein contained to transfer the Government of the plantation to those that shall inhabit there, and not to continue the same in subordination to the Company, heere do now it is. This business occasioned some debate, but by reason of the many great and considerable consequences depending, it was not now resolved upon, but those present are desired privately and seriously to consider hereof, and to sett downe their particular reasons in writing & to continue the same at the next generall Court where they being reduced to heads and maturely considered of the Company may then proceed to a final resolution therein, and in the mean time they are desired to carry the business strictly that the same be not divulged.

About transfer
ving the Governmt.

A generall Court holden at Mr Deputyes house the
28th of August 1629.

Present

Mr Deffe Deputy.
Mr Hayward Cur.
Sir Richard Saltonstall.
Mr Johnson.
Mr Sabourne.
Mr Humphrey.
Mr Adams.
Captaine Wem
Mr Porocke.
Mr Perry.
Mr Polston
Mr Pimpton
Mr William Waffall.

Mr Howel.
Mr Foxcroft.
Mr Wight.
Mr Cooke.
Mr Ballards.
Mr Wrought.
Mr Nettombe.
Mr Smith.
Mr Peboe.
Mr Dany.
Mr Eaton.
Mr Golbrand.

About transfe-
ring the Govern-
ment.

Mr Deputy acquainted this Court that the speciall cause of their meeting was to give answer to divers gentlemen intending to goe into New England whether or no the said Governement of the Plantation together with the Patent should be settled in New England or here.

Whereupon it was ordered that this afternoon Mr Wrought Mr Eaton, Mr Adams Mr Spurston and Sir Hayward as they should thinke fitt to call unto them whether they were of the company or not to consider of arguments against the settling of the Governement in New England. And on the other side Sir Richard Saltonstall Mr Johnson Captaine Wem and Sir Hayward as they should call unto them to prepare arguments for the settling of the said Governement in New England. And that the morrow morning being the 29th of August at 7. of the clocke both sides should meete and conferre and bringe their arguments and afterwards at 9. of the clocke (whithin the time appointed of meeting for a generall Court to make report thereof to the whole Company, who then will determine this business).

A generall Court at m^r Deputyes house the 29th of August 1629.
Present.

27.

m ^r Deputy.	m ^r Howwood Clerk.
Er Richard Saltonstall.	m ^r Permy.
m ^r Johnson.	m ^r Hopcroft.
m ^r Dabemport.	m ^r Davyd.
m ^r Aldersley.	m ^r Ironside.
m ^r Humphrey.	m ^r Pirgion.
Captaine Waller.	m ^r William Daffall.
Captaine Wem.	m ^r Howe.
m ^r Adams.	m ^r Ballard.
m ^r Eaton.	m ^r Howell.
m ^r Samuel Daffall.	m ^r Rabbe.
m ^r Wriggt.	m ^r Wychetombe.
m ^r Holston.	m ^r Folbrand.
m ^r Perorke.	

This day the Committed which were appointed to meet yesterday in the afternoon
to consider of arguments pro & contra touching the settling of the Government of the
Companyes Plantation in New England, being according to the order of the last
Court, mett together debated their arguments and reasons on both sides, where were
were present many of the assistants and generalitie. And after a long debate, m^r
Deputy put it to the question as followeth.

Settling the
Government in -
N. E.

As many of you as desire to have the Patent and the Government of the
Plantation to be transferred to New England, so as it may be done legally, hold up
your hands. So many as will not, hold up your hands.

Where by cirection of hands, it appeared by the generall consent of the Companyes,
that the Government and Patent should be settled in New England, and accordingly an
order to be drawn up.

Ordained etc.

A generall Court holden at m^r Deputyes house the 19th of
of September 1629. Present,

m ^r Matt: Pradocke	m ^r Gelson.
m ^r Tho: Coffe Deputy.	m ^r Pimhon.
m ^r Tho: Harwood Clerk.	m ^r Hntingind.
m ^r Symstowe.	m ^r Peary.
m ^r Potocke.	m ^r Noystrambe.
m ^r Nwright.	And offered.

Business of —
m^r John & Samuel
Brown.

At this Court Letters were read from Captain Endicott and offered from New E.
and whereas a difference hath fallen out betwixt the Governour here, and m^r John and
Samuel Browne, it was agreed by the Court, that for the determination of these
differences, m^r John and Samuel Browne might choose any three or four of the
Company on their behalfs to hear the same difference, the Company choosing
as many. Whereupon the said m^r John and Samuel Browne made choice of m^r
Samuel Bassall or m^r William Bassall, m^r Simon Noystrambe and m^r William Pimhon,
and for the Company there were chosen m^r John Noystrambe, m^r John Dabonport —
m^r Harko Johnson and m^r John Noystrambe, who with the Governour or Deputy due to
determine and end the business, the first Tuesday in the next Terme, and if any of
the aforesaid parties be absent, offered to be chosen by either party in their stead.

Unlading the —
shippes.

For the unlading of the shippes now come vizt the Nyond whiche and the Calbot,
it was desired that the Governour and Deputy would take such order therein as they
should thinke fit.

The 5. boyes
sent backe.

And lastly for the 5. boyes returned from New England upon the Calbot, It is
to be advised on what course to be taken for their punishment, either by returning
m^r Noystrambe his warrant, by complying to the Judge of the Admiraltie, or
otherwise.

A generall Court holden at m^r Deputyes house on Tuesday the 29th of September 1629. Present

- | | |
|---|----------------------------|
| m ^r Nathaniel Bradshere Secy | m ^r Childreves. |
| m ^r Thomas Hoffe Deputy. | m ^r Fox. |
| Captaine Waller. | m ^r Hobell. |
| Captaine Dem. | m ^r Jynson. |
| m ^r Nath: Wriggt. | m ^r Nodde. |
| m ^r Thomas Adams. | m ^r Woodgate. |
| m ^r George Foxcroft. | m ^r Wulkeston. |
| m ^r Richard Perry. | m ^r Cateman. |
| m ^r Howell. | m ^r Wynnys. |
| m ^r Simon Wychcombe. | |

At this Court were read the orders made the 28th and 29th of August last touching the transferring of the Patent and Government of the plantation, into New England, but that business being of great and weighty consequence is thought fit to be deferred for determination untill Sr Richard Saltonstall, m^r Jynson and other gentlemen be come in to London and may be here present, and in the mean time it was proponed that a Committee should be appointed to prepare the business,

Transferring of the government.

- To take advice of learned Council, whether the same may be legally done, or no.
- By what way or means the same may be done to correspond with and not to prejudice the Government here.
- To consider of the time when it will be fit to do it,
- To resolve on whom to confer the government and divers other circumstances material to be resolved on &c.

The next thing taken into consideration was the Letter from m^r John and Samuel Browne to divers of their private friends here in England, whether the same should be delivered or destroyed, and whether they should be opened and read or not and for that it was to be doubted by probable circumstances that they had defamed the Country of New England, and the Government and Government here, it was thought fit that some of the said Letters should be opened and publicly read, which was done accordingly, and the rest to remaine at m^r Deputyes house, and the parties to whom they are directed to have notice. And m^r Governour m^r Deputy m^r Treasurer and m^r Wriggt or any two of them are intreated to be at the opening and reading thereof, so the said Company may have notice if ought be inserted therein, which may be prejudicial to their Government or plantation in New England. And it is also thought fit that none of the said Letters from m^r Samuel Browne shall be delivered but kept to be made use of against him as occasion shall be offered.

Letter from John & Samuel Browne &c.

The business of clearing the two ships lately come home, paying and discharging the men, and housing the goods is recommended to the care of m^r Deputy, who hath undertaken the same.

Clearing the ships lately come home.

It is also thought fit and ordered that the Secretary shall write out a Copie of the former grant to the Earle of Northwicke and others, which was by them resigned to this Company, to be presented to his Majesty, he having desired the same.

Copies of the Patent for the Earle of Northwicke.

Buying the Ship - Eagle.

Mr Robert moved to know the resolution of the Company concerning buying the Ship Eagle and it was concluded on as formerly that the said Ship should be bought by the hereafter named list.

Mr Robert	1/8	Mr Hobell	1/16
Mr Deputy	1/16	Mr Alderson	1/16
Mr Adams	1/8	Mr Gilbertson	1/8
Mr Waring	1/8	Mr Jyson	1/16
Mr Eaton	1/16	The Company	1/8
Mr Wadstrombe	1/16		

And Mr Robert is desired to go on and conclude the bargain upon terms formed as heretofore and it was further thought fit and resolved on that this Ship being of good force and bought for the safety and honor and benefit of the plantation shall allways be preferred in that voyage before any other Ship and to have some consideration in her freight above other Shippes accordingly.

Sale of beaver skins.

It is also thought fit for the present raising of money that sale be made of the beaver skins and to that purpose a rate was now sett upon them of 20^d p^t. And Mr Nathaniel Waring being here present is to have time till tomorrow to accept of them at that rate or to returne his answer and in the mean time the skins not to be sold under that rate, the sale of them being referred to Mr Robert and Mr Deputy.

Debate to the Lords.

Also some speech was had concerning the delivery of the petition to the Lords of the Council but this is deferred till the Shippes coming to London.

Abstract of the beginning with their subscriptions.

Mr Treasurer and Mr Adams are desired to make an abstract of these two and beginne with their subscriptions to the end some course may be taken to call in for these moneys.

Deer and talpots to be sold.

For the beaver skins and furs talpots and 2. mares and 2. foles it is thought fit that they be forthwith sold rather then kept at charge all this winter, they is recommended to the care of Mr Bateman and Mr Jyson.

The boxes sent home.

Also concerning the 4. boxes returned in the Cabot Mr Wadstrombe and Mr Howell are desired to acquaint Mr Henry Marchyn with their misdeameant and to advise what punishment may be inflicted upon them and how the Company may be legally discharged of them.

To Samuel Browne.

Upon the desire of Mr John of Samuel Browne it is thought fit and ordered that they should have a copy of the accusation sent from New England against them to the end they may be better prepared to make answer therunto.

Flax boards.

Mr Waring is desired to take care of the sale of the Flax boards and other woods.

Letters to be answered.

Also letters from Robert Woulton the Shipwright and from the Company and shavers of woods consisting of diverse particulars were now read which are to be abbreviated and fitting answers to be made unto them by the returne of the next Ship to New England.

A Generall Court at the Deputy house of the Company
15. of October 1629. Present.

31.

Mr Matthew Goddard Governour.	Mr Ballard
Mr George Harwood Treasur.	Mr Hoboe.
Mr Richard Saltonstall.	Mr Dudley.
Mr John Daboncorke.	Mr Wadsworth.
Mr Isaac Johnson.	Mr Webb.
Mr Samuel Aldersey.	Mr Hyslop.
Mr John Symper.	Mr Young.
Mr Nathaniel Waring.	Mr Wadsworth.
Mr John Darn.	Mr Crane.
Mr Thomas Adams.	Mr Owen Howe.
Mr William Daffall.	Mr Fowler, w ^{ch}
Mr Simon Wadsworth.	Director of the
Mr William Dinsion.	Generalitie.
Mr George Foxcroft.	
Mr Furwasse Howell.	

The speciall and only occasion of this meeting being to consider and resolve of the settling the trade in New England now upon transferring the government thereof for the introment as well of the Adventurers in the joint stocke houses as of the persons already are and of others who intend to goe over in person to be planters there, and for the mutual correspondence and help and the advancement of the plantation to the end whereto was at first intended, The Court took the same into due and mature consideration and after a long debate and sundry opinions given and reasons why the joint stocke (which had borne the burthen of the charge hitherto and was likely to beare more) should have certaine commodities appropriate to beare for reimbursement and defrayment thereof, and divers objections being made to the same and all was largely discussed and well weighed, The Court in conclusion fell upon a moderation as followeth. vizt.

Transferring the Government.

That the Companies joint stocke shall have the trade of Beber and all other affairs in those parts solely for the terme of seven yeares from this day for and in consideration of the charge that the joint stocke hath undergone already and is yet continually to beare for the advancement of the plantation.

The joint stocke to have the trade of Beber for 7. yeares.

That for the charge of the fortifications the Companies joint stocke to beare the one halfe and the planters to defray the other vizt for ordinarie munition powder &c. but for labors in building of forts or all men to be employed in an equall proportion according to the number of men upon the plantation and so to continue untill such fitt and necessary works be finished.

Charge of fortifications

That the charge of the Ministers now there or that shall goe hereafter to reside there as also the charge of building convenient Churches and all other publique works upon the plantation be in like manner indifferently borne the one halfe by the Companies joint stocke for the said terme of seven yeares, and the other halfe by the planters.

other publique charges.

That the ordinarie already provided for fortification be retained as they rest as also all powder and munition whatsoever concerning them so as the same be delivered there for publique use, and this to be accomplished as partes of the joint stocke of the Company.

Ordinarie to be retained.

All which being severall times read, was by the Court put to the question and by general consent

A Committee -
about transferring
of the government.

by exertion of hands not agreed and concluded on and ordered accordingly.
And forasmuch as by former order the Patent and Government is to be transferred to
New England, A Committee is appointed parte of the Adventurers here and parte of those
that intend to goe over. vizt.

- | | | | |
|---------------|--------------|---------------|---------------|
| Mr Davenport. | Mr Adams | Mr Kingdall | Mr Duffell |
| Mr Waring. | Mr Wadsworth | Mr Johnson. | Mr Wadfall. |
| Mr Pory. | Mr Young | Mr Wadsworth. | Mr Wadsworth. |
| Capt Wadlow. | Mr Sprinckle | Mr Symonds. | Mr Downing. |
| Capt Wadlow. | Mr Hobell | Mr Dudley. | |

Who are desired to meete to morrow morning to conferre of and drawe fitt and convenient
clauses to be inserted in articles of agreement which may be commodious for either parte and to
prepare the same for a Court of Assistants appointed that afternoon to determine thereof.

A Court of Assistants at the Deputyes house on Friday Sept 16. of October
1629. Present

- | | |
|----------------------|-------------------|
| Mr Matthew Goddard | Mr George Inwoods |
| Mr Kingdall | Mr Wadsworth |
| Mr J. Johnson. | Mr Johnson. |
| Mr Dudley. | Mr Wadsworth. |
| Mr John Symonds. | Mr Pory. |
| Mr William Wadfall | Mr Wadsworth. |
| Mr Hobell. | Mr Sprinckle. |
| Mr George Wadsworth. | Mr Wadsworth. |
| Mr Adams. | Captaine Wadlow. |
| | Mr Wadfall. |

About transferring
the government.

This Court was appointed to treat and resolve that upon the transferring of the
Government to New England what Government shall hold at London respecting the future
change of the joint stocks may be transferred and preserved and the body politike of the
Company remains and inviolate.

Persons to manage
the joint stocks:

What persons shall have the charge of the managing of the joint stocks both at London &
in New England wherein it is conceived fitt that Captaine Endicott continue the government
here unless it be found to the contrary.

How the government to
be transferred.

The best and other things were largely discussed and it was thought fitt and naturall that
the government of persons be held here. The Government of trade and manufactory to be here.
That the joint stocks being mutual both here and there that some fitt persons be appoin-
ted for managing thereof in both places.

Motion for clearing
the joint stocks of
the debts.

But for that there is a great debt owing by the joint stocks it was moved that some course
might be taken for clearing thereof before the Government be transferred, and to this purpose it
was first thought fitt that the accounts should be audited to see what the debt is, but
the business not admitting any such delay it was desired that Mr Goddard and Mr Wadlow
would meete to morrow and make an estimate of the debts of the same against
a meeting to be on Monday next to determine this question.

Letters to Mr Endicott.

The Shippe Eagle is to be freighted from Bristol.
The letters were read and signed to Mr Endicott Mr Skelton & Mr Higginson and
appeared by the entree of them in the book of copied of letters.

A meeting at m^r Deputyes house on Monday the 19th of October 1629. Present,

- | | |
|--|---|
| m ^r Matthew Goddards Secy. | Mr Richard Saltonstall. |
| m ^r George Hamwood Treasurer. | m ^r Jacke Johnson. |
| m ^r Ratjamell Wright. | m ^r Dubenporte. |
| Captaine Demmo. | m ^r W ^m Hylte Esq ^r Preacher. |
| m ^r Dimhion. | m ^r W ^m Hylte Esq ^r Gomseller. |
| m ^r William Vassall. | m ^r W ^m Hylte Esq ^r . |
| m ^r Hylson. | m ^r Dudley. |
| m ^r Howell. | |
| m ^r Adams. | |
| m ^r Hopcroft. | |

The occasion of this meeting being the resolution of the alteration of the Government and herein to consider how the debts upon the joint stocks shall be first discharged or how the same shall hereafter managed and herein what was formerly treated on - was againe related, and for that diverse questions will arise to be determined in this - businesse we will take up many time and cannot be so conveniently done at a Court it was thought fitt that certaine committees be appointed on either parte to make and make propositions day to day and sett the same downe in writing, and if they can to agree and conclude of a fitt end to be made for the good of the plantation and if any differences happen we they cannot agree on that then the same be referred to the unpartie and determination of some of the present to be chosen to that purpose we are desired to sett downe in writing what they shall thinke in this - our is fitt to be done indifferently for the good of the worke and the intreatment both of planters and adventurers, And to this purpose Articles betwene the planters and adventurers for performance of what shall be determined were now drawn by m^r W^m Hylte Esq^r Gomseller read and approved and are to be presented to morrow at a generall Court the Governour and assistants to be chosen for the Governour in N^e England.

About transferring the government.

Committees be appointed.

Articles drawn.

A generall Court holden at m^r Deffes the Deputyes house on - Tuesday the 20. of October. 1629. Present.

- | | | |
|--|---|---------------------------------------|
| m ^r Matthew Goddards Secy. | m ^r Richard Worsy. | Captaine Wdaller. |
| Mr Richard Saltonstall. | m ^r Thomas Adams. | m ^r Kallards. |
| m ^r Jacke Johnson. | m ^r John Worcke. | m ^r Wdodgator. |
| Captaine John Demmo. | m ^r W ^m Hylte Esq ^r assiste. | m ^r S ^r Joseph. |
| m ^r Alderby. | m ^r Dubenporte Esq ^r . | m ^r W ^m Hylte. |
| m ^r Ratjamell Wright. | m ^r W ^m Hylte. | m ^r Exmstowe. |
| m ^r George Hamwood Treas. | m ^r W ^m Hylte. | m ^r Hylson. |
| m ^r John Hylson. | m ^r Dudley. | m ^r How. |
| m ^r William Vassall. | m ^r W ^m Hylte. | m ^r Wobb. |
| m ^r William Dimhion. | m ^r Adams. | W ^m Hylte some others |
| m ^r George Hopcroft. | m ^r Job Broadshawe. | of the generality. |
| m ^r James Howell. | m ^r Hook. | |
| m ^r W ^m Hylte Esq ^r . | m ^r Debel. | |

Assistants.

The Governour is desired to be read the order formerly made touching the buying of the Shipps & Cargos.

Shippes & Captains, and desired to know the pleasure of the Court for confirmation thereof, - whereupon some debate being had the order was well approved of, but for that it is wished that the gentlemen that are to goe over should have the 2 parts of the said ship which was formerly allotted to the Company, the Company being out of Case and for other reasons they not having notice thereof till now desired time till the afternoon to consider thereof and to give their answers which was postponed unto and the same is then to be determined accordingly.

Election of a new Governour.

After which Mr. Goubernour acquainted the present that the speciall occasion of summoning this Court, was for the Election of a new Governour Deputy and Assistants the Government being to be transferred into New England according to the former order and resolution of the Company,

A Committee of Unpaired appointed.

But before the Court proceeded to the said Election certaine Articles of agreement conceived at a meeting yesterday betweene the Oldenborow here at home and the Planters that are to goe over as well for the managing and settling of the Joynt stocke as for redressing of any differences that may happen upon the charge of the Governour was now read and recommended to the Court for their approbation and for the nomination and appointment of a competent number of Committees to make and treat and resolve of these businesses, the Articles themselves were approved of and five Committees on either parts were chosen vizt. Mr. Richard Saltonstall Mr. Wintrop Mr. Dudley Mr. Johnson and Mr. Humphrey for the Planters, and for the Oldenborow was chosen Mr. Goubernour Mr. Aldersey Mr. Waight Mr. Huttynd and Captaine Wome. And in case the said Committee or the greater number of them should differ in any one or more particulars and not agree thereon there was chosen for Unpaired Mr. Wight the Comptroller Mr. Wight of Dorchester and Mr. Dabemparts to receive the decision and determination of all such differences is referred according to the tenor of the said Articles of Agreement. And it being further taken into consideration that in regard of the shortness of the time limited to the Committees many things of weight and consequence in this so great a business may either not be at all thought on or otherwise left unresolved by them and the said Unpaired. It is therefore thought fit by this Court that the said Committee and Unpaired shall continue till the end of this Terme, and whatsoever materiall thing for the good of the Plantation shall in that time be treated on and resolved by them the same to be as valid and effectual as if it had bin done before the expiration of the time limited to the Committees And it was further thought fit that all such other of the Company as will may from time to time have access to the said Committee to propound such things as they conceive beneficiall for the business or to present their opinions in writing but not to debate with them for interrupting their proceedings.

All which being put to the question was approved of and by creation of hands ordered accordingly.

Election

of

Governour

And now the Court proceeding to the Election of a new Governour Deputy and Assistants which upon serious deliberation hath bin and is conceived to be for the speciall goods and advancement of their affaires and having received extraordinary great commendations of Mr. John Wintrop both for his integrity and sufficiency as being one ordinary way well fitted and accomplished for the place of Governour did put in nomination for that place the said Mr. John Wintrop Mr. Richard Saltonstall Mr. Dudley Johnson and Mr. John Humphrey and the said Mr. Wintrop was with a generall vote and full consent of this Court by creation of hands chosen to be Governour for the ensuing yeere to begin on this present day who was pleased to accept thereof and -

whereupon took the oaths to that place appoynting. In like manner and w^{ch} like Deputy.
free and full consent m^r John Symonds was chosen Deputy Governour and

- | | |
|------------------------|----------------------|
| Mr Richard Saltonstall | Mr Thomas Sharpe. |
| Mr Harko Johnson | Mr John Robell. |
| Mr Thomas Dudley | Mr Matthew Gradocke. |
| Mr John Endicott | Mr Thomas Coffe. |
| Mr Rowell | Mr Alderson |
| Mr William Bassall | Mr John Worn |
| Mr William Pimpton | Mr Nathaniel Wriggt |
| Mr Samuel Sharpe | Mr Theophylus Eaton |
| Mr Edward Kiffiter | Mr Thomas Adams, |

were chosen to be Assistants w^{ch} said Deputy and the greatest parts of the said — Assistants.
Assistants being present took the oaths to their said places appoynting respectively.

A Court of Assistants at m^r Coffes house on Friday the 25th of November 1629. Present

- | | |
|----------------------------|----------------------|
| Mr John Wintrop Governour. | Mr Thomas Coffe. |
| Mr John Symonds Deputy. | Mr William Pimpton. |
| Mr Richard Saltonstall. | Mr Gelson. |
| Mr Thomas Dudley. | Mr Matthew Gradocke. |
| Mr Thomas Adams. | Mr George Harwood. |
| Mr Nathaniel Wriggt. | Mr John Robell. |
| Mr Nutt. | Mr Rowell. |

The speciall cause of this meeting was to advise of a course for bringing in of money for payment of mariners wages freight of shipped and other debts and charges. Mr Gradocke acquainted those present what summes he had disbursed for arrixt of the Company and what more was owing for mariners wages upon the Shippes Calbot, Mayflower, and flower. Sister and for the freight of those shipped amounting to 1200^l and upwards w^{ch} the Court think fitt and order to be first payd before any other debts, And m^r Governour desiring to have power from the Court to grant warrants for payment of money as was formerly accustomed the same was recommended unto, and a warrant was now made and signed by the Governour and Deputy directed to m^r Harwood for — to m^r Gradocke. It was ordered for payment of 800^l to m^r Gradocke so soon as money shall come to his hands.

for bringing in of money,
to pay
freight of mariners wages.
A warrant for 800^l to m^r Gradocke.

Some debate was had touching m^r John and Samuel Browne complaining that their goods purdyed in New England are undervalued, and diverse things omitted to be payd w^{ch} they desire to have redress and justice done, It is thereupon thought fitt that if they can produce proofe thereof then they are to be redressed here, otherwise the same is to be suspended, and all the objections they can make to be taken notice of and recommended to m^r Governour to be considered of and determined after his arrivall in New England when he may hear the parties answered to their objections and in the meantime time m^r Gradocke to pay the money charged upon him for the same.

m^r John and Sam. Browne.

Mr Booger m^r of the Shippes Calbot desired to have in a bond w^{ch} he entered into to m^r Pratt for wages or allowance to a proportion for the hands w^{ch} he was to have 2^l - 6^l for every person in the Shipp according to an agreement made w^{ch} them, The number of the persons being about 125. of w^{ch} m^r Booger had formerly debited a particular note to m^r Coffe, The Court touching the said allowance to be proportion

Summe of wages of the hands w^{ch} he was to

Subscription -
above

and more then is usual in like cases doe desire that the Commission be appointed to be -
have the next generall Court and then such conclusion is to be made wch him as shall be fitt.
Lastly Mr Smith the Comptroller attended them wch their accounts and after perusal -
thereof it appearing that dividend were beind wch their whole subscriptions or part thereof
it was thought fitt that for the present supply of moneye tickets should be sent unto them
to desire them to send in the summes by them underwritten to wch purpose a list of their
names and summes was now drawn out and tickets are forthwith to be made accordingly.

A generall Court on Wednesday the 25. of November 1629. Present,

- | | |
|-----------------------------|------------------|
| Mr John Winthrop Governour. | Captaine Waller. |
| Mr John Humphrey Deputy. | Mr Noyes. |
| Mr Richard Saltonstall. | Mr Dabenvort. |
| Mr Isack Johnson. | Mr Huson. |
| Mr Thomas Adams. | Mr Bartholme. |
| Mr Nathaniel Wright. | Mr Foxroffe. |
| Mr Christophilus Eaton. | Mr Woodgate. |
| Mr William Jemison. | Mr Bradshaw. |
| Captaine Wenne. | John. |
| Mr Inwards Howell. | |
| Mr Matthew Gradocke. | |

A Letter of the fift of September from Mr Endicott the Governour and shewd in New England was now read -
ad also Mr Governour acquainted therewith wch certaine testimonies sent over against one William Hobell -
master of a shippe of
concerning some insolent and misbecoming speeches uttered by him in contempt
of the Companys priviledges and government wch is to be taken into further consideration and he proceeded
against wch offer & certificate are some wch are expected concerning that businesse.

The generall
businesse.

This day being one of the foure quarter dayes appointed by the Charter for holding a
generall Court, the generall businesse of the Plantation should have bin treated on, but nothing
was done therein, only the Governour made relation of the proceedings of the joynt Committee
concerning the settling of the joynt stocke, & that notwithstanding there had bin all good
contentment and faire proceedings betwene them, yet by reason of the greatnesse of the
businesse and the smalnesse of the supplies they could not bring the same to a wished
effect but only had wntred it to certaine propositions to be presented to the consideration
of the Company to receive their resolution thereon.

The Comptroller having made an estimate of the charge the joynt stocke appeared to be in
about 3000^l and upwards. & towards wch 3000^l there is 1900^l in subscriptions not yet
brought in and about 8. or 900^l upon freight of shippes.

There will be a necessity for supply of necessaries for the Companys of 1000^l
servants

For merchandized for trade	0500 ^l
For munition and Artilerie for fortification	0500 ^l

So as there being an inevitable necessity of supply of money either to receive the old
stocke or to raise a newe the propositions were now expressed vizt.

1. That all the former adventurers should double their former subscriptions.
2. That the servants tithell and all merchandized or provisions belonging to the joynt stocke
should be sold and the underwriters be payd their proportion of what shall arriue
or arise thereof.
3. Or lastly that the stocke be put over to certaine undertakers upon such conditions
as can be agreed on and they to goe on wch the works and manage the businesse
to beare all charges and to stand to profit and losse and to pay the under-
writers -

their privy all by them brought at the end of seven years and to be understood not to extend any way have affection to this business but that they may come in under the undertaker for such sum as they shall think fit to adventure but that for the better facilitation and facilitating the business the same to be managed by some hands, and for the encouragement of such undertakers the committee have thought of certain inducements vizt,

- That they shall have the one halfe of the Beber.
- The sole making of salt.
- The sole transport of passengers servants and goods to be transported at reasonable rates.
- To be allowed a reasonable profit upon all such provisions as they shall keep in magazine there for the use and relief of the inhabitants.

All which premises the Governor recommended to the consideration of those present but by reason of the small appearance nothing could be determined and therefore a speciall committee appointed for this purpose on Monday next and the whole Company to be summoned by writs to be present.

As they upon the motion of Mr Wrighte to the end that this business might be proceeded in w^{ch} the first intention, which was chiefly the glory of God and to that purpose that their meetings might be sanctified by the prayers of some faithful ministers resident here in London whose advice would be likewise requisite upon many occasions, the Court thought fit to admit into the freedom of this Company Mr John Church and Mr Philip Dye Ministers here in London, who being here present kindly accepted thereof. Also Mr Wrighte did recommend unto them Mr Nathaniel Ward of Standon.

A generall Court at Mr Hoffes house on Monday the last of November. 1629. present.

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|-------------|------------------------------|-------------------------|
| Assistants. | Mr John Wmthorpe Governor | Mr John Symonds Deputy. |
| | Mr George Yarwood Treasuror. | |
| | Mr Richard Saltonstall. | Mr Thomas Adams. |
| | Mr Charles Johnson. | Mr Christophilus Eaton. |
| | Mr Thomas Hoffe. | Mr Emwasse Howell. |
| | Mr Thomas Dudley. | Mr John Hobell. |
| | Mr Nathaniel Ward. | Mr William Smith. |
| | Mr Mathew Bradocke. | |

with many of the generality.

It was proposed to the Court that whereas the joint stock was engaged to the value of 2500^l present debt and there was necessity required 1500^l present disbursements for maintenance of the servants now in the plantation and for commodities for C. and munition, that the adventurers would be pleased to double their former subscriptions, which being not assented unto by the Court it was proposed and agreed by generall consent that ten persons should be chosen 5 of the adventurers and 5 of the planters which should take the joint stock at the same value and take upon them the engagements and other charges for w^{ch} they should be appropriated to the joint stock for 7. yeeres these privileges which follows vizt.

1. Halfe the Trade of the Beber and all other furs.
2. The sole making of salt.
3. The furnishing of a Magazine at set rates.
4. The sole transportation of passengers and goods at reasonable rates.

For w^{ch} ends there was a committee appointed to value the joint stock, vizt, Mr Wrighte of Doursthorpe Mr Thomas Hoffe Mr Nathaniel Ward Mr Emwasse Howell w^{ch} taking upon them the charge of valuing it.

of the said business did the next day (the Court then sitting upon adjournment) make certificate of their proceedings to this effect. vizt.

The value of the
joynt stock certified

That whereas divers summes had bin disbursed in publique charge ad transporting of Ammunition and their families Ammunition etc. wch were not now to be valued to the Undertakers ad being to remaine allwayes to the Plantation, And whereas many of the servants whiche were transported at extraordinary charge doe not prove so usefull as was expected and so will not yield the Undertakers any sure benefitt ad may answer their charge, divers of the gattles or provisions likewise mistaking charges want of experience in the beginning of such a work, they could not finde the said stocks to remaine clear and good (the debts discharged) above one third parte of the wch summes whiche hath bin adventured from the first to this present day, whiche value upon due examination and long debate was allowed by all the Court.

Ordered

Whereupon it was propounded and agreed by the wch Court that the old oldentment in lieu of this abatement of $\frac{2}{3}$ of their oldentment should have an addition of a double proportion of land according to the first proportion of 200 acres for 50th and that they should have liberty to put in what summes they please to be added to their former oldentment, so as they subscribe the same before the first day of January now next following, and sure ad live in the Country remote from the City of London to enter their subscriptions before the second of February next, And that any of the said oldentment may take out their oldentment after the aforesaid rate, And further that it should be lawfull for all other persons (wch consent of any 3. of the Undertakers) to put in what summes of money they please to be traded in the joynt stock (upon such allowance to the common stock for publique use in regard that they shall bear no part in the former losses) ad the said oldentment or 3. of them shall agree wch sum from time to time, and that all oldentment shall pay in their adventment in such time and manner as shall be agreed betweene them and the said Undertakers or any three of them.

It was also agreed by the Court that in regarde the Undertakers should bear the greatest charge and burden and all other oldentment should have equal parts of the gaine if any did proceed that hereafter they should have 5th in the hundred share gained of the said joynt stock both in and out, all charges being deducted.

Undertakers of the
joynt stock.

And that the joynt stock being thus managed at the end of seven yeares (to be attempted from this day) aswell the said stock as the proceeds and profit thereof to be divided to every man proportionably according to his adventment and all the said privileges then to cease and all persons to be at liberty to dispose of their parts in the joynt stock at their owne pleasure.

Whereupon the Court thought fit to desire the gentlemen hereundernamed to undertake the joynt stock upon the Terms before propounded, vizt.

Mr John Winthrop the Deputie.	Mr Matthew Gradocke.
Mr Richard Saltonstall Knight.	Mr Nathaniel Wright.
Mr Parker Johnson Esqr.	Mr Theophilus Eaton.
Mr Thomas Dudley.	Mr Thomas Doffe.
Mr John Robell.	Mr James Yonge.

Whiche gentlemen upon many entreaties of the Court did accept of the said charge and accordingly were chosen to be Undertakers to have the sole managing of the joynt stock wch all things incident therunto for the space of seven yeares as is aforesaid.

Resolved.

And it was agreed to desire and nominate Mr Alderson to be Treasurer for the said Company and that all money wch shall come into the joynt stock or that shall be given to the common stock shall be paid into him and to be issued out upon warrant under the hand of the said Undertakers or any three of them ad occasion shall require.

It was also ordered by the Court that the undertakers should provide a sufficient number of shipped of goods for transporting of passengers at the rate of 5th a person and 4th a Tonn for goods wherby shall be ready to sett sayle from London by the first day of March and that if any passengers be to take ship at the 1st of May the shipped shall stoppe there 24. houres and that all shippes as intend to passe over shall give in their names wth 40th towards their freight to one of the said undertakers abiding in London in the said Tonne before and shall deliver their goods on shipp boards before the 20th of February following and shall give security for the rest of their freight as they can agree wth the said undertakers either for money to be payd here or for commodities to be delivered in the Plantation.

Transportation of passengers or goods.

Further it was agreed that for the transportation of children the rate shall be 10th for children. Further children not to be reckoned, shippes as are under 4. yeares of age, 3 for one, under 8. 2. for one under 12. 3. for 2. And that a shipp of 200. Tonn shall not carry above 120. passengers compleate, and so of other shipped after the same proportion. And for goods homewards the freight shall be for Wood 3th a Tonn and for other commodities 40th p Tonn, and shippes as will have their goods assured shall pay 5th p T.

Freight of goods homewards.

Concerning the Magazine it is likewise agreed that the undertakers should furnish the Plantation wth all shippes & commodities as they shall stand for, and the planters to take them off and retayne them at their pleasures allowing the undertakers 25th in the hundred above all charges and the planters to have liberty to dispose of their parts of the Woods at their own will, and every man may buy or sell for any commodities for his own use, where or how he please, so as he trade not wth interlopers so long as he may be furnished sufficiently by the Adventurers at the rates aforesaid.

A Magazine.

Lastly it is ordered that in regard this Court could not sett downe particulars in direction for every thinge wherby may be fitt to be considered and provided for in all or any of the matters aforesaid therefore the said undertakers should have power to meete and consult about the premises, and what orders and directions they or the greater number of them shall sett downe shall be accounted legall and to be duly observed untill it shall be thought fitt by this Court to alter or determine the same.

The undertakers to have power to make orders about the joynt stocks.

Provided always that if the 1st of January next take upon them all the said engagements and other charges of the joynt stocks then the power and privileg of the undertakers to determine and all Trade of be free.

A Proviso.

A generall Court holden at Mr Hoffes house on the 15. of December 1629.

Present,

- | | |
|-------------------------|--------------------|
| Mr John Symonds Deputy. | Mr George Harwood. |
| Mr Richard Caltonfall. | Mr William Pimpon. |
| Mr Matthew Graddell. | Mr James Howell. |
| Mr Nathaniel Waight. | Captaine Verno. |
| Mr John Hobell. | Mr Thomas Adams. |

Assistants.

And the directors of the Generallity.

Mr Deputy caused to be read the acts and orders of the last generall Court of the 30th of November whiche being of great consequence as namely for settling the joint stocks and manning of the new bussinesse it was desired the same should receive confirmation by this Court, upon debate whereof some exceptions were taken by these who had doubtd their adventures, touching themselves to be wronged in having both their summes drawne downe to so lowe a rate as $\frac{1}{3}$ parts, alleging that the former summe was payd in upon a proposition of trade whiche went not forward and not ad into the joint stocks for the plantation.

This bussinesse received a large discussion and Captaine Waller and Mr Bassall were content to give the first 50th to the plantation, so as their other 50th might goe on wholly in this new stocks, but forasmuch as this concerned divers others who were in the same case and that it could not be done without alteration of the Act made the 30th of November whiche was done by a generall Court upon mature and deliberate consideration, and that the Undertakers would not continue their said undertaking but upon the same conditions whiche were then propounded and concluded on.

This Court in conclusion put it to the question and by oration of hands every particular of the former Court was ratified and confirmed, And the matter in difference whiche they had doubtd their adventures being no more to stay of from then betwene 50th and 33th 6th 8th was by mutuall consent referred to the three ministers here present, Mr Dabonporte Mr Dyer and Mr Chayer, who are to reconcile the same betwene the then Undertakers and them.

A generall Court holden at Mr. Boffes house on wednesday the 10th of february 1629. Present,

- | | |
|-----------------------------|-----------------------|
| Mr. John Winthrop Governor. | Mr. Thomas Adams. |
| Mr. John Humphrey Deputy. | Mr. George Harwood. |
| Mr. Charles Johnson. | Mr. Inward Howell. |
| Mr. Matthew Swadlow. | Mr. Nathaniel Wright. |
| Mr. Theophilus Eaton. | Mr. John Debell. |
| | Mr. William Pimpton. |

With many others of the generality.

Whereas the furtherance of the plantation will necessarily require a great continuall charge which cannot without inconvenience be defrayed out of the joynt stocks of the Company which is ordained for the maintenance of the trade without endangering the same to be wasted and exhausted, It was therefore proposed that a common stock should be raised from such as have good affection to the plantation and the propagation thereof, and the same to be employed only in defrayment of publique charges, and maintenance of Ministers, Transportation of poor families building of Churches and fortifications and all other publique and necessary occasions of the plantation, And the Court doe think fit and order that 200. acres of land shall be allotted for every 50th and so proportionably for what some shall be brought in by any to this purpose. And Mr. George Harwood is chosen Treasurer for this attempt of the common stock which he accepted of, who is to receive all such money as shall be by any sent in and to issue out the same upon warrant under the hands of any two or more of the Undertakers. And it is further agreed on and ordered that an order be drawn up and published under the Seale of the Company, to signify and declare to what use all such money as are given to the common stock shall be employed and what lands shall be allotted to each man that gives thereto as well for their satisfaction as the management of others to be landable and profitable a work, And it is further taken into consideration and ordered that this allotment or division of lands shall not prejudice the right of any the Adventurers, who are to have lands and have not yet the same allotted out into them nor into those whose land is already sett out according to the former order and direction of this Court, yet notwithstanding it is further agreed that if for good and weighty reasons and for the benefit of the plantation in generall there shall be occasion to alter any particular mans allotment the said party is to have such due recompence for the same as in the wisdom of the Governor and Company there resident shall be thought reasonable and expedient.

A Common stock.

Order to be published.

Allotment of lands.

Motion was made on the behalfe of Mr. William Brewerton who by vertue of Letters Patents pretended right and title to some parts of the land within the Companyes privilege and plantation in New England, yet notwithstanding he intended not to contest with the Company but desired that a proportionable quantity of land might be allotted unto him for the accommodation of his people and servants now to be sent over, wherunto the Court taking into due consideration, doe not think fit to enter into any particular capitulation with him therein nor to sett out any allotment of land for him more than the 600 acres he is to have by vertue of his Adventur in the joynt stocks nor to acknowledge any thing due unto him as of right by vertue of his said Patent nor to give any consideration in case he should relinquish his pretended right but they are well content he should joine with them in the

Mr. William Brewerton his motion.

600 Acres.

resurrection of his business according to their Charter and doo promise in the mean time that sure servants as he shall send over to inhabit upon the plantation shall receive all commodities respect and be accommodated wth lands and what else shall be necessary and offer the servants of the Company, nothing answer was delivered unto those that were sent from him and the Court desired also that Captaine Waller and m Eaton would signify the Companies affections and due respect unto him he having written to them about his business.

John of Samuel
W. Brown.

A writing of grievances of m Samuell and John Brown was presented to the Court wherein they desire recompense for losse and damage sustained by them in New England wherby this Assembly taking into consideration doo thinke fitt that upon their submitting to stand to the Companies fitt order for ending of all differences betweene them was they are to signify under their hands m Wriggitt and m Eaton are to heare their complaint and to sett downe what they in their judgments shall thinke requisite to be allowed them for their pretended damage sustained and so to make a final end wth them accordingly.

m E. Indlowe.

m Roger Indlowe was now chosen and sworn an Assistant in the room of m Samuell Sharpe who by reason of his absence had not taken the oath.

Thompson
Baker.

And lastly upon the petition of Thompson Baker the head of his company the Court were content and agreed to give him 20. Pounds for his yeares salary ending at Christmas last, which is to be payd by m Aldersby the Treasurer out of the joint stock.

All a meeting of Assistants at Southampton martis 18th. 1629.

- Present,
- | | |
|---------------------------|-------------|
| m Governor, | m Thompson, |
| Mr Higginson Saltonstall, | m Howell. |
| m Johnson. | m Dimmock. |
| m Dudley. | m Coffe. |

Assistants chosen.

It was ordered and concluded by ovention of hands that Sr Brian Janson kt m Natham Goddington and m Simon Bradstreete gent shall be chosen in the rooms and places of Assistants of m Nathaniel Wriggitt merchant m Christopher Eaton and m Thomas Coffe of London merchants. Sr Brian Janson was sworn an Assistant before the Governor and m Dudley the same day.

March 23. 1629.

m Natham Goddington m Simon Bradstreete and m Thomas Sharpe being formerly chosen Assistants did now take the Oath of Assistants before the Governor m Dudley and other Assistants.

All a Court of Assistants aboard the Arbella martis 23. 1629. present

- | | |
|---------------------------|----------------------|
| m John Wintrop Governor. | m Natham Goddington. |
| Mr Higginson Saltonstall. | m Thomas Sharpe. |
| m Harke Johnson. | m William Vassall. |
| m Thomas Dudley. | m Simon Bradstreete. |

Deputy.

m John Thompson in regard he was to stay beside in England was discharged of his Deputyship and m Thomas Dudley chosen Deputy in his place.

The first Court of Assistants holden at Hartford August 23. 1630. Anno dmi 1630. present,

- Mr John Winthrop Governour.
- Mr Thomas Dudley Deputy Governour.
- Mr Richard Saltonstall Kt.
- Mr Robert Andlove.
- Mr Edward Dossiter.
- Mr Increase Nowell.
- Mr Thomas Sharpe.
- Mr William Jemison.
- Mr Simon Bradstreet.

1. Imprimis it was propounded how the Ministers should be maintained, Mr Wilson and Mr Phillips only propounded. It was ordered that houses should be built for them w^{ch} by contribution should be at the publique charge. Sr Richard Saltonstall undertooke to see it done at his plantation for Mr Phillips, and Mr Governour at the other plantation for Mr Wilson. provision for maintenance of Ministers.
2. It was propounded what should be their present maintenance, ordered that Mr Phillips should have allowed him 3. hoggesheads of meale 1. hoggeshead of malt, 4. bushells of Indian corn, 1. bushell of beatmeale, halfe an hundred of salt fish, for apparell and other provisions w^{ch} or els to have w^{ch} given him in money - p^{er} annu to make his owne provision if he w^{ill} use it the next year, the year to begin the first of September next. Mr Phillips
3. Item that Mr Wilson should have after w^{ch} p^{er} annu till his wife come over his w^{idow} to begin the 10th of July last all this to be at the common charge, the w^{idow} of Mattapan and Salem only exempted. Mr Wilson.
4. It was propounded what should be Mr Bagers maintenance ordered that he should have an house builded him against the next springe it to have a house given him and w^{ch} in money for this year to begin the 20th of June 1630. and after w^{ch} p^{er} annu, all this to be at the common charge. Mr Bager.
5. It was ordered that James Den should have 20 nobles p^{er} annu and a dayes - worke of a man at springe from every able family to help build his house this year to begin the first of September next, his employment to be as a Beadle to attend upon the Governour and alwayes to be ready to execute his commands in publique businesse. James Den Beadle.
6. It was ordered that there should be a Court of Assistants hold at the Governours house on the 7th day of September next being Tuesday to begin at 8. of the clocke. Courts
7. It was propounded whether there should not be a Court hold every first Tuesday in every month and a generall Court the last Wednesday in every forme. Hofards till the next Court.
8. It was ordered that in all civill actions the first process or summons by the Beadle or his deputies shall be directed by the Governour or Deputy Governour or some other of the assistants being a Justice of the peace, the next process to be a Capias or distringas at the discretion of the Court. Process.
9. It was ordered that Mr Norton of Mount Wollaston should presently be sent for by process. Mr Norton.
10. It was ordered that carpenters joiners bricklayers sawyers and thatchers shall not take above 2^o. a day, nor any man shall give more under paine of w^{ch} to - take and give. And that sawyers shall not take above 4^o - 6^o the hundred for boards at 6. stow to the hundred if they have their wood felled and Worshemens wages. R^{es} 73

Squared for them and not above 5³ 6³ if they fell and square their wood themselves.
It was ordered that the Governour and Deputy Governour for the time being shall allwayes
be Justices of the peace, and that Sir Richard Saltonstall Mr Johnson Mr Endicott and
Mr Indlowe shall be Justices of the peace for the present time in all things to have like
power that Justices of the peace have in England for reformation of abuses and punishing
of offenders, and that any Justice of the peace may imprison any offender but not
inflict any corporall punishment without the presence and consent of some one of the assistants.

Justices.

10.

2. Boated.

It was ordered that no person shall use or take away any boats or Hammes without
leave from the owner thereof in paine of fine and imprisonment, at the discretion of the
Court.

11.

Memorandum to estimate the next Court day the Governour hath bin at in
entertaining severall publicke persons since his landing in New England.

12.

A Court of Assistants holden at Hartford the 7th of September
1630. present,

- | | |
|-----------------------------|----------------|
| The Governour. | Mr Rowell. |
| Deputy Governour. | Mr Goddington. |
| Sir Richard Saltonstall Kt. | Mr Indlowe. |
| Mr Johnson. | Mr Rossiter. |
| Mr Endicott. | Mr Pinckson. |
| Mr Savage. | Mr Bradstreet. |

Mr Endicott.

Captaine Endicott being formerly chosen an Assistant did now take the oath of an Assistant
in the presence of the Court.

13.

Justs.

It was ordered that every Justice Tuesday next should be a Court of Assistants hold
at the Governours house (for the time being) to begin at 8. of the clocke in the
morning, every Assistant not being present at that time to be fined at the
discretion of the Court.

14.

Boards.

James Don did now take the oath of Boards.

15.

Assent Assistants
fined.

Mr Indlowe Mr Rossiter and Mr Pinckson by the generall consent of the Court are
fined a noble a peere for their absence from the Court after the tyme appointed.

16.

Thomas Norton.

It is ordered by this present Court that Thomas Norton of Mount Wollaston
shall presently be sett into the bill bowed and after sent prisoner into England
by the ship called the gift now returninge together that all his goods shall be seized
upon to defray the charge of his transportation payment of his debts and to
give satisfaction to the Indians for a Hammes he unjustly tooke away from them
and that his house after the goods are taken out shall be burnt downe to the
ground in the sight of the Indians for their satisfaction for many wrongs he
hath done them from time to time.

17.

Charles Baker.

It is ordered that Mr Charles shall pay unto John Baker the summe of 38³
in recompense for the damage he received by a bargain of beate inferre in
Charles dealt fraudulently with the said John Baker and hath bin proved
upon oath.

18.

Mr Patricks.
Mr Underhill.

It is ordered that Mr Patricks and Mr Underhill shall have allowed them for saler
a yeeres provision 2. hoggsheads of melle 4. bussells of milt 10th of powder and
lead to make sett also houseworne provided for them and 15th 12³ in money to
make other provisions all this to be done at the publicke charge their yeres to

19.

begin from the time they begin to keep house.

20. It is ordered that Crimontanie shall be called Boston, Mattapan Dorchester, and the Town upon Charles River Waterford. Boston Dorchester Waterford named.

21. It is ordered that no person shall plant in any place within the limits of this Patent - without leave from the Governor and assistants or the Major parts of them else that a warrant shall presently be sent to the Governour to command those that are planted to remove themselves to some other place. Plantations. 3.

A Court of assistants holden at Hartford 28. of September.

1630. present

- | | |
|--------------------|----------------|
| Thomas Governor. | Mr Rowell. |
| Deputy Governor. | Mr Goddington. |
| Captaine Endicott. | Mr Bradstreet. |
| Mr Ludlow. | Mr Foster. |
| | Mr Dimson. |

22. It is ordered that those of Dorchester who bought certain fatts of the merchants of Dorchester shall pay unto King: Shewer 9. bushells of melle or of Indian corn or 9. of beere for the keeping of the said fatts according to an agreement made wth him. Fatts.

23. It is ordered that no person whatsoever shall either directly or indirectly employ or cause to be employed or to their power permit any Indian to use any power upon any person or persons whatsoever under paine of 10. shillings for the first offence, and for the second offence to be fined and imprisoned at the discretion of the Court. Indian. 4.

24. It is further ordered that no servant either man or maide shall either give sell or buy any commodity whatsoever without licence from their master during the time of their service under paine of fine and corporall punishment at the discretion of the Court. Servants. 5. 38. 25

25. John Woodbury is chosen Constable of Salem and Thomas Stongeton Constable of Dorchester to continue in that Office for a year and after till new be chosen. Constables.

26. John Woodbury now choise the Capt of a Constable.

27. It is ordered that all Kirgards stronges stronges waters shall presently be seized upon for his selling great quantities thereof to severall mens servants which was the occasion of many disorder drunkenness and misdemeanors. Strong water.

28. It is ordered that no master Carpenter mason joiner or bricklayer shall take above 16. a day for their worke, if they have made and dimke and the second sort not above 12. a day under paine of 10. shillings to give and receive. Rated for workmen.

29. It is ordered that Mr Patrick and Mr Underhill shall have allowed from 6. to 8. in money to buy them household stuffe and for help to wash beere and bake wth. Mr Patrick. Mr Underhill.

30. Thomas Gray is enjoyned under the penalty of 10. shillings to attend on the Court in person this day three weekes to answer to diverse things objected against him and to remove himselfe out of the limits of this Patent before the end of March next. Thomas Gray.

31. Kirgards Saltonstall is fined 4. bushells of melle for his absence from the Court. Kirgards Saltonstall. fined.

32. It is ordered that no person inhabiting within the limits of this Patent shall either directly or indirectly give sell or send away any Indian corn to any English person without the limits of this Patent or to any Indian whatsoever without licence from the Governor and assistants. Corn.

33. It is ordered that John Donlworth shall be whipped and afterwards sett in the stocks for felony committed by him whereof he is convicted by his own confession. felled.

Also that Henry Dym shall be whipped for the like offence and John Boggust and John Firtyn to sit in the stocks 4. hours together at Salem for being an assauly persons.

M^r Wainwright
M^r Underhill.

It is ordered that there shall be collected and lobyed by dischose out of the severall plantations for the maintenance of M^r Wainwright and in Underhill the summe of 50th vizt out of Haverston 7th Boston 11th Dorchester 7th Northbury 5th Woburn 11th Weymouth 3th Salem 3th Middlebury 5th Haverhill 1th.

Rate for laborers.
3-7-73.

It is ordered that laborers shall not take above 12^d a day for their work and not above 6^d and meat and drinke under paine of ye.

September 28. 1630.

A Jury impanelled to inquire concerning the death of Christen Bratger. 37.

- | | |
|--------------------|------------------|
| Ricard Brown. | Nicolad Wyfall. |
| William Aspinwall. | John Johnson. |
| Abraham Palmer. | Edward Gouwerst. |
| Nicolad Storer. | Salvo Sprague. |
| Peter Walker. | Bilod Epton. |
| George Williams. | Abraham Pratt. |
| William Kimmell. | Arthurs Smith. |
| | George Dyer. |

Christen Bratger dying lately at M^r Bradors plantation was viewed before his buriall by severall persons vizt.

- | | | |
|------------------|----------------|-----------|
| Thomas Crabb. | Thomas Beade. | } absent. |
| James Gungott. | Ricard Wynton. | |
| Thomas Ward. | John Garbit. | |
| Thomas Paynter. | Arthurs Ellis | |
| William Karslam. | | |

The Jurys verdict.

We finde that the shewes given by Walter Palmer were occasionally the means of the death of Christen Bratger and so to be manslaughter.

Walter Palmer hath bound himselfe in 40th and Salvo Sprague and John Stitt 40 lett have bound themselves in 20th a peere for Walter Palmers personall appearance at the next Court to be holden at Boston the 19th of October next to answer for the death of Christen Bratger.

September. 18. 1630.

Upon view of the dead body of William Bateman.

An inquisition taken at Haverston the 18th day of September Anno dⁿⁱ 1630. before John Whitprop Esq^r Governour and Isaac Johnson Esq^r one of the assistants and Justice of peace.

Upon the oathes of:

- | | |
|----------------------------------|------------------|
| Walter Norton Esq ^r . | Ricard Brown. |
| Nicolad Storer. | Robert Hardinge. |
| Salvo Sprague. | Ricard Barrett. |
| William Gouwerst. | Thomas Williams. |
| John Stitt. | Daniel. |
| Ricard Norman. | John Baker. |
| | William Bateman. |

W^{ch}o say upon their oathes that the aforesaid William Bateman was sett on shore upon the north of land near Pullyn point in the bay of Mattamussetts by a hallop of one m^r Wainwright (w^{ch}is brought him from Plymouth upon wednesday last being very sick and weak and being left there wth one m^r Halse, Hobor and after w^{ch} had a hallop in that place but being forced to leave her there because the winds was contrary they returning home left him some provision and they had and a fire, but when they returned to their boats upon friday last they found the said William Bateman dead about the high water mark near their boats about a stone cast from the place where they left him. So the jury presents that he dyed by Gods visitation.

Evidence m^r Halse Hobor. Elias Waborn. Biled Coxton. James Brown.

A generall Court holden at Boston the 19th of October 1630.

present,
 Tho^s Hoborne. Captaine Ludrott.
 Deputy Hoborne. m^r Rowell.
 Sr Richard Saltonstall. m^r Dimson.
 m^r Endlowe. m^r Bradstreete.

42. For the establishment of the government it was propounded if it were not the best election. course that the freemen should have the power of choosing assistants upon they are to be chosen and the assistants from amongst themselves to choose a Governour and Deputy Governour w^{ch} the assistants should have the power of making laws and choosing officers to execute the same, this was fully assented unto by the generall vote of the people and exertion of hands.

43. Halse Sprague is chosen Constable of Charleton John Johnson of Northbury - Constable. and John Page for water ton for the space of one whole year and after full time to be chosen.

44. It is ordered that sawyers shall not take above 12^d a store for sawing oak boards Rated. Rsp: 73 and 10^d a store for pine boards if they have their wood felled and squared for them.

45. Nathaniel Palmer made his personall appearance this day and standed bound for his services till the next Court.

46. The names of persons desired to be made freemen.

- | | | |
|---------------------------------|-------------------------------------|---------------------|
| m ^r Samuel Waborn. | m ^r Abraham Palmer. | William Johnson. |
| m ^r Edwards Johnson. | John Page. | 30 George Dyer. |
| m ^r Edwards Gibson. | m ^r Robert Halse. | John Hopton. |
| and William Johnson. | m ^r William Polham. | Thomas Hilde. |
| m ^r John Winstin. | m ^r Benjamin Brand. | Abraham Worsall. |
| m ^r Samuel Charpe. | 20 m ^r William Hartston. | Stephen Corcor. |
| m ^r Thomas Ervood. | m ^r Edwards Fortwood. | Henry Smith. |
| m ^r Roger Conant. | m ^r Richard Brown. | Roger Williams. |
| John Woodbury. | John Stirland. | John Woodbridge. |
| 10 Peter Halse. | Halse Sprague. | Thomas Hubbard. |
| m ^r Nathaniel Emmer. | m ^r George Endlowe. | Wigat Eggleston. |
| m ^r Samuel Freeman. | James Den. | 40 John Burrows. |
| Exhram Hilde. | Henry Ludrott. | Christopher Gibson. |
| m ^r William Clarke. | Thomas Stoughton. | John Bonham. |

Thomas Williams	John Phillip
at the Harid.	Matthias Bowman
Richard Barrett	John Duggott
John Bowman	Samuel Hoar
John Grubb	Daniell Abbott
Captaine Walter Norton	Charles Chadwick
Mr Alexander Wignall	William Drabbenburg
50 Mr William Tomison	John Drake
Mr Thomas Couttrott	John Balfe
Mr Richard Couttrott	Mr Samuel Gole
James Pemberton	Mr William Craste
Mr John Dillingham	William Bayland
John Johnson	William Fortwell
George Clarke	Thomas Horvick
Mr Robert Gole	Samuel Foster
John Burr	Richard Wyllett
Thomas Sawkin	Mr Abraham Pratt
60 Richard Longby	William James
Richard Huttin	William Allen
Half Wonsall	
Thomas Lamb	
William Chrodingham	
William Pease	
	70 Mr John Wilson
	Mr John Waborick
	Mr John Wardham
	Mr Samuel Skelton
	Mr William Golbrun
	Mr William Aspinwall
	Edward Pomeroy
	Mr Richard Dalgrave
	John Cayson
	Richard Hines
	50 Richard Silvester
	William Balstone
	Robert Abell
	Mr Giles Exton
	Robert Esch
	John Whilod
	John Gramwell
	Mr Half Glover
	William Hulbins
	Edmond James
	90 John Phillip
	Matthias Bowman
	John Duggott
	Samuel Hoar
	Daniell Abbott
	Charles Chadwick
	William Drabbenburg
	John Drake
	John Balfe
	Mr Samuel Gole
	Mr William Craste
	William Bayland
	William Fortwell
	Thomas Horvick
	Samuel Foster
	Richard Wyllett
	Mr Abraham Pratt
	William James
	William Allen
	100 Samuel Chesser

A Court of Assistants holden at Boston November 17. 1630.

present.

Tho: Hoborne.
 Deputy Hoborne.
 Richard Saltonstall.
 Mr Indlowe.
 Captaine Andrott.
 Mr Goddington.
 Mr Dimichen.
 Mr Bradstreet.

Resolved. It is ordered that whereas the small rate of beaver hats bin after 6^s. for pounds 40. it shall be hereafter left free for every man to make the best profit and improvement of it that he can.

Resolved. It is ordered that every English man that killt a Wolfe in any parts within the limits of his patent shall have allowed him 1^s. for every beast of horse and ox. for every weaned swine and yeate in every plantation to be lobyed by the Constables of the said plantations.

Resolved. It is further ordered that whosoever shall first give in his name to Mr Hoborne that he will undertake to sett up a ferry betwixt Boston and Plankton and shall begin the same at such tyme as Mr Hoborne shall appoint shall have 1^s. for every person and 1^s. for every 100. weight of goods he shall so transporte.

50. Mr Clarke is prohibited from habitation and frequent keeping company with idle idle men under pain of surety punishment and the Court shall think meet to institute.

51. Mr Clarke and Mr Freeman have bound themselves in oath a part that Mr Clarke shall make his personal appearance at the next Court to be holden in Hilary next and in the mean time to tarry himself in good behavior towards all people and especially towards Mr Freeman concerning whom there is strong suspicion of intemperance.

52. It is ordered that Richard Duff servant to Sir Richard Saltonstall shall be whipped for his misdemeanour towards his master.

Duff.

53. A Jury impanelled for the trial of Walter Palmer concerning the death of Austin Bradford.

Palmer

- | | |
|---------------------|-----------------------|
| Mr Edmund Fortwood. | Richard Howard. |
| William Fortwell. | William Salton. |
| Christopher Gouant. | William Goffeborough. |
| William Poyles. | John Page. |
| William Baylards. | John Balph. |
| John Hopton. | Lawrence Leary. |

54. The Jury findes Walter Palmer not guilty of man slaying for which he stood indicted and so the Court acquitted him.

not guilty.

A Court of Assistants holden at Boston November. 30. 1630.

- | | |
|--------------------------|----------------|
| The Governour. | Mr Rowell. |
| Deputy Governour. | Mr Winson. |
| Sir Richard Saltonstall. | Mr Goddington. |
| Mr Ludlowe. | Mr Bradstreet. |

55. Sir Richard Saltonstall is fined 20^l. for whipping 2. several persons without the assistance of another Assistant contrary to an Act of Court formerly made.

Without whipping fined.

56. It is ordered that whatsoever employes William Knop or his sons in any work shall pay the one half of their wages to Sir Richard Saltonstall and whatsoever buyers boards of them shall pay one half of the price to Sir Richard till the money he hath disbursed for them be satisfied.

Knop.

57. Bartholomew Hill is adjudged to be whipped for stealing a loaf of bread from John Hopton with himselfe confesseth.

Hill.

58. It is ordered that there shall be 60^l. collected out of the severall plantations following for the maintenance of Mr Winsor and Mr Phillipps vizt, out of Boston 20^l. Waterbury 20^l. Newburton 10^l. Northbury 6^l. Needham 3^l. Wrentham 1^l.

Mr Winsor & Mr Phillipps.

59. It is ordered that John Baker shall be whipped for shooting at fowls on the Sabbath day.

Baker.

60. It is further ordered that Thomas Boulton shall pay into Fuller Glover 20^l. before the 8. day of December next or else to be whipped for the wrong he did Mr Glover in coming from Plymouth being master of his boat and having him without a pilot.

Boulton & Mr Glover.

A Court of Assistants holden at Boston 1. Martij 1630. present

- Mr. Hobart. Mr. Winton.
- Deputy Hobart. Mr. Rowell.
- Mr. Higginson. Mr. Chargo.
- Mr. Endlow. Mr. Goddington.
- Captaine Endrott. Mr. Bradstreet.

Unmost persons to be sent into England. It is ordered that Mr. Alworth, Mr. Wadsworth, Mr. Plaster, Mr. Ginter, and Joblett shall be sent into England by the ship upon or so many of them as the ship can carry the rest to be sent either by the first of May next if there be opportunity of shipping, if not by the next ship that returns for England.

Mr. Squire Gardner. ad persons unmost to inhabit here and that Mr. Christopher Gardner and Mr. Knight shall be sent as prisoners into England by the ship upon now returning either.

Mr. George Endlow. further it is ordered that the business concerning Mr. George Endlow expressed in a certain petition sent out of England to the Governor and shall be referred to the Governor and the rest of the Assistants resident at Boston (or some three of them the Governor and Deputy being 2. thereof) to receive his answer and determine the business.

Constable for marrying fines. Mr. Thomas Stongeton Constable of Dorchester is fined 5^l for taking upon him to marry Clement Kinge and Joane Allen and to be imprisoned till he hath paid his fine.

7. Indian. It is ordered that if any person within the limits of his Patent doe trade with or sell any money either silver or gold to any Indian or any man that knoweth or any that shall so doe and contrarie the same shall forfeit twenty shillings.

8. Indian. further it is ordered that what ever person hath received any Indian into his family as a servant shall discharge himselfe of him by the first of May next and that no person shall hereafter entertaine any Indian for a servant without licence from the Court.

Knop fined for selling water of no value for the streets. Richard Knop is fined 2^l for taking upon him to turne the streets by a water of no worth nor value which he sold at a very deare rate to be imprisoned till he pay his fine or give security for it or else to be whipped and shall be liable to any man's action of response he hath received money for the said water.

Gammours. Jost Wadill is chosen Surveior of the Ordinance and Gunniers for wtch he is to have allowed him 10^l p annu.

Hford & Parkett. John Elford hath bound himselfe in 5 marks and Roger Conant and John Woodburgh hath bound themselves in 4^l a peire for John Elford's personall appearance at the first Court to be holden in November next to answer for the death of Thomas Parkett.

Knop. Mr. William Wolham and Mr. Edmund Fortwood hath promised to pay to the Court the summe of 5^l for Richard Knop before the next Court of May next.

At a Court at Woburne May 8. 1630. present
 Tho: Hoborne. Mr Rowell.
 Deputy Hoborne. Mr Winton.
 Sr Richard Saltonstall. Mr Goddington.
 Mr Indlowe. Mr Bradstreet.

70. Upon a complaint made by Saggamore John and Peter for having two wigwam
 burnt wher upon examination appeared to be occasioned by James Woodwards servant
 to Sr Richard Saltonstall. It was therefore ordered that Sr Richard should satisfie
 the Indians for the wronge done to them (wher accordingly he did by giving them
 7. yards of cloath) and that his said servant should pay unto him for it at
 the end of his time l^{ts}. Saggamore John
 of Peter satisfied
 for 2. wigwam
 burnt.

71. It was ordered that Thomas Foxe servant to Mr Goddard shall be whipt
 for uttering malicious and scandalous speeches wherby he sought to tradure
 the Court as if they had taken some bribe in the business concerning Walter
 Palmer. Foxe, Standall.

72. As touching in regard the number of assistants are but fewe and some of them going
 for England it was therefore ordered that whersoever the number of assistants
 resident within the limits of this jurisdiction shall be fewer then 9. it shall be lawfull
 for the major parte of them to keepe a Court and whatevver orders or acts
 they make shall be as legal and authentical as if there were the full number of
 9. or more. Assistants. 9. 22

At a Court of assistants holden at Boston May 22. 1630. present

Tho: Hoborne. Sr Richard Saltonstall.
 Deputy Hoborne. Mr Winton.
 Mr Indlowe. Mr Sharpe.
 Mr Goddington. Mr Bradstreet.
 Mr Rowell.

73. It is ordered that whersoever the wages of carpenters joyners and other chiefe
 and workmen were by order of Court restrained to particular summes they
 shall now be left free and at liberty as men shall reasonably agree. Wages left free.

74. As touching it is ordered that every Towne within this Patent shall before the 1. of
 Aprill next take speciall care that every person within their Towne (except
 Magistrates and ministers) and well servants and others be furnished with good and suffici-
 ent armed allowable by the Captaine or other officers, those that want and are of
 ability to buy them themselves others that are unable to have them provided by
 the Towne for the present and after to receive satisfaction for that they
 distribute when they shall be able. Armes. 10.

75. It is likewise ordered that all persons whatevver that have traded drin or tilled
 in their houses shall make away with them before the next Court under paine of
 imprisonment. Paused drin. 11.

76. Richard Johnson confesseth to owe unto Sr Richard Saltonstall (all accounts cleared)
 the summe of 13. wher he promiseth to pay after 2. weeks, therefore it is
 ordered that those that sette Johnson on worke shall pay unto Sr Richard out of
 his wages the said 2. weeks. Sr Rich: Saltonstall
 of Johnson.

George Wright for
Hoffe.

It is ordered that Benjamin Gribb John Gubler and Thomas Crownt shall be whipped 77.
for stealing three piggs of Mr. Ralph Lobors.

Mr. Indlowe agt
Longe.

Richard Longe confessed to owe unto Mr. Indlowe the summe of 3^l. 18. 4^d. which he promised
to pay him after 2^l. p weeks till it be all satisfied.

Edw. King. Saltontall
agt Mr. Knop.

It appeared by Edw. King Saltontalls note of disbursements that William Knop owed him 79.
the summe of 19^l. 5^s. as was evidenced to the Court by Richard Knop and Abraham Gifford
being men indifferently chosen betwixt them to judge thereof.

A Court of Assistants holden at Boston April 12th 1631. present.

- The Gov. Mr. Howell.
- Deputy Gov. Mr. Winton.
- Mr. Indlowe. Mr. Bradstreet.

12. Waterways.

It is ordered that there shall be a water of 4. foot over night at Dorchester and another 20.
of 4. at Waterton the water to begin at Sunsett.

Disturbance of Highm.

Further it is ordered that if any person shall shoot off any piece after the water is
set he shall forfeit 40^s. or if the Court shall judge him unable then to be whipped,
the second fault to be punished as an offence of an higher nature.

13. Ammunition.

It is likewise ordered that every man that findes a musket shall before the 15th day of
his month (and so always after) have ready 1^{lb}. of powder 20. bulletts and 2. fatgones
of matz under penalty of 2^l. for every fault.

Travelling.

It is ordered that every Captaine shall traine his company on Saturday in every
week.

Travellers.

Further it is ordered that no person shall travel single betwixt the Plantations of
Plymouth, nor without some armed company 2. or 3. together.

A Court of Assistants holden at Boston May 3. 1631.

present,

- The Gov. Mr. Howell.
- Deputy Gov. Mr. Winton.
- Mr. Indlowe. Mr. Bradstreet.
- Captaine Endicott.

Gubbb.

It is ordered that Thomas Gubbb shall be freed from the service of Mr. Samuel
Blabourke and shall become servant to William Baylards of Dorchester.

Logge.

It is ordered that John Logge servant to Mr. Winton shall be severely whipped 91.
this day at Boston and afterwards so soon as conveniently may be at Salem
for striking Richard Wright when he came to give him correction for idleness
in his masters work.

Wdallford.

Thomas Wdallford of Haverden is fined 2^l. and is enjoyned he and his wife to depart
out of the limits of his Patent before the twentieth day of October next under paine
of confiscation of his goods for his contempt of Charters and affronting Officers &c.

Travellers in fowles.

It is ordered that for this year if the fowles or geates of any man in any plan- 92.
tation (Salem excepted) shall trespass and doe hurt in the fowles of another that the
owner of the fowles shall make full satisfaction for the damage done by them, and that
all fowles that are found in any mans town shall be forfeit to the publick out of way
the party damaged shall be satisfied if the fowles be forfeited be of that value, if not
the owner is to make full recompense in other goods.

93. It is ordered that Thomas Bartlett servant to Mr. Wolham shall be whipped for his unjust selling of his masters tools, and that Samuell Hyster and John Page shall returne either the tools they bought of him or the money they owe to Mr. Wolham.

94. John Rowman is fined 2^l for his not appearing at the Court being summoned.

95. A jury impanelled to inquire concerning an action of Battery complained of by Thomas Dexter against Captaine Endicott.

- | | | |
|--------------------|-----------------|--|
| Richard Browne. | Henry Endicott. | Thomas Dexter
agt
Captaine Endicott. |
| William Clarke. | Samuel Hyster. | |
| Alexander Wignall. | John Shirkland. | |
| John Dillingham. | Haarck Sharnod. | |
| John Doffe. | Daniel ffine. | |
| John Johnson. | Edward Gouvers. | |

The Jury findes for the plaintiffe and assesses for damages 2^l.

A general Court holden at Boston the 18. day of May 1631. present.

- | | |
|-------------------------|-----------------|
| Mr. Wm. Brewster. | Mr. Rowell. |
| Mr. Dudley Deputy Secy. | Mr. Pimpon. |
| Mr. Endicott. | Mr. Bradstreet. |
| Captaine Endicott. | Assistants. |

96. John Wintrop Esqr was chosen Governour for a whole year next ensuing by the generall consent of the Court according to the meaning of the Patent and did accordingly take an Oath to the pleasure of the Governour belonging.

97. Thomas Dudley Esqr is also chosen Deputy Governour for this year next ensuing and did in presence of the Court take an oath to his pleasure belonging.

98. For explanation of an order made the last general Court holden the 19. of October last it was ordered now with full consent of all the Commoners then present that once in every year at least a general Court shall be holden at which Court it shall be lawfull for the Commoners to propose any person or persons whom they shall desire to be chosen Assistants, and if it be doubtful whether it be the greater parts of the Commoners or not it shall be put to the poll. The like course to be holden when the said Commoners shall see cause for any defect or misbehaviour to remove any one or more of the Assistants, and to the end the body of the Commoners may be preserved of honest and good men it was likewise ordered and agreed that for time to come no man shall be admitted to the freedom of this body politic but such as are members of some of the Churches within the limits of the same.

99. Thomas Williams hath undertaken to sett up a ferry betwixt Wymet smett and Scituate for which he is to have after 3. a person and from Wymet smett to Boston 4. a person.

100. It is ordered that every plantation within the limits of this Patent shall before the last day of June next provide common measures and weights which shall be made by some that the Governour hath allowed, and by way also all others that will have weights and measures of their owne are to be made.

101. It is ordered that no person shall kill any wilde swine without a generall agreement at some Court.

102. Richard Rowman is fined 2^l - 6^s for his negligence in watching.

103. Daniell Abbott is fined 5^l for refusing to watch and for other ill behaviour shewed to the Captaine Patricks.

104. Gittataubott and Sagamore John promised unto the Court to make satisfaction for what should be wrong that any of their men shall doe to any of the English to their cattell or any other manner.

53.
Mr. Wolham agt
Bartlett.
Rowman.
Thomas Dexter
agt
Captaine Endicott.
Election of Gov.
Deputy Gov.
Courts.
Commons
Liberty
Propound
Assistants
Removal
members
freemen.
281
14.
Weights
measures.
Swine.
Rowman.
Abbott.
Gittataubott et
Sagamore John.

M^r Roger Bonant promised to deliver to M^r Thomas Dudley Deputy Governour 4. bushels 105.
old of Indian Corn before the last day of October next.

The names of the Jurors who have taken the oaths of freemen.

- | | |
|--|---|
| <p>M^r John Waborick.
M^r John Warham.
M^r William Blackstone.
M^r George Phillip.
M^r Richard Brown.
Captaine Daniell Watnick.
Captaine John Underhill.
Captaine Souterott.
M^r Thomas Crabed.
10 Captaine Walter Norton.
M^r George Chworthmorton.
M^r William Golbren.
Eiant Moris.
Eiant Shirkland.
M^r Foster Bonant.
M^r Charles Cott.
Halse Sprague.
Lawrence Sears.
John Spruce.
20 M^r Samuel Galt.
John Woodbury.
M^r John Blidham.
Edmond Fortwood.
John Page.
M^r Richard Walgrave.
John Doggett.
Richard Sprague.
Francis Johnson.
Thomas Strongton.
30 Abraham Palmer.
John Johnson.
Ephraim Child.
Wray Kestler.
Robert Soohy.
Bingot Tyeleson.
M^r William Stewart.
William Riddle.
M^r Robert Ffled.
William Agar.
40 Richard Storer.
John Benham.
William Ralston.
Stephen Cane.
Samuel Hooper.
Robert Harding.
William Woods.
M^r George Allroth.
Robert Moulton.</p> | <p>Peter Wallington.
50 M^r Edward Holgar.
John Edmonds.
George Phillip.
Roger Williams.
John Balgo.
John Moore.
Henry Herwick.
John Hopton.
Matthias Grant.
John Rmar.
60 Simon Hoytt.
Charles Goodwin.
William Parke.
Halse Whiffell.
William Hudson.
Walter Palmer.
Henry Smith.
Thomas Fford.
Jonas Nasse.
M^r Edward Comlynd.
70 Edward Gibbon.
M^r Alexander Wignall.
M^r Richard Saltonstall.
M^r William Comison.
Daniell Abbott.
Thomas Lawbird.
Richard Angby.
John Dawson.
M^r William Joffrey.
80 David Johnson.
Richard Worsall.
William Watson.
Daniell Ffure.
M^r John Burslyn.
M^r John Maister.
John Poirer.
Christin Groffe.
George Dyar.
William Fortwell.
90 Thomas Moore.
John Caylow.
Richard Higginson.
Edward Gombert.
Robert Abell.
M^r John Dillingham.
Huart Shorne.
Roger Hlawing.
Thomas Rambo.
Thomas Williams.</p> |
|--|---|

100 John Hurman.
 John Doffe.
 John Binoway.
 Giles Coxton.
 Thomas Inmbard.
 Mr Edward Jones.
 William Baynard.
 William Allen.
 Richard Bulgar.
 Richard Foxwell.
 110 William Pople.
 John Doulind.
 Mr Edward Johnson.
 William Gosforthoroug.
 Christopher Dipe.
 Francis Smith.
 Francis Althorpe.
 Mr John Elliott.
 Jacob Elliott.
 Abraham Brown.
 120 James Pommeyan.
 Charles Pomey.
 Gregory Barker.
 William Pritchard.
 Samuel Moore.
 John Clarke.
 John Mills.
 April 3. 1632. Mr John Wintrop Junr.
 Mr William Aspinwall.
 John Sampford.
 130 William Hulbert.
 July 3. 1632. Mr Nathaniel Turner.
 John Fuggles.
 Elias Silman.
 Mr William Demison.
 Mr Samuel Savage.
 Mr John Wadison.
 John Moore.
 August 4th. John Phillips.
 Valentino Proutier.
 4 John Hull.
 Samuel Wakeman.
 October 2. 1632. Mr Samuel Waboviter.
 Mr Thomas Wadde.
 Mr Thomas James.
 November 6. 1632. Mr John Wadlyst.
 Mr John Goswold.
 Mr Richard Summer.
 Mr Thomas Chyber.

Mr John Branker.
 150 Mr Thomas Berger.
 Thomas Fleming.
 William Goodwin.
 John Benjamin.
 John Talbot.
 James Whitbread.
 John Clarke.
 William Lewis.
 Nathaniel Richards.
 William Waddesworth.
 160 Richard Wadde.
 March 4. 1632.
 William Gurtis.
 Thomas Uffott.
 John Pomey.
 Charles Morvall.
 William Hayes.
 George Hull.
 Elwood Pommey.
 Richard Denslowe.
 170 Giles Gibbs.
 John Weston.
 John Wadlyst.
 William Spencer.
 John Kirman.
 Timothy Combynd.
 March 4. 1632.
 Henry Harwood.
 Richard Allcott.
 William Brackenbury.
 180 John Smith.
 April 1. 1633.
 Eliant Guesne.
 Fire Gold.
 William Dady.
 June 11. 1633.
 William Stilson.
 Richard Millott.
 Richard Lyman.
 Jasper Pawling.
 190 Thomas Smith.
 David Wilton.
 John Wadlystfield.
 Elias Waboviter.
 November 5. 1633.
 Mr Israel Stoughton.
 Mr John Gogon.

Mr Wilm Hill
Mr John Moody
John Porter.

200 Francis Weston.
John Watson.
John Holgrave.

March 4th 1633.

Thomas Brubb.
Edmond Hubbard.
Edward Hutchinson.
Mr Thomas Tobitt.
Mr Eyles Sherman.
Edmond Quinby.
William Collyer.

210 Thomas Milner.
Thomas Howlett.
John Sage.
Samuel Wilborn.
John Lebend.

John Gramwell.
Edward Mollowed.
James Brown.

220 Mr John Mollidge.
Joshua Hughes.
Robert Emmer.

John Biggs.
Thomas Watson.
Walter Murray.
Richard Cappin.
Mr Charleston Young.
William Andrews.
Richard Walker.
George Angled.
Mr Philipad Parker.

April 1. 1634.

230 Mr Daniel Demison
George Minott.

Richard Brindley.
Thomas Heade.
George Hutchinson.
Robert Poise.
John Pemerton.
Bernard Lambert.

240 Henry Nuttall.
Richard Hill.
John Galley.
Richard Silvester.
William Horsford.

May 14th 1634.

John Haynes Esq.
Phillip Sherman.
Daniel Brown.

Thomas Baytehaite.
Robert Hamlyn.
Thomas Hall.
Edward Biggs.
John Walker.

250 Thomas Wilson.
Samuel Bass.

Thomas Jigg.
Wilm Hill.

Samuel Smith.
George Williams.

Edward Eyles.
Wilm Diers.

George Norton.
Thomas Bourne.

270 Daniel Wray.
Abraham Mollowed.

John Olyper.
Robert Hall.
Thomas Jakoboad.

A Court holden at Boston June 14. 1631. present.

- The Governour.
- Deputy Governour.
- Mr Indlove.
- Captaine Endicott.
- Mr Rowell.
- Mr Pimston.
- Mr Simon Bradstreet.

- 107. It is ordered that no man within the limits of this Jurisdiction shall hire any person for a servant for less time then a year unless he be a settled housekeeper, also that no person whatsoever shall travel out of this patent either by sea or land without licence from the Governour Deputy Governour or some other Assistant under penalty as the Court shall think meet to inflict. Servant. 16.
- 108. It is ordered that the Constables of the severall Plantations shall give notice to the Justices of Captaine Robert John Roggust and Henry Tauson to be at the next Court to make proof of their debts that they may receive satisfaction for the same to be done as their goods will afford. Justices. 17.
- 109. Upon the reading of certaine Articles concerning a general trade of beaver agreed upon by Captaine Endicott and divers others it was ordered that the persons interested therein shall give a meeting before the next Court at such time and place as Captaine Endicott shall appoint to decide such differences as are betwixt them and for such as they cannot end to bring them to the next Court there to be determined. Beaver.
- 110. Mr John Maisters hath undertaken to make a passage from Charles River to the New Towne 20. fathoms broad and 7. foot deep for which the Court promiseth him satisfaction according as the charges thereof shall amount unto. Maisters.
- 111. It is ordered that Phillip Swaddon shall be whipped for running away from his Master Robert Beech intending to goe to Virginia. Swaddon.
- 112. It is ordered that Phillip Battiffe shall be whipped have his eares cutt off fined 40. and banished out of the limits of this Jurisdiction for uttering malicious and scandalous charges against the Governour and the Assembly of Salem and as appears by a particular thereof proved upon oath. Battiffe. Scandal.
- 113. It is ordered that no person whatsoever shall buy or any other provision or merchandise of any ship or bark that runneth into this bay without licence from the Governour or some other of the Assistants. Licence. 18.
- 114. Gristtaubott is fined 2. for taking away in Charles River without licence. Gristtaubott.
- 115. Gristtaubott is fined a skin of beaver for shooting a Swine of El Richard Saltusfall. Gristtaubott.
- 116. Within Almy is fined 2. 6d for taking away in Charles River without licence. James Brown promiseth payment. James.
- 117. Edward Gouber hath undertaken to sett up a ferry betwixt Charleston and Boston for which he is to have 2. for every single person and a 1. a year if there be 2. or more. Ferry. 19.
- 117. It is ordered that Mr Wolham shall pay unto Thomas Coiltzart the summe of 5. which is already paid wth the Court hath awarded him to pay to make good a Covenant betwixt them. Mr Wolham & Coiltzart.

A Court of Assistants holden at Boston July 5th 1631. present,

The Governour Mr Rowell.
Deputy Governour Mr Dimsen.
Mr Indlowe. Mr Bradstreet.

New town tract. It is ordered there shall be letted out of the severall plantations the summe of thirty - 118.
acres for the making of the streets at the New town vizt within the 15th of August 40.
August 20th. Waterlot 10th. Waterlot 5th. Boston 5th. Dorchester 4th. 10th. Portsmouth 3th.
Salem 3th. 5th. Charlestown 4th. 10th.

20. Islands. Further it is ordered that all the Islands within the limits of this Patent vizt the
Islands of the Islands of the Islands together with all other Islands within the limits of
our Patent shall be appropriate to publique benefitt of use and to remaine in the power of
the Governour and Assistants for the time being to be lett and disposed of by them to
help towards publique charges and that no person whatsoever shall make any use or
benefitt of any of the said Islands by putting on tattle felling woods raising state or
without leave from the Governour and Assistants for the time being. This order to take
place immediately after the first of October next.

21. Courts. It is further ordered that every Assisstant shall have power to grant warrants summons 120
and attachments ad occasion shall require and that the chits of the Court shall be authentic
if they passe only under the Countersigned hands for the time being

Sagamore of - The Sagamore of Chyanam is banished from coming into any English mans house 121.
Chyanam banished. for the space of a year under the penalty of 10. shillings of beaver.

A Court holden at Boston July 26th 1631. present,

The Governour.
Deputy Governour.
Mr Indlowe.
Captaine Underhill.
Mr Rowell.
Mr Dimsen.
Mr Bradstreet.

22. Burning grounds. For the preservation of houses hay boards timber &c it was ordered that no person 122.
whatsoever within the limits of our Patent shall burne any ground any where till
the first of May under such penalty as the Court shall thinke meet to inflict.
and if any person be desirous to burne any of his owne grounds for some before
that time he shall make full satisfaction for the damage it doeth in case any be
occasioned thereby.

Ann Smith. Ann Smith is bound as an apprentice to Mr Roger Indlowe for 7. years during 123.
the time he is to finde her meat drinke and cloathed and at the end of her
years to give her the summe of 5th.

Watches. It is ordered that there shall be a watch of 6. and an officer kept every night 124.
at Boston 2. whereof one to be of Boston. 2. of Charlestown and 2. of Portsmouth.

Praying. It is further ordered that every first tuesday in every month there shall be a - 125.
generall praying of Captaine Underhills Company at Boston and Portsmouth
and every first tuesday in every month there shall be a generall praying of
the remainder of them that inhabit at Charlestown Misticke and the New town.
at some convenient place about the Indian wigwam, the praying to begin at
one of the clocke in the afternoon.

Praying. It is ordered that Francis Dimes shall be whipped for his ill speeches and misbehavior - 126.
towards his master.

127. Mr Francis Allouway is chosen lieutenant unto Captaine Southrott and Captaine - Southrott hath liberty granted him to goe for England promising to returne againe wth all convenient speed.

A Court of Assistants holden at Boston August. 16. 1631.

present
The Governour. Mr Howell.
Deputy Governour. Mr Dimison.
Mr Ludlowe. Mr Bradstreete.

128. It is ordered that any bill assigned to another shall be good debt to the party to whom it is assigned also that such debts due upon bill shall be paid before any other and that the party that giveth such bills shall remaine upon demands and deliveries in of the old bill. Bill of Debt. 23.

129. It is ordered that Mr Shepheard and Robert Gold shall be fined 5. marks a poore and Edward Gibbons 20^s for abusing themselves disorderly wth drinking too much strange drinke aboard the friends ship and at Mr Habermits house at Winstonsmet. Mr Alexander Nignall is fined 5. marks for the like offence at the same time. Drinking too much punished.

130. It is further ordered that the executor of Richard Barrett shall pay unto Henry Barret of Charwood the summe of 20. nobles according to the proportion that the goods of the said Richard Barrett shall amount unto. Barret Charwood.

131. It is ordered that Phillip Swaddon shall be sett free from his master Robert Seely upon the payment of 20^s to his master. Swaddon.

132. Mr William Dimison is chosen Christ to Captaine Waterts. Ancient Dimison.

A Court of Assistants holden at Boston. September 6. 1631.

present
The Governour. Mr Howell.
Deputy Governour. Mr Dimison.
Mr Ludlowe. Mr Bradstreete.

133. It is ordered that Henry Lyn shall be whipped and banished the plantation before the 6th day of October next for writing into England falsely and maliciously against the government & execution of Justice here. Lyn Randall.

134. There is granted to Mr Governour 600. acres of land to be sett forth by marks and bounded neere his house at Winstons to enjoy to him and his heires for ever. Mr Governour loc 24. Acres.

135. It is ordered that John Danc shall be severely whipped for inticing an Indian woman to live wth him. Danc.

136. Upon this occasion it is propounded whether adultery either wth English or Indian shall not be punished wth death. Resolved to the next Court to be considered of. Adultery.

137. Mr Alexander Nignall is fined 40^s bound to his goods for satisfaction and enjoy- ment to remove his dwelling to some settled plantation before the last of May next for drunkenness and much misdemeanour by him committed at the plan- tation where now he dwelleth. Nignall.

A Court of Assistants holden at Boston September 27. 1631.

present.
 The Governour. Mr. Howell.
 Deputy Governour. Mr. Dingley.
 Mr. Endlowe. Mr. Bradstreet.

25. Sawyer's rules. It is ordered that Sawyers shall not take above 12^d a row for boards if they have their woods felled and squared for them and not above 7^d for hundreds after 5. rows to the hundreds if they fell and square their woods themselves.

Plastered. It is ordered that Josias Plastered shall for stealing some baskets of some from the Indians returned them 8. baskets againe be fined 5^l and hereafter to be called by the name of Josias and not Mr. ad formerly he used to be, and that William Butland and Thomas Andrews shall be whipped for being accessory to the same offence.
 William Phelps is chosen Constable of Dorchester.

A Court of Assistants holden at Boston October 18. 1631.

present,
 The Governour.
 Deputy Governour.
 Mr. Endlowe.
 Captaine Ludvill.
 Mr. Howell.
 Mr. Dingley.
 Mr. Bradstreet.

26. Adultery dealt. It is ordered that if any man shall have carnall copulation wth another man's wife they both shall be punished by death.

to pay wages fine. The Constable of Dorchester returned the receipt of Mr. Sheppards fine of 5 marks etc and so it remained in his hands to be accountable for it. Mr. Governour is to have 40^d of it w^{ch} he payes for ferrying the water from Charleton to Boston.

27. Dray's banished. It is ordered that Thomas Dray's house at Marble's harbor shall be pulled downe and that no English man shall hereafter give house room to him or entertain him under any penalty ad the Court shall thinke meet to inflict.

28. Kinnon. It is ordered that there shall be taken out of the estate of Mr. Kinnon and his company the summe of 12^l 13^s 4^d and delivered to John Kinnon ad his proper goods and after the w^{ch} estate to be inventoried w^{ch} the said John Kinnon is to have an 8th part of it to be done w^{ch} all consent shal be by these 5. Commissioners or any three of them w^{it} Mr. John Masters Mr. Robert Felt Mr. Edward Gibbons Thomas Childer Daniell Shingler.

For no payment. It is further ordered that forme shall passe for payment of all debts at the usual rate it is sold for except money or beaver be expressly named.

At a meeting of Assistants at Boston February 3. 1631. present 61.

The Governour.
Deputy Governour.
Mr Indlowe.
Captaine Endicott.
Mr Rowell.
Mr Dimigon.
Mr Bradstreet.

146. It was ordered how should be reserved ponds layed out of the severall plantations New Towne.
toward within the limits of this Patent towards the making of a palisade about the
New Towne vizt Water-ton. 8th The New Towne 3th Hartford 7th Madford 3th
Saugus and Marble harbor 6th Salem 4th Boston 8th Woburn 7th —
Dorchester 7th Woburn 5th Woburn 3th.

147. Thomas Knowler hath bound himself in 20th to make his personall appearance at the
next Court to be holden at Boston the first Tuesday in March next to answer to such
things as shall be objected against him. Knowler.

A Court of Assistants holden at Boston March 6. 1632. present

The Governour. Mr Rowell
Deputy Governour. Mr Dimigon.
Mr Indlowe. Mr Bradstreet.
Captaine Endicott.

148. It is ordered that no planter within the limits of this Jurisdiction returning for England Monday. 29.
shall carry either money or beaver with him without leave from the Governour for the time
being under paine of forfeiting the money or beaver so intended to be transported.

149. As an addition to an order made the 22th of March 1630. it is ordered that if any Armed. 30.
single person be not provided of sufficient armed allowables by the Captaine or lieutenant
before the 10th of April next he shall be compelled to subscribe by the yeare with any
master that will receive him for such wages as the Court shall thinke meet to appoint.

150. It is ordered that Courts hereafter shall be holden every first Tuesday in every month. Courts.

151. It is further ordered that Robert Gales of Woburn shall be fined 20th for being drunk Decemb^r 1631.
at Hartford in October last and is enjoined to confess his fault to the Court (now
committed in extenuating his offence) the next Court and after at the generall Court. punished.

152. Thomas Knowler hath bound himself in 20th to make his personall appearance at
the next Court to answer to such things as shall be objected against him. Knowler.

153. March 6. 1632. It is agreed upon by the parties whose names are hereunder: Hartford and
written by vertue of an Order of Court for the appointing and setting out the bound New Towne bound.
of Hartford Towne and New Towne, first it is agreed that all the lands impaled by
New Towne men with the necke of the same adjoining whereon in the said dwellings shall
belong to the said New Towne and that the bound of Hartford Towne shall end at a
tree marked by the said yeare and to pass along from that tree by a straight line
unto the midway between the westernmost parts of the great belt of lands of John
Wintrop the now Governour of the English Colony in the Massachusetts and the
westernmost parts of the bound of Water-ton. In witness whereof we have here
unto sett our hands the day and yeare aforesaid. Thomas Wainwright. Nathaniell
Carter. George Clarke.

A Court of Assistants holden at Boston Aprill 3. 1632. present,

The Governour. Mr. Nowell.

Deputy Governour. Mr. Wintson.

Mr. Andlows. Mr. Bradshote.

Captaine Endicott.

Knowen.

The Governour was sett in the pillorie for threatening the Court that if he should be committed he would have it tryed in England whether he was lawfully committed or not.

In the point of
Hoddes Islands

It was ordered that no person whatsoever shall shoot at fowls upon yullen point or Hoddes Islands but that the said places shall be reserved for Josu Perkins to take fowls with nets.

It is ordered.

Upon Robert Gales confession of his fault committed the last Court in excommunicating of his offence of drunkenness the Court remitted his fine and further confession enjoined him the last Court.

31. Sarah Morley.

Sarah Morley is put ad an apprentice to Mr. Nathaniell Turner of Saugus for 157. the space of myne yeares from this Court for which terme he is to finde her meate, drinke and cloathing.

32. The Governour's
Garden.

The Islands called Governour's Islands with all the liberties and privileges of fishing and fowling was demised to Josu Wintson of the present Governour for the terme of his life for the fine of forty shillings and at the yearly rent of 100. to be payed unto the Governour upon the 25th day of Maye and it was further agreed and the said Josu Wintson did covenant and promise to plant a bynyard and an outlyard in the same, in consideration whereof the Court did graunt that at the end of the said terme the lease hereof should be renewed to the heire or assignee of the said Josu Wintson for twenty and one yeares yearly to the Governour for the time being the fifth parte of all the fruits & profits ad shall yearly be payed out of the same and so the same lease to be renewed from time to time unto the heire and assignee of the said Josu Wintson with the said reservation of the fifth parte to the Governour for the time being, And the name of the said Islands is changed and is to be called the Governour's Garden. Provided that if the heire or assignee of the said Josu Wintson shall at any time suffer the said Islands to be waste and not improve the same then this present demise to be void.

A generall Court holden at Boston May 9th. 1632. present,

The Governour. M^r Howell.
Deputy Governour. M^r Pimpon.
M^r Ludlowe. M^r Bradstreet.

159. It was generally agreed upon by overtion of hands that the Governour Deputy Governour Election. 34.
and assistants should be chosen by the whole Court of Governour Deputy Governour assistants
and freemen and that the Governour shall always be chosen out of the assistants.
160. John Wentworth Esq^r was chosen to the place of Governour (by the general consent of Governour
the whole Court manifested by overtion of hands) for this years next ensuing and till a
new be chosen and did in presence of the Court take an oath to his said place belong-
ing. Thomas Dudley Esq^r was in like manner chosen to the place of Deputy — Deputy Governour
Governour for this years next ensuing and till a new be chosen and did accordingly
take an oath to his place belonging.
161. M^r Roger Ludlowe M^r Junias Howell M^r William Pimpon M^r Bradstreet Assistants.
Captaine Andrew John Symonds Esq^r M^r William Goddington and M^r John Wentworth
junior were chosen into the place of assistants for this years next ensuing and
till new be chosen.
162. It was ordered that there should two be chosen of every plantation appointed to con-
fer with the Court about raising of a publicke stocke.
M^r Chatham and M^r Masters for Waterton.
Robert Gold and John Johnson for Dorchester.
M^r William Colborn and William Gossborough for Boston.
Hirsards Wright for Sagud.
M^r Hartwood and M^r Spencer for Newtowne.
M^r Gibbons and M^r Palmer for Jewettton.
M^r Conant and Peter Palmer for Salem.
William Phelps and John Bayliffe for Dorchester.
163. It was ordered that the Towne of Watertone shall have that privilege and interest Waterton wayne. 35.
in the wayne they have built up shalld have according as the Court hereafter
shall think meete to confirme into them.
164. M^r Edmund Hartwood was chosen Constable of Newtowne for this years next ensuing Constable.
and till a new be chosen. Jun^r.
165. M^r John White was chosen Constable of Waterton for this years next ensuing and — Constable.
till a new be chosen. Jun^r.

A Court of Assistants holden at Boston June 5. 1632. present,

The Governour. Mr Indlowe
 Deputy Governour. Mr Nimsrop Junr.
 Mr Norvell. Mr Bradstreete.
 Mr Winton.

1 Day of - The Court taking into consideration the great mercy of Gods bounty saved to the
 Thanksgiving. Hundreds of Gods in Germany and the Mallatimale or hath appointed the 13 days
 of this present month to be kept as a day of publique Thanksgiving throughout the
 severall plantations.

36. The Company's goods. It is ordered that the goods of the Company of husbandm shall be inventoried by the
 Rodde and presented here for the use and benefit of the said Company. 107.

36. Mr Dudleys 200. It was further ordered that there shall be 200. Acres of land sett out by marks and
 bound on the west side of the aulde River over against the New Towne. to enjoy to
 Thomas Dudley Esqr Deputy Governour to him and his heirs for ever. 108.

37. Trade. It was likewise ordered that every planter inhabiting within this Patent shall pay to the
 the Court towards the defraying of publique charges 2y^d. for every pound of
 beaver that he shall trade for with any Indian within this Patent or that he brings
 into the Patent having traded the same with any forraigne Indian. Repealed.

Trading houses. Also it is agreed that there shall be a trading house appointed in every plantation
 whither the Indians may resort to trade to above their coming to severall houses. 170.

Plaintiff's estate. There is a Commission granted to Mr Winton and Mr Maberlyson to make
 inquiry and to take depositions of the Creditors of Josias Plaister and their
 witnesses that it may appear what debts are owing by him and so his estate to
 be presented here to the next Court. 171.

A Court holden at Boston July 3. 1632. present,

The Governour. Mr Winton.
 Deputy Governour. Mr Nimsrop.
 Mr Indlowe. Mr Bradstreete.
 Captaine Endicott. Mr Norvell.

Mr Endicott. Captaine Endicott being upon an Assistant at the generall Court did now take an
 oath to his place belonging in the presence of the Court. 172.

John Willist. It is ordered that John Willist shall have allowed him 5^l. towards his trans-
 portation into his owne Country whither according to his desire he hath free
 leave to goe. 173.

Thomas Dexter. It is ordered that Thomas Dexter shall be bound to his goods for a year till the
 bonds to the goods - next generall Court and fined 5^l. for his misbehavior and insolent carriage
 and sentenced to Mr Bradstreete at his owne house also at the generall Court is
 bound to confess his fault. 174.

38. Captaine Endicott's. There is a neck of land lying about 3. miles from Salem containing about 300.
 neck of land. Acres of land granted to Captaine John Endicott to enjoy to him and his heirs
 for ever called in the Indian tongue Nahquamoschoct in English Birchwood
 bounded on the south side with a River called in the Indian tongue Socwamapmissett.
 commonly called the Stone house River bounded on the North side with a River called
 in the Indian tongue Gona-mah-sq-woocant commonly called the Dutch River
 bounded on the East with a River leading up to the two former Rivers which
 is called in the Indian tongue D-ah-jussunt otherwise knowne by the name of Reddickton
 River bounded on the west with the maine land. 175.

170. There is another tract of land lying about 3. myles from Salem to it lying about 200. Acres granted to Mr Samuel Skelton to enjoy to him and his heirs for ever called by the Indians *Wahigath* bounded on the south by a little river called by the Indians *Wanabshicoo* that runs by the north abutting on another river called by the Indians *Pono* northward and on the east on the same river, also there is granted to Mr Skelton one tract of land on which he has a house and 10. Acres more in a neck of land abutting on the south river upon the *Wahigath* river on the north upon within all the ground on the east and upon Mr *Hugonson's* ground on the west likewise there is granted to Mr Skelton two tracts more of ground lying in Salem abutting on the south river on the east upon the main upon the west in *Wahigath* ground on the south and on *John Swetes* ground on the north.

65. out Skelton lands. 39.

177. William Parks doth promise if *Sidant* *Rakoman* comes no more to *Sahisferm* *Winton* what shall be thought meet by two indifferent men for three loads of weights by him lost and 12. pairs of stockings which the said *Rakoman* sold to *Winton* for good ones but proved bad and not taken.

Mr Winton Rakoman.

178. *John Smitte* is bound as *chaperon* with *John Wilsen* for five years from the first of *June* during which time *Wilsen* is to find the said *John Smitte* meate drink and apparel and at the end of the said time is to give unto him the summe of 40. It is likewise ordered that if the goods were sent over with the said *John Smitte* shall remain in the hands of *Wilsen* for which he is to be accountable to the ship if it sent him over.

Smitte.

179. *Wm* *Wilsen* and *Peter* *Johnson* have bound themselves jointly and severally in wth a power that they shall not departe out of the *Patent* without leave from the *Governour* and shall be ready to stand upon the feet when they shall be called to give an account of their company goods.

Wilsen Johnson.

180. *John Smitte* hath likewise bound himself in wth to be accountable for his company goods now returned and remaining in his hands.

Smitte.

181. Mr *James* *Went* is fined wth and bound to his good behavio^r till the next Court for his *disobedience* and *disrespect* committed aboard the *Virginia* *company*.

Disobedience disrespect.

182. Mr *Samuel* *Dudley* is fined wth for the like offence at the same time.

183. It is ordered that the *Captains* and *Officers* shall take especial care to search all persons that are brought into the fields for being charged and that no person whatsoever shall at any time charge any person with bullets or shot other than for defence of their houses or at command from the *Captains* upon pain of penalties as the Court shall think meet to inflict.

Orders to be charged. 40.

A Court holden at Boston August 9. 1632. present,

- The Governour. Mr. Dintson
- Deputy Governour. Mr. Wintrop.
- Mr. Indlowe. Mr. Bradstreet.
- Mr. Howell.

Murder of Walter Bagnall prosecuted. It is ordered that a boat shall be sent forth sufficiently manned with commissions to search out the plantation to the Eastward and to inquire of them as shall be willing to search for examination of the murder of the said Walter Bagnall and for apprehending of such as shall be found guilty thereof and to bring the persons into the Bay. It is referred to the Governour to take order herein.

Two water pipes because of drunkenness. It is ordered that the remainder of the allens through water being of value above two gallons shall be sold to the hands of the Deacons of the church for the benefit of the poor here for the selling of in divided times to such as will buy it at such rates as they shall see fit.

Woodwards. It is ordered that James Woodwards shall be set in the pillories for being drunk at the New Towne.

Knox. There is 3rd of Knox fine of 5th committed.

41. Capt. med. It is ordered that the Capt. med. shall be maintained by their several companies.

42. Treasur. Mr. William Brewster is to be Treasurer for this year next ensuing and till a new be chosen.

A Court holden at Boston September 4. 1632. present,

- The Governour. Mr. Treasur.
- Deputy Governour. Mr. Howell.
- Mr. Indlowe. Mr. John Wintrop.
- Capt. med. Mr. Bradstreet.

Swearing of swearing. It is ordered that Robert Stone shall be severely whipped for written cursing swearing justifying the same and glorying in it as hath bin proved by oaths.

Refusal to wait. John Enckland is fined 3rd for his refusing to wait at the Capt. med. & company.

Refusal to wait. Captain John P. is prosecuted against the Capt. med. and for ever after to serve their town against all kind of small.

Barnes. Josuah Barnes is bound as an apprentice to Mr. Plaine for 5. years from his land in 193 for 4th and wages and at the end of his term to be paid to him by 3rd his master.

Drunken punishment. It is ordered that William Johnson shall be set in the pillories for being drunk.

Constable. Mr. Deane is to be constable of the town for this year and till a new be chosen and till now take an oath to his place belonging.

Wolfe killed 40. There is order given to Mr. Treasur to pay 40th to Sirgand Waterman for killing a wolfe about 2. months since in Salem plantation.

Captain's exhibition. There is likewise order granted to Mr. Treasur to pay Captaine Underhill and Captaine Patrick a quartered exhibition.

Robert Akers. Mr. Robert Akers is taken into the place of lieutenant to Captaine Patrick.

Wintrop for beating. It is ordered that Sirgand Hopkin shall be severely whipped and branded with an iron letter on his forehead for selling covered and covered and sold to the Indians and because it was proved that his offence should not be punished by death referred to the next court to be determined.

Court holden at Boston October 31. 1632. present

- The Governour. Mr. Cushman.
- Deputy Governour. Mr. Rowell.
- Mr. Indlowe. Mr. Winthrop.
- Captaine Endicott. Mr. Bradstreet.

- 200. Mr. Cushman hath promised to give 100^l. for this year for his beaver trade for w^{ch} his 12^d. in the pound is remitted. Beaver Trade.
- 201. It is ordered that there shall be an house of correction and an house for the beaver built at Boston w^{ch} w^{ill} speed & conveniently may be. House of correction
- 202. Mr. Batts-holme is required to forbear exporting his gifts as a pastor or teacher publicly in our Patent unlesse it be so that he bring w^{ch} him for his contempt of church discipline till some scandall be removed. Mr. Batts-holme.
- 203. It is agreed that the beaver shall have 8th exhibition for this year. Beaver.
- 204. It is ordered that James Woodward shall w^{ill} for running from his master Mr. Hibon and Woodward abstaining himself from his service in recompence w^{ch} he shall doe him 6. weekes worke upon his time & commed out.
- 205. Edward Burton is fined 5^l. for his contempt of church discipline in refusing to come to the Court being summoned by the Governour and 40^l. for drunkenness.
- 206. It is ordered that Saugub plantation shall have liberty to build a ware upon Saugub river, also they have promised to make and continually to keepe a good footbridge upon the most convenient place there. Saugub ware & 43. bridge.
- 207. It is ordered that Alexander Miller and John Wipps shall give 2^d. 4^d. a year to their master for the use of powder and shot. Master powder & shot.
- 208. A warrant is made for half liberty granted him to returne to England by the ship Lion. Warrant for Liberty.
- 209. The howe is 60. acres of meadow ground granted to Mr. Simon Bradstreet in the marsh towards the water bank where he shall choose to enjoy to him and his heirs for ever. Mr. Bradstreet - 44. 60. ac.
- 210. It is ordered that Christolad Frost for stealing by him committed at Danvers 20^l. for the Governour for drunkenness and formation of all w^{ch} he is convicted shall be fined 5^l. to the Court and w^{ill} to Henry May and John Hollman till hee shal be paid & discharged, and he is to beare his owne charges shall be publicly w^{ill} w^{ill} be bound in the Court w^{ill} an hot iron and after banished out of this Patent w^{ch} he shall doe w^{ill} be found within the limits of the said Patent he shall be put to death. also it is ordered that he shall be kept in bolts by John Wipps and John Hollman till his fines be paid during which time he is to beare his owne charges.
- 211. It is thought by generall consent that Boston is the fittest place for a publicke house of arms place in the Bay. Boston.
- 212. It is ordered that from the first of May next every person shall satisfie for the damaged his swine shall doe in the towne of another.
- 213. It is further ordered that no person shall take any tobacco publicly under paine of imprisonment also that every one shall pay 1^d. for every pipe he is convicted for taking into a house and that every w^{ill} shall have power to receive bidens and give out for the buying of it as also to give order for the buying of the officers charge, this order to begin the 10th of November next. Tobacco.
- 214. George Diner is chosen Constable of Dorchester for this year next ensuing and till he shall a new be chosen he shall now take an oath to his place belonging.

A Court holden at Boston November 4. 1632. present,

Chf. Roberts. Mr. Rowse.
Deputy S. abroad. Mr. Wintrop.
Mr. Indlowe. Mr. Bradstreet.
Mr. Cresswell.

40. Timber. For conservation of good timber for more necessity, soe it is ordered that no man shall fell any woods for selling but first shall be viewed and allowed by the court or some of them they shall be open to doe the same. This order not to extend to grounds that is or shall be assigned to particular persons.

47. Separated townes. It is ordered that the disputes betwixt Charlestowne and New towne for woods shall be referred to Mr. Mathew Bradstreet, Mr. Wintrop, Mr. Cresswell and John Johnson to view the grounds woods and meadows and so to sett downe the boundes betwixt them.

48. Boston. It is ordered that the north of land betwixt powder house hill and Millen point shall belonge to Boston to be enjoyed by the inhabitants thereof for ever.

49. Dore after north. It is likewise ordered that the inhabitants of Boston shall have libertie to set wood from Dore after north of land for 20. yeares the propriety of the land to remaine to Dore after.

50. Dore after of Fortsbury bound. Captaine Cresse Mr. Jonant William Gagesboroughs of John Perkins are appointed by the court to sett downe the boundes betwixt Dore after and Fortsbury, Ralph Spurdge is chosen Umpire.

51. Mr. Indlowes 100. acres. The house is 100. acres of land granted to Mr. Roger Indlowe to enjoy to him and his heirs forever being betwixt the quantity of 10000 and the north of Thaxonsett. John Smith is fined 20. for wanting armed for his man and for being absent himselfe from training.

52. Syn. Thomas Syn is fined 20. for absenting himselfe from training. 222

53. Mr. Bradstreet. Mr. Mathew Bradstreet is fined 20. for his men being absent from training being fined. 223

54. Training. It is ordered that the Captaine shall traine their companies but once a month. It is further agreed that El. Ingers and also shall be fined 20. for the loss of some of the harts his rattell did him in his house.

55. Mr. Rowse. It is ordered that neither English nor Indian shall have any more weapons nor powder for killing wildes.

56. Mr. Wintrop. The house is about 50. acres of meadow ground granted to John Wintrop Esqr. by the court being betwixt the bounds of Wintonne and the river.

57. Mr. Humphrey. It is referred to Mr. Cresswell Peter Dalpoy and Roger Jonant to sett out a proper line of land in reward for John Humphrey Esqr.

58. Mr. Phillips. Mr. Phillip hath 30. acres of land granted him by the court being on the south side beginning at a tree a little higher then the first of Wintonne and so towards towards the river.

59. Affirmation. It is ordered that Robert Smith and Mary Didge shall be whipped for committing fornication together of wch they are convicted.

60. Doctor. The house is 4. of Thomas Doreward ff. of the first forgiven him. 231

61. New towne. It is ordered also the making of the 6. of the 1632. concerning the boundes of New towne and Charlestowne was read outed more at large before and it is returned p. 61.

A Court holden at Boston March 4. 1632. present,
 The Governour. Mr. Deane.
 Deputy Governour. Mr. Howell.
 Mr. Indlowe. Mr. Wm. Brewster.
 Captaine Endicott. Mr. Bradstreet.

233. The heres administration granted to Roger Indlowe Esqr of the goods and chattels of John Knight admn. Knight who deceased in November last.

234. The her Court hath reposed the last let against Mr. Waterhouse wch restrained him from further gathering a Synode within this Jurisdiction. Mr. Waterhouse.

235. It is ordered that Thomas Dexter shall be sett in the bilbowed disfranchised and fined wch for speaking reproachfull and scurrilous words against the government here established and finding fault to wch words the Court say they are not to be taken as if the government will be any way hurt by that the best of them were but an ill man.

236. It is agreed that the bounds formerly sett out betwixt Boston and Northbury shall continue only Northbury to enjoy the convenience of the woods near the river. Boston, Northbury. 57.

237. Boston is assessed 5. Northbury 4. Northampton 6. Woburn 6. Newbury 6. Merrimack 3. for the maintenance of Captaine Underhill and Captaine Plummer for halfe a yeare. Captaine Underhill. Captaine Plummer.

238. The warrant wherof is given Ancient to Captaine Underhill. Christen Warrant.

239. Thomas Wm. is fined wch for drunkenness. Wm. Wm.

A Court holden at Boston April 1. 1633. present,
 The Governour. Mr. Deane.
 Deputy Governour. Mr. Howell.
 Mr. Indlowe. Mr. Wm. Brewster.
 Captaine Endicott.

240. The Court is allowed to Edward Gougeon for ferrying officers over the water. Ferrying Officers.

241. It is ordered that no person whatsoever shall goe to plant or inhabit at Aggawam without leave from the Court except those that are already gone vizt Mr. John Wm. Brewster Mr. Charles Hobart John P. Thomas Howlett John Kings John Wm. Brewster Thomas Wm. Brewster Mr. Thomas Wm. Brewster Wm. Brewster.

242. The Court is of some formerly restrained to be sett at liberty at liberty. Wm. Brewster.

243. The Waddes Islands is granted to Mr. Samuel Wm. Brewster to enjoy to him and his heirs for ever next day and paying yearly at the general Court to the Governour for the time being either a full penny a full penny or wch in money and shall give lumber to Boston or elsewhere to be used for the wood to be used for the use required from the southern parts of the said Islands. Wm. Brewster.

244. It is agreed that Mr. William Wm. Brewster shall have 50. ac. of ground sett out for him near to his house in Boston to enjoy for ever. Wm. Brewster. 50. ac. 60.

245. George Hingston is chosen Constable of Northbury for this yeare next ensuing and shall be chosen. Northbury. 50. ac. 60.

246. It is ordered that if any man shall in fishing time take in a quarter of a mile of the stage at Marble Harbor that they shall be forbidden to use any of the fish and so for all other stages within these limits. Wm. Brewster.

70.
Berkeget
Bradwike.
Maksimomy.

It is ordered that John Bradwike shall give unto the wife of the same
of xx^s. for promising him marriage without her friends consent and now refusing
to performe the same.

01
John Bayle.
following.

John Bayle being convicted of feloniously taking away some and fish from
diverse persons the last year and his ad also flapboards of his wife by
the Court after this manner, that all his estate shall be forfeited out of which
double restitution shall be made to those whom he hath wronged shall be
waxed and bound as a servant with any that will receive him for three
years and after to be disposed of by the Court as they shall thinke meet.

Robert. of
his daughter.

John Bayle's bond with m^r Fogysall for three years for which he is
to give him 4^s and his daughter is also bound with him for 14. years m^r
Fogysall is to have a son with her and at the end of her time he is to give
unto her a good galley.

A generall Court holden at Boston May 29. 1633. present.

- Mr Robert. m^r Goddington.
- Deputy Robert. m^r Wmthrop Jun^r.
- Mr Washmore. m^r Bradstreet.
- Mr Howell.

Robert of
Robert.

John Wmthrop Jun^r was chosen to the place of Robert for this year next
ensuing manifested by generall election of hands and did in presence of the Court
take an oath to his place belonging.

Deputy.

In like manner Thomas Dudley was chosen to the place of Deputy Robert
for this year next ensuing and did in presence of the Court take an oath to his
place belonging.

Assistants.

Mr Roger Andover m^r William Dimsen m^r William Goddington m^r Increase
Howell m^r Simon Bradstreet and m^r John Wmthrop Jun^r was chosen to the
place of assistants for this year next ensuing and did in presence of the
Court take the oath to their place belonging.

62.
Boston Court.

Mr John Endron Sr Highard Saltwell John Symonds was chosen to
the place of assistants for this year next ensuing.

Wm. and Constable.

It was ordered that the Court at Boston shall be finished with what remainder
passes may be at the publick charge.

Let.

Mr John Wmthrop chosen Constable of New town for this year next ensuing
and till a new be chosen.
The next Court is to be holden the second of August in June.

A Court holden at Boston June 11. 1633. present,
 The Governour. Mr Rowell.
 Deputy Governour. Mr Goddington.
 Mr Indlowe. Mr Wmiffay.
 Mr Treasurer. Mr Bradstreet.

- 259. It is ordered that William Dixon shall be set in the pillory for disordering himselfe by drinking.
- 260. It is likewise ordered that John Hamerton shall be wright bound to his good behav^r and enjoyned to make his appearance at the next Court for committing fornication wth Elizabeth Hlarson.
- 261. John Webb is sett at liberty from his master William Haulte. Webb of Haulte.
- 262. There is leave granted to Thomas Collen to plant at Olyganam. Collen.
- 263. The 19th of June is appointed to be kept as a day of publique thankes giving throughout the severall plantations &c. Day of thankes.

A Court holden at Boston July 2. 1633. present,
 The Governour. Mr Rowell.
 Deputy Governour. Mr Goddington.
 Mr Indlowe. Mr Wmiffay.
 Mr Endrott. Mr Bradstreet.
 Mr Treasurer.

- 262. Mr Endrott being chosen an assistant at the generall Court did now take an oath to his office belonging. Mr Endrott.
- 263. Mr Indlowe Mr Treasurer and Mr Rowell are chosen and committed to take an amount of the debts due to the Governour, and to certify the same at the next Court that they may be discharged. Governours debts. 64.
- 264. It is ordered that there shall be the prohibition to the his publique charged and pharoid any repeated. Governour.
- 265. Robert Allen is fined 2^d. for absenting himselfe from Court being summoned to be there as a witness. Allen.
- 266. James Wadgate is fined 2^d. for drunkenness being committed at shawble heads on the Sabbath day. Drunkenness fined.
- 267. John Bomet is fined 2^d. for being drunk at shawble heads. Drunkenness.
- 268. It is ordered that no person shall sell either wine or strong water without leave from the Governour or Deputy Governour. This order to take place a fortnight hence and after the publication of the same plantation hath published the same, and that no man shall sell or bring in a quantity of strong water to any Indian. Wine, strong water. 65. Indian
- 269. It is ordered that if any towns fenne shall be by the Insalut^y of the Governour insufficient and the owner thereof forbear mending of it more then two days after warning given the Insalutants shall mend the said fenne and the towns of the owner of the said fenne shall be liable to pay the charges of the mending thereof. Fences of fenne. 66.
- 270. Mr Wadgate and Mr Gibson are appointed to journey wth Mr Wadgate and Mr Wadgate to inventory the goods and chattels of Alexander Wadgate. Wadgate's goods.
- 271. It is ordered that the two hundred acres lying between the north side of Mr Wadgate and so up into the town of Charlestowne shall belong to the inhabitants of Charlestowne. Charlestowne. 67.

Bull.

Order is given to the Treasurer to deliver to Lieutenant Mason for his voyage to the Eastward when he went about the taking of Bull. 272.

68. Lease of State to Thomas Lamb. M^r Robert intestate.

There is devised to Thomas Lamb of State in State Island 10 poles towards the water side and 5 poles into the land for three years paying the yearly rent of 12^s 6^d. 273.

69. Swine.

Administration is granted to M^r Manham of the goods and chattels of M^r Halp Blot deceased. 274. It is ordered that it shall be lawful for any man to kill any swine that runned into his town or the party that owned the swine is to have them being killed and allowed recompense for the damage they do or. 275.

Court holden at Boston August 6. 1633. present

- Ch^r Robard. M^r Howell.
- Deput. Robard. M^r Goddington.
- M^r Indlowe. M^r Wadsworth.
- M^r Treasurer. M^r Bradstreet.

M^r Wadbridge.

M^r John Wadbridge is fined 1^l for distemporing himself wth drink abroad M^r Wadbridge - 276 his fine.

70. Boston & Northbury bridge.

It is agreed that there shall be a sufficient tart bridge made in some convenient place over the river and another over some river to be done at the charge of Boston and Northbury, M^r Goddington M^r Gilbrun and M^r Samford are to see it done for Boston and M^r Treasurer John Warr and John Johnson for Northbury. 277.

71. Ram goated.

It is further ordered that if any ram goate be found amongst the goated betwixt the first of July and 10th of November it shall be lawful for any man to seize on him before witness and to convey him to some safe place till the said 10th of November, and then half of him is to goe to the publick and the other half to the party that seizes on him, & his order to take place on Thursday next.

Court holden at Boston September 3. 1633. present,

- Ch^r Robard. Deput. Robard.
- M^r Indlowe. M^r Treasurer.
- M^r Howell. M^r Goddington.
- M^r Wadsworth. M^r Bradstreet.

Drunkard.

John Snotwell is fined 1^l for distemporing himself wth drink at Chagawam. 278.

Unkempt fine

Robert Gales is fined 1^l and enjoined to stand wth a white sheet of waxe on his back w^{ch} a drunkard shall be written in great letters and to stand there so long as the Court thinks meete for abusing himself shamefully wth drink in his own wife to intemperance and other misdemeanors.

Wadsworth's goods sequestrated for debt.

It is ordered that the goods of Thomas Wadsworth shall be sequestered and remaine in the hands of Christ Bennison to satisfie the debts he owed in the Bay to several persons. 279.

72. Husell intestate.

There is administration granted to William Baynard and William Northwell of the goods and chattels of John Husell of Dorchester who deceased August 26. 1633. 280.

Debtors intestate.

Administration granted to M^r John Wood of the goods and chattels of Thomas Debbes deceased and so to remaine in his hands to be accountable for them. 281.

Dillingham. Deput. Wadsworth.

By consent of John Dillingham Deput. Wadsworth and Thomas Debbes the differences betwixt them are referred to M^r Indrott and M^r Howell and power is granted them by the Court to depose witnesses here and determine the said differences. 282.

Maxtains Stone banished.

Maxtains Stone for his outrage committed in confronting authority abusing M^r Indlowe both in words and behavior assaulting him and calling him a just ass is fined 1^l and prohibited coming within his Patent without leave from the Court under the penalty of death. 283.

286. It is ordered according to a former order at the generall Court that every hand except 73.
Magistrates and Ministers shall afford their help to the finishing of the works at Boston Boston Court. 73.
fill it be added.

287. Mr Palmer is fined 20^s for absenting himself being warned to sit of a Jury. Mr Palmer default.

288. Alexander Noyes is fined 20^s for drunkenness quarrelling breach of an order of Court whigall contempt.
and contempt of Chitpurity.

289. Administration granted to William Stinson of the goods and chattels of Higard Chmoll of Chmoll in testate.
Mimot Street deceased.

290. The Court's liberty granted to Mr John Nimitz and to his assigns to sett up the same Court
a hunting house up Merrymark river. Hunting house.

291. Mr John Hartsuffe doth art & vledge to owe unto our Sovereign Lord the King the summe of one hundred
of 20^s and Mr Samuel Noyes doth art & vledge to pay the same upon the condition of his recognizance
summe is that Mrs Hartsuffe wife of the said John shall be of good behaviour towards
all persons.

Of Court holden at Boston October 1st. 1633. present

- The Governour. Mr Rowell.
- Deputy Governour. Mr Goddington.
- Mr Indlowe. Mr Bradstreet.
- Mr Treadwell.

292. It is ordered that Lieut Jhonkins shall pay 40^s for the fine as a punishment
for drunkenness by him committed. Drunkenness.

293. Also it is ordered that Thomas Dexter shall be fined 20^s for the like offence. Drunkenness.

294. It is ordered that if any trained souldier shall be absent from training upon their holy
daye being lawfull warning shall forfeit 5^s and that it shall be lawfull for one of
the Captains appointed by the Captaine of the Company to take it unless within two dayes
after it is demanded the party offending bring a certificate from the next assistant that
he had a necessary occasion to be absent. Trained souldier. 74.

October 3. 1633. It is ordered that master Carpenters Sawyer masons & lay boards
within the town and beyond the town shall not take above 2^d a day finding
themselfe not and not above 14^d a day if they have not found them under the penalty of 5^s
both to give and receive for every day that they are more given and received, Also that all
other inferior workmen of the said occupations shall have their wages as the Constable of the
place and two other inhabitants that he shall choose shall appoint. Workmen wages.

296. It is agreed that the best sorts of labour shall not take above 18^d a day if they doe not
find and not above 8^d a day if they have not found them under the penalty of 5^s both to
give and receive, likewise that the wages of inferior labour shall be referred to the Constable
and two other as aforesaid. Labour.

297. Master Carpenters shall not take above 12^d a day and the inferior sort not above 8^d if they
be employed under the aforesaid penalties and for all other works they doe at home proportionably
and so for other works that shall be done by the yeate by any other artificer. Carpenters.

Furthermore it is ordered that all workmen shall worke the whole day allowing convenient time for
food or rest, this order to take place the 12th of this present month. Workmen. 75.

298. It is further ordered that no person household or other shall spend his time idly or unprofitably
under paine of imprisonment at the Court shall have power to inquire, and for this end it is
ordered that the Justices of the Peace shall use special care and diligence to take knowledge
of offenders in this kind especially of common rovers unprofitable fellows and tobacco takers
and to present the same to the two next assistants who shall have power to hear and deter-
mine the cause or if the matter be of importance to transferre it to the Court. Idleness. A 25th 50

299. In regard of many and extraordinary mercies wherewith the Lord hath bin pleased to vnterprise of
late to this Plantation vizt a plentiful harvest of grapes safely arrived w^{ch} persons of special use
A.D. 1633. 77.

and quality of it is ordered that whatsoever of his present money shall be kept ad a day of publick thanksgiving through the severall plantations &c.

77. *Continued to begin at one a clock*

And it is ordered that by common experience that the taxing of vertues at the ordinary 300. pounds now observed in the townes to be diverse wayes prejudicial to the common good both in the losse of a whole day and bringing other charges and troubles to the colons where the vertue is kept, It is therefore ordered that hereafter no vertue shall begin before one a clock in afternoon.

It is ordered that there shall be 400^l. raised out of severall plantations to defray and 300. like charged vizt,

Boston — 48 ^l	Saugus — 36 ^l
Dorchester — 48	Salem — 28
Newtown — 48	Winnetsomat — 8
Woburn — 48	Woodsford — 12
Weymouth — 48	Weymouth — 8
Dorchester — 80	

Sum tot 412^l

A Court holden at Boston November 5. 1633. present

Mr. Deane. Mr. Erasmus.
 Mr. Andrews. Mr. Giddington.
 Mr. Howell. Mr. Bradstreet.

79. *Cherfort.*

It is ordered that when all the plantations in the Bay shall have done two dayes worke a year 300. at the severall places shall order god forth to Salem Chyngam and Saugus to send in their money for the dayes worke towards it for every man except Magistrates and Ministers.

80. *Mixed.*

It is ordered that prayer shall be directed by the Court to the Sherriffe for warning of 24. 1633. toward 14 dayes before the Court to be named by the Court.

James b. p. b.

It is likewise ordered that the Court shall pass at 6^o the bussell till the next Court.

Erwin.

Further it is agreed that no man shall give his swine any tyme but such as being viewed by two or three neighbors shall be judged unfit for man's meate also that every plantation shall agree how many swine every person may keep winter and summer about the plantation, this order to take place 10. dayes hence.

81. *Henry.*

Mr. Richard Browne is allowed to keep a ferry over the water against his house and is to have 2^d. for every single person he so transported and 1^d. a year if there be 2. or more.

Ensigne Mootsam.

Ensigne Mootsam is discharged of his share of the house and in Thomas Mootsam upon 307. in his room.

Ensigne Stoughton.

Ensigne Stoughton is taken Ensigne to Captain's place.

82. *Wade his house.*

It is ordered that James Don the beadle shall have allowed him by the Court the summe of 309. off 30th to build an house which is to be for his use while he remained in the place of beadle and after to be disposed of as the Court shall think meet.

83. *Commodities for 4th in 13.*

November. 8. 1633. Whereas by order of Court holden in October last the wages of workmen were raised to a certainty in regard of the great extortion used by diverse persons of little acquaintance and the great disorder which grew hereupon by want and idle wast of many precious times and expence of the most immediate gaine in wine strong water and other such commodities, Now least the best and most reasonable workmen should be wronged or discouraged by excessive prices of these commodities with and necessary for their life and comfort, We have thought it very just and equal to set order also herein, We do therefore hereby order that

after public notice hereof no persons shall sell to any of the Inhabitants within this Jurisdiction any provision of clothing or other commodities above the rate of 4^d in a shilling more than the same cost or might be bought for ready money in England upon pain of forfeiting the value of the thing sold except those w^{ch} in regard of the many hazards in bringing wine or for wine and stronger waters, w^{ch} in regard of heating may be sold at such rates - (provided the same be moderate) as the buyer and seller can agree. And for buying of other commodities w^{ch} in regard of their cost & storage and small hazards may be afforded at a proportionate rate we doe advise all men to be a rule to themselves in keeping a good conscience assuring them that if any man shall exceed the bounds of moderation we shall punish him severely.

A Court holden at Boston March 4th 1633. present,

- The Governour. Mr. Cresswell.
- Deputy Governour. Mr. Howell.
- Mr. Ludlow. Mr. Goddington.
- Captaine Endicott. Mr. Bradstreet.

- 381. It is ordered that all the swamps containing above 100. acres either belonging to any owner or not shall be in common for any free inhabitant to take wood at reasonable times without prejudice to the inhabitants where the same is (that swamps only excepted lying within the New towns pale towards the bay. Swamps. 84.
- 312. It is ordered that Mr. Dimmer shall be rated 8th to the public stocks w^{ch} is 5th 10th. for his estate in Northbury and 1th. in Saugus the Cresswell is to lose the rest that he made w^{ch} in Saugus. Mr. Dimmer.
- 313. The Court hath ordered that Mr. Dillingham shall be rated for the tithes he is possessor of. Mr. Dillingham. of Mr. Downings.
- 314. It is ordered that there shall be a market kept at Boston upon every the 5th day Market at Boston. of the week.
- 315. Mr. Nathaniel Turner is chosen Captaine of the military company at Saugus. Captaine Turner.
- 316. It is ordered that John Banks shall be severely punished for running from his master the Captaine.
- 317. It is ordered that 5th of the judgment against Joseph Wittiswell shall be abated it appearing to the Court that Joseph W^{ch} commanding had not paid the same as was formerly - committed. Wittiswell.
- 318. Mr. Richard Howard is chosen Lieutenant to Captaine Underhill. Lieutenant Howard.
- 319. It is ordered that no person shall buy any land of an Indian without leave from the Court. Indians Land. 85.
- 320. Christopher Carling is to be whipped for stealing victuals from his master and for running away. Carling.
- 321. Mr. William Tompson is chosen Constable of Northbury. Northbury Constable.
- 322. John Symmes is fined 20th for selling boards at 8th 2th contrary to an order of Court committed upon promise of 300. of 4. m^{ch} plank towards the sea forts. Boards
- 323. Richard Williams is fined 40th. for drunkenness committed at Rowland house. Drunkenness.
- 324. William Doolen is fined 40th. for the like offence. fined.
- 325. Timothy Hawkins and John Daugan fined 20th. a peere for mispending their time in company keeping drinking strong water and selling off contrary to an order of Court. allowed to the witness bound over to the Court to give evidence against them 5th. Idle drinking.
- 326. Edward How is fined 20th. for selling strong water contrary to an order of Court. Strong water.
- 327. It is ordered that Robert Gales for drunkenness by him committed at Northbury - Gales D.

shall be disfranchised wear about his necke and so to hang upon his outward garment a
made of red cloath and sett upon his to continue his for a yeare and not to leave it
off at any time when hee cometh amongst company under the penalty of xl^s for the first
offence and 5^s for the second and after to be punished by the court as they thinke meete
also he is to wear the d. outwards and is enjoyned to appear at the next generall court
and to continue there till the court be ended.

James appren:

Josiah Hayward is bound as an apprentice wth Francis Weston for 5. yeares from his day
his said master finding him methe drinke and cloath.

Wosten of Northbury
bound.

Ensigne Strongton Thomas Hoods William Johnson and William Bayland are appointed
to sett out the bound betwixt Wosten and Northbury w^{ch} is now in difference betwixt
them.

86. Wistrike wane.

The wane at Wistrike is granted to John Wintrop the present Governor and 330.
to Mr. Nathaniel Gaudin of London merchant to enjoy to them and their heirs for ever.

87. A moving floor.

Upon consideration of the usefulness of a moving floor to be built 40. footes long and 21.
21. footes wide for defence of this colony and upon the free offer of some gentlemen
lately come over to us of some large summes of money to be employed that way it is thought
fitt that this matter shall be moved to some men of ability and have not borne their parts in the
great ~~charge~~ charge of the foundation of this colony and for this end it is desired that
some assistant shall undertake the business for treating wth such as are within the bounds
where they dwell and if they see fitt they may desire some other of the assistants to joyn
wth them. There is also promised Mr. Strongton for his care and expedition in this worke
to be payed when the worke is finished.

Given and promised towards the said floor.

332.

Mr. Haynes	2	3 ^s
Captaine Turner		3 ^s
Mr. Gopall	2	6 ^s
Richard Wright	4 m ^{ts} planks	400.
John Chapman	4 m ^{ts} planks	300.
Mr. Aspinwall	2	3 ^s
John Johnson	2	xx ^s
Mr. Howell	2	ij ^s
Francis Johnson	2	xl ^s
Josiah Hovell	2	xx ^s
James Hovell	2	xx ^s
Mr. William Demison	2	xl ^s
Mr. Harding	2	ij ^s
Mr. George Clarke	2	xl ^s
Mr. Israel Strongton to be paid w th 9.0 10. months		xx ^s
Mr. John Hogan		6 ^s
Thomas Hoods	2	xx ^s
Mr. Parker of Northbury	2	3 ^s
Mr. Dimmit	2	xx ^s
Philip Cabot	7 m ^{ts} planks	200.
Thomas Hovell	4 m ^{ts} planks	200.
Mr. John Wilson	2	ij ^s

The Governour. Mr Rowell.
 Deputy Governour. Mr Goddington.
 Mr Indlowe. Mr Wadsworth.
 Mr Endicott.
 Mr Wadsworth.

333. There is a thousand acres of land and a great pond granted to John Hayward five hundred acres granted to Thomas Dudley Esq. Deputy Governour, three hundred to Mr Samuell Dudley and two hundred acres to Mr Daniell Demison all lying being above the falls on the Easterly side of the Charles River to enjoy to them and their heirs forever.
334. There is two hundred acres of land granted to Mr James Rowell lying or being on the west side of the Charles River otherwise called the Great Neck.
335. There is five hundred acres of land granted to Mr John Oldham lying near Mount Hope on the north west side of the Charles River.
336. It is ordered that if any man that hath any great quantity of land granted him or doth not build upon it and improve it within three years it shall be free for the holder to dispose of it to whom they please.
337. There is two hundred acres of land granted to Mr John Wilson pastor of the Church of Boston next the land granted to Mr Rowell on the South and next Mount Hope on the North.
338. It is ordered that John Lee shall be wright and fined xx^s for calling Mr Indlowe false hunter and hard hearted man & abusing friends of.
339. Thomas Hooper is fined xx^s for want of appearance being summoned to give evidence against John Lee.
340. Robert Moulton is chosen Constable of Charlestown and Province.
341. Mr Isaac Stoughton hath liberty granted him to build a mill a race and a bridge over the Roxbury River and is to sell the Okwibed he takes there at xx^s the thousand.
342. It is ordered that if any boy that hath bin wright for running from his master be taken in any other plantation not having a note from his master to testify his business there it shall be lawful for the Constables of the said plantation to whip him and send him home.
343. There is power granted to Mr Indlowe and Mr Hogan to inventory and take into safe keeping the goods of the estate of Mr John Cilly to satisfy some debts as he owes in the Bay.
344. The price of wine is left at liberty to be sold as men can agree.
345. Mr Gifford hath bound himself in xx^s to appear at the next court to be holden in June to answer to some things as shall be objected against him. Carrot Gifford of Philip Taber hath bound himself in xx^s a piece to appear then to give testimony against Mr Gifford for selling commodities contrary to order.
346. Three Islands called Gifford's and Hoggy Islands are granted to Boston for 21. years for the yearly rent of three pounds to be paid to the Treasurer upon the first day of the month of March called April.
347. It was further ordered that every man of or above the age of twenty years who hath bin or shall hereafter be resident within the jurisdiction by the space of three months as an householder or sojourner and not enfranchised shall take the oath

Grants of lands to 88.
 Mr Rowell 89.
 Mr Oldham 90.
 Lands to be improved 91.
 Grant to Mr Wilson 92.
 Mr Indlowe and Lee.
 Hooper default.
 Charlestown Constable.
 Mr Stoughton - 93.
 Mill of.
 Boys runaway 94.
 Mr Cilly's debts.
 Price of wine free.
 Mr Gifford.
 3. Islands demised 95.
 to Boston.
 Oath to be taken 96.
 by residents.

hereunder written before the Governour or Deputy Governour or some two of the next Assistants who shall have power to receive him for that purpose and upon his refusal to bind him - over to the next court of Assistants and upon his refusal the second time he shall be banished except the court shall see cause to give him further respite.

The chaf.
168. 98
302

I do here swear and call God to witness that being now an inhabitant within the limits of this jurisdiction of the Massachusetts I do acknowledge myself lawfully subject to the authority and government here established and do accordingly submit myself and family and estate to be protected ordered and governed by the laws and constitutions thereof, and do faithfully promise to be from time to time obedient and to perform all hereto and to the authority of the Governour and all other the Magistrates here and their Successors and to all such laws orders sentenced and decreed as now are or hereafter shall be lawfully made decreed and blessed by them or their Successors and I will always endeavour (as in duty I am bound) to advance the peace and welfare of this body politic, and I will to my best power and means see to it that I do not in any way offend or do damage hereof or of the Governour or Deputy Governour or Assistants or any of them or their Successors and will give speedy notice to them or some of them of any sedition violence treason or other hurt or evil with which I shall know or vehemently suspect to be plotted or intended against them or any of them or against the said Commonwealth or government established.
So help me God.

97. Entries of lands
to be recorded.

It was further ordered that the Constable and four more of the chief inhabitants of the town to be chosen by all the freemen there at some meeting there with the advice of some one or more of the next Assistants shall make a surveying of the houses back sides and other lands improved or inclosed or granted by special order of the court of chief free inhabitant there and shall enter the same in a book fairly written in words at length and not in figures with the several bounds and quantities by the truest estimation and shall deliver a transcript thereof into the court within six months now next ensuing and the same so entered and recorded shall be a sufficient assurance to every such free inhabitant his and their heirs and assigns of such estate of inheritance or of any such lands or franktenements.

The like to be done for people

The like to be done for people shall be taken for assurance of all houses and town lots of all such as shall hereafter enfranchised and every sale or grant of such houses or lots as shall be from time to time entered into the said book by the said Constable and some inhabitants or their Successors who shall be still supplied upon death or removal for which entry the purchaser shall pay six pence and the like sum for a copy thereof under the hands of the said Surveyors or three of them.

Freemen made at the generall Court May 14. 1634.

Thomas Squier.	John West.
Robert Houlton.	William Gasse.
John Odlyn.	William Calmagne.
Robert Flapp.	Mr John Cotton.
Johnals Carter.	Matthew Bisset.
Thomas Calmagne.	Daniel Howe.
Richard Hamobanks.	Richard Hedden.
Phillip Caboe.	John Laid.
Edward Cayson.	Mr William Moore.
10. John Chapman.	Mr Thomas Mather.
William Searns.	Robert Mather.
Mr Thomas Hooker.	Phillip Dandill.
Mr Samuell Stone.	Thomas Hollomb.
Edward Howe.	20. Thomas Searns.
Bartholomew Swene.	John Jeffery.
Richard Wright.	James Parker.
John Steble.	Richard Miller.
Edmund Stebbins.	John Gordon.
Andrew Gardner.	Edmond Harte.
20. George Skole.	William Searns.
Richard Slatter.	Stephen Smith.
Thomas Spence.	Christopher Sisson.
Edward Wylke.	Thomas Suddall.
Richard Goodman.	30. John Linton.
John Pratt.	James Searns.
John Hayward.	Jonathan White.
Andrew Ward.	Thomas Goldman.
Joseph Cartwright.	James Searns.
Thomas Hatfield.	Thomas Hubbard.
30. George Wadsworth.	John Hall.
Edward Wadsworth.	John Skater.
Joseph Wadsworth.	Mr William Manton.
Anthony Felby.	John Searns.
John Rosworth.	40. Francis Dent.
Francis Pinner.	Henry Stokes.
Thomas Pinner.	
John Wadsworth.	
James Wadsworth.	
40. Thomas Lawthrop.	
Stephen Hart.	
Jeffery Mashy.	
Richard Wadsworth.	
Thomas Wadsworth.	
William Wadsworth.	
John Wadsworth.	

Freemen made at the generall Court Septemb 3. 1634.

Thomas Hubbard.	Robert Potter.
Edmund Hubbard.	John Hardy.
John Wadsworth.	Thomas Horton.
William Baker.	Matthew Benson.
William Gasse.	Mr Thomas Parker.
Thomas Goble.	Mr Richard Easton.
Richard Wadsworth.	Mr James Hooper.
Robert Hamlyn.	Joseph Hubbard.
9. Ralph Hamlyn.	
Joseph Hamlyn.	
John Hamlyn.	
John Hamlyn.	
William Hamlyn.	
Richard Hamlyn.	
James Hamlyn.	
Jonathan Hamlyn.	
Richard Hamlyn.	
Alexander Hamlyn.	
100. Henry Hamlyn.	
Samuel Hamlyn.	
Joseph Hamlyn.	
Edward Hamlyn.	
John Hamlyn.	
Henry Hamlyn.	
Moses Hamlyn.	
Mr John Hamlyn.	
Robert Hamlyn.	
Henry Hamlyn.	
110. Phillip Hamlyn.	
Richard Hamlyn.	
Abraham Hamlyn.	
Anthony Hamlyn.	
John Hamlyn.	
Martin Hamlyn.	
Samuel Hamlyn.	
John Hamlyn.	
John Hamlyn.	
Robert Hamlyn.	
120. Robert Hamlyn.	
Richard Hamlyn.	
Richard Hamlyn.	
Mr Thomas Hamlyn.	
John Hamlyn.	
John Hamlyn.	
Ralph Hamlyn.	
Robert Hamlyn.	

ffreemen made May 4th 1634.

Captaine John Mason.	William Panten.	Abraham Lane.	John Houghton.
George Mason.	Thomas Hester.	Richard Hester.	William Houghton.
John Brandiff.	John Hoppind.	John Hester.	Thomas Hester.
Samuel Hobbet.	John Bridge.	Christopher Hester.	Richard Hester.
Thomas Hester.	William Hester.	Thomas Hester.	Thomas Hester.
Thomas Hester.	John Hester.	Thomas Hester.	Thomas Hester.
George Hester.	James Hester.	Thomas Hester.	Thomas Hester.
Robert Hester.	Samuel Hester.	Thomas Hester.	Thomas Hester.
Richard Hester.	Timothy Hester.	Thomas Hester.	Thomas Hester.
William Hester.	Andrew Hester.	Thomas Hester.	Thomas Hester.
Thomas Hester.	John Hester.	Thomas Hester.	Thomas Hester.
William Hester.	Thomas Hester.	Thomas Hester.	Thomas Hester.
Matthew Hester.	John Hester.	Thomas Hester.	Thomas Hester.
John Hester.	John Hester.	Thomas Hester.	Thomas Hester.

At a generall Court holden at Boston May 14th 1634. present

Tho: Hobbes.	Mr. Curshaw.
Deputy Hobbes.	Mr. Rowell.
Mr. Indlowe.	Mr. Goddington.
Mr. Endrott.	Mr. Bradshote.
Mr. Godwin.	Mr. Spencer.
Mr. Calratt.	Mr. Hobb.
Mr. Browne.	Mr. Oldham.
Mr. Hester.	Mr. Palmer.
Robert Monkton.	Mr. Goggsfall.
Edmond Quinson.	Captaine John Underhill.
John Johnson.	William Hester.
Mr. Allroth.	Mr. Israel Stoughton.
William Hester.	George Hester.
Captaine Tmenter.	Mr. Hester.
Mr. Edwards Conlind.	Mr. Hester.
Mr. Conant.	Francis Hester et.

9th Hester.

It was agreed and ordered that the former oaths of ffreemen shall be voided so far as they are different from the oaths of ffreemen hereunder written and that those that subscribed the former oaths shall stand bound no further thereby to any intent or purpose than the new oaths they have now taken.

The oaths of ffreemen.

Our Oath.

I, the undersigned, being by Gods ordinance an inhabitant and ffreeman within the jurisdiction of this commonwealth do freely and voluntarily my selfe to be subject to the government thereof and therefore doe here by these words in dreadful name of the ever living God that I will be true and faithful to the same and will accordingly with assistance and supporte be ready with my person and estate to defend the same and will also truly and lawfully maintain and preserve all the liberties and franchises of the same and will not be subject to any other lawes and ordinances made and

establiſſed by the ſame And further that he will not plott nor practise any evil
againſt it nor conſent to any that ſhall ſo do, but will finally diſturb and rebelle
the ſame to lawfull authority now here eſtabliſſed for the ſpeedy preventing thereof
whereupon he doe ſolemnely bynd my ſelfe in the ſight of God that when he ſhall
be called to give my vote touching any ſuch matter of this ſort touching freedom
and to ſeale he will give my vote and ſuffrage as he ſhall judge in mine owne conſcience
may beſt to ſerve and tend to the publicke weale of the ſaid colony without favour
or favour of any man & to help the ſaid colony in the ſaid ſervice. Furthermore it is
agreed that none but the generall court hath power to chooſe and admit freemen.

Generall. 99.
freemen. 100.
Lawes

354. That none but the generall court hath power to make and eſtabliſh laws
to elect and appoint Officers and Governour Deputy Governour Aſſiſtants Treasurers
Secretaries Captains Vice Captains Enſignes or any ſuch like moment or to remove
any upon cauſation and alſo to ſett out the duties and power of the ſaid Officers.

355. That none but the generall court hath power to raiſe money and taxes and to
diſpoſe of lands right to give and conſent thereto.

Capos. 101.

356. Thomas Dudley ſhall be choſen Governour for this yeare next enſuing and till a
new be choſen and did in preſence of the ſaid court take an oath to his ſaid place belonging.

Governour.

357. In like manner Thomas Dudley ſhall be choſen to the place of Deputy Governour for
this yeare next enſuinge and till a new be choſen and did take an oath in preſence of
the ſaid court to his ſaid place belonging.

Deputy Governour.

358. John Winthrop ſhall be choſen for this yeare next enſuinge and till a new be choſen
and did in preſence of the ſaid court take an oath to his ſaid place
belonging. Mr. Winthrop and Mr. John Winthrop Junior only excepted who were abſent.

Aſſiſtants.

359. Mr. William Goddington was alſo choſen Treasurer for this yeare next enſuinge and
till a new be choſen.

Treasurer.

360. In like manner Mr. Simon Bradſtroke was choſen Secretary for this yeare next enſuinge
and till a new be choſen.

Secretary.

361. The ſentence of court inflicted upon Robert Golee Marty 4th. 1633. for drunkenneſſe
or by him committed is now reversed upon his ſubmiſſion and teſtimony being given of
his good behavior.

Golee releaſed.

362. It is agreed that there ſhall be a fine ſett upon the court of Aſſiſtants and Mr.
Winthrop for breach of an order of court againſt imploying Indians to ſtooke with weered
the one halfe to be payed by Mr. Winthrop and the other halfe offending thereon the other
halfe by the court of Aſſiſtants upon in being who gave leave therunto.

Indians.
The fine was
made by the court.

363. It was further ordered that the conſtables of every plantation ſhall upon word
written from the Court give timely notice to the freemen of the ſaid plantation where
they dwell to ſend ſo many of their ſaid members as they ſhall direct to attend
upon publicke ſervice, it is agreed that no fine ſhall be payed upon any for liſe or
banishment but by a jury ſo ſummoned.

Jury. 103.

364. It is likewiſe ordered that there ſhall be ſome generall courts hold yearly to be
ſummoned by the Governour for the time being and not to be diſſolved without the con-
ſent of the ſaid parts of the court.

Acts. 283. 104.

365. It was further ordered that it ſhall be lawfull for the freemen of every plantation
to chooſe two or three of their owne before every generall court to conſerve of and
prepare ſuch publicke buſineſſe as by them ſhall be thought fit to conſider of at the next

Deputyes. 105.

generall court, chud that sur persons ad shall be hereafter so deputed by the freemen of
settlement plantation to deal in their behalf in the subltie affairs of the commonwealth shall
have the full power and voice of all the said freemen derived to them for the making and
establisshing of laws granting of lands and to deale in all other affairs of the common-
wealths wherein the freemen have to doe the matter of election of Magistrates and other
affaires only excepted wherein every freeman is to give his owne voice.

106. Swine.

All former orders touching swine are repealed and it is agreed that every owner
shall have liberty to make such orders about swine as they shall judge best for the people
and that if the swine of one owner shall come within the limits of another, the owner
thereof shall be liable to the order of that owner where his swine be trespassers.

107. Notting Swine.

Upon a complaint made to John Wintour Esqr then Governour by a freeman of John
Wintour lathes stanne at Kenoberts by one of Plymouths plantation desiring that justice
might be done upon the offenders, the court taking into consideration the same hath
ordered that Mr John Alden (being there present upon the said Notting was stayed
shall be deterred here till answers be received from the said Plymouth whether they
will try the matter here or no or that sufficient security shall be taken that he the
said John Alden shall not depart out of the limits of this Patent without leave from
the court or Governour.

Mr John Alden
suffered of his
debt.

Bonds in return: or

Mr John Alden doth acknowledge to owe unto our Sovereigne Lord the King the summe
of two hundred pounds Mr Timothy Hatherly and lieutenant Richard Morrid an
hundred pounds a year to be levied of their goods or chattels or
the condition of this recognizance is that John Alden shall not depart out of the
limits of this Patent without leave from the court or Governour.

108. New towns.

There is leave granted to the inhabitants of New towns to seek out some convenient places
for them wch accomps that it shall be confirmed unto them to which they may remove -

109. It was further ordered
that townes shall
not take it in any
place to require a
plantation already
planted settled.

for their habitations or have as an addition to that wch already they have, provided they
doe not take it in any place to require a plantation already planted settled.

110. It was further ordered
that Boston shall
have convenient
inlargement at
Boston to be sold
out by some
indifferent men
who shall draw
a plot thereof
and present it
to the next
generall court
when it shall
be confirmed,
Mr William
Clymwall
Mr Richard
Stanton and
Mr John
Wintour
are to view
the plot and
to certifye
the next
generall court
thereof.

Furthermore the court hath ordered that Boston shall have convenient
inlargement at Boston to be sold out by some indifferent men who shall draw
a plot thereof and present it to the next generall court when it shall be confirmed,
Mr William Clymwall Mr Richard Stanton and Mr John Wintour are to view
the plot and to certifye the next generall court thereof.

111. Wintour/Smot.

It was further ordered that Wintour/Smot and the houses there built and to be built
shall enjoy the liberties due to Charleton or Boston as members of that town before
the next generall court the said Wintour/Smot in September next or else to be
taken then to one of the two towns by the court.

112. Godfford.

Mr Thomas and Robert Wintour are desired to treat and bargain wth
Mr Robert and Mr Wintour or wth either of them for the building of the Seaforth
by the water and the court promises to performe what bargain they shall make
for manner and time of payment.

113. Ordinances of
Innovation.

Mr Thomas and Mr John Bamford are intreated by the court to take notice
of the Ordinances of order and sett and to make reports to the next court in what
condition they are in.

114. Doves.

It is ordered that Doves shall have three peeres of Ordinances to fortifie them
solbes withall, One drake and two other peeres to be had from Charleton.

115. Assistants deputed.

It was further ordered that if any Assistant or any man deputed by the freemen to
deale in subltie or affairs of the commonwealth doe absent himselfe without leave in

- time of publick businesse he shall be fined at the discretion of the Court.
377. It was ordered that there shall be a watch of two next evening at the Court at Boston during the time of any proposed riding there to be borne by the publick and to be ordered by the Court under the name of Underhill, and it is agreed that those plantations that by reason of their remoteness are unwilling to send men shall pay 10^s a day for a man to serve as Captaine Underhill shall direct when it comes to their turne.
378. It is further ordered that in all cases and publick charges the Townes shall have respect to the labour and according to his estate and not the consideration of all other his abilities whatsoever and not according to the number of his persons.
379. Mr Robert Harding William Haulston and Ralph Sprague are chosen Sergeants to Captaine Underhill and John Chyber chosen Corporall to the said Captaine. Sirjames Danford was chosen Ensigne to Captaine Crosse.
380. It was further ordered that there shall be a watch of two a night next in oblong plantation till the next general Court.
381. The Deputy Governor Mr Israel Stoughton and Mr Coggeshall are desired by the Court to take an account of John Wintrop Esqr for such commodities as he hath received of the common stocke.
382. There is 500. Acres of land granted to Mr Simon Bradstreete by the Court from the lands of John Wintrop Esqr and above the shalles of Charles river where the water provided there be not just reason showed against it at the next Court it may not be granted him.
383. There is liberty also granted to Mr Israel Stoughton and Mr Wolcott to look out for themselves with promise to accommodate them.

I waite at the 116.
fford.

Dated publick. 117.

Military officers. 118.

Waters. 119.

Common stocke. 120.

Grant to Mr Sim: Bradstreete of 500. Acres. 121.

Mr Stoughton
Mr Wolcott.

A Court holden at Newforne June 3. 1634. present,
 The Governor. Mr Crosse.
 Deputy Governor. Mr Pincen.
 Mr Wintrop sen. Mr Rowell
 Mr Hays. Mr Wintrop jun.
 Mr Bradstreete.

384. It is ordered that the summe of 100^l of Dorchester.
385. Whereas Thomas Lane late servant to John Wintrop by the providence of God is fallen lame and impotent and hath since remained at Dorchester where he hath bin chargeable to that plantation and likewise to continue. It is therefore ordered that the inhabitants of Massachusetts pay 10^l to Dorchester for the said Thomas Lane and shall pay for all the charges they have bin at in keeping him during his abode at Dorchester.
386. Mr John Wintrop jun being chosen an assistant at the last general Court did now take an oath to his said place belonging in presence of the Court.
387. The request of certain debts administrators to John Fuzzle and Robert Hibben and 3. monthes service in New England. It is ordered that in consideration of some service performed at sea by the said Robert Hibben and 3. monthes service in New England that the said Robert Hibben shall be free and have 1^l 13^s 4^d forgiven him which he oweth to his said master John Fuzzle.
388. Mr Thomas Mayhew is intreated by the Court to examine what hurt the swine of Massachusetts have done to the Indians on the North side of the river and accordingly the inhabitants of Charlestown promise to give him satisfaction.
389. Mr Thomas Mayhew being administrator of Mr Ralph Deobers hath now exhibited

Dorchester constable.

Wintrop junior

Hibben.

Swine of Massachusetts

Charlestown

Mr Deobers

Inventorie of the said estate into the Court to be in the first day, when till the first Tuesday in August next for the Creditors of the said estate to make their demands of such debts as are due to them out of the said estate shall be divided between the parties that then come in, the other to be excluded.

A Court of Assistants holden at Newtowne July 1. 1634. present.

The Governour. Mr Andrott.
Deputy Governour. Mr Erasmus.
Mr Nimitzrop. Mr Pimpon.
Mr Haynes. Mr Howell.
Mr Bradshute.

Robert Noyes. It was ordered that Robert Noyes shall remaine with Ensigne Demison till he make it appear to the Court that he hath lawfully assigned him to some other he confessing he was assigned to him by his Master Noyes. 390

William Almy. Mr Almy is fined for not appearing at the last Court being summoned and is enjoyned to bring to the next Court an Inventorie of the goods he received of Edward Johnson duly prized by indifferent men. 391

Dorchester payd for Land. It is ordered that the Deputy Governour and some other of the inhabitants of Dorchester the summe of three pounds being charged they have bin at wth Thomas Lane an impotent person. 392

Demison & Allerton. It is ordered that Mr Isaack Allerton shall pay the summe of 20^l. to Mr William Demison for charged in suit about a debt of one hundred pounds. 393

Newtowne. It is further ordered that the inhabitants of Newtowne shall enjoy the woods on the North side of the pond (except that wth John Chapman hath already sown) and after to be divided by the generall Court to whom it shall belonge. 394

The City of Oxford, Reference. In consent of Mr Marquiner his company and John Cilly the difference betwixt them is referred to John Nimitzrop son of the Mr William Demison Mr Thomas Erasmus Mr Sturge also the difference betwixt Mr John Hogan and John Cilly for money payd by Mr John Hogan to the s^{ayd} company by their consent is referred to the partyes before mentioned as likewise the difference betwixt John Cilly and Henry Hogan is referred to the partyes aforesaid. In this reference there is a bill of 33^l. of John Cillys accepted. 395

A Court holden at Newtowne. August 5. 1634. present,

The Governour. Mr Andrott.
Deputy Governour. Mr Erasmus.
Mr Nimitzrop son. Mr Pimpon.
Mr Haynes. Mr Howell.
Mr Humphrey. Mr Bradshute.

Day of thanksgiving. It was ordered that Wednesday the 20th of this month shall be kept as a day of thanksgiving throughout the severall plantations for the safe arrival of shipped and passengers this summer. 396

James. It is ordered that a hogswain shall be called for wine. 397
James for excess of wages. 50^l. It was witnessed upon oath that James Dawkins took away a dray and meat of drink for 10. d. and work for one of his servants for wedding round to travel to an order of Court, and therefore is to pay 5^l. for every day he hath so transgressed. 398

Mr Humphrey inv. John Humphrey after being sworn an Assistant at the last generall Court did now take an oath to his part belonging in the presence of the Court. 399

James in wife. Richard Furniss hath bound himself for his wife personall appearance at the Court to be holden in October next to answer to such things as shall be objected against her. 400

401. Francis Godson hath bound himselfe in pth for his personall appearance at the Court Godson wages
to be holden in October next to answer for breach of an order of Court in taking too - excessive.

402. Samuel Josier Esq^r and James Jos stable of Wadeforton.

Wadeforton Constable.
unrest next.

403. It was ordered that Katherine Broy shall be w^g for her filthie and uncast beasie
with Thomas Elth.

404. Richard Witherocke hath bound himselfe in pth to make his personall appearance at the Witherocke
Court to be holden the first Tuesday in October next to answer to such things as
shall be objected against him.

405. It was ordered that such mony as shall be laid out for the maintenance of wid -
dow Bosworth and her family shall be payd againe by the Crowne.
Widdow Bosworth.

406. Now as it was made knowne to the Court that Robert Wray was lawfully assigned by
Esquire Compton to Edward Burton, It was therefore ordered that the said Burton
shall keep the said Wray according to Covenant.
Robert Wray.

407. John Wympsey Esq^r and Mr Jureys & Lowell were desired by the Court to take
depositions of the witnesses of Mr Aspinwall in a case betwixt Sir William Brewerton
Baronet and the said Mr Aspinwall.
Sir William Brewerton
Mr Aspinwall.

At a generall Court holden at Newtowne September 3. 1634.

408. It was ordered that there should be a Platforme made on the North east side of Castle -
Island and an house built on the top of the hill to defend the said platforme.
Castle Island 122.
platforme.

409. It was further ordered that warrants shall be sent to the Constable of every Plantation to
send in mony or workmen to make that way they have already done these dayes a pace
towards the ffort at Boston both of New town and other for every hand able to worke
except Magistrates and Ministers that are bounde to be delivered to Captaine Under-
hill before the next Court of Assistants.
Boston ffort. 123.

410. It is ordered that in all ordinary publike workes of the Commonwealth the Overseer of the
workes with the help of an Assistant shall have power to send their warrant to the Con-
stable of the next Plantation to send so many laborers and artificers as the warrant
shall direct, whome the Constable and two other or more of the freemen whome he shall
take to himselfe shall forthwith execute for use service the Assistant and Overseer
shall have power to give such extraordinary wages as they shall judge the workes to
deserve, Provided that for any ordinary workes no man be compeled to worke from his
more then a week at a time. And for all extraordinary publike workes It is ordered
that the Overseer of the workes and an Assistant shall have power to send their warrant
to the Constable of any Plantation to send so many of any condition (except Magistrates
and Officers of shippes and Commonwealths as the warrant shall direct, whome the Con-
stable and two or more that he shall choose shall forthwith send.
Publike workes. 124.

411. It is further ordered that there shall be a fortification made at the point neere Robert
Moulton at Charleton and another either at the Deputy Governours or at the point
Charleton.
Fortifications at 125.

412. The Court committed for that business shall judge most convenient for fortification
and how many peeres shall be in each place is referred to the Committee and Overseer
of the workes this to be done by the publike. Provided that if Salem shall be fortified
Salem.
themselves as to satisfie the Court within these twelve moneths that they shall
have such mony returned them as they have contributed to the said fforts of Castle -
Island Charleton & Dorchester.

412. Captaine Underhill Captaine Patricke Captaine Mason Captaine Castle Captaine
Commodore Rowland Abbott Lieutenant Moris and Esq^r Josson committed to finde out the
Committee.

for fortification. convenientest place for situation ad also to lay out the severall works for fortification at Castle Island, Hartford and Dorchester. Also the Deputie Governor is to give Charles.

Hoston forts. It is likewise ordered that the severall Committees shall appoint what further addition of works shall be done to the forts at Boston.

120. Drummings. It is ordered that the Captains shall traine their bands once every month, giving a weekes warning before (except in July and August) And that the Captained shall have liberty to traine all such military men as are at their owne hands so often as they please provided they exceede not three dayes in a weeke.

127. Commission of warre. It is ordered that the present Governor and John Winthrop son John Harwood John Humphrey and John Endicott shal have power to consult direct and give command for the maintaining and ordering of any warre that may befall us for the space of a yeare next ensuing and till further order be taken hereon.

128. Ammunition stores. Mr Thomas Hooper Mr John Foggefall Mr Richard Sumner Mr Richard Easton Mr Israel Stoughton Mr John Eldam Mr Daniel Samson Mr John Holywell and Mr Timothy Comlynd are chosen Overseers of the powder & shot and all other Ammunition in the severall plantations upon the like Mr Eldam for Woburn & Medford.

129. Ammunition. It is ordered that all the musketts bandoliers and restes lately bought for the use of the severall plantations shall be equally divided amongst the severall plantations. And the Townes to have at all times so many in a readinesse as a Towne stocke.

130. Ammunition. It is ordered that Mr Edwards Comlynd or any other put in his place by the Commission shall for warre use the help of an Assistant shall have power to presse men and carts for ordinary wages to help towards the making of such carriage and waggons as are wanting for the Ordnance.

131. An order about Charles. It is likewise ordered that there shall be an order given to the Capt and another to the Overseer of the Charles suitable to the order.

132. Governor. Mr John Samford is chosen Governor for the space of one year and it is ordered that for two yeares service that he hath already done at the said forts and for one yeare more he shall doe to be accounted from this day he shall have allowed him out of the Treasurie the summe of 100^l.

133. Drums & musketts. It is further ordered that every trained souldier ad well contented ad offered shall be furnished with musketts bandoliers and restes powder and shot according to the order for musketts under the penalty of 10^l.

134. Shooting at a mark. Furthermore it is ordered that no trained souldier shall make any shot upon any trayning day but only ballitt at a mark by direction of the Captained under the penalty of 10^l for every such shot.

135. Commissions of the peace. It is ordered that Mr Eldam Mr Daniel Samson Halfe Sprague Edmund Quinsy Mr Sumner Mr Richard Easton John Kiman Peter Walker Mr John B... or the mayors parte of them shall have power to sett out the bounds of all the Townes not yett sett out or in difference betwixt any Towne provided that the Committees of the Townes where the difference is shall have no vote in that particular and the Committees are appointed to retorne into the next Court in November what they have done hereon.

136. Minutes of the Court of Boston. It is ordered that a minute book shall be kept to be attented ad part of the Court.

425. It is ordered that no person that keepes an ordinary shall take above vij^d a moale for a person and not above ij^d for an ale quart of beere out of meale time under the penalty of x^s for every offence either of dyett or beere. 89.
bidmaire. 137.
929 repeated

426. Likewise that Virtuallers or keepers of an ordinary shall not suffer any tobacco to be taken in their houses under the penalty of s^d for every offence to be proved by the virtualler and paid by the party that takes it. Tobacco. 138.

427. Furthermore it is ordered that no person shall take tobacco publickly under the penalty of s^d vij^d nor privatly in his own house or in the house of another before the year and that two or more shall not take it together any where under the aforesaid penalty for every offence. Tobacco. 139.

428. The Court taking into consideration the great superfluous and unmodest expences wastonned by reason of some new and unmodest fashions as also the ordinary wearing of silver gold and silke laced girdled hatbands or hats the Court ordered that no person either man or woman shall hereafter make or buy any apparell either wollen silke or linnen with any lace or silver gold silke or threads under the penalty of forfeiture of s^d for every offence. Also that no person either man or woman shall make or buy any laced or clothed other than one stuff in one piece and another in the backe, also all cut-works imbroyded or needle works tappd bands and ravelled are forbidden hereafter to be made and worn under the aforesaid penalty also all gold or silver girdled hatbands belts with beaver hatts are prohibited to be bought and worn hereafter under the aforesaid penalty. Moreover it is agreed if any man shall judge the wearing of any the aforesaid unmodest particular new fashions or long haire or any thing of the like nature to be uncomely or prejudicial to the Common goods and the party offending reforme not the same upon notice given him, that then the next Assistant being informed thereof shall have power to bind the party so offending to answer it at the next Court if the case so required. Provided and it is the meaning of the Court that men and women shall have liberty to wear out such apparell as they are now provided of except the immoderate great sleeved laced apparell immoderate great ruffled long ringed or this order to take place a fortnight after the publishing thereof. Expence. 140.

429. The fferment at Wimetmet is granted to Mr Samuel Maberne to enjoy to him his heirs and assigns for ever which it is agreed that the Court shall from time to time appoint what shalbe paid for the transportation of one alone and what for two or more boats to Boston or Scituate. Grant to Mr Maberne 141
Maberne of Wimetmet fferment.

430. The fferment of lands is granted to the inhabitants of Aquilon to enjoy to them and their heirs for the space of twenty years for the yearly rent of twenty shillings. Provided that if there be a plantation in the meane time settled by the Court at what spot then this present grant to be void. Grant of fferment 142.
Lands to Aquilon for 21. years.

431. It is ordered that hereafter no man shall be able to pay the forfeit of s^d for any more wages to workmen than the Court shall sett also that if any person that hath bargained for any worke by the Court shall complaine to the Court at some meeting (either before or after) that the bargain proved not equal on his parte it shall be lawful for the Court to appoint other men that shall sett an equal distribution. Also it is agreed that 2^d a day for dyett shall be abated to all workmen and so much allowed them more in their wages. Wages and 143.
wages by the Court

144. Servants Lots.

It is ordered that no servant shall have any lott of land allowed him in any plantation 432
till he hath approved his faithfullnesse to his master during the time of his service.

145. English Merchant.

Sergeant Perkins is chosen English to the Company at Portsmouth and in Virginia 433
desires to give him possession thereof.

146. Allowance to the
Committee for bonds.

It is further ordered that the myne committed appointed to sett out the bounds of Towne 434
shall have 2^o - 6^o a day allowed every one of them out of the Treasury for so many days
as they expends in that service.

147. Expaints of
merchants.

It is ordered that every Expaint shall be maintained by his owne Company and 435
where any Company consist of two Townes or more the severall Townes shall contribute
unto the maintenance of that Expaint proportionably to the number of Soules in
each Towne.

148. Indians.

It is ordered that it shall be lawfull for any Englishman to employ any Indian to speake 436
with a peere that the generall Court shall give leave unto.

149. Indians servants.

There is leave granted to the Deputy Governor John Rolfe and John Rolfe 437
to employ any of them to entertaine in Indian a peere as an houshold servant.

Indians to be trayed
and speake at fowle
hunts.

Further leave is leave granted to the Deputy Governor to take his Indian servants with 438
the rest of the Company at Dovesker and to speake at fowle. Also leave is leave granted
to Mr John Rolfe to employ his Indian with a peere to speake at fowle.

150. Fishing at Newmarket.

It is ordered that no man shall fish with a nett never the wine at Newmarket then the 439
further parts of the Island in the river and there also never to crosse the river
with any nett except it be at high water or after.

151. Salem market.

There is leave granted to the inhabitants of Salem to keepe a market weekly on the 440
fourth day of the week commonly called Wednesday.

152. The point where
granted to Mr
Stoughton.

The weire at Newmarket is granted to Mr Isaac Stoughton to enjoy to him and 441
his heirs for ever after this manner vizt. to have the sole privilege of the river
from the said weire to the bridge and also betwene the said weire and the salt
water according to his agreement with the Towne of Dovesker And it is agreed

the bridge
allowed.

that Mr Stoughton shall make and keepe in repaire a sufficient horsebridge over
the said river and shall allowe from time to time sell the allowed by the
Towne at 5^o of 200 pounds.

153. Newmarket weire.

There is leave granted to the inhabitants of Newmarket to build a weire upon 442
any place of the limited river within their owne bounds.

154. John Rolfe
now prohibited into
Court shall be recorded.

It is ordered that the declaration brought of John Rolfe later Governor 443
now prohibited into Court shall be recorded.

155. The weire in England.

It is ordered that there shall be letters written to these gentlemen hereunder mentioned 444
and signed by the Court of Assistants vizt Mr George Harwood Mr John Rolfe Mr
Thomas Childerwood Mr Richard Childerwood Mr Francis Kirby Mr Francis Webb Mr
George Foxcroft and Mr Robert Keyser et to intreate them to make choice of a man
amongst themselves to be chosen for a year for this plantation and also to give
them power to vertibe an attempt of Mr Harwood now chosen and also to give
the said Mr Harwood a full discharge.

Letters of grants to
the said.

Also it is agreed that there shall be letters of thankfullnesse signed by the Court and 445
sent to the Governor of the said Mr Playnter Mr Wood et others that have bin
benefactors to this plantation.

156. Interimment by
the Court.

It is ordered that if any member of the Court shall begin any speech or write any 446
letter or speake to interrupt the former he shall forfeit 2^o - 6^o for any offence.

447. It was the generall desire of the Court that the fourty dayes of the next week — 91. Day of humiliation. 157.
 must be kept as a day of publicke humiliation throughout the severall plantations
448. The Court is adjourned till this day fortnight the 24th day of this present — Adjournment.
 month.

September 25th.

449. Mr. Giddings is intreated to receive all such Ordinaured goods and accompts as are now — Howroll of Dorset 158.
 sent in the shipps Easton by Mr. Roane as payroll of Dorset and Wilsons gift to the plantation — Wilsons gift.
450. It is ordered that there shall be an ammunition house built at Newtowne at the pub — Ammunition house. 159.
 like charge.
451. It is ordered that James Iden shall have allowed him the summe of xx^{li} for this years — James Iden 160.
 to be ended at the generall Court in May next his Office to be Marsheall of the Court. — Marsheall.
452. It is ordered that the Sherburne shall have &c. allowed him for this years forwards — Sherburne's pay 161.
 his extraordinary charges.
453. It is further ordered that there shall be six hundred pounds lent out of the severall — A Levy of 600^{li} 162.
 plantations for publicke use the one halfe to be lent forthwith the other halfe before
 the next generall Court vizt out of

Dorchester	80 ^{li}	Exeter	50 ^{li}
Barksbury	70	Salom	45
Newtowne	80	Harleton	45
Wadsworth	60	Meadford	26
Camond	50	Woburn	10
Boston	80	Barnstable	4
Sum tot		600 ^{li}	

454. Mr. William Giddings being chosen to the place of Treasurer at the last generall Court — Mr. Giddings 163.
 did now take an oath to his said place belonging in the presence of the Court. — Treasurer's inv.
455. It is ordered that every person that desired to enter an action against another shall — Chancery 12th 164.
 lay before the entry thereof the summe of xij^{li} to the Treasurer for the time being
456. It is ordered that it shall be lawfull for the Treasurer to pay to any of the — Fortification charged 165.
 Commissioners for martiall affaires or to any of the Officers of fortification — out of the Treasurers.
 such monies as under their hands they shall require which shall be a sufficient discharge
 to the Treasurer for so much monney disbursed by him the like for any monney appointed
 by the Court to any particuler person.
457. John Harwood Esq. is desired to oversee the Ammunition house to be built at Newtowne. — Ammunition house — 166.
 Overseer.
458. Mr. Brenton is likewise desired to oversee the house of correction to be built at — House of correction 167.
 Boston. — Boston.
459. Mr. Edwards Dribond is chosen Ensigne to Captaine Underhill. — Ensigne Dribond. 168.
460. It is ordered that the Cottis and Justice gentlemen who intended to come hither — Cotte & Justice. 169.
 shall have liberty to sit downe in any place by Wharrimarkes river not prepossessed
 by any.
461. It is ordered with the consent of Wadsworth that the meadow on this side Wadsworth — Wadsworth. 170.
 which containing about 30. acres be the same more or lesse and now used by the In- — Newton.
 habitants of Newtowne shall belong to the said inhabitants of Newtowne to enjoy to them
 and their heirs for ever.
462. Also it is ordered that the ground about Wherry river belonging to Boston and used by — Boston. 171.

171. Newton.

Hooker.

The inhabitants thereof shall hereafter belong to Newton the woods and timber thereof growing and to be growing to be reserved to the inhabitants of Boston, provided and it is the meaning of the Court that if Mr Hooker and the congregation now settled here shall remove hence that then the aforesaid meadows grounds shall returne to Newton and the grounds at Muddy river to Boston.

172. Mr Stoughton
150. acres meadow.

There is an hundred and fifty acres of meadow ground granted to Mr Isaac Stoughton lying about 8. or 9. myles up Moxonsett river to give to him and his heirs for ever.

173. Salem Immition.

It is ordered that Salem shall have the use of two old Sakers lauded by the six Shoptons for wine they are to provide for marriage.

174. Cambridge.

It is ordered that Cambridge shall have the use of two Sakers to be had from Boston for wine they are to provide for marriage.

175. Ipswich.

It is ordered that Ipswich shall have the use of two Sakers or a Saker for wine they are to provide for marriage within a month after they have them.

176. Boston.

It is ordered that Boston shall have enlargement at Mount Wolliston of Sumner's Marsh.

177. Dedding.

Lastly it is ordered that Lieutenant Mould shall have the Company at Fort Sumner.

178. John Wintrop Esq
his account

The Account of John Wintrop Esq
I have by order of the last generall Court Commissioners were appointed vizt Roger Ludlow Esq
and Mr Isaac Stoughton gent to receive my account of such things as I have received and disbursed for publick use in the time of my Government I do make it is declaratorie Account of my Administration.

First I affirm that I never received any monny or other goods committed to me in trust for the Commonwealth otherwise then is hereafter expressed.

I then acknowledge I have in my custody certaine barrells of common powder and some matter and some things belonging to the Ordnance, where powder being landed at Gravesend and exposed to the injury of the weather I took a chest in first in a Tent where I made it mine own bread chest being then worth vij^l and a half in that service with 100^l. after I removed it to my Storehouse at Boston where it still remained save that some of it hath bin spent in publick service and five barrells delivered to Dorchester and some to Fort Sumner and three barrells I sold to some private that need them with some powder in more for the use I am ready to deliver me to such as shall be appointed to receive them. I received also some meale and pease from Mr Wadsworth of Dorchester in England and from Mr Hoar of London which was bestowed upon such as had need thereof in the severall Townes as is given by Mr Hoar. I received also from Mr Hoar some more pease and some good and hope the certaine value thereof I must know from himselfe with letters of direction to make use of the meale and pease as given to helpe draw out my charges for the publick. I paid for the freight of these goods and disposed of the greatest parte of them to afford, but how I cannot sett downe I made use also of two mares of tannage which was I will allowe for, I had not meddled with them but that they lay uselesse for want of the tannage which were left in England.

For my disbursements I have to make delivered to the new depts a bill of 100^l of them amounting to near 300^l. which I disbursed for publick service and near 100^l for wine I have received in some at 6^l per bushell and wine will not worth me above 4^l. about 100^l or near so more. I disbursed also for the transportation of Mr Willix and

his ffamily whiche was to be borne by the vicarall till he should be chosen to some more
similare congregation.

473. Now for my offer charged by occasion of my place of Deb and it is well knowne I have
expended much and somewhat I have written towards it were I should have wished I had
had wife but that being called to Chromt I must mention my disbursements wch my
rights and in both shall refer my selfe to the pleasure of the Court.

474. I was first chosen to be vicarall wch in my first year or expectation there being then
diverse other gentlemen who for their abilities and industry were fitt, being
chosen I furnished my selfe wth servants and provisions accordingly in a farre greater
proportion then I would have done had I bene ad a private man or ad an assistant
only. In this office I continued four yeares and neare an halfe although I earnestly
desired at every election to have bin freed. In this time I have spent aboue 100.
per annu of whiche 200th per annu would have maintained my ffamily in a private condition
So ad I have spent by occasion of my late office aboue 1200th.
Towards this I have received by way of benevolence from some I owned about 50.
and by the last vicarall allowance 100. and by some provisions sent by the vicarall
as it before mentioned about 50. or it may be somewhat more.

475. I also disburshed at one time in Turin for powder and great shot 216th
whiche I did not put into my bill of charges formerly delivered to the now deputy
because I did expect to have paid my selfe out of that parte of the 3 estate
whiche he gave to the publicke but finding that it was farre from that I must put
it to this Chromt.

476. The last thing was I offer to the consideration of the Court is that my longer
continuance in the said office hath put me into such a way of unpayable charge
ad will be still ad chargeable to me ad the place of Debort will be to some offer

477. In all these things I referre my selfe to the wisdom and Justice of the Court
wch this protestation that it represents me not of my rest or labor bestowed in
the service of his grace nor wealth but do humbly besse the Gods our God
that he hath pleased to honor me so farre ad to save for any thing he hath be-
stowed upon me for the service of his church and people here, the prosperity
increase and his vicarall acceptance shall be an abundant recompense to me,

478. I conclude this one request wch in justice may not be denied us that ad it
stand upon records that upon the discharge of my office I was called to Chromt
so that my declaration may be recorded also least hereafter when I shall be forgotten
some blame may be upon my posterity wch here shall be nothing to draw it
off. September 4. 1637. John Nimitz.

At a Court holden at Newbury October 6th 1634; present

- Mr. G. W. v. m. L. J. v. m. L. J.
- Deputy Governor m. L. J. v. m. L. J.
- m. L. J. v. m. L. J.

John v. G. W. v. m. L. J.

It is ordered that Ensign G. W. shall be fined 10^s for uttering these words, & praye did deliver me from this Court professing that he hates wayes from Court to Court and could not have justice done him. et.

Mr. G. W. v. m. L. J.

It is ordered that Lieutenant G. W. m. L. J. v. m. L. J. shall take an inventory of the goods and chattels of m. L. J. lately deceased and returne the same into the next Court.

John v. G. W. v. m. L. J.

It is ordered that m. L. J. v. m. L. J. shall have power to hear and determine the severall trespasses that hath bin done by the same of severall persons in the town of m. L. J. ad lps for the same he hath bin at in keeping his town and for other charged incident therunto.

Indian.

Thomas Briggs is fined 10^s for entertaining an Indian without leave and is enjoined forwaite to 402 discharge himselfe of him.

John v. G. W. v. m. L. J.

John K. took oath he was innocent & directed to appear this day at the Court to answer him in an oath of respect and so v. m. L. J. v. m. L. J. et.

John v. G. W. v. m. L. J.

It is ordered that John v. m. L. J. shall be fined 10^s for speaking reproachfully of the Governor saying he was but a rascall & that he had no more justice ad also taxing the Court for taking away to ride and runne ad also for abusing a maid of the Governor's pretending to be in the way of marriage when himselfe professed he intended none ad also for intreating her to goe wth him into the gamefields et.

Samuel Hall is fined 5^s for drunkennes by him committed a shipboard himselfe freely 405.

Benjamin Wilham and Robert Walker shall have 10^s for being witnessed.

Samuel Hall is fined 5^s for drunkennes by him committed a shipboard himselfe freely 405. confessing his offence. Benjamin Wilham and Robert Walker shall have 10^s for being witnessed. summoned to appear.

John Humphrey is directed by the Court to take deposition of the witnesses to the will of William W. lately deceased.

John Humphrey is directed by the Court to take deposition of the witnesses to the will of William W. lately deceased.

Upon a complaint of the C. G. of m. L. J. for m. L. J. v. m. L. J.

Upon a complaint of the C. G. of m. L. J. for m. L. J. v. m. L. J. it is ordered that m. L. J. v. m. L. J. shall have his witnesses and appoint what satisfaction he shall have and who shall give it and to binde over to the Court the same that refuse payment.

All a Court holden at Newton November 7. 1634. present,

The Governour. Mr. Washburn.
 Deputy Governour. Mr. Pimpton.
 Mr. Wintthrop. Mr. Howell.
 Mr. Haynes. Mr. Bradstreet.

489. It is ordered that the goods and chattels of Christopher Wheeler now in the possession of William and Thomas of them on the premises heroself shall be sequestered and remaine in the hands of Mr. Isaac Stoughton till the said Christopher Wheeler paye unto the said Stoughton ad one due from him to Mr. Isaac Stoughton and John Hopton.
490. It is ordered that Thomas Kinnert shall be sent in the bilboes for a year.
491. It is ordered that Thomas Dumford shall be sent for by warrant wth' to make to bring his colours wth' him to the next court as aforesaid that he shall be bound in 20^l to appear at the next court and to abide the sentence of the Court.
492. Mr. John Benjamin, William Panting and Thomas Dighton are by reason of their age and infirmities dismissed from training only they are to have in readinesse at all times sufficient clothes for themselves besides for their servants.
493. Christopher Grant is fined 10^l for drunkenness by him committed.
494. The hour is 30^l of John Wood's fine of 40^l committed him.

Sequestration of
 Wheeler.
 Seizing bilboes.
 Thomas Dumford.
 John Dofares.
 Knox.
 Training. heard.
 Drunkenness.
 Fines mitigated.

All a Court holden at Newton March 3. 1634. present

The Governour Mr. Endicott.
 Deputy Governour. Mr. Treasurer.
 Mr. Wintthrop. Mr. Pimpton.
 Mr. Haynes. Mr. Howell.
 Mr. Bradstreet.

495. The Constable of Dorchester is fined 10^l for not returning his warrant for the last day into the Court.
496. The Constable of Boston is fined 10^l for the like.
497. It is ordered that Duty Fortwood's widow shall bring all the writings that her husband left in her hands to John Hopton Esq. and Simon Bradstreet on the third day of the next week wch' shall be chosen by the Court in their hands till the next Court when they shall be disposed of to those to whom they belonge.
498. Edmund Hubbard son of the Constable of Newburton for this year next ensuing and till a year next ensuing shall be chosen.
499. It is ordered that the goods and chattels of Mrs. Anne Dooman shall be inventoried by 3 or 4 of the freemen of Boston and returned into the Court when they shall be disposed of in Charles next Mr. Pimpton is desired to appoint the men that shall do it.
500. Whereas John Stanley died intestate in the year to last and left three children namely John, Thomas and William the said John Stanley is deceased having also left an estate of 1000^l in woods and chattels and it is therefore ordered wth' the consent of Thomas Stanley brother to the said John Stanley deceased that he shall have for himself the sum of 1000^l of the said estate out into his hands for a year next ensuing the said Thomas Stanley shall continue to bring up John Stanley some of the said Stanley's estate finding him unable and unapparent till he shall be 21 years old and at the end of the said term he shall give unto the said John Stanley the summe of fifty pounds.
501. It is ordered by the consent of Timothy Stanley another brother of the aforesaid John Stanley

Dorchester Constable
 fined.
 Boston Constable.
 Fortwood's writings.
 Newburton Constable.
 Anne Dooman.
 John Stanley
 estate.
 John Stanley
 brother of
 John Stanley
 estate.
 Timothy Stanley

Enter of
Duty Stanley.

Stanley deceased that the other half of the aforesaid estate shall be put into the hand of
the said Timothy Stanley in consideration whereof the said Timothy shall educate and bring
up Henry Stanley daughter of the said John Stanley deceased finding her next kin
and apparel till she shall attain the age of 21. yet not and at the end of the said term
or at the day of her marriage with Timothy Stanley the said shall give unto the said
Henry Stanley the summe of thirty pounds.

177.

It is ordered if either of the said children shall die before the expiration of the said term 302
then the party who first of the said children shall stand to the care of the court for
payment so much to the surviving child as the court shall appoint.

178. Edition.

It is ordered that Richard Parker shall be next for the day and on the first day of
the next week at Boston for inticing several persons that were servants to run away
to the Dutch plantation and to steal diverse things to carry with them.

179. Item.

Also it is ordered that Samuel Johnson shall be next for the like offence.

180. Indulgent in estate.

It is ordered to give a summe of five and John Endrott to have and determine
all manner of difference concerning the estate of William deceased who is bequeath any
great lands & laynes to any parts of the said.

A generall court holden at Newton Wharfe 4th. 1634. present,

- | | |
|---------------------|---------------------|
| The Governour. | Mr Endrott. |
| Deputy Governour. | Mr Cushman. |
| Mr Wintrop. | Mr Pimpon. |
| Mr Humphrey. | Mr Howell. |
| Mr Haynes. | Mr Bradstreet. |
| Mr Willingham. | Lieutenant Howland. |
| Captaine Turner. | Mr Abraham Palmer. |
| Lieutenant Ffike. | Mr Willm Gilbrun. |
| Ensigne Farnison. | Mr Woodbridge. |
| Ensigne Libonod. | Ensigne Stoungton. |
| Mr Higginson Brown. | Mr John Spenser. |
| Mr Goggsfall. | Mr Timothy Combynd. |
| Mr Calrott. | Mr Thomas Howbery. |
| Mr Willm Spenser. | John Kirman. |
| John Steele. | Mr John Holgrave. |
| Mr Willm Demison. | Harold Scott. |
| John Johnson. | Peter Palfrey. |
| Captaine Wilson. | |

Two Deputies of
Boston induly
dismissed.

Upon a Certificate of the Commissioners of the Court to consider of the election of
the Deputies of Boston it did appear to the court that two of them vizt Mr Easton
and Henry Carter were induly chosen who were forthwith dismissed so Mr John Spenser
only stands legally elected in the opinion of the court.

179. Mr. a to
be burnt.

Whereas Mr Israel Boston hath written a certain booke which hath caused
trouble and offence to the court the said Mr Stoungton did desire of the court that
the said booke might forthwith be burnt as being weak and offensive.

180. The Island
ffords.

It is ordered that the ffords of the said Island now begun shall be fully repaired
and repaired without delay other thing about it finished before any other fortification
be further wrought in.

181. Pimpon fined
about the day.

Mr Pimpon is fined the summe of 5. for refusing to pay his parte of the last rate for
Boston without dispensing because as he alleged that the owners had not equally rated with
others.

182. August item.

The owners of August is fined the summe of 10. for refusing to pay their share according
to the rate.

to order of the Court.

97.

111. The Towne of Salem is fined likewise the summe of 20^{li}

Salem item.

112. The hose of fines were remitted by the Court.

113. Henry Norton acknowledgeth to owe unto our Sovereigne Lord the King the summe of 20^{li} to be leyed of his goods and chattels. The condition is that he shall be of good behavio^r towards all men till his fine be paid.

Norton lien ports.

114. It is ordered that the Treasurer Mr. Rowell and Mr. Gyggsall shall take the account of Mr. Pimpton late Treasurer and make returne thereof into the next Court.

Mr. Pimpton late Treas^r his account.

115. It is ordered that John Smith and John Ludrott Esq^r or any two of them shall have power to divide the lands at Ipswich within four moneths of the Court to particulare persons as in equity they shall thinke meete.

Division of lands at Ipswich 181

116. It is ordered that Mr. Israell Stoughton shall be disabled for bearing any publicke office in the Commonwealth within his Jurisdiction for the space of three yeares for affirming the Assistants were no Magistrates.

Mr. Stoughton - 182 disabled for 3 yeares.

117. It is ordered that there shall be no more generall Courts before the 6th of May next notwithstanding the former order touching the keeping of generall Courts.

Ports.

118. It is ordered that no person whatsoever shall goe aboard any shippe without leave from some one of the Assistants untill he hath been at Church 24. hours at Watastet or within some harbour that is inhabited nor then unless it be apparent that he is a friend under paine of confiscation of all his estate and sure further punishment as the Court shall thinke meete to inflict.

Boarding shipped. 183.

119. It is further ordered that no person whatsoever shall either buy or sell any Tobacco within this Jurisdiction after the last of September next under the penalty of 20^{li} a pound and so proportionably for more or lesse to be payd by buyer and seller and that in the meane time no person shall buy or sell any Tobacco at a higher price then it shall be valued at by the Governor for the time being and two other persons he shall please to appoint under the penalty aforesaid.

Tobacco. 184. explained 9. 297

120. It is ordered that there shall be continually a Beacon set upon the Beacon hill at Boston to give notice to the Court of any danger and that there shall be a watch of one person kept there from the first of April to the last of September and that upon the discovery of any danger the Beacon shall be fired and an alarme given and also messengers sent by that Towne where the danger is discovered to all other Townes within this Jurisdiction.

Beacon. 185.

121. Nathaniel and Gullimore servant to Mr. Abraham Wollowes is necessarily employed in publicke service of the Commonwealth in making canoages It is therefore ordered that John Symonds Esq^r and John Ludrott Esq^r shall have power to provide any other Carpenter to supply the needs of Mr. Wollowes in lieu of the said servant.

Canoe.

122. It was voted by the major parte of the Court that the Act of Mr. Ludrott in alteringe the cross in the Ensigne at Salem shall be referred for hearing and determining thereof till the next generall Court.

Cross in Ensigne 186.

123. It is ordered that hereafter fawchinges shall not passe for current pay.

Fawchinges. 187.

It is likewise ordered that musket bullets of a full bore shall passe currently for a fawching a peere provided that no man be compelled to take above 12^d at a time in them.

Bullets for fawchinges.

124. John Nimitz Esq^r and Sirgund Bollingsam Esq^r are desired by the Court to take a view of all orders already made and to informe the next generall Court within of them they judge meete to be altered abroviated repealed corrected enlarged or explained.

Orders, & used. 188.

188. Forfeitures military. It is ordered that all forfeitures for want of claimed or not observing training dayes shall be distrayned by the officers of the band where the offence is committed w^{ch} together wth the Captains and other Officers shall have power to bin, therewith, diamms, halts and surty charged ad poore men want and are not able to provide themselves of.

189. Plaintiffs oaths. It is further ordered that every man of or above the age of sixteen years who hath bin or shall hereafter be resident within this Jurisdiction by the space of six moneths (as well servants as others) and not imprisoned, shall take the Oath of Residents before the Governour or two of the next Assistants who shall have power to content him for that purpose and upon his refusal to bind him over to the next Court of Assistants and upon his refusal the space of time to be committed at the discretion of the Court.

190. Lands of Rotts to freemen. Assurances. It is ordered that the order made in April 1634 for the assuring of lands and Rotts for freemen shall forthwith be put in execution and that those who are not freemen that have taken or shall hereafter take their oaths respectively shall have the same assurance of lands as in that order is provided for freemen.

191. Commissioners & Comrol of warres. It is ordered that the present Governour Deputy Governour John Winthrop John Humphreys John Darnley John Endicott William Goddington William Dimeson Increase Nowell Richard Bellingham Esq^r and Simon Bradstreete or the major parte of them who are deputed by this Court to dispose of all military Affaires whatsoever shall have full power and authority to see all former Lawes concerning all military men and munition executed and also shall have full power to ordaine or remove all military Officers and to make and tender to them an Oath suitable to their place to dispose of all prisoners to make orders for them and to make and tender to them a suitable Oath and to see that strict discipline and trainings be observed and to command them forth upon any occasion they thinke meete to make either offensive or defensive warres as also to do whatsoeuer may be further beneficial for the good of this plantation in case of any warres that may befall us and also that the aforesaid Commissioners or the major parte of them shall have power to imprison or confine any that they shall judge to be enemies to the Commonwealth and surtyad will not come under command or restraint as they shall be required. It shall be lawful for the said Commissioners to put any person to death this order to continue till the end of the next generall Court.

192. Ammunition house. The order for building an Ammunition house at Newton is repealed.

193. Ammunition in houses. It is ordered that every Towne in this Jurisdiction shall before the 1st of April next provide at their owne charge a safe and convenient place to keepe their powder and ammunition in as the Commissioners for martiall affaires shall appoint them to fetch from Boston under the penalty of 10^l to be payed by the Towne as also shall at all times have 50 muskets in readiness for publique service under the aforesaid penalty.

194. m^r Stony con amount. It is ordered that m^r Isaac Stonycon shall forthwith give an account to the Treasurer of the 900^l he received of him as also to repay to the Treasurer that w^{ch} he hath not already disbursed for publick use.

It is ordered that the Constables of every plantation shall deliver to the Deputies to be chosen at the next generall Court a paper of their Towne Rates to be considered of by them to the end that every Towne which hath bin overrated in the 900^l may in the next rebury receive equall satisfaction for the time past and to come.

195. Captained maintenance. It is ordered that from this day forward the Captained shall receive maintenance out of the Treasurer and not from their companies.

196. Freemen's oaths. It is ordered that the Freemen's Oath shall be given to every man of or a boy of the age of 16 years the clause for election of Magistrates only excepted.

197. Castle Island for a plantation. It is ordered that the Deputy Governour Charles of the fortification at Castle Island shall have power to possess the same for so long time as in his discretion he shall

think mee to not withstanding the former order in September to the contrary.
The difference betwixt Boston and Dorchester about their bounds at Mount Wolliston
is referred to Lieutenant John M^r Caltott and Mr. Wolliston to view and determine ad also
the bounds betwixt Mount Wolliston and Wollington w^{ch} the Court enjoyned them to
performe before the 20th day of this present month under the penalty of 5^l a piece.
Ensigne Caribon and William Johnson are appointed to goe along wth them to see what
grounds they owne required all other persons are prohibited going along wth them under
pain of contempt.

Boston of Dorchester. 198.
The Court.
Mount Wolliston.

The difference betwixt Boston and Charlestown about their bounds of lands at Hummermasse
and the bay the bounds is referred to the final determination of John Haynes Esq. John
Wintrop Esq. Captaine Turner and Mr. Barber and no other are allowed to accompany
them.

Boston & Charlestown 199.
Reference.
Hummermasse.

Dove Island Long Island Long Island and Exportable Island are granted to the inhabitants
of Boston to enjoy to them their heirs and assigns that shall inhabit there for ever
paying to the Treasurer for the time being the yearly rent of 10^l and the former
rent of 10^l is remitted them.

4. Islands appropri- 192.
ate to Boston. 4^l. 200
p annu.

The rent of 10^l to be paid by the inhabitants of Charlestown for Wadderts Island is
remitted them to 10^l.

Wadderts Island 201
to Charlestown for 10^l
p annu.

Whereas the yearly rent of the Wollington garden was 5^l w^{ch} waite of all the fruit that
shall grow there It is ordered by the present Court at the request of John Wintrop
Esq. that the rent of the said garden shall be in 10^l w^{ch} shall be the best wine that
shall grow there to be paid yearly after the death of the said John Wintrop and
nothing before.

Wollington garden 202.
10^l of wine.

Compsond Island is granted to the inhabitants of Dorchester to enjoy to them their
heirs and assigns w^{ch} shall inhabit there for ever paying the yearly rent of
10^l to the Treasurer for the time being.

Compsond Island 203.
to Dorchester.

The difference betwixt Newton and Waterton concerning all bounds of lands in differ-
ent parts of them is referred to Mr. Palmer Mr. Golburn and John Johnson who are
appointed to determine the same before the next Court of assistants under the penalty
of 5^l a piece Mr. Spence and Exphaim Child are only allowed to accompany them.

Newton & Waterton 204.
Reference.

It is ordered that Robert Gold shall not pay more of his fine of 10^l for drunkenness
if hee hath bin already letted in strong water.

Gold for drunken- 205.
ness.

Whereas at the general Court in May last there was five hundred acres of land given
and to Simon Bradstreet on the southerly side of the river upon a condition there
expressed, It is therefore ordered by the present Court that the said Simon
Bradstreet shall have the said quantity of 500. acres of land lying north-west of
the lands of John Haynes Esq. to enjoy to him his heirs and assigns for ever. And
it is agreed that he shall take no part thereof w^{ch} in a myle of Waterton w^{ch} in 10^l
the terms of Waterton shall extend to further on that side the river.

Mr Bradstreet 205.
500. ac.

It is agreed that Mr. Allerton shall be sent for by warrant to the next Court of assistants Mr. Allerton to
to the intent that he may understand the desire of the Court for his removal from
Marble Harbor and so to be enjoyed to be at the next general Court or otherwise to
be dealt w^{ch} shall as the particular Court shall think meet.

Removal from Marble 206.
Harbor.

It is ordered that no person shall from henceforth transport or carry any Indian goods or
meale out of his jurisdiction till the next harvest under the penalty of 10^l p bussell transported or
for any goods or meale that shall be so transported.

Goods not to be 206.
transported.

- 200. Absentees from
Hearings meetings on
Tuesdays. Whereas complaint hath bin made to this Court that diverse persons within this Jurisdiction doe usually absent themselves from Hearings meetings upon the Tuesday's Power is therefore given to any two assistants to hear and determine either by fine or imprisonment at their discretion all misdemeanors of that kinde committed by any Inhabitant within this Jurisdiction provided they exceed not the fine of 5^s. for one offence.
- 201. Beaboe. The order of the 5th of June 1632. for paying 20^s. per ann. for beaboe traded with Indians is now repealed.
- English & Indian
matrimony. The matter of marriage betwixt English and Indians is referred to after consideration.
- 202. Mr. Wlabarick. It is ordered that Mr. Samuel Wlabarick shall before the last of December next remove his habitation for himselfe and his family to Boston and in the mean time shall not give entertainment to any strangers for longer time then one night without leave from some assistant and all this to be done under the penalty of 5^s.
- 209. Licence to dwell. It is ordered that no person whatsoever shall keep a common dwelling house without licence from the Court under the penalty of 10^s. a week.
- 210. Beaboe. It is ordered that mercantile beaboe shall passe at 2^s. the pound.
- 211. Forne payed rate. It is ordered that it shall be lawfull for any man to pay his rate to the Treasurer in mercantile towns of the County at 5^s. the bushell, this order to continue till the next harvest.
- 212. Grant of lands
to Mr. Gradock. All grounds as well upland as meadows lying and being betwixt the lands of Mr. Rowland and Mr. Wilson on the east and the partition betwixt Wiltshire pome in the west bounde with Wiltshire river on the south and the water on the North is granted to Mr. Matthew Gradock merchant to enjoy to him and his heirs for ever.
- 213. Saugus, Salem,
Marble harbor
do. It is ordered that Mr. Rowland and Mr. Wainwright shall sett out the bounds betwixt Saugus and Salem and betwixt Salem and Marble harbor as also betwixt Marble harbor and Saugus before the 22th of this present month under the penalty of 20^s. per ann. John Kimpton and John Endicott Esqrs are allowed to goe along with them for Saugus and Salem and Mr. Holgrave for Marble harbor.
- 214. Grant of lands to
Mr. Wainwright. There is one hundred acres of upland ground and an hundred acres of meadow ground granted to Mr. Thomas Wainwright lying next to the lands of Mr. Gradock Stone-ton about 8. or 9. rods up Wainwright river on the North side of the said river to enjoy to him and his heirs for ever.
- 215. For Wainwright for
Inland plantation. It is ordered that the lands about Wainwright shall be reserved for an inland plantation and that whosoever will goe to inhabit there shall have three yeares immunity from all taxes levied publick charges and subsidies whatsoever, military discipline only excepted.
- Of Wainwright. John Wainwright, Wainwright, Bellingham and William Goddington Esqrs are appointed to licence any that they think meete to inhabit there and that it shall be lawfull for no person to goe thither without their consent or the major parte of them.
- 216. Debt to Mr. Wainwright. It is ordered that the money of the 900^l. levied by the publick assistance shall be payed to John Wainwright Esq. as part of an old debt.
- Mr. Wainwright's remit. There is 5^l. remitted to Mr. Wainwright of his agreement of 25^l. for his beaboe trade.
- 217. Highways. Whereas there hath bin a complaint made to this Court that many highways in the County are inconveniently kept out, It is therefore ordered that the Court of assistants shall have power to lay out such highways as are wanting and vertify those that are amiss.

161. It is ordered that Mr Fitzgourd Dimmer and John Johnson shall build a sufficient ^{101.} *Muddy river bridge. 215.*
part bridge over muddy river before the next general court and that Boston
Fortsbury Dorchester Newton and Waterbury shall equally contribute to it or.

162. It is ordered that no person whatsoever city or people of this jurisdiction or strangers shall ^{219.} *violate trade*
bring any commodity of any ship or other vessel that comes into this jurisdiction without
license from the Governor for the time being under the penalty of confiscation of such
goods as shall be so brought or the value of them. *W. J. J.*

163. Captain Turner Mr Dunton Mr William Tompson Mr Goggeshall Mr W. Lindet Mr ^{Merchants authority}
Whitmore Mr William Spencer Mr John Holgrave and Mr W. B. Johnson or any of them
are authorized by the Court after any ship or other vessel hath been 24. hours
at anchor and is discovered to be a privateer to board her take notice of what com-
modities she hath to her consignment about the said privateer and after to acquaint their
partners or owners who together or the major parts of them shall have liberty to buy
all such commodities as they shall judge to be useful for the Country for present
payment or bills of exchange and at such rates as they shall agree upon which goods being so
bought shall be landed by the said merchants in some magazine near to the place where ^{Magazine.}
the ship is anchored and the said merchants shall at any time during the space of twenty
days after the said goods are landed and notice thereof given to the severall Townes
sell to any inhabitant within this jurisdiction such commodities as he needs after 5. ^{5. J. J.}
of the month profit and not above. *W. J. J.*

164. It is ordered that the wages for diet of the Governor Deputy Governor Assistants ^{Diet of the Govern-}
and Deputies of severall Townes during the time of every Court and also the diet ^{ment}
of Commissioners for martiall discipline at the times of their meetings shall be payd ^{by}
out of the Treasury. ^{the Publique.}

165. It is ordered that the bounds and grounds betweene Newton and Fortsbury about ^{Newton Fortsbury}
muddy river and so on into the Country shall be sett out by Justice Tompson before ^{bounds.}
the next Court of Assistants under the penalty of 5. Mr Daniell Tompson Mr
John Comford and William J. J. and no other are allowed to goe along with them.

166. It is ordered that no Indian come except such come shall be sold for above 6. ^{100.}
p. bysell under the penalty of forfeiture of such come or the value of it, this order
to continue till further order.

167. It is ordered that when the Deputies of severall Townes are met together before any ^{Deputies.} ^{election.}
general Court it shall be lawful for them or the major parts of them to hear and
determine any differences that may arise about the election of any of their members and
to order things amongst themselves that may concern the well ordering of their bodies.

168. It is further ordered that at every general Court there shall be six men appointed ^{by}
by the Governor for the time being out of the Towne where he liveth to attend with
halberds and swords upon the person of the Governor and the rest of the members of the
Court during the space of the first day of every general Court and that there
shall be two men appointed by the Governor to attend in like manner at every parti-
cular Court at the publike charge.

169. This Court doth undertake of the Elders and brethren of every Church within this ^{of}
jurisdiction that they will consult and advise of one uniform order of discipline in the
Churches agreeable to the scriptures and then to transmit the same to the Magistrates
and bounds to interpose for the preservation of that uniformity. ^{of} ^{the} ^{Churches.} ^{223.}

170. It is ordered that the Commissioners for martiall discipline shall take an oath suitable to ^{Commissioners martiall} ^{224.}

Walt. Their places before they execute any parts of their commission.
Commissioners sworn. There is power given to John Humphrey Esq. to give m^r Andrew his coat, all the other Commissioners for martiall discipline did take their oaths respectively in the presence of the Court. et

225. Two grand Jurors. It is ordered that there shall be two grand Jurors summoned every year the one to inform the Court in what they offer to inform the Court in September yearly of the breaches of any order or other misdoings that they shall know or hear to be committed by any person or persons whatsoever within their jurisdiction or to doo any other service of the Commonwealth that they shall be employed.

At a Court holden at Newton April 7th 1635. present,

- The Court. m^r Cresswell.
- Deputy Deane. m^r Hinson.
- m^r Wainwright. m^r Howell.
- m^r Haynes. m^r Bradstreet.

Howe et alij. It is referred to John Humphrey Esq. and m^r Robert Hoke to audit the accounts betwixt Edward Howe and William Howe to swear witnesses and examine them what they can say in the case and to make returns thereof into the next Court.

Enf. Gennison's fine remitted. Ensigne Gennison's fine of 10^s is remitted him upon his submission and acknowledgment of his offence.

m^r Hartshorn & Nahanton. It is ordered that Nahanton shall give two skins of beaver to m^r Hartshorn for damage done him in his swine by setting of traps et.

Kirman & company of husbandry. Further it is ordered that Captaine Cresswell shall pay to John Kirman out of his estate of the Company of husbandry the summe of ffours and twenty pounds eleven shillings and five pence being the remainder of the first parts of the said estate which was by order of Court given the said John Kirman provided if hereafter it shall appear that there is not so much due to the said John out of the said estate that then he shall be accountable for the same.

Edmond's estate & estate. It is ordered that the things of Waderton with the consent of Robert Fortwood Executor of Edmond's Fortwood deceased may dispose of the children and estate of the said Edmond Fortwood (given to them) to such persons as they thinke meete, w^{ch} if they performe not within fourteene daies it shall be lawfull for the Deane John Haynes Esq. and Simon Bradstreet to dispose of the said children and estate as in their discretion they shall thinke meete, as also to take an account of the said Robert Fortwood and give him a full discharge.

Theft. It is ordered that William Montague shall be set in the pillories for stealing boards and galax boards from m^r Neilbow, and is enjoyned to remove his habitation from the County before the next generall Court under the penalty of 5^s.

Widow's promise. William Swift promiseth to give 10^s towards the tithes of his late servant being informed of same.

m^r Doggesfall & Bayly & others. It is ordered & referred to m^r Cresswell and m^r Hinson to examine and prepare the business betwixt m^r Doggesfall & Bayly daughter of John Bayly and to returne the same into the next Court.

Swearing & stealing. Ordered that John Hayward shall be whipt for swearing & stealing.

225. Fortsbury & Newton. The line betwixt Fortsbury & Newton is laid out to run southerly from Muddy river near the place w^{ch} is called m^r Howells bridge a tree being marked on fowre sides and from the mouth of the river to that place the southerly side is for Fortsbury of the north side for Newton, by m^r William Gennison.

104 William Golobran John Johnson of Abraham Palmer being appointed by the
 generall Court to lay out the bounds betwixt Wadsworth & Rowton did make his
 returne into the Court. It is agreed by and whose names are hereunder written
 that the bounds betwixt Wadsworth and Rowton shall stand as they are allowed from
 Charles River to the great pond, and from the trees marked by Wadsworth
 Rowton on the southeast side of the pond, over the ponds to a white poplar tree
 in the first clearing nearest & by west upon a straight line by a meridian compass
 and further that Wadsworth shall have one hundred rods in length above the river and
 one hundred rods breadth the river in length and the woods in breadth from the
 river on the south side thereof and all the rest of the ground on that side the river to
 be to Rowton. William Golobran. John Johnson. Abraham Palmer.

103.
 Wadsworth & Rowton 227.
 Rowton bounds.

At the generall Court holden at Rowtonne May. 6th 1635. present.

The Governour.	Mr. Ludlow.
Deputy Governour.	Mr. Cresswell.
Mr. Wadsworth.	Mr. Johnson.
Mr. Haynes.	Mr. Rowell.
Mr. Symonds.	Mr. Bradstreet.

Together with the Deputyes & Assessors.

Captaine Turner.	Robert Rowton.
Lieutenant Clarke.	John Johnson.
Mr. Barber.	Samuel Wadsworth.
Mr. Daniel Damison.	William Parker.
Mr. Calrott.	Espraim Gildes.
John Steeler.	Edward Howe.
Mr. Hintonson.	Mr. Rowberry.
Mr. Hoggeshall.	Mr. Hathorne.
Mr. Golobran.	William Wyldes.
Mr. Holgrave.	Mr. Bartheolmow.
John Woodberry.	Thomas Howlett.
Mr. John Rowlett.	Mr. John Exeter.
Hulse Sprague.	Thomas Emery.

105. John Haynes Esqr. was chosen Governour for this year next ensuing and till a new
 be chosen and did take an oath to his place belonging in the presence of the Court. Governour.

106. Richard Wellingham Esqr. was chosen Deputy Governour for this year next ensuing and till
 a new be chosen and did accordingly take an oath to his place belonging. Deputy Governour.

107. John Wadsworth, Thomas Dudley, John Symonds, William Goddington, William Pimpon,
 Rowland Howell, Simon Bradstreet, John Wadsworth, and Arthur Sprague of Richard
 Dummer were chosen Assistants for this year next ensuing and did take an oath to
 their place belonging in the presence of the Court, John Wadsworth and Arthur Sprague
 were absent. Assistants.

108. Mr. Roger Ludlow at his own request was dismissed from the charge of overseeing the
 fortification at Castle Island. Mr. Ludlow.

109. Mr. Rowton, Richard Wellingham, William Harty, Abraham Palmer, Edward Stebbins, Mr.
 William Timothy, Comber, Francis Wadsworth, Mr. Woodwyn, and Oliver
 Mr. Wellingham, Mr. Exeter were chosen Committees to consider of the list of Mr. Ludlow
 in defaming the Colonies and to report to the Court how farre they judge it reasonable. Committee about
 the Colonies.

110. There is liberty granted to the inhabitants of Wadsworth to remove themselves to any place they
 shall think meete to make use of provided they continue still under this Governour. Wadsworth.

M^r Endicott The Commission^{ers} chosen to consider of the act of *M^r Endicott* touching the Colons at 1691. *Calon* did report to the Court that they apprehend he had offended them in many ways in rashness ungraciousness indiscretion and exceeding the limits of his calling; whereupon the Court hath censured him to be sadly admonished for his offence which accordingly he was and also disabled for bearing any office in the Commonwealth for the space of a year next ensuing.

229. *Planting of Newbury Bounds.*

Whereupon it is allowed by the Court to be a plantation and it is referred to *M^r Humphrey* *M^r Endicott* *Captaine* *Thomas* *Trask* or any three of them to set out the bounds of the said plantation or some thereof as they can and the name of the said plantation is the good and hereafter to be called *Newbury*.

Newbury.

And further it is ordered that it shall be in the power of the Court to take order that the said plantation shall receive a sufficient company of people to make a competent town.

230. *Newbury.*

The inhabitants of *Newbury* have liberty granted them to remove themselves to any place they shall think meete not to prejudice another plantation, provided they continue still under the Government.

231. *M^r Dummer's farme.*

It is referred to *M^r Humphrey* *M^r Endicott* *Captaine* *Thomas* *Trask* to set out a farme for *M^r Dummer* about the falls of *Newbury* not exceeding the quantity of 500. acres, provided also it be not prejudiciall to *Newbury*.

232. *Commissioners for martiall a^{ff}airs.*

The Governor Deputy Governor *John* *Wintrop* *Thomas* *Dudley* *John* *Humphrey* *Roger* *Endicott* *Esq^r* and *M^r Thomas* *Becker* or the major parte of them who are appointed by this Court to dispose of all military affairs whatsoever shall have full power and authority to see all former laws touching all military men and munition executed and also shall have full power and authority to ordaine and remove all military officers, to appoint the generall paym^{ts} their allowances to be payd out of the Treasuries and to instruct all officers with power and to make and tender to them an oath suitable to their places to dispose of all companies to make order for them to make and tender to them a suitable oath and to see that all strict discipline and training be observed and to command them forth upon any occasion they shall think meete to make any defensive warre it also to doe whatsoever may be further beneficiall for the good of this plantation in case of any warre that may befall us, And also that the aforesaid Commissioners or the major parte of them shall have power at any time to imprison or confine any that they shall suspect to be enemies to the Commonwealth and to bring in either alive or dead sure as shall refuse to come under command or restraint as they shall be required and after any alarme is given till the companies are dispersed it shall be lawfull for the said Commissioners or the major parte of them to put any offender to death by a martiall lawe this Commission to continue till the end of the generall Court that shall be hold in or after the month of September next.

Marblehead.

Memorandum that *M^r Allerton* hath given to *M^r Joseph* *Whelan* his home in *Lancaster* his houses buildings and stables that he hath at *Marblehead* to enjoy to him and his heirs for ever.

Marblehead.

It is ordered that there shall be a plantation at *Marblehead* and that the inhabitants now there shall have liberty to plant and improve any ground as they stand in need of and that as the said plantation increases the inhabitants of *Calon* shall have parts of the said ground as shall be improved by them thereabouts being payd for their labour and cost also it is ordered that none shall goe to inhabit there without leave from the Court or two of the Magistrates.

999.

It is ordered that the lands betwixt the Riffe and the farrest river neare Marble-
head shall for the present be improved by John Symonds Esqr and that as the
Inhabitants of Marblehead shall stand in need of it the said John Symonds shall part
wth it, the said inhabitants allowing him equall recompence for his labour and cost
bestowed thereupon, Provided that if in the meane time the Inhabitants of Salem
shall desire the same that they have first w^{rit} into it that then it shall belong unto the
Inhabitants thereof.

105.

Marble head.

Salem.

600.

There is 500. Acres of Land and a fresh ponde wth a little Island containing about two
acres granted to John Symonds Esqr lying betwixt Howe and west from Saugus provided
he take no parts of the 500. acres within 5. myles of any Towne now planted, Also it is
agreed that the Inhabitants of Saugus and Salem shall have liberty to build store-
houses upon the said Island and to lay in such provisions as they judge necessary for
their use in time of need.

Grant to m^r
Symonds of 500.
Acres of.

233.

601.

The Hon^{ble} Deputy Governour John Winthrop and Thomas Dudley Esqr and
Deputies by the Court to make a draught of such laws as they shall judge needfull for
the well ordering of this Plantation and to present the same to the Court.

Committee for laws. 234.

602.

M^r Thomas Berger is chosen Captaine of the ffort at Castle Island.

Captaine Berger.

603.

M^r Thomas Newberry is chosen Overseer of the works at Castle Island in the room of
Roger Endlow Esqr and it is ordered that he shall have the same power to presse
men for the works that M^r Endlow had and also to receive pay for such allowance
as he thinks meet.

Overseer of fortifica-
tion at Castle Island.

604.

It is ordered that there shall be a ferry sett up on Boston side by the windmill hill
to transport men to Charlestown and neer about upon the same wher that the
ferry men at Charlestown and neer about transport men to Boston.

Ferry at Boston. 235.

605.

It is referred to M^r Holman M^r Colbran and Eliant Sprague to sett out the
boundes of Land betwixt Boston and Charlestown on the Norwest side of Mistake river.
bound.

606.

The Court of M^r Winson late Treasurer hath bin perswaded by the request of M^r Winson
and M^r Howell and upon their reports to the Court that it is a true Account the said
M^r Winson is discharged.

M^r Winson quit
of.

607.

It is ordered that it shall be lawfull for M^r Newbridge to transport ten bussells
of stone out of this Jurisdiction notwithstanding any former order to the contrary.

Stone transported
by license.

608.

The Court is adjourned till the first Wednesday in June.

Adjournment.

June 3. 1635.

609.

It is ordered that M^r Holman shall have power to presse men to helpe unloade
the Salts at Marble head and such thereof as is to be brought into the Bay and him-
self is dismissed to order the same.

Salt.

610.

It is ordered that no person whatsoever shall keep any pigs for longer time then a
moneth that shall fall betwixt the last of July and the first of January under the
penalty of 10. for every pigge halfe to be paid to the informer thereof and the
other halfe to goe to the Treasurer. If moreover it is agreed that there shall be no com-
raiden to any swine betwixt the last of July and first of January except swine
brought from other parts and refuse swine of the Countrey to be judged to be
Constables of the Towne under the penalty of 10. for every offence.

Swine.

611.

There is here granted to M^r Hilton to transport 30. bussells of stone out of this Jurisdiction
notwithstanding any former order to the contrary.

Stone of stone
transported.

236. Weights & measures. It is ordered that every Town within this Jurisdiction shall provide a pair and a bussell
 as also for weights a quarter halfe a pound 1. 2. 4. 7. and 14. lb. as also a most yards all
 to be made by the standards at Boston and sealed by James Tison the Surveyor before
 the generall Court in September under the penalty of forty shillings for every default.
 612.

237. Dorchester. There is like leave granted to the Inhabitants of Dorchester for their removal ad
 Woburne hath granted to them, also leave and grace granted to the Plantations
 that shall remove to Somersworth to fortifie themselves wthall. 615.

Somersworth. The Court is adjourned till the first Wednesday in July next. 614.

July 8th 1635.

238. Boston & Saugub. It is ordered that Mr. Holgrave shall sett out the bounds of Boston and Saugub about
 Dimmer, Maury, William Hoebornus, and Thomas Emory and allowed to incorporate him. 616.

239. Cayland Islands granted to Mr. Hutsinson. Cayland Islands is granted to Mr. William Hutsinson to enjoy to him and his heirs
 forever. 617.

Essex of cattle at Newberry. It is ordered that there shall be a convenient quantity of land sett out by Mr. Dimmer
 and Mr. Bartolomeu within the bounds of Newberry for the keeping of the Essex
 cattle that come over in the Dutch Shipp this year and to belong to the owners
 of the said cattell.

Wine. Mr. Thomas Dimmer Mr. Newberry Mr. Beerger and Robert Melton are
 chosen and committed to consider of and draw up an order about wine and returned
 the same into the Court. 618.

Essex about trade wth Shipped. The order that prohibited the buying of commodities of Shipped or other vessels but
 by such as were authorized by the Court is now repealed. 619.

Wassagustud. There is leave granted to 21. families to sett downe at Wassagustud. 620.

Newberry Constable. Joseph Andrews chosen Constable of Newberry. 621.

Wassag. & Newberry bounds. Mr. Newberry and William Phelps are appointed to sett out the bounds betwixt
 Wassagustud and Newberry. 622.

Mr. Maberly & Mr. Mayhew etc. Mr. Samuel Maberly & Mr. Thomas Mayhew are enjoyned to bring to the next
 generall Court their accounts for publick businesse wherein they were imployed. 623.

240. Newberry mill & wine. There is a fine of Cobys fine of 2th remitted him. 624.

There is liberty granted to Mr. Dimmer and Mr. Spenter to build a mill and a wine
 at the falls of Newberry to enjoy the said mill and wine wth such priviledges of
 grounds of timber as is expressed in an agreement betwixt them and the Court to
 enjoy to them and their heirs forever. 625.

200. Levy. It is ordered that there shall be 200th levied out of the severall Plantations
 for xth into the one halfe to be levied presently the other halfe before the next generall
 Court vizt.

Dorchester	27	6	8	Salom	16	0	0
Boston	27	6	8	Saugub	16	0	0
New Court	27	6	8	Hyswings	8	0	0
Bartolomey	20	0	0	Newberry	8	0	0
Woburne	20	0	0	Wassagustud	4	0	0
Wassagustud	16	0	0	Woburne	10	0	0
					200		

Grounds. Swine.

It is ordered that there shall be a pound made in every plantation within this jurisdiction before the 8th day of this month and that any swine and shall be found in any owners fields shall be impounded and notice given to the owner thereof if he can be knowne or otherwise to be made knowne at the next lecture and if within three dayes after notice given they be not owned it shall be lawfull for the party who had the same done to sett the swine prized by two of his neighbours and then he shall have liberty to sell the said swine and pay himselfe double damniaged being judged by two indifferent men, & he like recompense to be made for any swine as are owned before such like notice given thereof, & this order to extend to all swines but not to little smale parrells of swine of an acre or lesse planted remote from & owned by unfenced. further as for any swine as cannot be impounded it shall be lawfull for the party who hath the harmes done to kill the said swine and pay himselfe for harmes and so to returne the remainder thereof to the owner of the swine, and if any swine shall escape out of the pound or be taken out, the owner thereof shall notwithstanding be liable to pay damniaged as before mentioned if he can be knowne.

628.

The bounds betweene Boston and Charlestown are from the brooke along in the brooke upwards in the same till we come to a little necke of land that comes from the east side of the same necke thence the first stake stands a little on the east side of it and from thence to a marked tree at the foot of the marsh agreed upon of all sides, and from that tree to another that lyeth right opposite over an hill, and from thence to an high tall pine that stands upon a point of a rock on the side of the highway to misticks by the side of Emmerys marsh & from thence to a high by a straight line. John Rolfe.

Boston & Charlestown bounds.

629.

Freemen made at the generall Court
May 6th. 1635.

Freemen.

- John Hilton
- Henry Elkin.
- Christopher martiall.
- Edmund Buckley.
- Edward Browne.
- James Browne.
- William Hall.
- Benjamin Sillham.
- Thomas Morrice
- 10. Edmund Jartling.
- John Stoblye.
- Thomas Picure.
- Mr. Zacharias Syme.
- Barnabas Wymond.
- Robert Wymond.
- John Reynolds.
- Thomas Wright.
- Thomas Hastings.
- John Wethermore.
- 20. John Battiseller.
- John Tompson.
- John Clarke
- Thomas Swiffe.
- Robert Wintall.
- Thomas Hosmer.
- William Butler.
- John Arnoll.
- George Storkin
- Nathaniel Key.
- 30. Robert Day.
- Jeremy Oldam.
- Joseph Waggott.
- John Hall.
- Samuel Allen.
- Samuel Wadsworth.
- Thomas Payne.
- John Day.
- George Exchange.
- Nathaniel Durrant.
- 40. Thomas Wauhall
- Thomas Hopton.
- Richard Kamball.
- Robert Andrews.
- Henry Wright.
- Robert Goltz.

- Jonathan Gollot.
- Thomas Gun.
- Robert Diboll.
- Henry Howkes.
- 50. Elias Wadman.
- John Blackear.
- Daniel Wadde.
- Joseph Wadde.
- Edward Wadde.
- Richard Browne.
- William Wadde.
- Christopher Wadde.
- Thomas Wadde.
- Richard Wadde.
- 60. Aron Gook.
- George Wadde.
- Thomas Wadde.
- Robert Wadde.
- Robert Wadde.
- William Wadde.
- John Wadde.
- John Wadde.
- George Wadde.
- 70. Richard Wadde.
- Robert Wadde.

September 2. 1635.

March 3. 1635.

William Walton.	Richard Jacob.	Thomas Farwell.	Passball Browne.
Thomas Worringe.	David Whippin.	Robert Harkness Esq.	Mr. James Peter.
Robert Bates.	Edmond Butler.	Mr. Joseph Cooke.	Thomas Boyott.
John Astwood.	Philimon Dalton.	Mr. George Cooke.	Edmund Frost.
Thomas Wadlow.	John Whitney.	Mr. Richard Danforth.	Mr. Thomas Sheppard.
William Horton.	William Swann.	Thomas Marryott.	Henry Wane Esq.
George Mudd.	Henry Kingman.	Mr. Samuel Sheppard.	Thomas Erar.
George Mearns.	Thomas Noyes.	120. William Francis.	Thomas Bridger.
100. John Ellis.	110. Amos Holland.	Simon Crosby.	Richard Baskow.
Richard Baker.	John Kingsley.	Thomas Gosselplow.	Joseph Andrewod.
	John Lobot.	John Russell.	

At the Court holden in June 2. 1635 present.

The Governour. Mr. Pimpton.
 Deputy Governour. Mr. Howell.
 Mr. Wadlow. Mr. Young.
 Mr. Dudley. Mr. Dimmer.
 Mr. Bradstreet.

Wade agt Horton. It was ordered that warrant shall be sent to Horton to bring into the next Court a bill of 5. made by Goodman Martin to Thomas Wade that it may be fully kept till it appears to whom it is due, the money being given (as the Court is informed) to Jonathan Wade his brother.

Mr. Humphrey is fined for his absence from the Court. The Court is administration granted to Richard Bishop in the behalf of his wife of the goods and chattels of Richard King deceased.

Wadlow agt Erar. In the case of the said Erar and widow of Edward Wadlow (the Elder and other of the Executors of Wadlow being present) and upon consideration of the order of Court in Charles last made in the case which was found not to have bin observed because the estate was not computed or apporportioned. It is now ordered with consent of all parties, vizt the Executors of Wadlow the widow of the said Edward living and the Executor having consented to the former order that the present Governour or the Court shall have power to call parties and witnesses for finding out the true estate and having possession of the uncertainty of the will of the debts and other circumstances to apporportion the remainder of the estate to the wife or children according to their best discretion, and then the Executors of Wadlow is to dispose of the said children and their portions as shall be best for their Christian education and the preservation of their estate.

It is ordered with the consent of John Gogon John Cilly William Hill Henry Mulrott and Humphrey Pimpton that the Arbitrators chosen by them vizt, Mr. William Gifford, William Galford, Roger Williams and Richard Pollitt shall have full power to make a final order of all differences and attempts betwixt the said parties concerning the Ship of Chunder, which the Court enjoined them to performe before this day next and to returne into the next Court what they have done herein and in the mean time all objections touching the said Chunder to be respected, Altho it is ordered that the Arbitrators shall have power to examine witnesses upon oaths.

031.

106

At the Court holden at New Towne July 7th. 1635. present, 109.

The Governour. Mr. Pimpton.
 Deputy Governour. Mr. Young.
 Mr. Wintrop. Mr. Row.
 Mr. Dudley. Mr. Bradstreet.
 Mr. Cusack. Mr. Sumner.

635. Stephen Cury was sworn Constable of Dorchester for a year and till a new be chosen. Dorchester Constable.
 It is ordered that Ensigne Gennison and Mr. Wobridge shall require the Indian that was Land purchase of
 present with Assataubut when he sold certaine lands about Massachusetts to Mr. Pimpton Assataubut.
 or there what it was to sett out the severall bounds thereof and to returne the same to the
 Governour before the last day of this week. Mr. Smyth and Goodman Wright are allowed
 to goe along with them.
636. In consideration of money disbursed by Mr. Henry Sewall for the transportation of Mr. Sewall &
 Edward Bosworth and his family it is ordered that Jonathan Bosworth shall pay to Mr. Bosworth
 Sewall the summe of 5th upon the 29th of September next William Butland 5th
 on the said 29th day of September Nathaniel Bosworth 50th at the said day and 50th
 more that day twelve moneths and Benjamin Bosworth 30th on the said 29th day of Sept.
 and 3th 10th at the same next, all these summes to be payd to the said Mr. Sewall.
 Also it is agreed that the forenamed parties shall be bound one for another for the payment
 of the said summes at the severall dayes of payment.
637. Edward that Francis Cury for assistance by him committed shall be bound to his goods Cury bon bon works.
 behavours and shall put in sureties for the same or else to remaine in hold.
638. John Robe is fined 10th for drunkenness. Drunk fined.

At the Court holden at New Towne August 4th. 1635. present

The Governour. Mr. Pimpton.
 Deputy Governour. Mr. Rowell.
 Mr. Wintrop. Mr. Young.
 Mr. Dudley. Mr. Sumner.
 Mr. Cusack. Mr. Bradstreet.

639. William Dymland and William Fortwell exors of John Russell have exhibited into Russell Testant.
 Court an Inventory of the goods and Chattells of the said John Russell deceased.
640. John Hysland being at the Custards affirmeth that Mr. Thomas Womerton threatened to Womerton bon
 strike his boats if he would not pay him a debt that Henry Day owed him and called work.
 him rogue and knave and said they swore all so in the Bay and that he boxed to the all
 their throats and that he could fynde in his heart to begin with him and thereupon
 struck him upon the head and when the said Holland told him if Day ought him any
 money he might recover it by Law Womerton answered that they had no lawe for them
 but to starve them. The like Henry (William) and Robert Ellwell witness against Womerton.
 Whereupon it was ordered that the said Womerton should put in sufficient sureties for the
 goods behavours and in the meane time to remaine in Dubant.
641. There was administration granted William Stilson of the goods and Chattells of Robert White intestate.
 who is deceased and it is ordered that all his creditors shall repayne to the Deputy &
 Cusack before the next Court who shall have power to examine witnesses for and say
 debts as they shall fynde due they shall give warrant to the said administrator to pay said
 debts that are doubtfull shall be transferred to the Court.

Expressed names.

M^r in witness on witnessd upon oath that Chrtm Holbidge took 2^d a day of in for 30. 642
dayes worth digard bulgar 6. dayes Thomas Hunt 9. dayes and James Gautin 31. dayes.
all at 2^d 6^d a day and so have all forfeited 3^d. a day according to the order of Court.

De linc.

It is on witnessd upon oath that James Gautin took 2^d 6^d a day of him for 14. dayes. 643

John.

It is granted to John for his charges being brought from Exeter ad a rot esse against
John Mustlow etc.

Hollom.

It is ordered that William Nells to pay to the King the summe of 20^l for felony
by him committed.

M^r Humphrey offered
reference.

It is ordered that the consent of M^r Humphrey M^r Young and digard being the difference about two p^{cs}. 646
for that digard being kept is referred to M^r Nimitrop M^r Dudley and M^r Howell who have
power given them to examine witnessd upon an oath and so put an end to the difference.

John de linc.

It was ordered that Chrtm Holbidge shall put in security for his good behavior for contempt 647
by him committed and in the mean time to be imprisoned.

Forfeits levied.

Ordered that James Gautin forfeits shall forty days be liveryd and in case he have no goods 648
shall be taken and imprisoned.

Hussell Testament
immutabile.

John Hussell merchant deceased at Dorchester August 26th 1633. and before his death being
of a disposing understanding did make his last will in the presence of M^r John Walsam pastor
of the church of Dorchester Thomas Wilcox John Wilcox and Thomas Drury in the words
following or to the same effect, I give of my estate I give to the church of Dorchester and
also to my brother Henry Hussell and Thomas Wyatt except my man and my wife I give to
my man and he desired that in the disposing of his goods to Dorchester there should be
special respect had to old Dorchester people naming Goodman Paying. John Walsam.
Thomas Wilcox. Thomas Drury. John Wilcox. This was testified
upon the oath of the said witnessd taken in Court September 3. 1633.

At the Court holden at New Towne September 1st 1635. present,

- The Governor M^r Cresswell
- Deputy Governor M^r Young
- M^r Nimitrop M^r Howell
- M^r Dudley M^r Bradstreet
- M^r Dummer.

Wright Shrym.

It was ordered that Andrew Shrym shall be wright for unming from his master. 650

Stratton wright.

Ordered that Robert Stratton shall be wright for unming from his master. 651

Dixon forfeits wright.

William Dixon hath forfeited his wright of 20^l Edward Gouvers and James Arnone p^{te} a 652
more him bound for Dixon's appearance at the Court. It was ordered that the goods and
rentalls of William Dixon shall be attached and kept safely to satisfy the Court for the forfeit
of his wright.

Hofferts wright.

Ordered that digard bulgar Thomas Hunt James Gautin of Chrtm Holbidge shall pay 653
3^d a peere weekly to the mayshall towards the discharge of their feifits.

Maister / servant wright.

It is ordered that Mary / servant to M^r Bradstreet shall be wright for unming from her
master and shall serve him 6. weekes after her terme is ended.

M^r Absen intestate.

It is granted administration granted to M^r Chrtm Chatin of the goods of wright of M^r 655
Joseph Absen deceased was he is to inventory and returne the same into the next Court
and the said goods are to remaine in his hands till further order be taken therein.

590. The Subentorie of the goods and chattels of John, a late deceased, due to him from John Tuckery Abney intestate. Carpenter 7th. Item from Robert (deceased) of Exmouth, who confessed to be due to be paid following 2th. Item from Mr William Hilton 2th 16th or a few and piggis to that value testified Richard Kent. From Richard Kent of Exmouth ten bushells of Indian corn which he acknowledged. John Tuckery demred his debt but Richard Kent and Richard Molt and John Knight all goods of Richard Molt and will testify and promise to be due, only he was in condition to pay the said 7th in his works which he was to do so soon as Mr Tuckery did call upon him for it, out of which said 7th there is something paid in labour already as he can make to appear. per me Christophor Sattger.

At the Court November 3. 1635. present,
 The Governour. Mr Treasurer.
 Deputy Governour. Mr Prinsop.
 Mr Wintrop. Mr Yonge.
 Mr Dudley. Mr Summer.
 Mr Wainwright. Mr Wainwright.
 Mr Rowell.

597. It was ordered that the Deputy Governour and Mr Wintrop shall have power to examine all witnesses upon oaths concerning an action of the said brought by Mr Yonge against Mr Wainwright. Mr Yonge e. Mr Wainwright.
598. Mr Rowell had Thomas Coleman hath inherited with Richard Saltouffall and David offer gent in England and here for the fixing of certain houses and shops in a general stock for the space of five years and now since his coming hither hath bin exceedingly negligent in discharging the trust committed to him absenting himselfe for a long time from the said tathell and also neglecting to prohibit hunting for them by reason whereof many of the said tathell are dead allured and more damage like done to and to the said gentlemen, It is therefore ordered that it shall be lawful for the said gentlemen to divide the cotes and hay provided for the said tathell amongst themselves and so every one to take care of their owne tathell for this winter.
599. Ordered that John Gault shall be reprimand and bound to his good behaviour for striking his mother Mrs Weston and detaining of her and for David offer misdemeanors & will be reprimanded.
600. There is no damage granted Robert Gales to be paid by Mr Wainwright who summoned him to appear at this Court and prosecuted not against him. Gales of ffawne. Non suit.
601. Ordered that John Gole shall be reprimand for stealing a state and a paire of shoes. Gole reprimand. Gole.
602. Ordered that Richard Frost shall be imprisoned till the next Court when a fine is to be passed upon him for coming into this jurisdiction being formerly banished. Frost banished.
603. There is administration granted to Isabell Carlett of the goods & chattels of her husband late deceased. Carlett intestate.
604. Samuel Gole hath forfeited 20th for selling 2. quarts of beere at 2th a quart. Gole forfeit.
605. Mr Rowell is fined 3th 4th for selling wine. margin. It was left in trust with e by a friend to sell for him.

All the generall Court holden at Newtowne September 2. 1635. present,

Chf Governour.	Mr T. Wainwright.
Deputy Governour.	Mr Rowell.
Mr Winter.	Mr Haugh.
Mr Humphrey.	Mr Sumner.
Mr Dudley.	Mr Handstreet.

Deputies.

Mr Talbot.	George Dinsford.
John Stooler.	Mr Dymon.
Mr Daniell Demmison.	Captaine Mason.
Mr Brown.	William Baylards.
Ensigne Gommison.	Joseph Whittrale.
Mr Howe.	Humphrey Bradstreet.
Mr Huttison.	William Bartolomew.
Mr Moody.	Captaine Turner.
Mr Golbran.	Edward Comlynd.
Mr Brenton.	Thomas Stanley.
Mr Carter.	Captaine Traste.
Mr Keeter.	John Woodbury.
William Parted.	Garob Chaunty.
John Housell.	Mr John Spender.

Henry Wessagustud. The Honable Ambassadour was licensed to keep a ferry betwixt Wessagustud and Mount Wollaston 666 for wher he is to have 1^d for every person and 1^d an horse.

Wastole & Ingham. The name of Barrore is changed and hereafter to be called Hingham. 667.

Wessagustud & Weymouth. The name of Wessagustud is also changed and hereafter to be called Weymouth. 668.

Adjournment. The Court is adjourned till 8. a clocke to morrowe. 669.

241. A new Plantation. It is ordered that there shall be a plantation settled about two myles above the falls of the river on the north east side thereof to have ground lying to it on both sides the river both upland and meadowe to be laid out hereafter as the Court shall appoint.

242. Wolfe. It is ordered that there shall be 5^d for every wolfe and 1^d for every foxe caught out of the woods to him that killed the same.

Letters of reproach from Salem. It is ordered that the deputies of Salem shall be sent backe to the freemen of their Towne that sent them to fetch satisfaction for their letters sent to the severall Magistrates wherein they have expressed reproach and vilified the Magistrates and deputies of the generall Court or els the arguments of the Court that will defend the same wth the subscription of their names.

Mr Endicott committed. It was voted and by generall citation of hands concluded that Mr Endicott should be committed for his contempt in protesting against the proceeding of the Court. And upon his submission and full acknowledgement of his offence he was dismissed.

243. Wustekquid. It is ordered that there shall be a plantation at Wustekquid and that there shall be 6 myles of land square to belong to it and that the inhabitants thereof shall have three yeares immunitie from all publicke charges except travayling further that when any that plant there shall have occasion of carrying of goods thither they shall receive to two of the next Magistrates where they came and who shall have power for a yeare to presse draught at reasonable rates to be paid by the owners of the goods to transport their goods thither at reasonable times and the name of the place is changed and hereafter to be called -

Fontonds.

Fontonds.

244. Houses. It is ordered that hereafter no dwelling house shall be built above halfe a myle from the meeting house in any new plantation granted at this Court or hereafter to be granted without leave from the Court except mill houses and store houses of such as have their

Dwelling houses in some Towne, especially Hingham Newburys of Weymouth to be included in this order.

- 676. Ordered that Weymouth shall have a Deputy this Comt. Weymouth Deputy. 245.
- 677. It is ordered that whensoever any servants shall run from their masters or any other Inhabitt shall partly goe away wth suspicion of ill intentions it shall be lawfull for the next Magistrate or the Justice and two of the chief inhabitants where no Magistrate is to possess men and boated or primed at the publicke charge to pursue the persons by sea or land and bringe them backe by force of Armes. Servants or Inhabitt 246. fault departing wth suspicion.
- 678. It is ordered that after the last of March next there shall be paid a poore pound besides dam- Swine. maged and charged of keeping for every swine that shall be taken without a taxer within one myle of any plantation or farme improved by tillage to be paid by the owner of the said swine to any that shall impound the same and also that any swine so impounded shall be kept at the five next nexte and if they be not owned within three dayes it shall be lawfull for the party that hath impounded them to get them killed and then to sell them and deliver the overplus of the money into the next Comt.
- 679. It is ordered that there shall be yearly marks given to Mr. Charters out of the Treasury towards Mr. Charters lessee. Mr. Charters lessee.
- 680. It is ordered that hereafter the Deputy to be chosen for the generall Comts shall be elected by Election by papers. 247. papers as the Governour is chosen.
- 681. It is ordered if the major parte of the freemen of Salem shall disclaim the lotter sent - Salem, lately from the Comt of Salem to severall Inhabitants it shall then be lawfull for them to send deputies to the generall Comt. Salem, Lotter.
- 682. The Deputy Governour hath leave from the Comt to entertaine an Indian into his family. Indian.
- 683. It is ordered that Mr. Brenton shall finish at the publicke charge all that whiche is necessary to be done at the prison at Boston. Boston prison.
- 684. Ordered that the xxth whiche Captaine Underhill took up of Mr. Leayne in England to pay here shall be remitted him. Captaine Underhill. 26th
- 685. It is ordered that Captaine Underhill shall have power to send his warrants to the Constables of the severall plantations to send in money or wether for three dayes or so much as is behind for the stocks at Boston for every man (except Magistrates and Officers of the Comt and Schoolmasters) that were dwellers here before the first of September 1634. and that the Constables shall returne their warrants into the next particulare Comt after they receive them at their will. Provided that these Comtes be required to their wether first that are most behind according to a former order. Boston stocks.
- 686. Mr. Thomas Dudley (Mr. Booser Mr. Natham Mr. Dmigan Mr. Tillon and Mr. Faine, these forenamed gentlemen or any three of them whereof Mr. Dudley always to be one shall have power to consult advise and take order for the setting forwards and after maintaining of a fishing trade and upon their account all charges of dyet or otherwise at the times of their meeting to be allowed out of the fishing stocks. Fishing trade.
- 687. Captaine Walsen is authorized by the Comt to possess men and carts to help towards the finishing of the stocks at Castle Islands for all manner of wether that is to be done there. Stocks at Castle Islands.
- 688. Mr. Cushman and Mr. Walsen are deputed by the Comt to take an account of the Indians for all summes of money that he hath received of the Cushman for the stocks at Castle Islands and to returne the same into the Comt. The stocks.
- 689. Mr. Dummer is to buy land for the storing of the stocks at Castle Islands. The stocks.
- 690. Ordered that there shall be paid out of the severall plantations to be paid in the Treasury before the next Session of this Comt. vizt. - November 7th 10th. In June 14th - Salem 16th August 11th. Charles Towne 15th. Weymouth 4th. Newburys 26th. Woburn -

19th 10th. Boston 25th 10th. Portsmouth 19th 5th. Dourgesfir 26th 5th. Wingham 6th. Wicadford 9-15th.

John Smith
of Newbery.

John Smith and John Symonds are intreated by the Court to view the bounds of Newbery and to inform the next Court how they may be conveniently bounded.

Mr Symonds

The Court do hereby order and direct by the Court to take in the sum of 1000^l of whatsoever he hath received and disbursed for the publique except such monies as he hath received of the present Treasurers.

Mr Habarite

The order that enjoyned Mr Samuell Habarite to remove his habitation to Boston before the last of December next is repealed.

General Constable

William W. Sturges is sworn Constable of the Plantations at Ferrisburgh till some other be chosen.

248. Ordinaired hire

Samuell Gole John Wainston Robert Chirwood and Estiman Affairid Drummer are hired by the Court to keep the ordinaired in the Plantations where they live during the pleasure of the Court.

249. Ferrisburgh

The Court is power granted to any Magistrate to swear a Constable at any Plantation at Ferrisburgh when the inhabitants shall desire the same.

250. Fines

Ordered that the grand Jurys shall have their charges of dyett allowed them out of the Treasuries by the Court and that the petty Jurys shall have 3^d allowed them for every daye they pass upon to be paid by him that recovered the suit.

Adjournment

The Court is adjourned to the first day after the next particulars Court.

251. Henry Dourgesfir

It was ordered that John Holl and shall keep a ferry between the Captained Point at Dourgesfir and Newbery's wharfe for which he is to have 4^d a petty for every single person he transported and 3^d a petty if there be two or more.

Mr Golburn

Ordered that Mr Golburn shall have 5th allowed him out of the Treasuries to build an house for Robert Wain in Boston and to be accountable to the Court for the same and also that such further charges as shall be occasioned by the said Wain or his wife shall be borne by the publique.

John Smith's opinions

Ordered that John Smith shall be sent when he shall be needed out of his Jurisdiction for some dangerous opinions which he holdeth and hath divulged in the mean time he removed not himselfe out of his plantation.

Newbery's Constable

The Court is power given to Mr Drummer to swear a Constable at Newbery.

252. Mr Long's hire

Mr Long is hired to keep an house of intertainment at Hawks Cove for the next year.

253. Portsmouth bounds

Ordered that the bounds of Portsmouth shall be viewed on both sides and a plot thereof drawn and so returned into the next generall Court.

Rep. Spectacles

The Court is power granted to the Treasurers to take up the spectacles of the Militia and to have them repaired and to have the same returned to the owners.

Hawkes and Water

It was agreed that Hawks Cove and Waterbury shall be two distinct Companies and to have Officers of their own.

Hire of Wages

Ordered that the hire of wages between the Court and the Captained Point shall be mended by the inhabitants of the Court where they live before the next particular Court.

John Smith

Agreed that John Smith shall be added with men and munition to supplant the Indians at Ferrisburgh. And it was ordered that Captaine Collanora shall be sent for to confer with about the same and recompensed out of the Treasuries for his charges if he be not employed.

Dated

It is ordered that the Court shall attendments not out against all the Constables that were not in their last voted to the Treasuries before this Court breakes up.

- 710. M^r Wm. Ingham being formerly upon an assistance did now take the oath to his said place
belonging. M^r Wm. Ingham in his
- 711. It is ordered that there shall be two drakes lent to the plantation at Somertrott to fortify
themselves where ad also 6. barrells of powder 2. out of Water-ton. 2. out of Dorchester, and 2.
out of Portsmouth. also 200. shot wth other implements belonging to the place that may conveniently
be spared all w^{ch} are to be returned againe upon demand. Captaine Underhill and
M^r Berger are to deliver these things. Somertrott. 254.
- 712. Whereas two former laws the one concerning the wages of work in the other concerning
the rates of commodities were for divers good considerations repealed this present Court
now for abiding some mischiefs ad may follow hereupon by some disposed persons ad
may take liberty to oppress and wronge their neighbours by taking excessive wages for
works or unreasonable rates for some necessary commodities or other commodities ad shall
not from man to man It is therefore now ordered that if any man shall offend in any of
the said laws against the true intent of this law he shall be punished by fine or im-
prisonment according to the quality of the offence ad the Court upon lawfull request
and conviction shall adjudge. Wages. rates. 255.
- 713. It was ordered that every Court upon Somertrott shall have liberty to choose their own
constables who shall be sworn by some Magistrate of this Court. Somertrott. 256.
- 714. Whereas M^r Thomas Willian one of the Elders of the Town of Salem hath broached
divers and dangerous opinions against the authority of Magistrates ad also
written letters of defamation both of the Magistrates and Synners here and that before
any conviction and yet maintaines the same without retraction It is therefore ordered that
the said M^r Willian shall depart out of this Jurisdiction within six weeks now next
expiring w^{ch} if he neglect to performe it shall be lawfull for the Governor and two
of the Magistrates to send him to some place out of this Jurisdiction not to returne
any more without licence from the Court. M^r Willian.
banishment.
- 715. M^r Samuel Sharpe is enjoyned to appear at the next particular Court to answer
for the letter that came from the Town of Salem ad also to bring the names of those
that will justify the same or else to acknowledge his offence under his own hand for his
owne particular. M^r Sharpe.
- 716. It was ordered that the Commission for martiall discipline shall continue till the end of
the next generall Court and in the room of M^r Andrew who is dismissed M^r William Jenne
is chosen And further it is agreed that the said Commissioners shall have full power to
assist one magistrate at Plymouth for the suppressing of the flames at New-street or else
where in any other business of that nature that may be occasioned hereby. Commission martiall.
- 717. As the it was ordered that none but freemen shall have any vote in any Court in
any action of civility or necessity or that w^{ch} belongs to them by birth or their
freedome ad receiving of inhabitants and laying out of Lots &c. 257.
- 718. The boundes laid out betwene Kings-jam and Weymouth by the order of the generall
Court by M^r Robert Dorey and within helped. The River betwene Kings-jam
and Weymouth running on the East side of Weymouth to be their bounde unto a tree on
the East side of the River that tree being their bounde to the head of it to an oak
marked and so their line to run into the Country upon the same point that boundeth
Boston and Weymouth also we appointed Weymouth to make use of all the timber on
Kings-jam side from a hole called Hobbs hole upward in the River half a myle in
breadth and three quarters of a myle in length for the spars of forty yeres olde we pro-
hibited Weymouth for making any improvement of the ground. By M^r Willian helped.
This Record is verbatim according to the writing they delivered into Court. Kings-jam & Weymouth
boundes. 258.

249. Boston & Charlestown bounds. The 28th day of the first month 1636. Cleared by and w^{ch} named and underwritten - 719.
 That the bounds between Boston and Charlestown on the River east side of the river shall run from the marked tree upon the rocky hill above Hummings marsh near the written tree now or west upon a straight line by a meridian compass up into the Country. Abraham Palmer William Guesborough William Exeter.

260. Dorchester & Boston bounds. The bounds of Dorchester is to run from the outside of Mr. Posters fence next the sea to the foot of the great hill from a marked tree to a second marked tree in a straight line to the top of the blue hills next Raponsett South west and by west half a point westerly and all the marsh grounds from the Southeast side of Mr. Newbernes house along Raponsett river to the Stoneford mill to the Dorchester and all the west of the Highlands and marshes from Mr. Posters fence to the sea and so to the mouth of the River beyond Menotiquid River running into the Country southwards and to the west to the Boston only excepting such lands as they have right to by grant of the Court formerly. Robert Clarke John Talrott.

At the Court holden at Newtowne October 6. 1635. present,

- The Governour. Mr. Cushman
 Deputy Governour. Mr. Johnson.
 Mr. Winthrop. Mr. Huggs.
 Mr. Dudley. Mr. Howell.
 Mr. Burdett.

Six servants unjust for running away. 720.

It was ordered that Clement Gole Peter Wyford Simon Bird William Baker William - 721.
 Downed and George Wilby shall be unjust for running from their masters and for stealing a beate and divers other things w^{ch} them and also shall give satisfaction to the Country for their charges in sending to fetch them home and likewise shall serve their said masters twice so long at the end of their time as they have bin absent from their masters service by reason of their running away, and for Gole and Wyford the Court will consider of some further punishment for them.

Justice unjust. 721.

Ordered that Daniell Justice shall be severely unjust and fined 5^s. for stealing a gold ring - 721.
 and in handkerchiefe out of which fine full satisfaction be made to those that have bin at charge in keeping him after he was apprehended.

Scarlet unjust barrist. 722.

Ordered Benjamin Holton hath brought into this Country one Robert Scarlett a free man - 722.
 whose wife since his coming hither hath committed divers follomped or appeared by his examination It is therefore ordered that the said Scarlett shall be severely unjust and branded in the forehead w^{ch} a T and after sent to his said master whom he hath engaged to send the said Scarlett out of this jurisdiction and in the meane time to be liable to satisfy for such damages as his said servant shall doe to any person and also shall pay w^{ch} to Mr. Chilton the Constable for his charges in keeping him and bringing of him to the Court.

Young fined. 723.

It was ordered that Richard Young shall be fined 5^s. for contempt of authority and for 723.
 running divers woods tressed into grapes and selling of them from Weymouth Towne the w^{ch} tress he was appointed to fell for payed for the woods at Castle Island and that the said monies shall be given to the Towne of Weymouth towards the making of a bridge there.

Scarwall of his wife Chimony. 724.

Ordered that the consent and at the desire of Henry Scarwall and Ellen his wife the Court hath 724.
 ordered that his said wife shall be at her own disposal for the place of her habitation and that her said husband shall allow her here wearing apparell and w^{ch} of annu to be paid quarterly and also a bed w^{ch} furniture to it.

Huggs forfeit. 725.

Joseph Huggs hath forfeit 5^s. for Ampos and 4^s. - 6^s. for a w^{ch} he sold for above 1^s. in 725.
 the selling thereof.

- 720. Edward Dylde was fined x^l. for knowing his wife carnally before marriage.
- 727. John Dally was fined x^l. for the like offence.

Incontinent fined.

All the Court holden at New Towne March 1. 1635. present,
 The Ch.obernd. Mr. Pmison.
 Deputy Chobernd. Mr. Howell.
 Mr. Ndmthrop. Mr. Hony.
 Mr. Dudley. Mr. Dummer.
 Mr. Treasuror. Mr. Bradstreet.

726. It was ordered that all the bills and writings about our Robert Nday shall be libred into the Court and that Justice Jernison Edward Blinton and Cammell Hester shall pay x^l. a piece to William Almy and also that the said Robert Nday shall be taken from Mr. Stongeton where now he is and put to the said William Almy and him shall abide till he hath satisfied the summe of 3. ^l. whiche if he doe he shall pay x^l. of cost backe againe to Cammell Hester.

Nday servant.

727. Whereas in a suit betwixt David Johnson and William Almy touching our James Judam sometimes servant to either of them there was a judgment of 5. ^l. granted to William Almy against David Johnson but upon some consideration execution was respited and whereby some of all parties it was made that the said 5. ^l. shall be borne equally betwixt them thais to say that the widdow Johnson shall pay five nobles and James Judam the summe of five nobles to the said William Almy and he to loose the rest.

Judam servant.

730. Richard Whelpe was fined x^l. for drunkennes.

Drunke fined.

731. Christophers Cooper forfeited his recognizance of x^l. for not appearing.

Forfeited forf.

732. The difference betwixt Mr. Dummer and John Dmar about Mr. Dummeres swine spoyning his tyme is by their consent refered to the final determination of William Parker Goodman Potter and Goodman Porter.

Mr. Dummer or Dmar. reference.

733. Symon Jesselyn gent. John Winton and Richard Hest all of West-tage have forfeited their recognizance of x^l. for not appearing at this Court.

Forfeited forf.

734. William Montague forfeited his recognizance of x^l. for not appearing.

Forfeited forf.

735. James Judam was fined x^l. for drunkennesse and it is ordered that against the witness Judam drunke fined. shall be payd out of it.

All the general Court holden at Newtowne March 3. 1635. present;

- Thos Hobart. M^r Treasurer.
- Deputy Hobart. M^r Pringon.
- M^r Wmthropson. M^r Howell.
- M^r Humphrey. M^r Houghy.
- M^r Dudley. M^r Dummer.
- M^r Bradstreet.

- M^r Isaac Saltonstall. M^r Nathaniel Allen.
- M^r John Exeter. M^r William Exeter.
- M^r Daniel Demison. M^r John Talbot.
- M^r Townesend & Dwyer. John Johnson.
- Captaine Trask. George Clarke.
- M^r Thomas Struggs. Lieutenant Howland.
- Captaine Dummer. M^r Duntan.
- M^r Hooper. William Barland.
- Halper Sprague. George Minot.
- Thomas Ingham. Ensigne Tomison.
- M^r William Hutton. Lieutenant Hoke.
- M^r William Colburn. M^r Pemberton.
- M^r William Brewster. M^r William Hartplomow.
- M^r William Woods.

M^r Wmthropson. Thomas Applegate was discharged of keeping the foray of Weymouth and Newmarket - 736
intended to keep the said forays during the pleasure of the Court.

Bendalls loss. Ordered that there shall be p^{te} given toward Kendall out of the Treasurers towards the
loss of his righter.

M^r Andrew Cromb. M^r Treasurer and M^r Howell being required to take the account of M^r Roger Indlow for
monny that he hath received and disbursed for the publick hath now exhibited the said
account into Court under their hands and it appeared that the Comities owed him the summe
of 3^l 7^s 3^d and for loss in beate so many as makes the said summe up p^{te} was
appointed the Treasurer forthwith to pay him.

M^r Simkins account. M^r Hutton and M^r William Exeter are required to take the account of M^r Simkins
and to returne the same into the next Court.

Fort Militant. Lieutenant Howland is chosen Lieutenant of the Fort at Castle Island in the room of
M^r Hibonod who is dismissed.

Worshipfull. It is ordered that the Inhabitants of Boston shall have the use of six peeres of ordinance
and that there shall be exp^{te} in monny given to them towards the making of a platforme at the
foote of the forte hill at Boston and the Inhabitants of the said Towne are to finish the said
worke at their owne proper charges before the generall Court in May next.

Charlestowne platf. Ordered likewise that there shall be exp^{te} given out of the Treasurers to the Inhabitants
of Charlestowne to make a platforme and breastworke for three peeres of Ordinance at
the hill foote there and the Inhabitants of the said Towne are to finish the said worke at their
owne proper charges before the generall Court in May next.

261. Marble with Salem. It was proved by Court that Marble with belonged to Salem. 743.

262. Debt by e to the Comities. Ordered that there shall be 20^l paid to M^r Bradstreet and 50^l to M^r Shephard also - 744.
that whosoever owed any monny to the Comities or that the Comities owed monny to
shall bring their accounts into the generall Court in May next and also that every Towne
and person that have any goods or stocks belonging to the Comities shall doe the like.

Ensigne Perkins. Ensigne Perkins is discharged of his office of Ensigne. 745.

- 746. Ordered that the Commissioners for military discipline shall appoint every company what colour they shall have.
- 747. Further it is ordered that there shall be 1000th taken out of the several plantations for -
 public use vizt. Newberry 11th 5th. Ipswich 25th Saugub 15th 10th. Salem 24th 10th.
 Dorchester 23th 10th. Weymouth 3th 5th. Newtowne 42th 10th. Watactowne 30th. Boston 37th 10th. Fort Smith 30th.
 Dorchester 37th 10th. Hingham 6th. Woadford 15th.
- 748. Ordered that there shall be 12 men sent weekly to work at the fort at Castle Land by
 the proportion of Weymouth Boston New Towne Watacton and Weymouth that
 it to say two out of each town who shall be paid out of the treasury.
- 749. Further it is ordered that the general court to be holden in May next for election of Magis-
 trates et shall be holden at Boston and that the towns of Ipswich Newberry Salem Saugub
 Weymouth and Hingham shall have liberty to stay so many of their freemen at home
 for the safety of their towns as they judge needfull and that the said freemen that are
 appointed by the court to stay at home shall have liberty for this court to send their
 votes by Proxy.
- 750. Also it is agreed that all other towns that are under shall send ten of their members
 out of their towns to the said court completely armed with muskets swords pikes et.
- 751. Further ordered that no person shall buy any commodities of any ship or till the master
 of the said vessel hath given an invoice of all the commodities he hath to sell to the
 or deputy Governor ~~or some other person~~ for the time being and that
 none shall buy any provision of victuals till the Governor or deputy Governor or some
 two of the other Magistrates have given liberty to some person to buy, this order to
 continue for the space of some months next ensuing.
- 752. Also it is ordered that no person whatsoever shall buy any provisions of victuals to sell
 againe or to carry out of this jurisdiction of any ship or other vessel that shall come
 into the bay till further leave be given by the major parte of the Magistrates of
 Boston and Weymouth under paine of imprisonment and the court shall be intromitted
 to inflict.
- 753. For explanation of an order made at the generall court in May 1634. it is ordered
 that hereafter all men shall be rated in all rates for their whole ability unless they
 are exempt.
- 754. Agreed that New Towne bonds shall run 8. myles into the country from their meeting
 house.
- 755. Ensigne Gernison in Dampf and in North Exeter are deputed to set out the bounds
 of the New Plantation above Charles River against all other towns that joyne upon it
 and each town is permitted to send one of their members to accompany them, also
 they are to view the meadowe about the blowe hills and to informe the next generall
 court to what towns it may most conveniently be layd.
- 756. Further ordered this present court that the generall court to be holden in May next
 for election of Magistrates and so from time to time as occasion shall require shall elect a
 certaine number of Magistrates for terme of their lives as a standing court not to be
 removed but upon conviction of crime insufficiency or for some other weighty cause the
 Governor for the time being to be always president of this court and to have full
 further power out of court and the generall courts shall from time to time in due time
 be intromitted.
- 757. Ordered that there shall be a plantation settled at Wampanoag and that Mr. Dimmock
 and John Exeter shall have power to procure men to build a house forthwith in some

Castle Land by

Weymouth

Proxie

flowers

Shipped commodities

continuance

Victuals

rated

Newtowne bonds 265.

Bonds of a new 266.

Plantation.

Standing court. 267.

Wd: 6-470

Wampanoag. 268.

townment place and what money they lay out about it shall be repaid them againe out of the Treasuries or by those that come to inhabit there.

269. Magnificat. Planters. Ordered that the maior parte of the Magnificat shall have power from time to time to dispose of the sitting downe of men in any new plantation and that none shall goe without leave from them.

270. Waterhouse. Ordered that the bound of Waterhouse shall run 8. myles into the Countrey from their meeting house within the hundred already sett out and it is agreed that Sir Richard Saltonstall shall have one hundred acres of the meadows to be sett out respectively by John Pratt & William Deane.

271. Salem & Ipswich. It is referred to John Humphrey Esq. and Captaine Turner to sett out the bound betwixt Salem and Ipswich and betwixt Ipswich and Newbury before this summer next and also to view and informe the next generall Court if there may not be another way to conveniently sett betwixt them, and it is agreed that the bound of the said Townes shall run 8. myles a peece into the Countrey.

272. Fortsbury of Dorchester. And by the consent of the Councill of Dorchester and Fortsbury it is referred to Captaine Clarke and Mr Palmer and William Deane or any two of them to sett out the bound betwixt Fortsbury of Dorchester wch they are appointed to doe before this summer next.

Shawshin. The Honorable Deputy Governor and John Winthrop Esq. or any two of them are authorized to view Shawshin and so to informe the next generall Court whether or no it may be a fitt place for a plantation.

273. Concord. It is agreed that the Immunity of Concord for three yeares shall begin the first of October next and that none shall have benefit thereof but those that live there and wch respect only to the stocks they have there.

274. Dudmanis. The order that restrained Dudmanis to a certaine place for dyett is now repealed. Ordered that there shall be 10. given to the inhabitants of Fortsbury out of the Treasuries towards the maintenance of Lieutenant Howard.

275. Gradocke lands. Ordered that the lands formerly granted to Mr Nathow Gradocke merchant shall extend a myle into the Countrey from the River side in all places.

276. Charles Towne. Ordered that Charles Towne bound shall run 8. myles into the Countrey from their meeting house if no other bound intercompt respecting the propriety of the same granted to John Winthrop Esq. Mr Howell Mr Gradocke and Mr Wilton to the owners thereof as also free ingress egress for the servants & cattell of the said gent and common for their cattell on the barthe of Mr Gradocke's farme.

277. Rates. Agreed that hereafter all men that live within this Jurisdiction shall be rated on in the places where they live to all publick rates and those that live out of this Jurisdiction shall have their goods stocks of land rated in the place where they are in being.

278. Houses built wch the Townes leave demolish. Ordered that such as build houses in any Towne libertie prejudicial to the Towne next shall have power from the Towne the inhabitants of the Towne shall have power to demolish the said houses and remove the persons.

Commission military. Another ordered that the Commission for military discipline shall continue to the end of the next generall Court and that they shall have power to take such monies out of the Treasuries as they judge needfull for the present occasion and in the case of Mr Pierce who is dismissed Henry Deane Esq. is chosen.

279. Mill. Ordered that no miller shall take above the 16th parte of the tyme he grinds and that every miller shall have allwayes ready in his mill weights of steales provided at his owne charge.

280. Gathering of money. It was assumed it hath bin found by sad experience that many troubles and disturbances hath happened both to the Shire and civill State by the diffirent members of some shires which have bin gathered within the limits of this Jurisdiction in an undue manner and not wch they published approbation as were meet; It is therefore ordered that all persons are

to take notice that this court doth not now will hereafter approve of any surrey companies of men as shall hereafter come in any pretended way of surrey fellowship without they shall first acquaint the magistrates and the greater part of the jury in this jurisdiction with their intentions and have their approbation given: And further it is ordered that no person being a member of any surrey will hereafter be gathered without the approbation of the magistrates and the greater part of the said jury shall be admitted to the freedom of this Commonwealth.

773. And further it is ordered that there shall be four courts kept every quarter 1. At Ipswich to wit Newbery shall be kept 2. At Salem to wit August shall be kept 3. At Boston to wit the Court of the Admiralty and the Court of the Common Pleas shall be kept 4. At Boston to wit the Court of the Admiralty and the Court of the Common Pleas shall be kept by the magistrates and shall be dwelling in or near the said towns and by the said magistrates shall be appointed by the general court so as no court shall be kept where there is no magistrat at the least and that none of the magistrates be excluded who can and will intend the same, not the general court shall appoint any of the magistrates specially belonging to either of the said courts and no person shall be chosen by the general court out of a greater number of persons at the general court shall nominate to them so as there may be in either of the said courts so many as with the magistrates may make five in all. The said courts shall try all civil causes whereof the debt and damages shall not exceed 20^l. And all criminal causes not concerning life member or banishment. And if any person shall find himself grieved with the sentence of any of the said courts he may challenge to the next great quarter court provided that he put in sufficient caution to present his appeals with effect and to abide the sentence of the magistrates in the said great quarter court who shall see that all surrey that shall bring any appeals without just cause be exemplarily punished.

Inferior Courts. 4. 281. Their severall jurisdictions.

Every court hath judges.

Whosoever is a magistrat at the least.

* d. 290.

Their power.

Appeals to the Quarter courts.

774. There shall be four great quarter courts kept yearly at Boston by the Governor or the most of the magistrates the first the first Tuesday in the month of June, the second the first Tuesday in September, the third the first Tuesday in December, the fourth the first Tuesday in the first month called March. The inferior courts shall be kept the first the last Tuesday in June and the rest the last Tuesday in every of the said months.

Quarter courts 4. 281 times of all.

775. All actions shall be tried at that court to wit the defendant belonged. §. 297

Trials where. 282.

776. All offenders who shall be in the prison at Boston at the time of any court there holden shall be tried at that court except in the warrant of his commitment he be referred to the great quarter court, and it shall be lawful for the Governor or Deputy Governor or any two magistrates upon special and urgent occasion to appoint courts to be kept upon other days then in this order are appointed.

And when besides. And on omission-officer.

And whereas the most weighty affairs of this body are now by this present order and other former made brought into surrey a way or method as there will not presently be made of so many general courts to be kept as formerly. It is therefore ordered that there shall be hereafter only two general courts kept in a year viz that in the first month called May for elections and other affairs and the other the first Wednesday in October for making laws and other publick occasions of the Commonwealth. Provided that the Governor may upon urgent occasion call a general court at any other time besides the two courts before mentioned and whereas it may fall out in some of these general courts to be holden by the magistrates and Deputyes there may arise some difference of judgment in doubtful cases, It is therefore ordered that no lawe order or sentence shall

General courts. 283.

Two yearly in May & Oct.

And on omission made.

Negative voice. §. 292.

Book of the Major
partes. Magistrates.
Deputees.
Committee.
Magistrates.

passed an act of the Court without the consent of the greater parte of the Magistrates on the
one parte and the greater number of the Deputees on the other parte, and for want of surety
around the cause or order shall be suspended, and if either party think it so materiall they shall
be forthwith a committee chosen by the one halfe by the Magistrates and the other halfe by the De-
putees and the committee so chosen to elect an Umpire who together shall have power to
heare and determine the cause in question.

A Commission granted to severall persons to govern the people at Comertrot
for the space of a year now next comming an exemplification whereof
ensueth.

284. Comertrot
Commission.

Whereas upon some reason and grounds there are to remove from this our Commonwealth
and County of the Magistrates in America divers of our loving friends freemen
freemen and members of New Dorset Dorchester Waterton and other places who are re-
solved to transplant themselves and their estates into the River of Comertrot here
to reside and inhabit and to that end divers are here already and divers others
about to do so, and in this present Court assembled on the behalf of our said Mem-
bers and John Wintrop Junr. Sr. Governor appointed by certain noble personages
and men of quality interested in the said River who are not in England on their
behalf have had a serious consideration thereof and think it meete that where there
are a people to sit downe to inhabit here will followe upon occasion some cause
of difference as also divers misdemeanors which will require a speedy redress and in-
regard of the distance of place this state and government cannot take notice of the
same as to apply timely remedies or to dispense equall justice to them and their
affayres as may be desired and in regard the said noble personages and men of
quality have sometimes inwards themselves and their estates in the said River
said river and by vertue of a Patent doe require Jurisdiction of the said place
and people and neither the mindes of the said personages (they being writ to and
ad not knowe nor any manner of government is not agreed on and there being a
necessity as aforesaid that some present government may be observed we therefore
think meete and see order that Roger Ludlowe Esq. William Pimpon Esq.
John Skole William Cairne Henry Smith William Phelps William Nest-
wood Andrew Warder or the greater parte of them shall have full power and authority
to heare and determine in a judiciall way by witnesses upon oaths examine within the
said plantation all those differences which may arise between party and party as also upon
misdemeanors to inflict corporall punishment or imprisonment to fine and levy the same if
occasion so require to make and decree such orders for the present that may be for the
peaceable and quiet ordering the affayres of the said plantation both in trading plan-
ting building of the military discipline defensive warre if need so require as shall best
conduce to the publicke good of the same And that the said Roger Ludlowe William
Pimpon John Skole William Cairne Henry Smith William Phelps William Nest-
wood Andrew Warder or the greater parte of them shall have power under the great
seal of this Colony at a day or days by them appointed upon conveni-
ent notice to convene the said Inhabitants of the said County to any convenient
place that they shall think meete in a legal and open manner by way of Court
to proceede in executing the power and authority aforesaid and in case of present
necessity to call them joyning together to inflict corporall punishment upon any
offender if they see good and warrantable grounds so to doe Provided always
that this Commission shall not extend any longer time then one whole year
from the date hereof, And in the mean time it shall be lawfull for this

It com to us the said presents if they see cause and if so be there may be a mutual and settled government undisturbed into his and wife the goods liking and consent of the said noble personages or their chieft the inhabitants and his commonwealths provided also that this may not be any prejudice to the interest of the said noble personages in the said river and confined thereof within their severall limits.

At the Court holden at Newtowne the 5th of April 1636. present,

- The Governour. Mr. Dimsen.
- Deputy Governour. Mr. Howell.
- The Admirall. Mr. Hough.
- Mr. Dudley. Mr. Sumner.
- Mr. Treasurer. Mr. Bradshawe.

779. Upon the appearance of Nicholas Frost at this Court and his petition just cause being shown that he was deteyned from the last Court the said Nicholas Frost Henry Fossethym and John Pitman are discharged of their recognizance of 5^l and the said Nicholas Frost hath bound himself in 20^l to appear at any Court hereafter upon summons to answer to such things as shall be objected against him.

780. Ordered that William Shephard servant to William Sumner shall be whipt for stealing. Shephard whipt. virtually from his master and banish from the jurisdiction.

781. Ordered that William Perkins shall for default made and other misdemeanors by him committed stand at the next generall Court one hour in publick view with a white sheet of paper on his breast having a great D made upon it and shall attend the pleasure of the Court till he be dismissed.

782. Ordered that George Hopp shall be severally whipt before this present Court and againe after some convenient time at Salem at some publick meeting there for striking his master Mr. Barford throwing him downe and spinning him with his feete being downe and the Court hath ordered John Andrott Esqr to see his correction given.

783. Ordered that William Baker shall be whipt for stealing Bacon & eggs out from Halse. Baker whipt. & whipped.

At the generall Court holden at Newtowne March 3. 1635.

784. Wherein was declared that the Governour shall have many things with touching only the blood and the ordering of their owne affaires and disposing of businesses in their owne owne Court. Therefore ordered that the freemen of every Towne or the major parte of them shall not have power to dispose of their owne lands and woods with all the privileges and appurtenances of the said Towne so grant votes and make such orders as may touch the well ordering of their owne Towne not repugnant to the Lawes and orders here established by the generall Court and also to lay imposts and exactions for the benefit of the Towne and to take and distraine the same not exceeding the summe of 100^l the year for their owne particular Offices as Constables Jurors for the highways and for the like other lawfull matters business is like to rise to the Constables of every Towne by reason they are to make distresses and gather fines. Therefore that every Towne shall have two Constables where there is need that no their Office may not be a burden upon them and they may attend upon the discharge of their Office for what they shall be liable to give their accounts to this Court when they shall be called thereunto.

The 25th of the second month. 1636.

785. Wherein was declared that the Governour being appointed by the generall Court to sit out the bounds of the New Towne upon Charles River doe agree that the bounds of the Towne shall run from the market tree by Charles River on the North west side of Roxbury bounds and myse.

and halfe a lortycast and from thence thre myles Northwest and so from thence to the
Southwest and on the Southwest side Charles river from the Southeast side of Fox
bounds to the fourth mile on a South west line according to the proportion of the
persons granted by speciall order of Court. William Spentor, Nicolad Danforth,
William Jamison.

The vijth of the month of June Anno 1636.

Dorchester & Boston
bounds.

Whereunto named are here underwritten being appointed by the generall Court to view the
meadow ground by Haxonsott river near the blow hills and returne into the next Court
what it is and what belongs to the towne of Boston and what to the towne of
Dorchester and the meadow on the
East side of the river may be best to Dorchester and the meadow on the East
side to that parte of Mount Wollaston wch now belonged to Boston provided no man
provided no mand propriety granted by speciall order of Court hinder the same. The
Court according to the order of the Court. William Spentor, Nicolad Danforth,
William Jamison.

Worsham bounds.

It is ordered that all the west of the ground lying betwixt do. Chester bounds and Boston bounds
shall belong to the Towne of Worsham, Eastward of Charles river & except the propriety of the
aforesaid Towne whiche they have granted of particular persons. Worsham not to extend
above eight myles in length from their meeting house.

The generall Court holden at Boston May 25. 1636. present,

- | | |
|--------------------|---------------------|
| The Governour. | Mr. T. Wainwright. |
| Deputy Governour. | Mr. Henge. |
| Mr. Wainwright. | Mr. Rowell. |
| Mr. Dudley. | Mr. Dummer. |
| Mr. Humphrey. | Mr. Bradstreet. |
| Mr. Benson. | George Hull. |
| Mr. Sibon. | William Bayland. |
| Salfe Woulfe. | George Wmolt. |
| Mr. Clarke. | Mr. Saltonstall. |
| John Jamison. | Mr. Daniel Jamison. |
| William Parke. | John Perkins. |
| Mr. Chaplaine. | Mr. John Spentor. |
| Mr. George Cooke. | Captaine Cramer. |
| Mr. T. Iron. | Lieutenant Howe. |
| Mr. H. Johnson. | John Wyham. |
| Mr. Coggeshall. | John Wmstley. |
| Mr. Brenton. | Captaine Craske. |
| Lieutenant ffelke. | Mr. Bishop. |
| Ensigne Jamison. | Mr. Blacke. |
| William Swaine. | Joseph Andrews. |

Nicolad Baker.

Governour.

Henry Wane Esq. was chosen Governour for this years next ensuing and till a new be-
chosen and did take an oath to his place belonging in the presence of the Court.

Deputy Governour.

John Wainwright Esq. was chosen and sworn Deputy Governour for this years next
ensuing and till a new be chosen.

Assistants.

John Huggins, Thomas Dudley, John Humphrey, William Goddington, Thomas
Wainwright, John Wainwright, John Wainwright, John Wainwright, John Wainwright,
William Jamison and Roger Charlakenden Esq. were chosen Assistants for this years next ensuing
till a new be chosen and did all take an oath to their place belonging (except Mr. Jamison
and John Wainwright) who were absent.

- 791. John Smith was chosen to be one of the standing committee for the term of his life. In like manner Thomas Dudley was chosen to be one of the standing committee for the term of his life. Standing committee. 286.
287.
- 792. The committee of the court for the year 1630 were appointed to be the same as the year before. The committee of the court.
- 793. The committee of the court are appointed to journey with the speaker and the justices to take a present account of the state of the court and to return what they have done to the court within one month. The committee of the court.
- 794. Inasmuch as it is ordered that the court of the last general court that prohibited buying of commodities of the Indies shall be repealed. Egyptian commodities. Rep.
- 795. The court of the last general court Thomas Dudley John Haynes Richard Bellingham and others are appointed to make a draught of laws agreeable to the word of God and the fundamentals of the commonwealth and to present the same to the next general court and it is ordered that in the meantime the magistrates and their assistants shall continue in the court to hear and determine all causes according to the laws now established and if there is no law then as much as may be and as they can for all business that shall come before them is no certain rule yet set downe by the court of the last general court or by any two of them shall take order by their best discretion that they may be able to do according to the rule of God's word and to take care for all military affairs till the next general court. Laws. 288.
- 796. Mr Israel Stoughton by order of court is restored to his former liberties and made capable of bearing any office in the commonwealth as if he had never been banished. Mr Stoughton.
- 797. The names of the magistrates and other gentlemen are appointed to keep the courts in the following manner. For the first court Mr John Winthrop and Mr Andrew Johnson. For the second court Mr Richard Bellingham and Mr John Haynes. For the third court Mr Thomas Dudley and Mr John Winthrop. For the fourth court Mr Richard Bellingham and Mr John Haynes. For the fifth court Mr Thomas Dudley and Mr John Winthrop. For the sixth court Mr Richard Bellingham and Mr John Haynes. For the seventh court Mr Thomas Dudley and Mr John Winthrop. For the eighth court Mr Richard Bellingham and Mr John Haynes. The courts. 289.
- 798. Ordered also that in the absence of one or two of the court being necessary to any of these extraordinary courts the court shall be kept by any three of them provided there be one magistrate amongst them. The court of the extraordinary courts.
- 799. Inasmuch as it is ordered that in all the aforesaid places of jurisdiction the laws of the King's Majesty shall be observed so soon as they can be had. Laws of the King's Majesty. 290.
- 800. The names of the persons appointed for the year next ensuing and till a new be chosen. The names of the persons appointed.

A Quarter Court hold at Boston the 7th of the fourth month 1636.

present,

- The Governour. Mr Roger Hurlatendon.
- Deputy Governour. Mr Richard Dummer.
- Mr Thomas Dudley. Mr Francis Howell.
- Mr Richard Bellingham. Mr John Symonds.
- Mr John Haynes. Mr John Endicott.
- Mr William Goddington.

Toby.

John Tobson for murther and bound himself to answer for 80l. towards Toby any damage not exceeding 10^l.

Edward Wendall.

Edward Wendall was fined 40^l. to the Company and 10^l to the Scurvy and to returne to prison till he acknowledge the justice of the Court and pay his fine. He after acknowledged his sin payd his fine and was discharged.

John Widdlake.

John Widdlake with William Baynston and Timothy Nidalos were censured to be waight for shewd 803. a poore for drunkennes.

John Phillips.

John Phillips was taken to the stocks for taking his oath to that place belonging. 804.

Richard Maberly.

Mr Maberly payd the Governour 40^l. went for Rodded Island. 805.

Thomas Miller.

Thomas Miller Pilot and Mate to the ship was taken for certain seditions and opprobrious speeches saying we are all rebels and sayd a great deal to justify it to the Governour's face and that he had bin twice at the Gonsell Table and would goe againe and doubted not but to bring some to stowage and.

A Quarter Court kept at Boston the 6th day of the 4th month 1636.

present,

- The Governour. Mr John Northrop Junr.
- Deputy Governour. Mr Roger Hurlatendon.
- Mr John Haynes. Mr Thomas Dudley.
- Mr Richard Bellingham. Mr John Symonds.
- Mr William Goddington. Mr Richard Dummer.
- Mr William Phipps. Mr Simon Bradstreet.
- Mr Francis Howell.

John Chibber.

It was ordered that John Chibber and Robert Warten should be waight for 100^l. for their and bring a plott of the same.

James Gorton.

James Gorton and Joane Gorton were fined for furnishing but no clause given. 806.

Robert Stone.

Robert Stone was fined for striking by the blood of Gods name and to have his tongue cut out into a tloft stick and to stand so by the space of halfe an houre.

John Dillingham.

It was ordered that Mr Dudley Mr Endicott and Mr Bradstreet or any two of them should examine the accounts between Mr Francis Saltonstall and Edward Dillingham and reports to the Court how they find the estate of John Dillingham and his wife deceased. 810.

William Phipps.

Ordered that Mr Phipps Mr Bradstreet and Mr Francis Howell or any two of them should examine the business to concerning Mr Bradstreet's estate and debts and Mr Phipps and Mr Wrayhouse to gather up the debts and estate and to be accountable to the Court. 811.

John Widdlake.

John Widdlake being bound upon recognizance forfeited 10^l. 812.

Peter Singatar.

Peter Singatar was censured for murthering to be waight and had 20. shippes payd inflicted and fined 5^l. for striking the waighted or what they would say saying they to be but fine him. 813.

Edward Woodley.

Edward Woodley for attempting a Rape swearing and breaking into a house was censured to be waight 30. shippes and to be waighted out and kept to hard labour, to be waighted and to receive a tollar of wain. 814.

215. Elizabeth wife of Thomas Chappin was punished to stand with her face in the stocks for swearing cursing and lying.

All the generall Court holden at Boston September. 8th. 1636.

Mr. Gorton.	Mr. Giddings.
Mr. Dummer.	Mr. Johnson.
Mr. Dudley.	Mr. Dimmer.
Mr. Haynes.	Mr. Hurlakenden.
Mr. Hollingsham.	Mr. Bradstreet.
Mr. Winthrop.	Mr. Inwards Howell.

Mr. Spenser.	Mr. Danforth.
Mr. Woodman.	Mr. Hilditch.
Mr. Higginson.	Mr. Hutton.
Mr. Bourne.	Mr. Young.
Mr. Cusack.	Mr. Buxton.
Mr. Bishop.	Mr. Goyesfall.
Mr. Seargeant.	Mr. Harte.
Tenant Howe.	Mr. Hinson.
Mr. Combridge.	Mr. Hilditch.
Mr. Hilditch.	Mr. Durrant.
Thomas Hilditch.	George Hilditch.
Stewart Sprague.	Higginson.
Mr. Hilditch.	William Smith.
Mr. Spenser.	Mr. Hilditch.

Joseph Andrews.

216. It was ordered that hereafter now townes in the plantation that have not 10. freemen Deputyes. how many. 291. resident in it shall send any Deputyes to the generall Court, those that have above 10. and under 20. not above one, and 40. not above two, and those that have above 40. three if they will but not above.

217. Whereas the inhabitants of Concord are composed to abate the fallow in the River upon the Concord. 292. from the owners of the said lands, they have now sent down ad shall hereafter plant above the River upon the said River shall not be benefited by reason of their charge and labour. It is therefore ordered that such owners or farmers ad planters abate from the said contribution to the inhabitants of Concord proportionable both to their charge and labour and according to the benefit that the said lands or farms shall receive by the draining of their meadows.

218. Whereas Thomas Willard having given out most false and reproachfull speeches against Willards submission. His Majesty's most humble and faithful subjects dwelling in the Massachusetts Bay in America saying that they never saw nor heard nor believed of such a confession and so do desire it may be removed it did proceed from the ignorance and mistake of my own brain without any just ground or cause so to speak or speak of our worth and sinfull carriage being called in question & do justly stand committed, they humbly request that you give my free and voluntary confession of my grosse fault & do desire that you do order and direct the assistants to accept of this my humble submission and to pass by my fault and dismiss me from further trouble and give my free and voluntary confession & subscribe with my hands this 9th of June. 1636. Thomas Willard.

219. Whereas the owners of Weymouth had sent 3. Deputyes to the Court being a very small number at the request of the said Deputyes two of them were dismissed by the Court with Mr. Hilditch of John Weymouth.

125

293. Hated. Constables.
Constables.

It is ordered that if any Constable shall neglect to pay in money to the Treasurer ad his 220
warrant shall direct for punishment etc. one month after the receipt hereof or returning
an answer ad of all such satisfaction to the Treasurer it shall be lawful for the Treasurer to
appoint the Marshall to levy the rate upon the Constables goods together with some other charged
ad shall be considered herof.

294. Juicial.
Juicial.
Juicial.

Ordered that the Constable or any two of them shall have power to let to the farmer 221
all tithing etc. the land for common beaver or any other furred to sing persons ad they
shall make water for the same of the year and a fourth part to be paid to the
Treasurer ad in their distributions they judge equal. And it is agreed that after the letting of the
said lands no man shall be permitted to sell any person what so ever of his furred
except the farmer shall trade with any person either directly or indirectly for any of the same
articles before mentioned under the penalty of 10. a pound for furred and ad more for every
of waipcom. Provided and it is the meaning of this order that any person may sell waipcom or
furred to the Juicial for any commodities they want.

295. Juicial.

Ordered that the Juicial and Escheator in the County are to be committed to examine the
titles of all persons ad the tithing owed money into ad also to make inquiry after
persons ad also owing to the Juicial ad to make reports to the next Court what they
have done hereof. To this order is added the nomination of the Clerks of the Marshall
and Mr. Wenton.

296. Juicial.
Juicial.

Ordered that Mr. Sampson shall have 10. allowed him for his services for the public in the
County of Juicial for this year last past, and Mr. Sampson is to be paid of the
maine and other immission and it is ordered to the next Court to be paid of a
month waipcom for him.

297. Juicial.

Ordered that the land of land granted to John de la Haye upon the Island to enjoy to
him and his heirs forever.

298. Juicial.
Juicial.

Ordered that William Clements, Daniel Hyllye and Martha Buttery shall enjoy their
houses and lands on the south side of the river without disturbance till they do
receive satisfaction for them from the inhabitants of New Towne.

299. Juicial.
Juicial.

Ordered that the plantation is to be planted above the Hall of the river shall have
the same from public and shall be to be removed from the
front of the river with the name of the plantation is to be called Dedham to enjoy all
that land on the south side and the north side of the river not formerly granted to
any Towne or particular persons and also to have five myles square on the other side
of the river.

300. Juicial.
Juicial.

Mr. Damforth and Mr. Allcott and Mr. Willan are appointed to measure and set out the bounds of
the plantation and survey the same and lay down to the use of the plantation.

301. Juicial.
Juicial.

Mr. Clifpinnell is appointed to view the bounds of the plantation with New Town on both
sides the river to make a survey thereof with the assistance of the water of the
ground in both Townes and to make returne thereof at the next Sessions of the Court.

1200. Juicial.

Ordered that the sum of 1200. be paid out of the several plantations halfe to
be paid at three months and the other at the time that shall be agreed appointed at the next
Sessions of the Court, and it is agreed that messengers shall pass for payment
in this rate at 5. the myle to be so delivered at the appointment of the
Treasurer to be called for when the Treasurer please. And it is ordered that the sum of
1000. shall be paid to him in money or the sum of 1000. in the County of Juicial
John Johnson of Gosport, George Willett of Caltonhall, George Willett of Caltonhall, Timothy
and others of the County of Juicial. And it is ordered that the said gentlemen or the greater parte
of them be appointed and power granted to them to inquire the last rates of
the County in the plantation and to find out the same and by all other means to be taken

to the best of their discretion the true value of every Town and so to make an equal rate for the first 600th now granted to be levied and they are enjoined to meete and determine the same upon the 20th day of the present month under the seal of the Court a week before meeting to be at Boston the returns to be made to the Court.

330. For explanation of an order of Court March 18. 1634. against the buying of Tobacco. It is agreed that it shall be lawfull for any person to buy or sell any Tobacco bought or sold and shall be transported to other parts out of this jurisdiction without incurring of any penalty. Tobacco. 297.

331. William Parker and Abraham Fisher are deputed to view the bounds of land in different parts of Boston and Dorchester and to make reports thereof to the next Session of this Court. Boston & Dorchester 298. bounds.

332. Mr Timothy Comlynd is licensed to keep a house of entertainment at Cambridge. Thomas Woodbridge is licensed to keep a house of entertainment at New Towne. Cambridge 299. New Towne 300.

333. It is ordered that the order of Court against building of dwelling houses above half a mile from the meeting house shall extend to all the Townes in this jurisdiction. Meeting houses in 201. Townes.

334. Mr John Wood and Mr John Wood being deputed to peruse the Account of Richard Simpson did returne to this Court that they found him indebted to the Court in the summe of forty four pounds eight shillings and foure pence. Richard Simpson's debt to the Court. 44^l 8^s 4^d.

335. Isaac the Indian of Naticke being imprisoned was rewarded a shilling for his service and was adjudged to be sent to the place where he was a slave to worke for life. Isaac the Indian.

336. The difference upon the dispute was referred to the Court to be settled. Disputes.

337. The difference betwixt Boston and Weymouth at Wrentham was referred to the Court to be settled. Boston & Weymouth.

338. Mr Edward Edwards had 20th yielded towards the loss of the right and that the right was restored the Court allowed him 12th of that 20th towards his charge and hindrance. Edward Edwards.

339. Lieutenant Morris is to have yielded him yearly by the Towne of Northbury 10th so long as he liveth at the place where he is deputed to be. Lieutenant Morris. 302.

340. Lieutenant Ribbons had yielded him 10th for the several employments which he had performed in being a nother besides the danger. Lieutenant Ribbons.

341. John Thompson had yielded him forty shillings for his panned and danger undergone. John Thompson.

342. Mr Collingham Mr Gordon Mr Smith Mr Hutchinson Mr Stanton Mr Salter Mr Hall being absent at 9. of the Court were fined at 5th a piece. It was ordered that the last 600th shall be levied this and the first of the next monthes called for as the Court shall appoint. Absent fined. Levy.

343. Upon a general Complaint of the great damage which is done by swine in the Towne of Swine. It is now therefore ordered that after the last day of the next meeting if any swine shall be abroad out of any mans yard or other inclosure or out of some place except some place in restraint by some line or other means such swine shall be accounted as wild swine and it shall be lawfull for any man to take them either alive or dead or as he may. And for the better Swine. 303.

Execution of his Lawe shal be tyed yearly in every Towne some one discrete person who shall sell the hogwade who shall have power to seize on all swine and to take account of all swine swine shall be seized by any other and every swine so seized upon shall be valued by two neighbours and sold and the money arising thereof shall be divided one halfe to the Towne and the other halfe to the owner and out of which the Towne shall allowe the hogwade the tenth parte of every swine and he shall give notice to the Towne to have him seized upon by any other person and the owner of any swine who shall seize himselfe and that after the said day all former Lawes against swine shall be void and that a copy of this order shall be sett in every meeting house.

M^r William Goddington who was C^lerk for the two yeares last past presented his Bill amount and the same being examined was allowed the following sum 14^l 6^s.

M^r Goddingtons.
Account as aforesaid.

M^r Brentons Account.

M^r Brentons Account was also accepted and the money due by him was remitted. 345.

M^r Hartlandons
M^r Daltonstall and
M^r Wrayshere being absent till after 9. of the 10th of the month were fined at 5^l for their absence.

M^r Hartlandon M^r Daltonstall and M^r Wrayshere being absent till after 9. of the 10th of the month were fined at 5^l for their absence.

M^r Secretarys fees of
writs.

The Secretarys fees for writs of Habeas Corpus was to have his writs writs and to be free of writs 847 hereafter.

304. M^r Hewson
Hewson presented a book of the Records under the hands of M^r William Andrewes M^r Thomas John Benjamin and M^r William Baxter.

Hewson presented a book of the Records under the hands of M^r William Andrewes M^r Thomas John Benjamin and M^r William Baxter.

Bill in the
M^r Robert Bills who deceased about the 15th of the 10th month 1635. 849.

The inventory of Robert Bills who deceased about the 15th of the 10th month 1635. 849. in the house of Edward Farrington of Sparletowne in whose hands his estate was left mosthly.

M^r Thomas Wrayshere was fined 10^l for absence being called.

M^r Thomas Wrayshere was fined 10^l for absence being called. 850.

M^r Thomas Wrayshere was granted to have his ship and with his stock made up 851.

The order for Thomas Wrayshere to have his ship and with his stock made up 851.

M^r Thomas Wrayshere was granted to have his ship and with his stock made up 852.

The order for Thomas Wrayshere to have his ship and with his stock made up 852.

M^r John Sampson is granted to have 30^l for his own and his m^{rs} payed herein.

M^r John Sampson is granted to have 30^l for his own and his m^{rs} payed herein. 853.

M^r Benjamin Jackson was enjoined to send away Robert Starlett for his m^{rs} and since having hope of amendment he is admitted to stay.

M^r Benjamin Jackson was enjoined to send away Robert Starlett for his m^{rs} and since having hope of amendment he is admitted to stay. 854.

M^r George Humming is granted 5^l in regard of the loss of his eye in the voyage to Block Island.

M^r George Humming is granted 5^l in regard of the loss of his eye in the voyage to Block Island. 855.

M^r Gutter in regard of his long sickness and lameness and weakness he is granted 35^l of Sparletowne was wished to see him and afford him help as is needfull and being in their bills and the C^lerk to pay the same.

M^r Gutter in regard of his long sickness and lameness and weakness he is granted 35^l of Sparletowne was wished to see him and afford him help as is needfull and being in their bills and the C^lerk to pay the same. 856.

305. Lobells Island by their own Townesmen or hinder not offered.

Lobells Island is granted to Sparletowne provided they employ it for fishing 857.

306. Bone Lane.

That no person after one month shall make or sell any bone lane or other lane to be used upon any garment or linnen upon paine of 5^l for every yard of such lane so made or sold or sett in writinge shall any daye sell any lane upon any garment upon paine of 10^l for every effence provided that bidding or selling bone lane may be used upon garments or linnen.

M^r Gutter is granted 35^l for his long sickness and lameness and weakness.

307. M^r Gutter is granted 35^l for his long sickness and lameness and weakness.

It is ordered that the freemen of Sparletowne shall from time to time ad occasion shall require agree amongst themselves about the rates and wages of all workmen labourers and servants wages and every person inhabiting in any Towne whether workmen labourer or servant shall be bound to the same rates and wages for the year next shall binde themselves unto and no person shall be permitted by the discretion of the Court according to the quality and measure of the

offence. And if any Towne shall have cause of complaint against the officers
of any other Towne for allowing greater rates or wages themselves the Quarter
Court at Boston or the Governor and Council shall from time to time settle
therein.

360. The Commission for military affairs is committed to the sitting Justice William Goussell Military. 308.
Court in May next and so forth until the general Court shall take further order.

361. That at the next quarter Court Nicholas Simpkins be summoned to give satisfi- Simpkins.
faction for his misdoings.

362. That the charge of the Dependants of the Towne be borne by the Towne with the Dependant Dyet. 309.
some from to ease the publicke.

363. The Court agreed to give 400^l towards a school or schoolhouse whereof 200^l to be Colledge.
paid the next year and 200^l when the work is finished and the next Court to
appoint where and what buildings the first of this work are made to be given to the
Mummings who lost his eye in the former service and his to be added to the
given before. Mummings.

364. James Aspell, Rowell, Dunne and Spence being deputed to receive and examine debts to the 310.
all accounts what any did owe to the Country and what was owing to any from the
Country did returne what they had done.

Quarter Court holden at Boston the 6th day of the 10th
moneth 1636. present,

- | | |
|-------------------|------------------|
| The Governor. | Mr Endicott. |
| Deputy Governor. | Mr Goddington. |
| Mr Thomas Dudley. | Mr Dimme. |
| Mr Haynes. | Mr Winthrop. |
| Mr Dillingham. | Mr Bradstreet. |
| Mr Humphrey. | Mr James Aspell. |

365. The same order was renewed with and formerly agreed upon betweene Mr Edward Saltonstall Mr Saltonstall e
Mr Chappleton and Mr Edward Dillingham and the same sent to whom the charge did belong offered referent.
was referred to have power to determine or to report to the Court.

366. William Clarke being convicted of severall offences was sentenced to be severally whipped and - Clarke whipt ex
committed to prison till the ship returns and to be sent home. host.

367. Natham Robinson being convicted of fornication committed by him three times by his own Robinson whipt.
confession was sentenced to be whipped and to have 20. stripes upon his back on the
was also enjoyned to appear at the next quarter Court after the expiration of
his time and the means used to be of good behavior. Bon A. ...

A general Court holden at Boston the 7th day of the 10th month
1636. present.

- | | |
|--------------------------|-------------------------|
| Mr. Thomas Hobart. | Mr. John Endicott. |
| Deputy Hobart. | Mr. William Goddington. |
| Mr. Thomas Dudley. | Mr. Roger Nowlatenden. |
| Mr. John Canning. | Mr. Wadsworth. |
| Mr. Richard Collingsham. | Mr. Simon Bradstreet. |
| John Humphreys. | Francis Rowell. |

Deputies

- | | |
|------------------------|--------------------------|
| Erant Halse Sprague. | Mr. Choungton. |
| Abraham Palmer. | Mr. Hutchings. |
| Mr. Joseph Cooke. | Mr. Hoad. |
| Mr. Nicholas Danforth. | Mr. Kierlan. |
| Mr. Robert Felt. | Guertine Duff. |
| Mr. Jones. | Mr. Stunggs. |
| Simon Dollard. | Mr. Richard Saltonstall. |
| Mr. Goggeshall. | Mr. Demison. |
| Mr. Colbran. | Mr. Spencer. |
| Mr. Branton. | Mr. Dalton. |
| Mr. Udell. | John Johnson vice of |

Francis Hentz.

Hobart's departure
for England.

The said Thomas Hobart doth in this Court on occasion of his assembling at his request 863.
some words lately received out of England by the said Hobart, to the effect of the following
with him as not thinking it fit to express to more publick view his own private affairs
and both by himselfe and them declaring to be of such present and pressing necessity
for his taking a voyage into England with yet he thought not fit to resolve upon -
without the consent and advice of the Court. This Court now taking into consideration
the said proposition and after some debate about such objections as fell in their way, and some
reply taken for answer hereon. The Court after serious advice and consultation declar-
ed that it was necessary to them to have of the said proposition for the departure of the
Hobart whose wisdom, love and faithfulness they had so good experience of and
in a time now especially when there is so great need of such a ruler. Not being not willing
that his affairs should be neglected to the detriment of the planting thereof so it is so necessary to
the planting thereof, doo therefore from the said Hobart give to his own and the rest
of the Court's departure for the said Hobart, in this point, and that he should
assure from himselfe of his second resolution upon the settling of his affairs in England.
This Court would that it did not at his time to give way to his departure
and therefore have not been a time for the discharge of the related of the Hobart
and do by it was with all advice of a general Court shall be taken to the effect
of the said proposition and that in regard of the season it shall be lawful for any of
the freemen to send their votes in writing if they think not fit to come in person.

311. Ballast.

It was ordered that no ballast should be taken from any place without leave from the
Court under the penalty of 6^s for every shovel full unless such shovels as they have
land there before.

Mr. Hutchinson.

Mr. William Hutchinson was desired from assisting at the Court last night at the request 870.
request. The Court is adjourned till the 13th of the month in the afternoon.

Mr. ...

312. Moderate expense.

It is ordered that no person shall buy or receive out
of any ship or any fruit, wine, sugar, or tobacco, or shall pay to the Treasurer

one sixth parte of the value or more thereof and every person who shall buy or receive any
of the said commodities with intent to staye the same to sell shall pay to the Treasurer
one sixth parte of the value or more thereof And for the due execution of this order
the said Officer shall be assisted by the Governor and Council who shall be also sworn to
be faithful who shall be sworn by himselfe to make search in all warehouses or in other
places of storage for discovery of any provisions also to search all vessels within any of
our harbours for discovery and if any person being demanded if he have any of the said
provisions shall deny the same or that quantity thereof under any pretence so im-
posed or persons be not payed to the said Officer or to the Treasurer within one mo-
nth after it is lawfully demanded if he have any of the said provisions it shall be
lawful by warrant from the Treasurer by way of distress with all charges hereby grow-
ing And the said Officer shall have a third parte of all such benefitt and shall come to
the Commonwealth by his substitute sworn.

Impostion
D. 348.

Reg. 1. 12. 1638. 370.

872. It is provided that this order shall not extend to sugar wine and the duties thereunto be a fine
for the Churches publicke use.

Reg. 349.

873. It is provided also that this order for so much as to sundry fruit sugar and spice shall not be in
force till the first of the next month next comming.

874. It is provided also that none of the said commodities with shall be landed here to be sent to
other partes to be included in this order nor shall any of the said commodities pay-
more then one charge they pass through diverse hands.

875. It is ordered that no servant shall be sett free or have any lott untill he have served
out the time contracted under penalty of fine and the Quarter Court shall inflict
unless they see cause to remit the same.

Servants.

313.

876. It is ordered that all Townes shall take care to order and dispose of all single persons
and inmates within their Townes to servants or otherwise and if any be provided at the
order of a Towne they are to have liberty to appeal to the Governor and Council
the Court.

Singls persons.

314.

Imprisoned
Appeals

877. It is ordered that all military men in this Jurisdiction shall be ranked into the regiments
Boston Northampton Dorchester and Plymouth to be one regiment whereof John
Dunster shall be Colonel, and Thomas Dudley shall be Lieutenant Colonel
Essex Worcester and Northampton to be another regiment whereof
John Huggins shall be Colonel and Thomas Dudley shall be Lieutenant Colonel.
Salem and Ipswich of Newbury to be another regiment whereof John Endicott shall
be Colonel and John Dunster shall be Lieutenant Colonel. And the Governor for
the time being shall be General, and every of the said regiments shall make choice
of private men as they shall think most fitt and safe for the service and trust of the Colonell
Colonell and Lieutenant Colonel and present them by their deputies to the next
Session of the Court, and for the Captains and Lieutenants to be observed and
payed off the severall Townes shall make choice of some principall men or two or three
in each Towne and present them to the Council who shall appoint one of them to the
said office in every Towne. And every Regiment shall have one muster-master who shall
have yearly payed out of the Treasurers chest 20 pounds to be payed quarterly to
every of them, the said Muster-masters for the next year shall be John Dabid for
the East Regiment Captaine Underhill for the South Regiment and Francis Dabid for
the North Regiment. The power and employment of all the said Muster-masters
shall from time to time be ordered by the Governor and Council or by the
Council of their own accord as shall be established.

Regiments.

315.

John Dunster

Thomas Dudley

John Huggins

John Endicott

John Dunster

General

Muster

Captains

Lieutenants

Three muster

masters

878. Christopher Dabid and Thomas Robinson be directed for the next year
at the quarter Court to be hold the first Tuesday in March.

Dabid
appearances

Summe.

The execution of the order against swine made the 7. 2 months last past was agreed 879. to be suspended till the first of the first month provided they be ranged or if any be found unranged the former order to stand in force.

General fast.

It was agreed that there should be a general fast the 10th day of the 11th month 880. the 12th day of the week & fasting in a month.

Pequid's warrant.

The Court did intimate the Warrant and command to consider about the prosecution 881. of the warrant against the Pequid and North Island against the next Session of the Court.

Adjournment.

The Court is adjourned till the 1st day of the week again the next quarter Court is 882. to be held the first Wednesday of the first month at Boston.

The 9th day of the first month.

Deputies duty of.

The Order for any Town to bear their own charges & wages was repealed and the 883. former order for the raising of the deputies to be borne by the Country is established.

316. For Clarke's fund voyage.

Resolved to relate that bin made to his Court that disorder of the 10th day 884. was involved to Block Island was not able to bear the loss of so many times as he offered some not willing to bestow their service freely. It is therefore ordered that Sir John Belknap of the Warrant in Boston in the month of the 10th day of the month shall meet at Boston upon the 10th day of the 10th month and shall take notice of the complaints of all persons who were sent forth in the last expedition to Block Island who shall refuse to attend upon any of the 10th day or otherwise to be wholly disbanded and upon due consideration of their condition and service to allow them such accommodations as they shall think equal and also for any special loss or damage sustained by any of them without their own default. And also shall inquire of all such as did any way misbehave themselves and certify the same to the Court and upon a vote under the hands of the said Commissioners or the greater parts of them of any summe allowed to any person who shall refuse to attend upon the said voyage accordingly, which if any shall so refuse to do as they cannot conveniently repair to the said Commissioners they may appoint some other lawfully authorized to demand the same.

317. Justice of the peace.

Dated in the 12th at the 11th

one magistrate

All persons of any trades bands both freemen and others who have taken the oath 885. of freemen or shall take the same and being no freemen shall not be appointed or retained or otherwise employed in the service of the said town but shall be free men: for it is the order of the Court that no person shall hereafter be chosen to any office in the town but shall be a freeman. Any one magistrate may administer the oath.

318. Elections.

Proposed.

in manner.

shall be established upon rolls.

This Court taking into consideration the great damage and damage that may 886. accrue to the State by all the freemen having their plantations to come to the place of election have therefore ordered that it shall be lawful for all freemen to send their votes for elections by proxy the next general Court in May and so forth hereafter which shall be done in this manner. The deputies who shall be chosen shall cause the freemen of their Town to be assembled and then to take their oaths and to subscribe to the same by writing for every plantation and state from us severally of subscribing the names of the names of the freemen and so to bring them to the Court shall be on rolls of the names of the freemen so sent in receipt.

319. Sworn.

That all swine shall be kept up in yards islands or committed to keepers under 887. the penalty of 20 for every swine not so disposed of or found at liberty and that what swine shall be taken in towns or meadows grounds shall be kept in a pen to the best that shall be possible from and the owners of the said swine shall be liable

to treat wth their neighbors at Plymouth about such ayde as they will send wth us and also wth our friends upon Connecticut and shall have power to proceed wth them in the said - treaty as occasion shall require. And they shall make choice of a fitt man to be steward for making and dispensing of provisions who shall have 40th the monies for wages besides dyett. Captaine Crosse shall have the command of all the soldiers and lieutenant - Davenport who shall be allowed the Captaine 6th the monies and the lieutenant 4th the monies And the next Court will take order for such other Commanders or Commanders as they shall thinke fitt to joyne to them.

905. The power of the military Commission is confirmed in the hands of the Governour till further order be taken. Commission military. 327.

A quarterly Court holden at Boston the 7th day of the first month 1636. present,

- The Governour. Mr. Bellingham.
- Deputy Governour. Mr. Goddington.
- Mr. Dudley. Mr. Harlakenden.
- Mr. Haynes. Mr. Humphrey.
- Mr. Howell.

906. The request for imprisonment of Edward Woodley doth prove prejudicial to his Master the Court in the matter shall provide for freedom from future seizure and release of said Woodley to his Master. Woodley released.

907. The use of Captaine Robell being prohibited to the grand Jurors for his outrageous behavior was seriously admonished to repent and walk humbly, chastly and soberly. Mr. Robell seriously admonished.

908. John Howells being accused by Capt. Pitts for 100th George Kanderick and William Howells for a part for want of John Howells appearance. Howells for 100th Howells 100th part.

909. James Gordon was admitted to be free because of his Master his former promise before the Court made against it. Gordon free.

910. It is thought equal that the Town of Salem should repay Robert Howton the money taken of him for the last 1200th rate. Howton rate restored.

911. William James being presented for incontinency knowing his wife before marriage was sentenced to be sett in the bilboes upon the next Court day at Boston the 5th of the afternoon and in the stocks at Salem upon the next Court day and bound in 20th.

912. The power formerly granted to Mr. Dudley Mr. Ludcott and Mr. Bradstreet is granted to Increase Howell and Thomas Howell to examine the accounts between Mr. Howell and Mr. Appleton of Edward Dillingham. Mr. Howell and Mr. Appleton ordered restored.

913. Captaine Robell was admonished to take heed of his carriage. Capt. Robell admonished.

914. Timothy Comlynd was contented to take only 1/2 of John Stratton. Comlynd of Stratton.

915. A quare was granted to John Stratton to bring Libb and follow before the Court. Quare Libb is.

916. Thomas Pettit for infection of slander idleness and stubbornness is ordered to be severely whipped and to be kept in holds. Pettit whipped.

917. Attachment was ordered for William Howell to appear the 28th instant for to answer and to answer to the accusation of Thomas Pettit. Howell of Pettit.

918. John Comlynd was fined 20th for the commonwealths casting to the next Quarter Court Comlynd fined. Comlynd 40th to appear the first Tuesday in the 4th month Anno 1637.

919. Thomas Bowler was adjudged to make double restitution for the things stolen by her from her. Bowler double restit.

A generall Court at Newberne the 17th of the said month 1637. present
 The Governour. Mr Roger Jurlatenden.
 Deputy Governour. Mr John Wadsworth.
 Mr John Symonds. Captaine Isaac Stoughton.
 Mr Sirgand Wallingham. Gallonell John Endicott.
 Juniault Rowell.

Governour. John Wadsworth Esqr was chosen Governour for the year ensuing and in presence of the Court did take the oath to his place belonging.

Deputy. Thomas Dudley Esqr was chosen Deputy for the year and did take an oath to his place belonging in the presence of the Court.

Juniault Rowell. Sirgand Wallingham John Symonds John Endicott John Wadsworth Juniault Rowell Simon Bradstreet Isaac Stoughton Sirgand Wallingham
 These were chosen assistants for the year next ensuing and did take a new oath to their place belonging except Mr Wallingham who was absent.

John Endicott Esqr was chosen to be one of the standing Council for the year 1637.

The election of the Deputy of the Court being opposed by the Deputy to be chosen, order was given for a new warrant to be sent out from the Court for a new election.

A warrant was given to Sergeant Sirgand Wallingham appointed to make provision and for the expedite against the Indians to require under the seal of the Court or otherwise to make provision and upon bills to the Governour of the Court warrant shall be given to make payment.

Captaine Crosse Captaine Jamison Captaine Crosse and Sergeant Sirgand Wallingham were appointed and committed for the present expedition for men, munition and provision.

Mr John Exmer is discharged from being Captaine at Newberne and Edward Woodman is chosen in his stead.

John Woodbridge is appointed Surveyor of the Charms at Newberne. 928.

Sirgand Wallingham Esqr was chosen Treasurer for the year. 929.

Mr John Wadsworth and Mr John Eliott being put to lott were chosen for the year 1630. 930.

Mr John Wadsworth and Mr Simon Bradstreet and Captaine Isaac Stoughton were put to lott were chosen for the year 1631. 931.

Captaine Stoughton Captaine Jamison Lieutenant Howe of John Johnson were appointed Deputy to lay a proportion upon each Towne for raising 50 men more to be sent forth with Captaine Stoughton Mr Wadsworth Captaine Crosse and others. 932.

Mr John Wadsworth was arrested for selling powder to the Indians, confessed to have sold a pistol and to have given 1st of powder. It was ordered that he should be whipped for this offence. 933.

Govour had leave granted them to purchase the grounds within their limits of the Indians with Ottawa and Squaw Sachem. 934.

It was ordered that Stephen Wadsworth should before the next Court give satisfaction to the Court in any his fine and certificate to the next Court or else to forfeit his bond. 935.

Mr John Wadsworth was appointed to appear at the next Session of the Court to 936. answer further or to receive such sentence as the Court shall require.

- 937. The late Edward m^r Dimmer was ordered to write all the last rates of whynes for received parts. 328.
- 938. Mr Timothy Hatherly and Mr Eldon with Mr William Aspinwall and Joseph Bradwood were appointed to view the bounds between the said Plymouth and the late returned Massachusetts bounds. 328.
- 939. It is ordered that no man within this jurisdiction shall directly or indirectly send or cause to be sent any gun powder or shot or lead or any military weapons or accoutrements upon pain of ten pound fine for every offence at least and that the court shall have power to increase the fine or to impose corporal punishment where a fine cannot be had at their discretion. 328.
- 940. It is ordered that no Town or person shall receive any stranger resorting to their with intent to reside in this jurisdiction nor shall allow any sort of habitation to any above the said except such persons shall have allowance under some one of the names of the said or of two other of the Magistrates their hands upon pain that if any Town that shall give or sell any sort of habitation to any person not so allowed shall forfeit 100^l for every offence and every person receiving any such person for longer time than is here or here or here or here shall be accounted in some special case as before or in case of intertainment of strangers resorting from some other parts of this Country for a term shall forfeit for every offence 40^l and for every month after such person shall here continue 20^l provided that if any inhabitant shall not consent to the intertainment of any such person and shall give notice thereof to any of the Magistrates within one month after, such inhabitant shall not be liable to any parts of this penalty. This order to continue till the end of the next Court of Elections and no longer except it be here confirmed. Confirmed 3.2.1638.
- 941. It is ordered that the said and intertainment whynes have risen by trading with the Indians of this Country. It is ordered from henceforth no person of this jurisdiction shall trade out of the limits of the same, with any Indian upon pain of such fine and other punishment as the Court shall see fit to inflict according to the power of the Court and measures of the offence. Indian trade. 330. Dec. 9. 1637. 347.
- 942. Mr Edward Howe and Captain Nathaniel Dummer with Mr Roger Gouant and Mr John Gouant were chosen to assist in the particular Court at Salem. Salem Court Assistants.
- 943. Captain Daniel Patrick and Mr Samuel Lupton were chosen to assist at the particular Court at Ipswich. Ipswich Court Assistants.
- 944. Lieutenant Ralph Sprague m^r Richard Barrow and m^r Joseph Peck were chosen to assist at the particular Court at Newtowne. Newtowne Court Assistants.
- 945. Capt James Wright Richard Bellingham m^r Roger Hackett and m^r Joseph Newell or the greater parts of them shall have power to send forth the soldiers whynes arms to be sent against the Indians and to furnish out all necessaries both of clothes provisions vessels and other things incident therunto and to impress any vessels and other goods of men as returned and to take care that they may be sent forth within ten days if possible. They to take care of the justice at the place till the next Session of this Court according to their discretion. 331.
- 946. Lieutenant Howe to be Lieutenant to Captain Patrick. Lieutenant Dabonante to have charge of the clothes and ammunition. Sergeant Comins to be granary - William Fuller - Smiths, Comforts - Starve - Emigion. Officers military.
- 947. The Court is adjourned till the first Tuesday in August unless the Court shall be caused to call it sooner and to continue to be kept at Newtowne. Adjournment.

A Quarter Court hold at Boston the 6th day of the 4th month 1641.

1641.

Present

- The Governour. Mr. Wintthrop junr.
- Deputy Governour. Mr. Jarlendon.
- Galloway Endicott. Mr. Fingard, Saltwater.
- Mr. Fingard, Hollingham. Mr. Stoughton.

Mr. Wadsworth.

- 947. John Sweete being presented by the Grand Jury for shooting a wofe dogge of Galloway - Sweete. misdemen. Endicotts in Galloway Endicotts owne yard was fined 5th and to be imprisoned during the pleasure of the Court.
- 950. Robert Anderson for his contumpt was fined 50th and sent to prison till he shall give satisfaction.
- 951. John Hayward being attused of adultery with Margaret Seale wife of Edward Seale - Hayward. Adultery. James Pen and Samuell Cole testified that he confessed it to them, for the Grand Jury found the bill of Indictment to be true.
- 952. Robert Allen and Margaret Seale being attused of adultery, confessed the fact, so the Grand Jury found the bill of Indictment to be true.
- 953. Master R. Allen being attused of the untimely death of John Abbott the said Master and John R. Allen his father were bound in 40th for his appearance at the next quarter Court to be hold at Boston.
- 954. In regard John Seales was by order of Court put apprentice to John Coggeshall - John Seales. of Boston merchant wife at the instant request of the Court accepted the same and for that the said girls have proved over burdensome to him the Court ad formerly so now having thought fit to ease him of it and whereas the said girls was put by the said John Coggeshall to John Robyns of Portsmouth to be kept at a certain, It is now ordered that Mr. Deputy calling to him Mr. R. Allen and William Parker chosen by the said two parties shall have power to end the said difference between the said parties and to sett downe such order for the ease and discharge of the said John Coggeshall and disposing of the said John Seales as they shall thinke equal.
- 955. John Palmer was granted 20th costs against George Woodward for not prosecuting his - Palmer or Woodward. suit having summoned the said John to appear the next Quarter Court. Non pros.
- 956. John Crumble being formerly fined 20th 15th of the said 20th is remitted and the other 5th - Crumble. he hath a yotured time granted him to satisfy the same.
- 957. Fingard Esbourne was enjoyned to give an amount to the Constable w^{ch} in Kelly how Esbourne idle. he doth improve his time and if he neglect further order to be taken by putting him to the Gaule.
- 958. Marke Davys was ordered to be sent home to his wife to England and the same goods his - Davys. committed to Salem.
- 959. Nathaniel John Benefield dyed leaving two children undispesed of the charge of the one - Benefield. was ordered to be defrayed by Mr. Endicott he having the goods of the deceased the other child being disposed of by the Court.
- 960. Edward Seale for his beastly drunkenness was ordered to be sett in the Bilboes till the - Seale drunk. end of the Court and then to be soberly w^{ch}.
- 961. George Mummings was fined 20th for selling beer and keeping an house of entertainment - Mummings. w^{ch} sent home.

- Gole.* Cannoll Gole was fined 20^s. for selling a quart of beere at 2^d. and was licensed to sell 962.
- Longe.* Robert Longe was fined 20^s. for selling a quart of beere at 2^d. and was licensed to sell 963.
- Baulstone.* William Baulstone was fined 20^s. for selling beere at 2^d. for quart. 964.
- Brown.* James Browne was, & was fined to be sett in the pillow for drunkenness two times upon 965.
- Hubbard.* Benjamin Hubbard was also solemnly admonished of his saying for being in company with James Browne and the rest and often drinking stronge water with them and not reproving them. 966.
- Woodward, Madwell.* George Woodward was ordered to give Richard Madwell 6^s. 8^d. because he called him from Lyme to be a witness by warrant. 967.
- Kingst. Ordinary.* John Kingst of Newbery was licensed to keep a house of intertainment of singul need. 968.
- Knopp.* William Knopp was enjoyned upon payne of 100^l. and imprisonment to bring in suretyes within 8. dayes for his appearance at the next Quarter Court to answer what shall be objected about the death of Mr Waine our late Governor. 969.
- Waine.* Mr Cannoll Waine was enjoyned to keep in his hands the goods of Robert Anderson to the value of 50^l. sterlinge for his fine for his contempt offered and to deliver him the rest of his goods. 970.
- Waine's fine.* The fifth day of the next week being the 15th of the next month was appointed to be kept a day of thanksgiving in the severall Churches. 971.
- Waine's fine.* William Baulstone is licensed to keep a house of intertainment and is licensed to sell singul quart of white wine as is sent for. 972.
- Waine's fine.* Order is given to the Constable of Newbery to apprehend E. & gooder dwelling beyond the River to appear at the Court at Exeter or before the Magistrate to take further order as they shall see cause. 973.
- Waine's fine.* Henry Kingman at Weymouth is licensed to keep a house of intertainment. 974.

The first of the first month called August 1637. The usual roll by adjournment from 3. 17.

Present
The Governor.
Deputy Governor. &c.

Against this Session in head of Captaine Castle lieutenant Dabonport George Alward Richard Hollitt and Mr Henry Waine Esq were chosen Mr William Baulstone Mr Thomas Gardiner lieutenant Durrant William Bayliffe and William Chippinall.

Waine's fine. In regard that hats have fallen upon many by the reason of receiving torme at 5^s. by the 975. from the companies these five gentlemen Mr Nathaniel Duran John Johnson Esq. John Waine Mr William Chippinall and Abraham Palmer are appointed Commissioners for the or any other of them to consider what may be equal and to sett order thereon according to equity. The former order for selling torme at 5^s. by the 975. for the time to come is revoked and the price of colne is sett at liberty.

393.

Waine's fine. Mr John Browne of Newbery having spoken against the Magistrate contemptuously 976. stands bound over in the market to appear at the next quarter court to be held the first Tuesday of the 9th month ensuing.

Waine's fine. Captaine Gifford and lieutenant William Spence were appointed to view the house in 977. to consider whether it be fit for a plantation and if not to certifye why they think it fit for a plantation.

- 970. The Court consented that *Guertine Underhill* should have his maintenance continued for three months with his wife at *Eastbrook*. *Jay Lane Underhill.*
- 979. *Robert Brown Smith* being called five times forfeited his recognizance for not appearing. *Brown Smith.*
- 980. *Mr Richard Brown* and *William Galt* have power to examine *Swift's* cause about his man. *Swift.*
- 981. The Court did intimate the Magistrates to tender with the Clerk about a day of thanksgiving upon the return of the soldiers and the soldiers to be feasted by their Council. *Thanksgiving.*
- 982. *Robert Brown Smith* because he had forfeited his recognizance and paid not his fine and for his neglect and contempt was committed until the Court take further order. *Brown Smith.*
- 983. *Mr Nathaniel Wright* appearing was deferred to the next Session of this Court. *Mr Nathaniel Wright.*
- 984. It is ordered that the Court was made and *Mr Dunton* should take his last reasonable account. *Account was made.*
- 985. After the raising a rate of some hundred pounds in *William Aspinwall* *John Worsall* and *Francis Dunton* and *Samuel Appleton* *John Johnson* and *Richard Brown* *Timothy Conlynd* *Edward Woodman* and *William Lawford* *William Smith* *Joseph Andrews* for rates the Court did agree as follows, Boston 59^l 4^s. Newtowne 29^l 12^s. Woburn 30^l 8^s. Fittsbury 30^l 8^s. Salem 45^l 12^s. Ipswich 34^l 12^s. Greenbury 16^l 18^s. Woodford 24^l 12^s. Dartmouth 42^l 6^s. Weymouth 6^l 16^s. Hingham 8^l 10^s. Haverhill 42^l 16^s. Concord 20^l 16^s. Total 400^l.
- 986. It was referred to the Court to take order about the Indian Squaw. *Captain Squaw.*
- 987. The Court did agree that the soldiers should be called home as the Governor and *John Gorton* and *James* of the Magistrates as they should call to them shall appoint for fine and manner. *Soldiers return.*
- 988. The Court did express that the next river to *Monotquid* river is that with *Godfrey* up the same river to the mouth of *Monotquid* and that is the bounds between *Mount Wollaston* and *Weymouth*. *Mount Wollaston of 334. Weymouth bounds.*
- 989. *Mr John Powell* *Qua* *Bartholomew* *Chapman* *Richard* *Quatnick* and *Oldman* - *Quatnick* and *Oldman* did express their consent to the sale of the wine at *Concord* - *Concord purchase 335. of the Indians.*
- 990. *Qua* *Bartholomew* and *Mr John Powell* did acknowledge in Court that they had received *Charles* 335. of *Mr* *Richard* for the Court of *Charles* *Richard* *Richard* for the land - *Richard* of the *Richard* *Richard* *Richard* and *Charles* *Richard* with they acknowledge themselves - *Richard*.
- 991. It was questioned whether the Court have liberty to restrain particular men from Concord lands. 336.
- 992. That some course be taken to cause men to recover their lands or to fine them from that land Concord. 338.
- 993. The Court is adjourned till the 5th day of the next week after the Quarter Court. *Adjournment.*
- 994. *Richard* did acknowledge to have received of *Mr* *Richard* ten shillings for his planting ground within the bounds of *Charles* with he acknowledged himself satisfied for. *Richard* 336. of the Court.

The fiftie day of the 7th month 1637. present

- The Governour.
- Deputy Governour.
- Mr Richard Bellingham.
- Mr John Winthrop.
- Mr Saltonstall.
- Mr Israel Stoughton.
- Mr Isaac Rowell.

Synod. The Quarter Court was adjourned till the 19th of this present month because of the Synod 995. kept at Newtown for the settling of things in differences amongst us.

The fiftie day of the 7th month 1637.

Adjournment. The general Court by the generall consent of all present was adjourned to the 26th of the 9th 7th month and the particular Courts in the severall places to be kept the last Tuesday of the 8th month.

Assesmen. Mr George Weyman and Mr Timothy Dalton were made free this 7th day. 997.

The 19th day of the 7th month 1637. present

- The Governour. Mr Richard Bellingham.
- Deputy Governour. Mr Israel Stoughton.
- Colonell John Endicott. Mr Roger Hartakenden.
- Mr John Humphrey. Mr Richard Saltonstall.
- Mr Isaac Rowell.

Synod. A Quarter Court holds at Boston and Newtown because of the conference. 998.

William. murder of John. William being indicted about the death of John Hobbes, confessed that he killed the said Hobbes so the Jury found him guilty of murder. 999.

Stephen. murder of Stephen. William Stoughton being indicted about the death of Mary Stoughton the Jury found him guilty of murdering the said Stoughton. 1000.

William. Ignorance. Mary Osbourne the wife of Thomas being indicted about the death of her daughter the Jury found her bill Ignorance. 1001.

John. Adultery. John Hathaway being indicted for adultery was found guilty. 1002.

Robert. Adultery. Robert Allen confessed Adultery and was found guilty. 1003.

Margaret. Adultery. Margaret Beale the wife of Beale confessed Adultery and was found guilty. 1004.

- The grand Jurymen. The Jury of life & death.
- | | | | |
|--------------------|--------------------|-----------------|----------------------|
| John Volgrabe. | Cannell Hibonad | Halfe Hudson. | John Holland. |
| Daniel Tapp. | Henry Kingman. | Cannell Hines. | Winglad Upsall. |
| William Parker. | Richard Adams. | William Curtis. | John Croppin. |
| John Morrell. | Thomas Hubbardson. | William Caspam. | Elizabeth Higginson. |
| Jonathan Wade. | Thomas Hamonds. | John Smith. | Thomas Squire. |
| William Bartolome. | Abraham Palmer. | John Wallman. | Richard Withcombe. |
| Richard Joanes. | Brian Pondleton. | | |
| Robert Hardinge. | Thomas Parkes. | | |

William. unjust. William Bramfield being examined about the theft confessed that he had stolen above 50^l from his master and about an oke of Hoads and for his stealing plotting to run from his master being dumfriesse idlenesse was censured to make double restitution to be bound and severely whipped. 1005.

George. unjust. George Exonore was received 6th of the said Bramfield was censured to make double 1006. restitution and be whipped.

- 1007. George Bartlowe for his idleness was censured to be whipt. Bartlowe whipt.
- 1008. John Hoggs being arraigned of Drunkenness confessed it and was fined 3th. Hoggs Drunk.
- 1009. Jacob Smith was discharged upon his imprisonment for want of evidence. Smith discharged.
- 1010. Nathon Bridge appearing and no evidence coming against him was quit by proclamation. Bridge quit by pro.
- 1011. Mr John Greene of New Providence was fined 20th and committed untill the fine of 20th be paid and enjoined not to come into his Jurisdiction upon pain of fine or imprisonment at the pleasure of the Court for speaking contemptuously of the Magistrates. Mr Greene fined & banisht.
- 1012. Mr John Stratton was fined 10th for lending a gun to an Indian four dayes. Stratton.
- 1013. It was ordered that Mr Joseph Widdow and Mr John Benjamin being authorized should make sale of Mr Widdowes lands for satisfaction of the Creditors in proportion if it come too short and if in overplus be that to remaine in the hands of Mr Benjamin. Selling into state.
- 1014. The 13th of the 4th month Mr Henry Foster delivered into the Court a deed of Mr Robert Saltouffall making over all the estate that he hath or shall have to satisfy indebted his Creditors. Robert Saltouffall

At the general Court holden at New Towne the 26th of the 4th month 1637. Present,

The Governour.	Mr John Wintthrop.
Deputy Governour.	Mr Samuel Stoughton.
Mr John Humphrey.	Mr Simon Bradstreet.
Mr Richard Hollingsham.	Junior of Rowell.

Deputed.

Mr John Heats.	Samuel Appleton.
John Heats.	John Madralfe.
John Johnson.	Edward Woodman.
Thomas Innes.	John Woodbridge.
John Worsall.	John Uxham.
Nicolad Danforth.	Antony James.
William Spencer.	William Goddington.
Gasparo Ferrison.	Aberton Hugges.
Mr Richard Burrows.	Joseph Andrews.
Mr Thomas Wainwright.	William Harotson.
Lieutenant Willard.	Thomas Gardner.
Lieutenant Hays.	Lieutenant Dutton.
Timothy Cahoon.	William Spinnall.

- 1015. The Law against buying and selling tobacco is repealed. Tobacco. 339.
- 1016. Mr John Greene of New Providence is referred to the Magistrates at Boston the 4th day of the week upon a new petition for satisfaction to be dismissed. Mr Greene.
- 1017. The 12th of the 3th month was ordered to be kept a day of publicke thanksgiving to God for his great mercies in subduing the Perrots bringing theouldiers in safety the success of the conference and good news from Germany. Thanksgiving.
- 1018. The Court of the late Treasurer Mr Dimmer was accepted and approved, there resting due to Mr Dimmer 23th - 2th - 9th he not having allowed the 50th was promised. Treasurer Mr Dimmer Court.
- 1019. Mr Wainwright appearing was dismissed untill he should be sent for by the Court or the Court will proceed. Mr Wainwright.
- 1020. The present Court was dissolved untill a new be called and to be kept at New Towne after the next particular Court. Court dissolved.

A generall Court hold at Newtowne the 2nd day of
the month of moneth 1637. Present,

Tho: Hobart. Mr. Hollingsham.
Deputy Hobart. Mr. Hurlocken.
Mr. John Endicott. Mr. Stonington.
Mr. Symonds. Mr. Bradstreet.
Jm: wasb Rowell.
Deputies.

Captaine Daniel Darnison. Mr. Higginson.
Lieutenant Woodman. Captaine Gerrison.
Mr. John Woodbridge. Mr. Thomas Mayhew.
Mr. Bartholomew. Lieutenant Willard.
Mr. Huntjourn. Thomas Underwood.
Mr. Bishop. Thomas White.
Edmond Water. Higginson Adams.
Lieutenant Spruce. Mr. Durrant.
Timothy Combs. Mr. Higginson Galloway.
Captaine Robert Sedgwick. Mr. Stober.
Lieutenant Sprague. Ensigne Naelde.
Ensigne Palmer. Mr. George Clarke.
Mr. Foster. Mr. William Parkes.
Higginson Jackson. Mr. William Giddington.
John Bridge. Mr. William Polbram.

Mr. Aspinwall. Mr. William Aspinwall being questioned in regards his hands was to a petition or remonstrance 1022.
and he justified the same maintaining it to be lawful the Court did discharge him from
being a member thereof.

Mr. John Coggeshall affirming that Mr. Wigglesworth is innocent and that he was 1022;
persecuted for the same was in like sort dismissed from being a member of the Court, as
order given for two new deputies to be chosen by the Town of Boston.

340. In regards of the greater abuse inordinance it is ordered that no Ordinances be made 1023.
shall sell either salt or strong water.

Plataniell wales Edward Bales William Gasloper Mr. John Pliske and Mr. John Hubbard 1024
were made free and took the oaths of freemen.

for road constable. Robert Plisker was chosen and sworn constable of the Towne. 1025.

Mr. John Wintthrop and had leave to employ an Indian to shoot in a peere to fowls for him. 1026.
Horne is sett at 3^d the bussell for the payment of Hated being mercantable. 1027.

341. Horne. All former Lawes against tobacco are repealed and tobacco is sett at liberty. 1028.

342. Tobacco. The order about taking the Tithes of the value of wine strong water and tobacco of 1029.

343. Commodities. The order about taking the Tithes of the value of wine strong water and tobacco of 1029.
shall sell it againe at 1. 6th parts of the said. Lieutenant Horne is authorized to take
the said Tithes due by the sale of wine strong water or tobacco by the order was made
formerly repealed the 7th day of the 10th month 1636.

Newbury. The inhabitants of Newbury having bin moved to leave their plantation they have 1030.
granted them Wimmot or any other plantation belowe Merrimack the first fall
and to have for many square, and those that are New inhabitants and shall remove
within one year shall have three yeares immunity as formerly hath the three yeares
beginning the first of the first month next.

- 1031. Abraham Shave is granted halfe of the benefit of Gold or iron stone wch shall be found in any common ground wch is in the Countys disposing. Gold iron stone.
- 1032. The Countys Mr Dudley hath a thousand Acres of Land granted him wch it may not p[re]judice any plantation granted nor any plantation to be granted wchout limiting to time of improvement. Mr Dudley 1000. ac. 344.
- 1033. The Honorable Mr John Wintrop Sr hath granted him a thousand Acres of Land upon the same terms as Mr Dudley hath his. Mr Wintrop 1000. ac.
- 1034. Mr John Endicott hath 40. or 50. Acres of meadow granted him wch it may not p[re]judice a plantation. Mr Endicott 40. or 50. ac.
- 1035. A certain Chbeer justifying the said libell called a Remonstrance or petition was dismissed from being a Deputy in this Court. Egoant Oliver Remonstrance.
- 1036. Edward Cudwell upon his petition being dismissed before the Lawe against dismissal of servants was made and his servant being approved was admitted to have a lott. Cudwell servant lott.
- 1037. William Holdwode was in his lott admitted to have a lott. Holdwode lott.
- 1038. John Sampford is granted 13. 6. 8. for the year past and so he is discharged upon deliberation of an invoice to another that shall be appointed Governor. Sampford Governor discharged.
- 1039. Wadsworth is granted ffiftene hundred Acres of meadow if it be their convenience at the new plantation upon the river wch is granted upon. Wadsworth 1500. ac.
- 1040. Mr Israel Stoughton hath liberty to take his 150. Acres of meadow formerly granted him on both sides of Hapsonett River. Mr Stoughton 150. ac.
- 1041. Mr John Walselwinge being formerly contemted of contempt and sedition and now justifying himselfe and his former practise being to the disturbance of the publick peace he is by the Court disfranchised and banished having 14. days to settle his affaires and if within that time he departe not the Court he promises to render himselfe to Mr Stoughton at his house to be kept till he be disposed of and Mr Winge undertooke to satisfie any charge that Mr Stoughton or the Countys should be at. Mr Walselwinge banished & disfranch.
- 1042. Mr John Coggeshall being contemted for disturbing the publick peace was disfranchised - and enjoyned not to speake any thing to disturb the publick peace upon paine of banishment. Mr Coggeshall disfranchised.
- 1043. Mr William Aspinwall being contemted for having his hands to a petition or remonstrance - being a seditious libell and justifying the same, for wch and for his insolent carriage he is disfranchised and banished putting in shewties for his departure before the end of the first month next ensuing. Mr Aspinwall disfranchised, banished Remonstrance libell.
- 1044. Mr John Debor and Mr Aspinwall are out of their bonds in 100. a piece for the departure by the time limited. Mr Debor & Aspinwall to departe.
- 1045. Mrs Hutterinson the wife of Mr William Hutterinson being contemted for traducing the Ministers and their ministers in this County shee declared voluntarily her resolution and that shee should be delivered and the Court wined wch their posterity and thereupon was banished and the means whereto was committed to Mr Joseph Wolds until the Court shall dispose of her. Mrs Hutterinson banished.
- 1046. Mr Dinton and Increase Nowell were appointed to take Mr Peters Account between this and the next Court. Mr Peters Account.
- 1047. Mr Samuel Hutterinson upon his suit had leave to stay until the first opportunity after winter. Mr Samuel Hutterinson.
- 1048. The Court is adjourned until the 15. of present. Adjournment.

Sergeant Boston. Sergeant Boston being contemted for having his hands to the seditious libell called a 1049.
distr. of Remon. Remonstrance or petition is disfranchised fined 20th and disfranchised from bearing any publicke
office.

Sergeant Nuttinson. Sergeant Nuttinson being contemted for having his hands to the seditious libell justifying the 1050.
distr. of Remon. same and using contemptions speeched the Court did disfranchise him fine him 40th put
him from office and commit him during the pleasure of the Court.

Stridley's distr. Richard Stridley being contemted for having his hands to the seditious writing or libell and 1051.
Remon. not acknowledging the same as a fault is disfranchised.

Mausfall's distr. Thomas Mausfall being contemted because his hands was to the said seditious writing and do- 1052.
Remon. fended the same and he would not acknowledge a fault he is likewise disfranchised.

Dyer's distr. William Dyer being contemted because his hands was to the said seditious writings and he 1053.
Remon. would not acknowledge a fault he is likewise disfranchised.

Dyneloy's distr. William Dyneloy being contemted because his hands was to the said seditious writing and he 1054.
Remon. would not acknowledge a fault he is likewise disfranchised.

Captaine Patrick's distr. The Court did give way to Captaine Patrick's request to desiring discharging him from 1055.
distr. any further service and gave him a quarters pay for a gratuity.

James Underhill's distr. The Court did discharge Captaine Underhill from any further service and gave him a 1056
distr. quarters pay for a gratuity.

Disarmed persons. It was ordered that surges and disarmed should be freed from taxings and from carrying 1057
distr. arms wth them and from waterage.

College. The College is ordered to be at New Towne. 1058.

345. Wampou. 6. 1st. It was ordered that wampouage should passe at 6. a penny for any summe under 12^d. 1059

with Chmed. 40th. The Court gave 40th to Mrs Chmed the widow of Doctor Chmed of famous memory who is 1060
distr. deceased.

346. Henry. The Henry is referred to the Exchequer and was made to lett at 40th of annu beginning 1061
distr. the first of the 10th months and from hence for three yeares.

Denison. It is ordered that no man shall have leave to buy any Denison but by leave from the Court. 1062.

347. Reading. The last order that prohibited all from trading is repealed and the former order of 1063
distr. referring it to the Common Hall Anno 1636. is established.

Captaine Underhill's distr. Captaine Underhill being contemted for having his hands to the seditious writing is 1064
distr. disfranchised and put from the Captaines place.

Emmell's distr. Emmell's distr. being contemted for having had much disorder in his house selling wine 1065.
distr. contrary to order and being above the wine ordered his due for wine was adjudged 10th
and he was further fined 20th which is together 30th.

Baulston's distr. Godman Baulston his due was adjudged 5th and was further fined 10th which is together 15th 1066.

Long's distr. Mr Robert Long his due was judged 2th - 10^d. and he was further fined 5th which is together 7th - 10^d. 1067.

Larnet's submission. William Larnet acknowledged his fault in subscribing the seditious writing and desiring his 1068.
distr. name to be crossed out, it was yielded him and crossed out.

Winnings of Water-ton. Winnings of Water-ton is put downe from keeping an ordinary or house of entertainment. 1069.
distr. And it is referred to Water-ton to choose another.

Dedham & Dorchester's distr. Mr Nicholas Danforth, Mr George Alcock, Mr Allen and Mr Gollivott are appointed to sett out 1070.
distr. the bounds betweene Dedham and Dorchester.

Dedham's distr. And Mr Nicholas Danforth and Mr George Alcock and Mr Allen are appointed to sett out 1071.
distr. the p^{re}sent lands belonging to Dedham.

Monsall's submission. False Monsall acknowledged his sin in subscribing the seditious writing and desired to have his 1072.
distr. hands crossed out and was yielded him.

- 1073. George Higginson Richard Sprague Edward Harrington Thomas Ever Benjamin Hubbard William Baker Edward Mallowes and William Hutchinson did all acknowledge their sin and desire the same and it was yielded them that their hands should be troosed out. Divers submit. Item.
- 1074. It was further ordered that the Court both the generall and the Quarter Courts should be kept at Newtowne untill this Court doe take further order. Courts at Newtown. 348.
- 1075. It was ordered that Mr Endicott should give power to seize the goods of the Indians - weare in Hawthorne farms untill they discover who sett his goods and procure satisfaction or deliver the parties. Indians trespass in Hawthorne.
- 1076. It was ordered that every Towne should have power to keep away all straggling Indians and to restrain Indians by them from prophaning the Lords day. Indians. 349.
- 1077. The Court is adjourned untill the 20th. present. Adjournment.
- 1078. It was ordered that some of the order made the 10th. month Anno 1636. ad concerning - sugar spirit and fruit should be repealed the rest of the order to stand in force but not to extend to new townes for what they bring for their own provisions. Commodities. 2.
- 1079. It was ordered that the powder and ammunition of the Countrey now at Boston should be delivered halfe to Newtowne and halfe to Portsmouth to be appointed by Mr Dudley and Mr Hartland. Ammunition taken from Boston. 350.
- 1080. It was ordered that 1000^l. should be layed to pay the Countrey debts and Mr Cooke - Lieutenant Sprague Mr Brown Mr Parker Mr Dunton Mr Colburn Mr Woodbridge Samuell Wadde and Thomas White were appointed to order the proportion of each Towne. The proportions agreed upon by this Court. for Boston 149^l. for Newtowne 72^l. for Portsmouth 78^l. for Waderton 72^l. for Salem 120^l. for Newberry 45^l. for Medford 25^l. for Dorchester 95^l. for Hingham 24^l. for Haverstorne 92^l. for Lyme 72^l. Total 980^l. Mr Eaton. 20^l. 1000^l. layed.
- 1081. Mr Humphreys rate for his 1000^l. is remitted by order of Court because he hath bin formerly in Humphreys rate when remitted. Mr Humphreys rate when remitted.
- 1082. It was ordered that whippings should be kept 8. times in a year at the discretion of the Justice Officers. Magistrates and Congreg Elders are allowed each of them a man free a year from whippings and the deacons of the severall Churches are freed in like manner. Whippings 8. times 351.
- 1083. It was ordered that Mr Dunton should whipp at Weymouth and have a time and to see if Hingham be provided of Officers and if not hee to supply. Mr Dunton whippes at Weymouth. Hingham.
- 1084. The order for bringing chimes to the meeting house is repealed. Chimes.
- 1085. Whereas a great parte of the inhabitants of Waderton have petitioned this Court that in regard of their straitnesse of accommodation and want of meadow they might have leave to remove and settle a plantation upon the river wch runnes to Contonds, this Court having respect to their necessities doe grant their petition. Waderton enlargement.
- 1086. It is hereby ordered that Lieutenant Willard Mr Baxter Mr Joseph Wadde Mr Jackson shall take view of the places upon the said river and shall sett out a place for them by bounded and marked sufficient for 50. families taking care that it be so sett out as it may not hinder the settling of some other plantation upon the same river if there be meadow and other accommodations sufficient for the same. And it is ordered further that if the said inhabitants of Waderton or any of them shall not have removed their dwellings to their said new plantation before one year after the said plantation shall be sett out then the interest of all such persons not so removed to the said plantation shall be void and cease and it shall be lawfull for such as are removed 200. boundes of that 352.

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and settled here or the greater number of the ... to ...
inhabitants in their rooms in the said New Plantation provided that if there shall not be 30.
his Court or the Court of assistants or two of the Council shall dispose of the said
Plantation to any other And it is further ordered that after the place of the said Planta-
tion shall be set out the said Propositions and Juris officers freemen and shall joyn with them
shall have power to order the situation of their Towne and the execution of the said and all
other liberties and other Towne have under the promise aforesaid.

And it is lastly ordered that Juris of the said Inhabitants of Watertown and shall be accommo- 1087.
dated in their new Plantation may sell their houses and improved grounds in Watertown but all
the rest of the Land in Watertown not improved shall remaine freely to the Inhabitants who
shall remaine beside and Juris officers and shall come to them.

And the said persons appointed to set out the said Plantation are directed so to set out the 1088.
same as they may be 1500. Acres of meadows allowed to it, if it be to be had -
with any convenience for the use of the Towne.

It is also ordered that the new Plantation of Watertown be desired to draw the place 1089
with Mr. Exmore desired and if it be convenient to certify the Court.

Mr. William Robert Martin and Elicent Hutchins named were appointed to measure 1090.
the land Southward from the southernmost part of the Bay and run the East line into
the sea.

Foraine Turner Richard Wright Mr. Robert Woodbury are appointed to certify the 1091.
the bounds betweene Salem and August was they did formerly agree upon.

It is ordered that every man shall within three dayes give notice to the Constable of the Towne 1092
of any strays taken up and for every dayes neglect to forfeit three shillings for every 1093
offence.

As touching the opinions and resolutions of Mr. Nathaniel Eaton and Mr. Hutchinson have 1094
formed and led into dangerous errors many of the people here in New England, In so much
as there is just cause of suspicion that they are opposed in their former times many
upon some resolution make some reservation upon those that differ from them in judgment for
prevention thereof. It is ordered that all those whose names are underwritten shall upon
warning given at their dwelling houses before the first day of this month of November
deliver in at Mr. Raynes house at Boston all such gunnes pistolls swords powder shot
maties as they shall be owners of or have in their custody upon paine of ten pounds for
every default to be made hereof, which armes are to be kept by Mr. Raynes till this
Court shall take further order therein. Also it is ordered upon like penalty of 10^s that
no man who is to render his armes by this order shall buy or borrow any gunnes -
swords pistolls powder shot or maties until this Court shall take further order therein.

- The names of Boston men to be disarmed. Captaine John Underhill. Mr. Thomas Oliver.
- William Hutchinson. William Aspinwall. Samuel Gole. William Dyer. Edward Kimford. John But-
- ton. John Campford. Richard Cooke. Richard Hazenbanker. Thomas Harsfall. Oliver Willowet.
- Samuel Wilbore. John Oliver. James Dimmison. John Bigg. Richard Dridley. Edward
- Bates. William Dynoley. William Setpulano. Mattew Hubbard. Henry Clark. James Bosworth.
- Robert Hise. William Townsend. Robert Hull. William Yell. Richard Hutchinson. James
- Johnson. Thomas Sabage. John Dabry. George Bindon. John Odoin. Samual Noyse.
- Edward Hutchinson. William Noyse. James Dresse. Richard Parker. Robert Harding.
- Richard Noyse. John Porter. Jacob Plot. James Panniman. Thomas Wardell. Thomas
- Watson. William Hamiston. John Goumton. Mr. Prater. William Westbrook. Henry Bull. John
- Nalker. William Salter. Edward Bondall. Thomas Wheeler. Mr. Clarke. Mr. John
- Boygo Hall.

353. 2 times.

554. Court for dis-
arming divers
persons at Boston
suspected by reason
of dangerous opinions
to be against the
Plantation.

- 1095. The like order is taken for other Towns changing the names of the same shall deliberate the like for other Towns.
their names and keep them.
- 1096. The names of Salem men to be disfranchised, Mr. Crunges Mr. Allfote Mr. Jammines & Mr. E. Salem.
Moulton John King to deliberate their names to Lieutenant Dampfort.
- 1097. The names of Newbury men to be disfranchised are Mr. Drummer Mr. Easton Mr. Spence Newbury.
to be deliberated to the Constable of the Town.
- 1098. The names of Northampton men to be disfranchised are Mr. Howard Darnison Sir James Morand Northampton.
Sir James Bulgar William Darnison of Philip Sherman to be deliberated to John Johnson.
- 1099. The names of Ipswich men to be disfranchised are Mr. Foster and Samuell Sherman Ipswich.
with and to deliberate their names to Mr. Bartholomew.
- 1100. The names of Hartstorne men to be disfranchised are Mr. George Darnison and James Hartstorne.
Darnison with and to deliberate their names to Thomas Darnison.
- 1101. It was ordered that if any that are to be disfranchised acknowledge their sin in subscribing the petition libell or do not justify it but acknowledge it obill to two Magistrates they shall be free from deliberating in their names according to the former order. Proviso of Submission touching the libell.
- 1102. No Magistrates have power given them to excuse and exempt any from paying any rates they shall think meet. They that are exempted from paying are to pay to the use of the Company as two Magistrates shall think meet. Exemption 355.
- 1103. Lieutenant Howe or Lowe being enjoined to traverse the Company at any time is permitted to have the fines with all other charges of fines besides there. Howe. Lieutenant Lowe.
- 1104. The Town of Northampton is required to take order for the safe custody of the wife of John Johnson and if any charge arise to be defrayed by her husband. John Johnson - committed to Northampton.
- 1105. The Court being sensible of great disorder growing in this Commonwealth through the contempt which have bin of late put upon the civill Authority and intending to provide remedy for the same in time due order and decree that whosoever shall hereafter openly or willingly defame any Court of Justice or the sentence or proceedings of the same or any of the Magistrates or other Judges of any such Court in respect of any Act or sentence therein passed and being thereof lawfully convicted in any generall Court or Court of Assistants shall be punished for the same by fine imprisonment or disfranchisement or banishment as the quality and measure of the offence shall deserve. Defamation of Courts or Magistrates to be punished. 356.
- 1106. And whereas it may fall out sometimes that some of the Magistrates or other Judges, or members of the Courts may transgress the limits of their liberty and Authority. It is therefore ordered that if any Magistrate or other member of any Court shall use any reproachful or unbecoming speeches or behaviour towards any of his fellowes Magistrates or other Judge or member of the Court in the face of the Court he shall be publicly reproved by the Governor or other principall Judge of the same Court for the time being and if the quality of the offence shall be such as shall deserve a further censure, or if the person so reproved shall reply againe without leave the same Court may proceede to punish any such offender by fine or imprisonment according to their best discretion.
- 1107. Provided always that being the best Judge may erre through ignorance or misinformation with if none should have liberty to advertise them of might be very prejudicial both to their owne peace and also to the Publicke weale, It is not therefore the intent of this Court to restrain the free use of the wayes of God by petition or other private advertisement nor the free use of any lawfull publicke means where private shall not probably for the reformation of any such faulting in any Court or member of the same. Proviso.

Jurisd. Ordinances.

357.

And whereas it hath appeared unto the Court upon many sad complaints that many drunken
 men, wast of the good & wofulnes of Gods mispence of previous time and other disorders
 have frequently fallen out in the Towne and Common virtualling houses within this Juris-
 diction whereby Gods is much dishonoured and the profession of Religion reproached and the
 wellfare of this Commonwealth greatly impaired, And the same use of such houses -
 being the necessary use of travellers & strangers, for redress hereof It is now or-
 dered that after the last day of this present month It shall not be lawfull for
 any person that shall keepe any such Towne or Common virtualling house to sell or
 have in their houses any wine or stronger waters or any beere or other drinke
 ad may be sold at the rate of the quart at the most and for this end none of the persons
 (other then in such Townes ad for want of a common brewer shall be allowed by this Court
 or by the Court of Assistants or by two of the Justices) shall brew any beere to sell
 but shall take the same of some common brewer upon paine to forfeit for every offence
 against this order 20^s.

Beere at the rate
of the quart
1479

Brewers.

And it is further ordered that no such common brewer shall sell or utter to any Towne - 1109.
 or Common virtualling house within this Jurisdiction any beere or other drinke of any stronger
 then the same as may be afforded at the rate of 8^s the barrell upon payne
 of 20^s for every offence against this order.

no inhabiting in
Towne.

And it is further ordered that no single man or other person inhabiting in this Jurisdiction 1110.
 shall lodge or remaine in any such Towne or Common virtualling house longer then for
 their necessary occasions upon paine of 20^s for every offence both for the housekeeper
 and the person there abiding contrary to this order.

Constables to report
the said offences.

And for the better discovery and punishing of the said offences, It is ordered that the 1111.
 Constables of every Towne shall make diligent search and inquiry of all the said
 offenders and present the same to the next Court and for this end they shall
 be charged therewith in their oathes.

Ordinances.
358.

And whereas complaint hath bin made also that diverse poor people who would willingly 1112.
 content themselves wth meane dyet are forced to take such dyet at 12^s the week or
 more, It is now ordered that every keeper of such Towne or Common virtualling
 house shall sell and allow unto every of their guests such victuals ad they shall take
 for and not force them to take more or other then they desire be it never so meane
 and small in quantity and shall afford the same and all other dyet at reasonable
 rates upon paine of such fine as the Court shall inflict according to the measure
 quantity of the offence.

Brewers.

It is ordered that it may be lawfull for any such Townekeeper or virtualler to have in their 1113
 houses some small quantity of stronger water for their own private and necessary use
 And because the Common brewers may the better be holden to the observation of this order
 it is likewise ordered that no person shall brew any beere or other drinke to sell in gross
 or by retayle but only such as shall be licensed by the Court or Court of Assistants upon
 paine of 100^s And whereas Captaine Edgewilde hath before this time sett up a
 house at his owne cost and charge and being commodious for this purpose of the
 Countrey he is freely licensed to brew beere to sell according to the size before licensed
 during the pleasure of the Court.

Repairs 417
260

Tables & binns.
359.

It is ordered that no person shall sell any tables or binns either in the markets or in 1114.
 virtualling houses or elsewhere upon paine of 20^s fine Provided that this order shall not extend
 to such tables ad stalls made for any buyall or marriage or such like speciall occasion.

All former orders against swine are repealed.

1115. It is ordered that whosoever his jurisdiction shall have power to make orders for the preventing of the harms which may come by swine in towns meadows pastures or gardens and shall have power to impose penalties to any reasonable value according to their best discretion, whosoever any damage be done by any swine they whose towns shall be liable to the party's action to make full satisfaction and to make fine according to the greatness of the trespass by the discretion of the Court.

SWINE.
Civile.
360.

300.

1116. And whereas Towns do border upon one another so as the swine of one Town do trespass in the other Towns want of fencing or yoking, the Towns to which the swine shall belonge shall make satisfaction and answer the fine but if the swine be well yoked and yoked then the Town where the trespass is done for want of sufficient fencing shall be liable to all.

1117. It is provided always that upon any such occasion of trespass where the Town shall be put to pay any satisfaction or fine the Town may lay it upon the party offending if they can prove them.

1118. No man shall receive any satisfaction for damage done by great cattell except their fence be sufficient and so the damage come by the unwillfulness of the cattell.

Home against - 361
great cattell.

In all Towns fields which are inclosed in common every party which is interested shall make good his parts of the fence and shall not put in any cattell so long as any Town shall be upon any parts of it upon paine to answer all the damage which shall come thereby.

Common fence. 302
Cattell.
A. 6. 10

1119. It is ordered that the 15th which is due from the present Government of Mr. Johnson to the Company together with 25th more to be paid him out of the Company's allowance set off for the loss he had in some former payments and it is further ordered that he shall be allowed for his publick charges this year of his government three hundred pounds and the same allowance to be given to the succeeding Governours as a settled stipend.

Robert Johnson -
allowance and stipend.

1120. Mr. Stoughton is granted to be freed from rates for this year for his service against the Perots and the year to be from May 1637. to May 1638.

Mr. Stoughton -
rewarded for service
against the Perots.
Contracted fees. 363.

It is ordered that the Constable shall have 18th for the entry of every action and 2th for the making of every execution and that in every Town there should be a toppy of the Land and the Constables to pay for them and for the toppy of every private order to have 6th.

1121. It was ordered that Mr. Andison should have 20th given him for a gratuity for going with the souldiers against the Perots.

Mr. Andison for service
against Perots rewarded.

A declaration whereof the toppy was sent to Comertrott
about the Perots Combs and Quinaxake.

1122. Whereas it hath pleased the Lord of his great mercy to deliver into our hands our Enemies the Perots and their Allies and that hereby the Land and places which they possessed are by just title of conquest fallen to us and our Associates upon the victory of Comertrott and whereas by subduing these our Enemies not only ourselves and our said Associates have obtained rest and safety but opportunity is also given for our habitable habitation to all such as shall hereafter inhabit the Land of our said Enemies both at Peroit and Quinaxake and the parts beyond the duty we do hereby declare the just right and title which our selves and our said Associates upon Comertrott have to all the said Land and Territories. And whosoever it is our desire

Declaration of
Title to the Perots
Combs and Quinaxake
page. 36

That our said Associates according to the Articles of confederation agreed upon between us will be pleased to appoint two committed sufficiently authorized to give our committed a meeting at Newtowne so soon as the season of the year will permit to consult & determine of the disposing and planting the said lands and of setting downe an equal & ratable proportion towards the charges expended in the said warres to be payd by all such as shall be admitted to plant and inhabit the same And that they will please to give us a convenient notice of the time of their coming and consent of joining wch is in this consultation. 1. 7 months J. H. Secretarie.

To the Elders and Brethren of the Towne of Wood.

1123

Maintenance of Ministers.

Whereas complaint hath ben made to this Court that a different course is holden in the Churches of this Jurisdiction for raising of a tax for maintenance of Ministers and whereupon some Ministers are not so comfortably provided as were fitting, It is desired that the severall Churches will specially inquire hereinto and if need be to confer together about it and send some to advise why this Court at the next Session thereof that some order may be taken herein according to the rule of the Synode. 7 June J. H. Secretarie.

1124

364. Newbury Towne charged.

Whereas it appears unto this Court that the Inhabitants of the Towne of Newbury are indebted to diverse persons the summe of 60^l wch is hath bin expended upon publicke and needfull occasions for the benefit of all such as doe or shall inhabit there and building of houses for their Ministers And whereas such as are of the Churches are not able to bear the weight of charge and the rest of the inhabitants there doe or may enjoy equal benefit thereof wch they yet they doe refuse against all right and justice to contribute wch them, It is therefore ordered that the freemen of the said Towne or such of them as upon publicke notice shall assemble for that end or the greater number of them shall raise the said summe of 60^l by an equal and proportionable rate of every inhabitant there having respect both to lands and other personall estates as well of such as are absent as of those that are dwelling there present and for default of payment shall have power to levy the same by distress and sale thereof by such persons as they shall appoint and the same being so collected shall satisfie their said debts and if any remainder be the same to be employed upon other occasions of the Towne.

1125

De contributione facienda.

365. Newbury dissentions.

Whereas this Court hath bin informed of great dissentions grown in the Towne of Newbury and whereas the procurement of some contentious persons for the speedy redresse thereof, It is ordered that the Governor or Deputy being assisted wch some other of the Magistrates shall forthwith call before them such parties as they shall thinke fitt and shall take such course for the peace of the Towne and the well ordering of all affaires there as to their wisdoms shall seeme most expedient.

1126

366. Edward Mingson Marshall, his fees.

Edward Mingson being appointed Marshall of the Court is appointed to have for an execution 12^d in the pound for the first ten pounds and 6^d in the pound to 40^l and after 3^d in the pound to an 100^l and 1^d in the pound for all above 100^l to be payd out of the estate wch the execution is served upon. For every attachment of goods or persons the Marshall is to have 2^l - 6^d if he goeth any way he is to have 12^d a myle besides. And the Marshall is to have 2^l - 6^d for every committe in Court and 10^l for his name to come.

1127

367. Richard Brantlett Keeper of Prison.

Richard Brantlett is appointed to keep the prison and he is to have 13^l - 6^d - 8^d for the year and his wages and the house so soon as James Swan can be otherwise provided for. And if he doe not accept it, it is in the power of the Court to provide another.

1128

ffor whiche he is to be attendant and at the commandment of the Magistrate for any speciall service.

1129. ffor the Colledge the Governour Mr Wm Dutton the Deputy Mr Dudlow the Treasurer Mr Collidge Mr Bellingham Mr Symonds Mr Hartlandon Mr Stoughton Mr Gotton Mr Wilson Mr Daboncourte Mr Wollashton Mr Sheppard and Mr Peter these our the greater parte of them wherof Mr Dutton Mr Dudlow our Mr Bellingham to be always one to take order for a Colledge at Newtowne.

1130. Mr Abraham Palmer our Kirgand Wriget Captaine Turner and Captaine - Mr Symonds - Craske our thes of them are appointed to lay out the boundes of Mr Symonds - ffarmed.

1131. Mount Wollashton is to be bounded by the blow hills and the west is to be to - Mount Wollashton Doughter boundes.

1132. It is ordered that there should be 1st a p^{er} allowed for s^{er}g^{er} w^{er}ked ad - w^{er}ked. 368.

1133. It is ordered that there should be 2^d a p^{er} allowed for s^{er}g^{er} f^{er}ed ad - ff^{er}ed.

A quarter Court hold at Newtowne the 5th day of the 10th month 1637. present

The Governour. Mr Hartlandon.
Deputy Governour. Mr Stoughton.
Mr Bellingham. James Howell.

1133. Mr Howard these came into this Court Kirgand Brown of Waterford on the behalf Mr Wolcott & Gm^{er}id of John Wolcott and William Gm^{er}id of Fortsbury and by mediation of the Court the said William Gm^{er}id was willing and did agree to pay unto the said Kirgand Brown 5th 10th w^{er} he was indebted to one Joseph now out of this jurisdiction in satisfaction of 5th 10th due by the said Joseph to the said John Wolcott, this Court doth order that upon payment of the said 5th 10th by the said Gm^{er}id the said John Wolcott and the said Kirgand Brown and their Executors shall be allowed liable to save harmless the said William Gm^{er}id against the said Joseph for the said 5th 10th till a sufficient discharge be otherwise had from him.

1134. Duke Henbery being convicted of theft was censured to be severally whipped and for running away.

1135. The Inventory of Henry Harwood of Harwoodtowne was presented to this Court being Harwood intestate 40th 17th and the debts 4th Edward Converse Robert Longe and Robert Hall were the Appraisers.

1136. The Inventory of Joane Drake with a Copy of her will was presented to the Court Drake constant being 28th 1st 5th w^{er} in presence of James Penniman and William Knott were the Appraisers. She gave 1/4 of her goods at Boston in New England to John Pratt to her Sister Douglas 2th to her Nephew to whom she was a witness 20th to buy him a bible. Her rest of her goods in New England to Samuell Bellingham and all my goods in Old England she gave them equally between her two sisters here. The disposing of these she left to her master ad Executor.

1137. There is 1st granted to George Woodward to be paid by William Dymaley who summons him to appear at this Court causing him to attend did not prosecute against him. Dymaley Non pro.

1138. There is 1st granted to Samuell Freeman to be paid by John Currys who summons him to appear at this Court and causing him to attend with two witnesses presented not against him. Currys Non pro.

A quarter Court held at Newtowne the 6th of the first month 1637. present,

The Honorable Mr. Harlakenden.
Deputy Governor Mr. Stoneington.
Mr. Hollingsham. Junias Rowell.

- ffaber. miss. Joseph ffaber complained of for selling wine wthout order was fined 10^s. for selling a gallon. 1139.
- Miss. Ingele Holland being presented for a libell acknowledged his fault voluntarily of himselfe and was fined 20^s. 1140.
- Briggs. Clement Briggs is bound in v^t for his next appearance at the next quarter Court. 1141.
- Warrant. The presentation of Arthur Warrant for keeping company wth Clement Briggs his wife was found to be true. Warrant here is bound in 20^s for his appearance next Court. 1142.
- Mr. Anderson. The sale of Mr. Andersons land by Mr. Benjamin and Mr. Joseph Wadde to Mr. Anderson is confirmed and is appointed to be laid out by Mr. Dampfort Mr. Gollan and John Bridge. 1143.
- Mr. Woodbridge. John Woodbridge appearing upon the indictment of the grand Jury confessed his fault & drunkenness in England for w^{ch} he was severely reproved and seriously admonished. 1144.
- Deant. Christopher Deant appearing upon presentation for being in company and drinking more than was condonment was fined 5^s. 1145.
- Briget. Henry Briget was dismissed. 1146.
- Whillinder. Whillinder appearing was dismissed. 1147.
- Supper. Ringlab Busby not appearing an attachment was granted against him to appear at Boston the 22th present. 1148.
- Smith. John Smith not appearing attachment was granted against him to appear at Newtowne 22. 1149. present.
- Thomas Stone. Thomas Stone being unles for speaking against the order of Court against S. wine and the like said he proved that he says the Lawe was against Gods Lawe and he would not obey it, he was committed and enjoyned to acknowledge his fault the 14th at the generall Court and was fined 20^s and to give security for his fine or pay the same before his del. present.
- Attachment against. Attachment was granted against Richard Cheale to appear the 4th month. 1151.
- Cheale. Attachment was granted against Edward Lamb to appear the 11th month. 1152.
- Lambe. Attachment was granted against John B. Omott. 1153.
- B. Omott. Attachment was granted against Philip Deave. 1154.
- Deave. Attachment was granted against Thomas Erar was chosen Constable of the town and took his oath to the said office the 24th of the first month. 1155.

A generall Court hold at Newtowne. the 12th day of the first moneth 1637. present,

The Governour.	Mr Roger Hurlatenden.
Deputy Governour.	Mr Isaac Stoughton.
Mr John Endicott.	Mr John Wintrop.
Mr Richard Bellingham.	Mr Richard Saltonstall.
Mr Symonds.	Mr Simon Bradstreet.

Jurisdiction Rowell.

Deputyes.

Mr John Woodbridge.	Ensigne Widdow.
Mr William Barstow.	Mr William Parke.
Mr Robert Lowe.	Mr Nathaniel Durnan.
Mr Edward Howe.	Mr John Oliver.
Mr Timothy Comyns.	Captaine Godwin.
Mr Richard Rowland.	Lieutenant Sprague.
Mr Thomas Mansfield.	Mr Palmer.
Mr William Bondleton.	Mr Brown.
Mr William Spenser.	Richard Adams.
Mr Joseph Cooke.	Samuel Widdow.
Mr Richard Jackson.	Chiffon Crane.
Mr Joseph Clarke.	John Woodbury.
John Johnson.	Edmond Batten.

- 1156. The Constables of Boston Dorchester and Hingham are fined ten shillings a piece for not returning their warrants wch their deputyes named under the Constables hands. Constables fined.
- 1157. It is referred to Mr Deane Captaine Godwin Captaine Cooke Mr Durnan and John Johnson these our army forces or parts of them to take care to fetch the Ammunition from Castle Island and dispose of it so doo what else they thinke meete about the settling of things there by the last of the second moneth called April and for the offering of this to the Commissioners have power granted them to press men and boats for that purpose. Castle Island. 309.
- 1158. The freemen of Concord and those that were not free wch had hand in the undoe-olation of Mr Flint were fined 6^s 8^d a piece. Concord undoe-olation Deputy.
- 1159. The order for allowance to be made for losses in towns formerly referred is to be void within 14. dayes and no allowance to be made after 14. dayes for any damage sustained hereby. Towns Damages. 370.
- 1160. The Lawe for impositions to be payd upon wine and strong water is repealed and it is ordered that in every Towne one man be allowed to sell wine and strong water made in the Countrey and no other strong water is to be sold. Wine of strong water. 371.
- 1161. These undertowen are allowed to sell wine and strong water for Boston for the banks for Salem for the bay for the bay for Ipswich for the bay for Newbury for Woodman for Newbury Mr Dampier. for Concord lieutenant Widdow for Waterton for Rowell. for Dorchester Durnan. for Hingham for the bay. No man shal be to sell by retail or otherwise wine or strong water without license from the Compsell. Licence to draw wine & strong water to one in a town.
- 1162. Mr John Russell was chosen a Juror of the Court of the shire of Newtowne the 14th of the first moneth. Juror.
- 1163. Concerning the removal of Waterton the Court thinketh fitt they should have liberty to see their allotments and they are to give their full answers the next Court wch they will remove to the new Plantation. Child John Oliver is put in the room of Richard Jackson to lay out the said Plantation, wch they are to doo before the next Court. Waterton removed.

W Dayes expired.

1177. Whereas there hath bin diverse complaints made touching oppression in wages in
 priced of commodities in sundry wares in excessive prices for the wares of drugges and
 leamed and the like to the great disson of Gods and the scandall of the Gospell and the
 griefe of diverse of Gods people both here in this land and in the lands of our flatibity.
 The Court taking into consideration the same hath ordered that it shall be duly considered
 by m^r Endicot m^r Bellingham m^r Harlakenden m^r ndimgray m^r Saltonstall m^r Bradshute
 m^r Eston m^r Peter m^r Hoire m^r Hoard m^r Norton m^r Gobbett m^r Eymd m^r
 Shepheards m^r Jphelip m^r Burdoy m^r Wilson m^r Thott m^r Mather m^r Hubbards m^r
 Hull m^r Woodman m^r Edwards here lieutenant Esparague m^r Browne m^r Spenser -
 Harte Hoats ndim. Smiths and Samoll ndim. some the Court hath desired in that
 particular and to bring into the next general Court their thoughts touching the same.

1178. It is ordered that at every general Court the Court being called there shall be a
 Committee first chosen out to care and determine of all particular petitions and
 suits and of other private business unless the Committee so chosen shall see cause to
 bring it before the next Court.

Committee in the 375.
general Court.

1179. m^r ndim. Goddington m^r John Jaggessall ndim. Halston Edwards Jettinson -
 Samoll ndimboare John Porter John Sympton Henry Bull Jphlyp Sherman -
 ndim. ffurboare and Richard Gardar these having license to departe summoned is
 to goe out for them to appear if they be not gone before at the next Court
 the thirde month to answer such things as shall be objected.

Divers removed about
the thirde month.

The forme of the summons or warrant.

1180. Whereas you have desired and obtained license to remove yourself and your family
 out of this jurisdiction and for that information hath bin given to the Court that
 your intent is only to withdrawe yourself for a season that you may avoid the
 censures of the Court for some things that may be objected against you the Court
 doth therefore signify unto you that you may departe according to the license given you
 so as your family be removed before the next general Court But if your family be
 not so removed then you are to appear at the next Court to abide the further
 order of the Court herein.

1181. Jph^r Wromt ndollaston Randoll Henry and John Johnson m^r Goddingtons man, of
 Newberary m^r Easton of Salem ffrauncis ndoston Richard Waterman Thomas One
 and Stonkley ndustroate are to appear also if they be not removed before the next
 Court.

1182. The Marshall taking with him a feaver shall with convenient speed give notice to the
 Constable of every Towne to require all the inhabitants there to bring their
 measures and weights to a certaine place and at a certaine day and then with
 the assistance of the said Constable he shall try all the said measures and weights
 and make them even and so sett a scale upon them and for his paynes he shall have
 of the owner of the weight or measure two pence for every measure and a penny
 for every weight and yf any be defective or too great and if any weight or
 measure be so defective that he cannot amend it he is to break or deface it
 and whosoever shall sell by any other weight or measure he shall be punished by the
 discretion of the Court where it shall be complained of.

Wright of measure. 376.

1183. Whereas a letter was sent into this Court subscribed by John Duvone dated
 from New Providence and brought by one of that Company wherein the Court is
 charged with usurping the power of Christ over the Church and men's consciences

m^r Duvone's letter

notwithstanding he had formerly acknowledged his fault in sure speeches by him before us, It is now ordered that the said John Johnson shall not come into this jurisdiction upon paine of imprisonment and further censure and because it appeared to the court that some of the said place are confident in the same corrupt judgment and practice, It is ordered that if any other of the Inhabitants of the said Plantation shall come within this jurisdiction they shall be apprehended and brought before some of the Magistrates and if they will not discontinue the said corrupt opinion they shall be commanded presently to departe and if any persons shall after be found within this jurisdiction they shall be imprisoned and punished as the court shall see cause.

It is ordered that the Treasurer Mr Saltonstall Mr Diman Mr Mayhew of 1184. John Oliver shall be committed to consider of and to lay petitions other triall matters.

Committed for Petitions &c.

Jacobus.

Ensigne Jacobus appearing satisfied the court and was discharged.

1185.

Hawkins wife. Comitted.

Anne Hawkins the wife of Richard Hawkins had liberty till the beginning of the 1186. thirde month called May and the Magistrates if she did not departe before to dispose of her, in the mean time she is not to meddle in surgery or physick drinks playster or oyle nor to question matters of Religion except with the Elders for satisfaction.

Robert Potter. expelled.

Robert Potter appearing had liberty till the next court in the beginning of the 1187. thirde month called May being bound in 20th to appear then and refused the same while to the Court of Dorchester.

Mr Blacke.

There is due from Mr Blacke to the Court for wine bought and sold by him 1188. some pounds three shillings some pence.

Mr Kingman.

Henry Kingman the ffourmyth of Weymouth is granted for this year to take 1189. two pence a peere for transportation of people.

Mr Holgate.

There is due from Holgate to the Court for wine bought and sold forty 1190. one shillings and eight pence.

Goats of Chum.

Captaine Bodwicks John Johnson Mr Robert Kemp are desired to speake with Mr Peter and John about the pines of the Goats and Chum with the Court had last summer.

1500th Levy.

It was ordered that a levy of 1500th should be levied with convenient speed, 1192. so was the said levy the and the proportions agreed upon. Dorchester 140th. Hingham 36th. Ipswich 180th. Wymore 105th. Haverstrome 138th. Boston 223th. 103. Newbome 106th. Wadeston 110th. Salem 172th. Newberny 75th. Wadford 52th. Weymouth 27th. Mr Theophilus Eaton 20th. The totall 1500th. This was agreed upon by Mr Mayhew Mr Hooker Lieutenant Sprague Mr Holgate John Johnson Mr Diman John Woodbury Chuford James Richard Adams Mr Edward Jones Robert Lorde. Lieutenant Edward Gibbons.

Lieutenant Gibbons.

Lieutenant Edward Gibbons appearing satisfied the court and was discharged.

1193.

Mr Hutchinson.

Edward Hutchinson and is bound in 40th that none but himself the Court shall give habeas into shall come to Mrs Hutchinson and she is to remaine at Mr Cottons untill further order.

Thomas Hawkins submission.

Thomas Hawkins acknowledging his fault in his unbecoming speeches in the court 1194. so a member of the court is discharged.

1196. It is ordered that the three claustrers John Hathaway Robert Allen and Margaret Scale shall be severally wexposed and banished never to returne againe upon paine of death. 161. Claustrary wexposed banisht.
1197. The Lawe against claustrary made by the particulare Court in October last is confirmed that wexposeder hys wyfe another mans wyfe both shall be punished by death and this to be promulgated. Claustrary death. 378.
1198. It is ordered that a Committee shall be chosen to supply men that want laud and have desorbed it. Laud.
1199. Abon mris Huttonson that she shall goe by the last of this moneth and if she be not gone before she is to be sent away by the Comptroler without delay by the first opportunity, And for the charges of keeping mris Huttonson order is to be given by the Comptroler if it be not satisfied to levy it by distresse of her husband's goods. mris Huttonson.
1200. The Court desired that the 12th day of the second moneth being the 5th day of the next month be kept a day of humiliation to intreate the helpe of God in the weighty matters wch are in hand and to directe any evil plots wch may be intended and to prepare the way of friends wch we hope may be upon coming unto us. Humiliation. 4 day.
1201. Captaine Jemison appearing satisfied the Court and was discharged. Captaine Jemison.
1202. It is ordered that the Marshall shall have 3^d for every execution that is under 3^d. m^r Long.
1203. James Pemberton is referred to the Committee of the next Court for the grounds — which he had at Blatastott. Marshall fees. 379.
1204. m^r Samuel Godes fine is wexposed till the next Court and he hath liberty to sell his house for an fme. Pemberton.
1205. Ensigne Harding had liberty granted him till the next Court the third moneth called May. m^r Godes.
1206. It is agreed that m^r Humphrey shall enjoy the whole plaine on the East side of the pond and the plaine also at the north end to the length of halfe a myle full, or more, in the said plained parties further not exceeding a myle that we intend also to be quartered of a myle on the westerly side of the pond because the medowes there lying may be within m^r Humphrey's owne grounds and on the southerly side of the pond to enjoy the upland and medowes wch that medowes wch is called by the name of Stoned medowe, and the said upland wch is a hill not very broad beyond Stoned medowe so called to parte the said grounds of m^r Humphrey from thys townes medowes land out to the inhabitants thereof all wch said grounds to be his owne ad plained wch grounds medowes or swamped. m^r Humphrey's plaine or bounds.
1207. It is agreed that m^r Humphrey's hid grounds shall begin at the chiffe in the way to marble head wch is the bound betwixt Salen and thys and so along the hys betwixt the said townes to the wch one myle by estimation to a great red oak marked from wch the said marked tree all under and over these wch upon a straight hys to the running brooke by Thomas Smith's house all the wch said grounds we allowe him for his owne and so from Thomas Smith to the sea in the wch ground appeared to be m^r Humphrey's upon wch Thomas Smith and w^m Wiltm Wiltm house stands wch the grounds wch they have broken up by their houses by the joint agreement of w^m Wiltm Wiltm. m^r Humphrey's ground bounds.

A generall Court hold at Newtowne the 10th day of the 7th month 1638. for elections. present.

- The Governour. Mr Hartland.
- Deputy Governour. Mr Saltonstall.
- Mr Endicott. Mr Bradstreet.
- Mr Bellingham. Mr Stoughton.
- Jurors. Mr Rowell.
- Deputies.
 - Mr Atterton Yonge. Mr William Bartolome.
 - Mr Robert Keyne. Mr Nathaniel Dimon.
 - Mr John Oliver. Mr John Glover.
 - Captaine Robert Sedgwick. Mr William Bayland.
 - Lieutenant Palse Sprague. Mr John Wyham.
 - Ensigne Abraham Palmer. Mr James Kingman.
 - Mr Richard Browne. Mr William Houghton.
 - Mr Thomas Haysheer. Mr Edmond Batten.
 - Mr Brian Wendleton. Mr Edward Howe.
 - Mr Isaac Hobb.
 - Mr John Johnson. Mr Thomas Hylt.
 - Mr William Parke. Mr Lieutenant Willard.
 - Mr Joseph Cooke. Mr John Wollridge.
 - Mr Richard Jackson. Mr Edward Dawson.
 - Mr John Bridge. Mr Joseph Chidwood.
 - Mr Samuel Symonds. Mr Virgil Baker.

1200 Election of Governour. Mr John Winthrop sen was chosen Governour for the year ensuing and did take the oath to his place belonging.

1201 Deputy Governour. Mr Thomas Dudley was chosen Deputy for the year ensuing and did take the oath to his place belonging.

1210 Assistants. Mr Richard Bellingham Mr Roger Hartland Mr Richard Saltonstall Mr Simon Bradstreet Mr Isaac Stoughton and Jurors Rowell were chosen Assistants for the year ensuing and each of them took the oath to their place belonging. Mr John Symonds and Mr John Winthrop jun were chosen Assistants for the year ensuing and each of them took the oath to their place belonging.

1212 Dedham & Dourchester bounds. Mr John Oliver was appointed in stead of Mr Darnford who is dead to sett out the bounds between Dedham and Dourchester the 14th of the 7th month 1638. and to sett out the 300. acres for the pasture which Dedham men did purchase.

1213 Waterston & Guntowd. Mr John Oliver Mr Abraham Palmer and John Bridge were appointed to sett out the bounds between Waterston and Guntowd and between Waterston and Dedham and to make the bounds between Waterston and Newtowne and to lay out Waterston their right imple granted them, or if they cannot enjoy their right imple to allowe them satisfaction with which they promise to rest fully satisfied and never to meddle more about the differences between them and Newtowne.

1214 Mr Symonds purchase. Mr John Symonds is remitted his rate to the last 1500^l. loby.

1215 280. Mr Exeter's grant. Mr William Exeter is granted 300. acres of ground beyond Guntowd by the old river. The order made the 5th month 1636. about watered and a ward on the 10th day is renewed and confirmed to be for continuance from year to year all but the last clause about carrying charred to the meeting house, wch is referred to the particulars forward.

1217 381. Licence to inhabit. The order against inhabiting any above three weeks without licence made the 7th month 1637. is confirmed from henceforward for a constant Lawe.

1218 Newtowne 100^l. The 100^l. debt to our brethren of Newtowne is appointed to be paid by the Rate of the 10th month 1638. with and Salem so farre as they will goe.

1219. It is ordered that every Towne shall beare the charge of their owne Magistrates and - charged of Magistrates 382.
Deputies and to allowe for a Magistrate 3^l 6^s a day and for a Deputy 2^l 6^s a day for a. and Deputyed.

1220. It is ordered that hereforward new Townes shall be called Frambridge. Frambridge.

1220. It is ordered that all fines wch stand upon records attaintment to be granted and given to the - fined. 383.
Sherriffe to distraine for them.

1222. Samuell Gole Robert Yonge and William Baulston are fined 20^l a peere for selling beere at 2^d Gole offered fined.
a quart.

1223. Whereas the major parte of this Court hath expressed themselves unwilling to charge the County of Suffolk
further with the finding and maintaining the foute at Castle Bland and not understanding that there
are many in the County willing and desirous that the said foute should be upheld and mained,
It is therefore ordered that if the aforesaid parties be so willing and desirous that the said
foute should be not upheld shall shew to the Court within 8. dayes that they will be at such
charge for the manning and maintaining of the said foute till the next general Court as shall be
discovered hereupon and as the Court shall see cause to appoint that then the said foute
shall be so disposed of. And if the next general Court shall see cause to maintain and uphold the
said foute longer then this charge and that wch shall be after shall be borne by the publicke.
But if the aforesaid parties will not undertake the defraying of the charge of the said foute upon this con-
sideration before expressed, then the order of the last Court for the taking away ordinaunce of
shall immediately be executed by Mr Stoughton Justice Cooke Ensigne Palmer John Johnson &
Mr Glover.

1224. It was ordered by this present Court that John Wintrop Esqr the present Governour shall
have one thousand two hundred acres of land whereof one thousand was formerly granted him
and Thomas Dudley the Deputy Governour his thousand acres granted to him by a former
Court both of them about six miles from Fownde northwards, the said Governour to have
his thousand five hundred acres on the southerly side of two great stoned (whit stoned were two brookes
lately named the two brookes) the Deputy Governour is to run a hylle eastward from the said stoned
so that he may take in a meadowe on the other side of a hylle and so to extend his thousand
acres ad fance northward as he will and as the thousand acres will beare and the Governour to joyne
in the said hylle running eastward and to extend his lott ad fance southerly as his twelve hundred
acres will beare whiche two thousand two hundred acres are by this Court established to the
said parties severally and their severall heirs.

1225. There is ten acres of land granted to James Pemberton parte of it the land formerly granted Pemberton Plantast 383.
by him and the rest joyning to it at Plantastott.

1226. The faine of Foxburie is granted four thousand acres of land where it may be land out without Foxburie 4000. ct.
prejudice to any plantation or former grants because Dedham doth spurre them.

1227. Robert Potter appearing was enjoyned to appear at the next Session of this Court unless Robert Potter.
he be with his family removed out of the plantation before.

1228. The Court is adjourned to the 7th of the 4th moneth being the 5th day of the same week in Adjournment.
whiche the quarter Court is.

1229. The certificate of the 3rd moneth 1638. Mr George Winter being chosen one of the Constables of - Grafton Constables.
Hartshorne took his oathe to that place belonging before me Jurwaife Howell.

1230. The certificate of the 6th moneth 1638. William Warthenborow being chosen Constable of Hartshorne
in the name of Thomas Ever did take his oathe to that place belonging before me Jurwaife Howell.

The 8th of the 4th month 1638.

- absent fined. The 4th. Gentlemen after named m^r John Humphreys m^r John Winteron m^r M^r Arthur Hough 1231 and m^r Edward Rawson were fined 5^s. a pece for their absent upon the Court was called.
- Mary Jones. Mary Jones was consented to be taken care of by the Court and at the Court charge. 1232
- ffising. The 10th 1633. ordered about furthering the ffising the Court in consented to 1233.
- Hated. The 10th that had their bills signed in Ipswich and Salem before the last order may stop their 1234.
- Gonvorse ffaring. Edward Gonvorse appearing was admonished to be more careful of the ffaring and enjoined to 1235.
- 384. Waterston Gonvorse of Dedham bounds. Edward Gonvorse appearing was admonished to be more careful of the ffaring and enjoined to 1235. man two boats one to be on the one side and the other on the other side except the winds were so high that they were forced to put four men to man one boat and then one boat to serve, only he is enjoined to carry m^r Rawson ffine and so is discharged.
- 385. Foxberry e Dedham bounds. The 16th of the 4th month 1638. We whose names are underwritten being appointed by the 1236. Court to verify the bounds between Foxberry and Dedham (together with the lands purchased by Dedham) have fully agreed concerning them by drawing an equal line of division by marked trees and staked which is directed from the south east side of Foxberry bounds by a straight north west line running till it come upon the river. Furthermore in consideration of some straightness at the west end of Foxberry bounds by reason of the course of the river, it is mutually agreed that a portion of meadows shall belong unto Foxberry - viz. joining towards the south east upon Foxberry and is bounded towards the south east by certain marked trees from the line of division aforesaid (comprehending a narrow strip of upland into a point of upland on the brow of the marsh and from thence by the north west point of a little hillside of upland in the marsh straight on to the river. Edward Alllyn. John Oliver.
- 386. Dedham e Dorchester bounds. The 17th day of the 3rd month 1638. We whose names are underwritten being appointed by the 1237. Court to verify the bounds between Dedham and Dorchester have agreed to strike the head line of Dorchester from a marked tree by a cross brook (now commonly called the Jugging brook) to a certain stake upon Dorchester plains towards the top of the great blow hill. And to run from the stake aforesaid upon a straight line south west to another stake at the entrance of the great ragged plains and thence set off towards the south east ten rods into another stake - from whence it runneth again upon a straight south west line to a small tree marked standing about the middle of the plains aforesaid and from thence the line is varied one point south east to a certain stake upon the brow of a little hill in sight and so to run ad the line of partition between the said Towns of Dorchester and Dedham to extend to Plymouth bounds. Edward Alllyn. Richard Follocott. John Oliver.
- 387. The ffarte. The Court agreed to allow 100^s p^a annu for the maintaining of the ffarte but not to extend 1239. to be ordered by the Council and the Magistrates of the Bay.
- 388. Military Company. The military company of Boston may present two or three to the Council to oppose 1240. a Captaine out of them if the Council like them.
- Easton e Jffrey. It is ordered that the Magistrates of Ipswich shall have power to discharge m^r Easton and 1241. m^r Jffrey from building at Widdowmatt and if they will not take warning to leave the place of

1242. The Court have power to dispose some smaller quantity of powder to sergeants, Corporals and neede. Powder.
1243. Captaine Keyne and the military Company have power to exercise where they please and to make use of so many of the common armed as they need. And a warrant from any of the Court is sufficient for the delivery of them into Captaine Keyne or Sergeants as he shall appoint. Military Company. 389.
1244. Salem is to keep their particular points wch the Magistrates and Sergeants were before appointed on by Mr Ballard is to be in the room of Captaine Currier. Salem Court.
1245. Exors to have wch the Magistrates Mr Symonds Mr Woodbridge and Mr Hubbard. Exors Court.
1246. It was ordered that there should be 200^l leyed out of the severall plantations and this according to the proportion of the last rate to be rayd wthin a month and the Courtains to have power to send out warrants and take the amounts. 200^l levy.
1247. Robert Potter appeared. Potter.
1248. It was agreed that the measures should be made according to the water measure, that is according to the bottom of the notes in the brass standards. Measured. 390.
1249. The Courts are transferred to Boston. Courts at Boston.

At a Court of Assistants holden at Cambridge the 5. day of the 4. month 1638. being a quarter Court. present.

- The Governour. Mr Saltonstall.
 The Deputy Governour. Mr Stone.
 Mr Underhill. Mr Bradstreet.
 Mr Bellingham. Mr Gardiner.
 Jurraesr Howell.

1250. It was ordered wch the consent of Mr Baggeton that the inheritance of Mr Skelton should be divided according to Mr Skelton will and that the goods and household stuffe wch belongs to the three eldest children should be divided by some of the Court of Salem and committed to the Court of Salem. Mr Skelton & estate.
1251. Richard Collett and John Bustin were fined 6^l 8^s a pece for absence when the Court sate in the absence fines. after noon being summer.
1252. Mr Willard and Mr Spence are joynd wch the Court formerly appointed about Mr Currier lands. Mr Currier.
1253. Mr Richard Bellingham Jurraesr Howell and Mr Manly are appointed they or any two of them to examine witnesses upon oaths and to hear and examine all things concerning Mr White and Mr Wolcott and to doo it wthin 14. dayes and Mr Wolcott is to bring in a perfit inventory and distinguish the goods inventoried betwene his and the children, leaving to the Court to give order about them. Wolcott intestate.
1254. Samuel Jackson and Edith Pitts did appear and give in their evidence against John Emerson Emerson fornication. of Situate about his abusing the said Edith.
1255. Young Seawall being presented by the grand Jury for beating his wife is referd to the Court of Exors to examine and he to appear wchout any more summons. Seawall.
1256. Robert Bartlett being presented for cursing and swearing was enjoyned to have his tongue cut in a pece of shibe. cursing & swearing. promised.
1257. Katherine the wife of Richard Gorniss was found suspicious of incontinency and was seriously admonished to take heed. Katherine Gorniss admonition.
1258. Clement Briggs his wife is enjoyned not to come into the Company of Arthur Warren. Warren & Briggs.
1259. Mr Willard being presented for drunkenness it was found the falling sickness. Drunkenness. Suspicion.
1260. Lawrence Waterhouse wife was enjoyned to give John Smith 18^s and Richard Wheeler to give John Smith 18^s and Edward Lamb to give him two shillings, and Lamb was fined 15^s 6^d for his contempt and all of them were admonished to avoid daunting. Daunting.
1261. John Bennet and Philip Deane were referd to Salem for their drunkenness. Drunkenness.
1262. The Towne of Newbury was fined 6^l 8^s and enjoyned to repair their defects before the Court in September. The Towne of Exors is fined 6^l 8^s and hath liberty till the 7. month to repair their defects. The Towne of Exors is fined 20^l and enjoyned to mend their wayes before the next Court. The Towne of Andover is fined 6^l 8^s and hath liberty till the next month. Thomas Erwin is fined forty shillings for the leaving his vittall house well open upon

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a gillde was drowned well open in which a gillde was drowned.
 fined. The Towne of Cambridge was fined five shillings to prepare before the next court. 1263.
 Cambridge fined. The Towne of Boston was fined for their presentment. 1264.
 Boston was fined. The Towne of Boston was fined for their presentment.
 Pit open drowning fined. Edmund Hubbard was fined 40^s for leaving a pitt open wherfrom a gillde was drowned. 1265.
 Westford wife bilbowed. Francis Westford wife was censured to be sett two howes in the bilbowed howe and two howes at 1266.
 Salem upon a Fortimo day. The Towne of Dorchester was fined 6^s 8^d and hath liberty till October next. The Towne of 1267.
 Waverly fined. The Towne of Waverly was fined 6^s 8^d and hath liberty till the 7th month. The Towne of Weymouth was fined 0^s 8^d and hath liberty till the 7th month next. The Towne of Hingham was fined 0^s 8^d and hath a months liberty. 1268.
 Holywell. John Holywell is referred to Salem.
 Drury whipt banisht. Thomas Drury was censured to be severely whipped and the former execution of banishment to be inhibited. 1269.
 John Edwards of Roxb. John Edwards bound in 40^s and William Edwards bound in 40^s to tarry their wives to Salem Court, 1270.
 Robert Cole. Robert Cole was enjoined to pay the widow 10^s and so was discharged. 1271.
 Emerson banished. John Emerson is bound to the good behavior for twelve months, and bound in 40^s to appear at the quarter court in his jurisdiction for 4th month 1639. 1272.
 Edward Proa more was to remaine wher Mr. Gradocke mittill advice from England, and advice to be sent from N.Y. 1273.
 Morgan, Hall, Lambert. Robert Morgan Edward Hall and Richard Lambert are referred to Salem. 1274.

A Court of Assistants held at Boston the 4th of the 7th month 1638.

- present,
- The Governour.
- The Deputy Gov.
- Mr. Indrott.
- Mr. Bellingham.
- Mr. Harlatendon.
- Mr. Walshewe.
- Mr. Stoughton.
- Mr. John Winthrop int.
- James Howell.

Constables fined. The Constables of Cambridge and the Constables of Boston are fined ten shillings a poore for not returning their warrants in time w^{ch} the name of the Governour. 1275.
 William fined. William is fined five shillings for not appearing when he was called to shew cause. 1276.
 Katherine fined. Katherine the wife of Samuel Smith being accused for speaking against the Magistrates against the Governour and against the Elders was censured to be whipped and committed till the general court. 1277.
 Holloway. Holloway is bound in 20^s to appear at the next court. 1278.
 Gross. John Gross being warned to appear about his servant Clement Manning who misprayed the said Gross was discharged. 1279.
 George fined. George is fined ten shillings for distemper w^{ch} drinks wher his master William Deane undertooke to be satisfied. 1280.
 Smith. John Smith bound in 20^s to appear at the next court. 1281.
 Bouty whipt banisht. William Bouty is censured to be severely whipt and kept to the general court, by w^{ch} w^{ch} some he was banished to returne no more upon paine of death. 1282.
 Mr. John Winthrop int. Mr. John Winthrop immed took the oath of Assistant. 1283.
 James Howell. The business of James Howell is referred to Mr. Roger Harlatendon and James Howell to examine all things about it both of state and debts. 1284.
 Wilson's inventory. The inventory of Edward Wilson amounting to 48^l 2^s was delivered into the Court. 1285.

- this 4th day of the 4th month by Thomas Wilson Executor of the aforesaid Edward and was
 attributed do bene esse.
1256. It was ordered by the Court of the said City of Boston that the said Mr. William Woodberry for the sum of 500^l in satisfaction for his 1/2 part of the goods and effects
 given him by his child Joane Drake this to be delivered presently and the said Mr. Woodberry
 to be discharged thereof upon the delivery of the same.
1257. The agreement between Mr. John Fisher and his brother William made by Mr. John Endicott with
 the said John Woodberry and the said Mr. Fisher was approved in Court with the consent of
 the said John Woodberry that the said John Fisher should retain 200^l of the estate in his hands to his brother William and
 the said John Fisher should be bound to give unto his said brother John if he died unmarried before he should come to
 the age of 24. yeares the summe of 100^l and the said William did release to the said John in
 Court all interest in the land.
1258. John Knowles having married the widdow of the deceased who was sister to Robert
 Child was granted administration of the estate of Robert Child.
1259. The will of Silvester Baldwin was presented into the Court and his wife Sarah and
 some his goods were allowed Executors according to the will.

Drake's agreement.

John Fisher
 &
 William Fisher
 agreement.

Child's estate.

Baldwin's estate.

All a general Court held at Boston the first day of the second
 month 1638. present.

- | | |
|-------------------|-------------------------|
| The Governour. | Mr. Gardiner. |
| Deputy Governour. | Mr. John Winthrop junr. |
| Mr. Endicott. | Mr. Bradstreet. |
| Mr. Bollingham. | Mr. Stoughton. |
| | James Howell. |
| | Deputies. |
| Mr. Joseph Hull. | Joseph Cooke. |
| Anthony Lando. | John Bridge. |
| Stobor Fleming. | Buttorn Stone. |
| William Hoade. | Higginson Browne. |
| Nathaniel Duntan. | Thomas Mayhew. |
| John Glover. | William Gommison. |
| Samuel Chilton. | Thomas Flint. |
| John Heath. | Simon Willard. |
| John Johnson. | Edward Howe. |
| William Parke. | William Hathorne. |
| Oliver Spring. | John Woodberry. |
| Robert Kayne. | Jacob Barner. |
| John Wozgate. | William Hubbard. |
| Walter Sprague. | Samuel Symonds. |
| Abraham Palmer. | Higginson Embling. |
| | Edward Pawson. |

1290. The general Court being assembled a Commission was granted to make Mr. Nathaniel
 Fogel first at Ipswich by taking his oath and before two of the Magistrates.
1291. Walter Mousal being questioned about some things formerly spoken by him in approbation of
 Mr. Mousal was dismissed from being a member of the Court.
1292. Mr. Samuel Downing Esq. hath brought over at his great charge all things
 fitting for taking the oaths by way of duty, this Court being desired to in-
 courage him and attend in such designed and tend to publicke good doe give him full liberty
 to read the same and put in some convenient place within the bounds of Salem as he should
 and see the same and that it shall not be lawful for any person to speak in any
 waye halfe a mile of the words where the said Court shall be placed nor shall use any

Mr. Natha. Fogel
 a free man.

Mousal dismissed.

Mr. Downing his
 duty done.

- 1309. Letters were appointed to be written to Mr George Harwood to desire him to send his account. Mr Harwood account.
- 1310. Mr Fitz and Browne Mr William Colbran and John Bridge are appointed to lay out Mr Burtings- Mr Burtings lands. Land at Cambridge.
- 1311. Mr William Foster appearing was informed that we thought him not fit to live with us therefore Mr Foster. he was wished to depart before the generall Court in March next.
- 1312. Thomas Fournell was licensed upon feyall to have an fme in the room of William Baulston till Fournell fme. the next generall Court.
- 1313. Mr Fournell was ordered to have 11th 10th of the estate of William Baulston. Baulston 11th 10th.
- 1314. The Petitioners Mr Penderston Mr Thos^r Mr Browne and Company are allowed to go on in their plantation and survey and are associated into them. And Lieutenant Willard Thomas Browne and Mr John Oliver are to sett out the bounds of the said plantation and they are allowed 4th a day each of them and Mr John Oliver 2th a day to be borne by the new plantation. And the Petitioners are to take care that in their allotments of lands they have respect as well to mens estate and abilities to improve their lands as to their number of persons and if any difference fall out the Court or the Comptrol shall order it.
- 1315. Peter Presgrave Mr Samuell Maberins man was transposed to be severely whipped. Presgrave whipt.
- 1316. It is ordered that whosoever shall be found within two myles of any meeting house except within a maner owned land without a sufficient keeper or else be found within any town field garden or pasture being any other mans propriety or meadowe shall be forfeited and whosoever person of the same Towne where such swine shall be taken shall take up any such swine alive or kill them, shall by two freemen of the same Towne paye the same and the Damaged being first satisfied the remaining parts of all swine so taken shall goe the one halfe to the party and the other halfe to be delivered to the Constable or to some man chosen by the Towne to be employed as a tanner stock for the good of the Towne where it is taken, provided that no swine shall be forfeited till the first of April next, unless they be found in Towne field garden meadowe or pasture being any other mans propriety And this Court doth intend that all men shall be carefull to see to the execution of this order, and whosoever shall report or find fault with any for seizing or killing any swine according to this Lawe shall be liable to punishment. Provided also that till April next it shall be lawful for swine to goe and feede upon such lotts or pasture grounds being not inclosed as here in or adjoyning to the Common of any Towne. This order to be of force within one week after the end of this Court. All former Lawes against swine are repealed.
- 1317. Whosoever dieth persons who are indebted to the Country for their parts to publick rates and offered for fines who for avoiding the payment thereof have sold away their houses and lands and sent away their goods intending to remove to other plantations, It is therefore ordered that the Justice shall grant warrants to the Sheriff to attach the bodies of such persons, and after satisfaction for their rates or fines, and all such persons to pay any fine if they have not any lands or goods to be distrained shall have their bodies attached to make satisfaction. Provided that any Court or the Comptrol may discharge any such person from imprisonment if they shall find them indubitably unable to make satisfaction.
- 1318. For avoiding of the Comptrol charge by bringing small causes to the Court of assistants It is ordered that any Magistrate in the Towne where he dwelleth may hear and determine by his discretion all causes wherein the debt or trespass or damage is not above 20th and in such Towne where no Magistrate dwelleth the generall Court shall from time to time nominate three men two whereof shall have like power to hear and determine all such actions under 20th and if any of the parties shall finde themselves grieved with any such order or sentence they may appeal to the next quarter Court or Court of assistants or. And if any person shall bring any such action to the Court of assistants before he hath undertaken to have it ended at home as in this order is appointed he shall loose his action and pay the Defendant costs. If no appeals be sent in the day of the sentence upon such small actions the Magistrate or the said three chosen men shall grant execution.

Mr Foster.

Fournell fme.

Baulston 11th 10th.

Mr Penderston et al 394 offered their plantation.

Presgrave whipt.

Swine. 395.

Rated assessed rates. 396.

and fees from filijoz make satisfaction for their rates or fines, and all such persons

Small causes under 20th. 397.

ffor wdartrton m Thomas Wrayhwe Gaytame William Gornison and m Richard Browne are chosen.

ffor Hingham m Joseph Hill Edmond Hubbardson and m Thomas James were chosen.

ffor Newbery m Edward Hanson m John Woodbridge and m Edward Woodman were chosen.

398. Land granted to divers persons.

The Court granted these proportions of land to John Johnson two hundred and fifty acres. 1319 to m Richard Browne two hundred acres. to Gaytame William Gornison two hundred acres. to m William Hubbardson 300. acres. to m Thomas James 200. acres. to m Abraham Palmer 200. acres. to m Abraham Wallowes 200. acres, to Richard Bellingham 175. 200. acres. to be considered of by m Wrayhwe Lieutenant Dabneye Lieutenant Newe and m Ballard or any two of them being one of each Towne and to informe the Court.

A Committee for disposing of lands.

ffor avoiding the trouble of this Court about granting of lands and for more equal proceedinge 1320 hereon, It is ordered that m Bellingham the Treasurer m Isaac Stoughton m Richard Browne John Johnson and Abraham Palmer or any four or five of them shall have power to take the names of all such as will demand allowance of lands and shall consider of the grounds and reasons of their demands and thereupon shall set downe the names of all such as they shall finde fitt to have lands granted them and what quantities of land they shall see fitt to be allowed to them having regard to their adventures in the Common or joint stocke and their abilities to improve lands and also to such lands as have bin already granted them either by the Towne or by the Court and that the Court at large be not bounden to provide lands for the inhabitants of such Towne as have land enough to supply them except their considerations require it, and that they consider that those who first planted were allowed fifty acres for each person yet this benefit is not to be allowed to all others and what they shall doe herein to make certifiacte thereof to the next Court. They are withall to consider that men cannot have their full proportions at the present.

399. Contributions toward the building of the Church.

This Court taking into consideration the necessity of an equal contribution to all common charges in Towne and observing that the chief occasion of the defect herein arises from hence that many of those who are not freemen nor members of any Church doe take advantage thereby to withhold their help in such voluntary contributions as are in use.

It is therefore hereby declared that every inhabitant in any Towne is liable to contribute to all charges both in Church and commonwealth insofar as he doth or may receive benefit and withall It is also ordered that every such inhabitant who shall not voluntarily contribute proportionably to his ability such other freemen of the same Towne to all common charges as well for upholding the ordinances in the Churches as otherwise shall be compelled thereto by assessment and distress to be levied by the Constable or other Officer of the Towne as in other cases.

400. Fairs at Salem.

It is ordered that there should be two fairs at Salem in the year the one the last wed. 1323. next day in the third month called May the other the last wednesday of the seventh month called September. Also it is ordered that there shall be two fairs at Wadsworth the one the first Friday of the fourth month the other the first Friday of the seventh month. Lastly it is ordered there shall be two fairs at Dorchester the one the first wednesday of the third month the other the last wednesday of the eighth month.

401. William Henry.

Wray William hath liberty to set up an house and keep a ferry over Rapon off river and 1324. to have a penny a person to be directed by m Stoughton and m Glover.

Borrowed oxen.

m John Hall bonds himself in twenty pounds for his servant John Burrows that he shall not seduce any man nor move question to that end, nor question with any other except with the Magistrate or teaching Elders.

300. attachment.

An attachment is to goe out to the Constable of Hingham to attach Oldam Mott and to bring him before the Court or some one of the Justices.

Day of Thanksgiving.

Intimation to be given to the Elders of each Church of the desire of the Court to keep the last Thursday of the eighth month a day of thanksgiving for the safe cominge of so many shippes this year and the reasonable weather in the Springe and now to view the harvest.

1320. It was ordered that the Constables should informe of the towne if any be admitted without licence and to that end warrant to be sent out to the Constables of the towne to informe the Court of Assistants wch is to consider of the fines whether to take from or to mitigate from, one William Kingsbury and Abraham Shaw are appointed for Dedham there being not no Constables there now.

New towne licence. 402.

1329. There is a ferry appointed from Boston to Wimmetsmet Rodills Island and the foppes, the person to be appointed by the Magistrates of Boston.

Boston to Wimmetsmet Rodills Island et ferry. 403.

1330. It was ordered that the Townsmen in the towne should see towns be well ground and to see to weights and measures in milles and foppes and the foppes at milles to be weighed both to and from the milles if men desire it.

Towns grinding et. 404.

1331. George Morrell for stealing was enjoined to give double restitution.

Morrell theft, restitution.

1332. Luke Humber was required to be severely whipped and kept in prison till the Comsell can dispose Humber wch is of him or else to be banished upon paine of death.

Humber wch is of him or else to be banished upon paine of death.

1333. His Court finding that since the repealing of the former lawes against tobacco the same is more abused then before, it hath therefore ordered that no man shall take any tobacco in the field except in his journey or at such times upon paine of twelve pence for every offence nor shall take any tobacco in or so near any dwelling house barn or house or hayrick as may likely endanger the firing thereof upon paine of 2^d for every offence, nor shall take any tobacco in any time or tomon dwelling house except in a private roome there, so as neither the master of the house nor any other guests there shall take offence thereof wch is for the reason is fourty wch is forborne upon paine of 2^d 6^d for every offence. No man shall kinde fire by gunpowder for taking tobacco except in his journey upon paine of 12^d for every offence. And if any servant or workman taking wages shall offend in any of the premises his master shall stopp so much of his wages as the penalty amounteth to. All the said forfeitures wch are charged of prosecution shall be levied by any of the Magistrates upon conviction of the party by oath of one sufficient witness by distress or and employed for the benefit of the towne where the offence was committed.

Tobacco. 405.

1334. Whereas it is found by sad experience that diverse persons who have ben justly cast out of some of the Churches doe profanely contemne the same sacred and dreadfull ordinance by profaning themselves overboldly in their Assemblies and speaking lightly of their censures to the great offence and griefe of Gods people and intromagement of evil minded persons to contemne the said ordinance, it is therefore ordered that whosoever shall stand excommunicate for the space of six moneths without labouring what in him or her lyeth to be restored, such person shall be presented to the Court of Assistants and there proceeded wch by fine imprisonment banishment or further for the good behavie and their contempt and obstinacy upon full hearing shall deserve.

Excommunication - 406. Assisted. Excommunicated.

1335. It is ordered that the New plantation to be settled upon Gontord river shall joine to Gontord and have four myles upon the river according to the plott given in and if any difference arise betwixt the inhabitants there the Court or the Comsell shall order the same.

Plantation by Gontord. 407.

1336. There is a rate of 400^l granted but the warrants not to be sent out until the other counts be cleared and that to be done within eight weekes and the first afternamed are to meet the first Tuesday in November and to take the Towns account and then to appoint the warrants to be sent out. The Comittie are m^r Nathaneel Gaxtane - Farnison m^r Cooke Lieutenant Sprague John Johnson m^r Rayne m^r Dunton m^r Hubbards m^r Dawson m^r Hull m^r Ballard and William Deade.

400^l.

1337. It was agreed that the Court of Assistants should take order for the Indians that they may have satisfaction for their right at Nymet and at Wadsworth.

Indians 408.

1338. The Court did discharge the fines underwritten whiche doe stand recorded before in this booke. The fine of November 1630. Edward Saltonstall being then fined 5^l is discharged of the said 5^l 1. May 1630. Thomas Stoughton being fined 5^l is discharged of the said 5^l m^r Andrews m^r Pimpton and m^r Positor are discharged of 6^l 3^d a peere. Edward Saltonstall is discharged of 4. bysells of mault. Nicholas Knox being fined 5^l part was payd and the rest was remitted. 3. May 1631. Thomas Wadsworth being fined 40^l for

fines discharged et. 409.

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paid it by killing a wolfe. Ditto. John Worman fined was fined 10^s, which this Court remitted
 him. 18th of May Daniel Abbott was fined 5^s was remitted him by this Court. 16.
 August m^r Sheppard Robert Gold and Edward Gibbons were discharged of their fines by this Court.
 Ditto Edward Gibbons and Alexander Wignall were discharged by this Court. 6. September Alexander
 Wignall being fined 40^s is discharged by this Court. 27. Sept Josias Plastow being fined 5^s
 is discharged by this Court. 6. Martij Robert Gold being fined 1^s is discharged by this Court.
 3. Julij 1632. James Parter being fined 40^s. it was remitted him by this Court. Ditto Thomas
 Dudley being fined 40^s. it was remitted him by this Court. 4. September John Stillaud being fined
 3^s he is discharged of the same. 3. Ditto Edward Under being fined twice 4^s is discharged of the
 same. Ditto Nicholas Frost being fined 5^s is discharged of the same. 4. Martij Thomas Decker
 being fined 40^s was 30^s of it remitted him. 2. Julij 1633. James White being fined 30^s he
 was discharged of it by this Court. 6. August John Wadsworth being fined 50^s. this Court remitted
 40^s of the said fine. 3. September John Shotwell being fined 40^s. the Court remitted 20^s
 of it. Ditto Robert Gold being fined 10^s is discharged of the same. Captain John Stone
 being fined 100^s is discharged of the same. m^r Abraham Palmer being fined 10^s is discharged of
 the same. Alexander Wignall being fined 10^s is discharged of the same. 4 Martij Richard Williams
 being fined 40^s is discharged of the same. Timothy Hawkins being fined 20^s is discharged of
 the same. John Daughan being fined 20^s is discharged of the same. April 6. Ditto 1634.
 John Doe being fined at twice 40^s he is discharged of all to 1^s. 1. May Thomas Fox being
 fined 10^s is discharged of the same. first Julij William Cully being fined 10^s is discharged.
 2. Aug James Farling being fined 40^s is discharged of the same. 6. Oct Ensigne Jamison
 being fined 20^s the Court did remitt the same. Ditto Clement Briggs being fined 10^s is
 discharged by the Court. Samuell Hall being fined 5^s is discharged by the Court. Richard
 Lambert forfeiting 10^s 9th of it is remitted him. 1635. Francis Toby being fined 10^s he
 is discharged of the same. 2. Junij m^r John Humphrey being fined 10^s is discharged of the
 same. 4. Augusti Arthur Holbidge forfeiting 7^s 10^s. it was remitted to 30^s. Ditto Richard
 Undergaur forfeiting 30^s. it was remitted him to 5^s. Ditto Thomas Hunt forfeiting forty five
 shillings it was remitted to 7^s. 6th Ditto James Hawkins forfeiting 11^s 5^s. it was remitted him to
 50^s. first September William Dixon forfeiting 20^s. Ditto Edward Fox
 being forfeiting 10^s it was remitted him to 40^s. Ditto James Browne forfeiting 10^s it was
 remitted him to 40^s. 3. November Samuell Gold forfeiting 1^s it was remitted to 10^s. first
 Howell being fined 3^s 4^s it was remitted him by this Court. 1. Martij Richard Whelpe
 being fined 40^s he is discharged of the same. Anthony Foxer forfeiting his recognizance of
 40^s. William Montague forfeiting 20^s it was remitted him to 20^s. 1636. 7th 4th mon.
 John Jobson undertaking for Tobyed 10^s is discharged of it. 6. 7th months Peter Bussater being
 fined 5^s it is remitted to 20^s. 1036. 7th 10th months Agrihofer David being bound in
 5th for John Robinson appearance. Thomas Robinson bound in like sort in 5th 6. first mon.
 Stephen Dawson being fined 40^s payment was acknowledged and he is discharged. John
 Crumple being fined 20^s it was remitted him to 20^s. 6. 4th months 1637. John Sweete
 being fined 1^s it was remitted him. Robert Anderson being fined 50^s it was remitted. George
 Wilmings being fined 20^s. it was remitted to 10^s. James Browne being fined 40^s it was remitted to
 10^s. 19th 7th months John Hogg being fined 3^s is remitted to 2^s. John Dawene being fined
 20^s he is. John Stratten being fined 10^s is remitted to 10^s if he goe to Wiermarket. 2. 9th.
 months. William Baulston being fined 20^s it was remitted him. Edward Hutchinson being
 fined 40^s it was remitted him. Samuell Gold being fined 20^s and owing 10^s more it was
 remitted him to 15^s. William Baulston being fined 10^s and owing 5^s more it is remitted to 10^s.
 6. first months Joseph was fined 10^s was remitted him. Thomas Starre being fined 20^s.
 that was remitted to 15^s and put to 10^s remitted out of his wages. 10. 4th months 1638. —
 Thomas Ewer being fined 40^s. it was remitted to 10^s. Edmund Hubsand son being fined 40^s.
 it was remitted to 10^s.

A quarter Court holden at Boston the 4th day of the 10th month 1638.

present. The Governor. Mr Simon Bradstreet. The Deputy Governor. Mr John Winthrop jun. Mr John Endicott. Mr Isaac Stoughton. Mr Richard Saltonstall. Jurraese Rowell.

- 1339. George Dalton was fined 10s for swearing and vandy it in Court. Walton swearing.
1340. John King William Pettib and John Davied appearing were discharged till further information.
1341. Robert Shorthose was committed for saying in the Magistrate had any thing to say to him he might come to him he was released binding himself in 20s to appear at the next Court and to be of good behavior for meane time. Shorthose contempt.
1342. James Inpsford and Benjamin Hubbard are bound in 10s a peere for the appearance of Robert Shorthose. Bon. porte.
1343. The Indian whire had bin kept in prison was released being required to send or bring satisfaction Indian trespass. for the fowle or old satisfaction should be taken from Naviganst.
1344. Thomas Holloway appearing was discharged. Holloway discharged.
1345. John Hollarabe being presented by the grand Jury for drawing wine against an order of Court was declared to have forfeited ten pounds and for causing his daughter to deliver a paper to a stranger out of Court he was fined 20s. he was also by the Jury found guilty of contempt and to have broken the rule of hospitality and the wear white were remitted him.
1346. Thomas Wilson for taking above double toll was fined 20s and being presented for standing above six months extorment he was enjoined to appear at the next Court. Wilson excessive toll.
1347. Samuel Bass for his contempt was fined 5s. Bass contempt.
1348. Richard Emmer for being notoriously drunk was fined 40s. Emmer drunk.
1349. William Blanton appearing was enjoined wth all the men that were in the Gamooe wth him and appropriate whire owned the Gamooe out of whire the three persons were drowned. Gamooe drowning 3. persons.
1350. And it was ordered that no Gamooe should be used at any ferry upon paine of 5s nor no Gamooe to be made in our jurisdiction before the next annual Court upon paine of 10s prohibited.
1351. Also order was appointed to be given to Richard Wright to stabe that Gamooe out of whire those persons were drowned. Gamooe stabled.
1352. Dorothy the wife of John Calby being by her owne confession guilty of the unnatural murder and untimely death of her daughter Diffinit Calby was by the Jury found guilty and so was condemned to be hanged. Dorothy Calby murder. hanged.
1353. William Chidwood having made an assault upon his master Henry Hogan strake him die he Chidwood contempt blowed and wickedly conspired against the life of his said master and not only so, but did conspire also against the weare and welfare of this whole Commonwealth was censured to be publicly whipped and delibered up ad a stabe to whom the Court shall appoint. Chidwood contempt.
1354. John Hasellwood being found guilty of severall thefts and breaking into severall houses was censured to be publicly whipped and delibered up ad a stabe to whom the Court shall appoint. Hasellwood theft.
1355. John Plante being found guilty of severall thefts and breaking into houses was censured to be publicly whipped and delibered up ad a stabe to whom the Court shall appoint. Plante theft.
1356. John Winterstaffe was censured to be publicly whipped for committing fornication wth Alice Burwood. Alice Burwood was censured to be a striet for yielding to Winterstaffe without saying out and revealing it 9. or 10. times. Winterstaffe fornication.
1357. Katherine Gorniss is respited until the Court the first month. Katherine Gorniss.
1358. Margaret to be sent out for Jbrooke and false Omitte. Jbrooke, Omitte.
1359. Robert Abell for want of sufficient witness was discharged. Abell.
1360. Clement Briggs was not found guilty of extortion and was discharged. Briggs.
1361. The fowle of Wdaymonte was fined 10s for desert in their higs wanded and day was given them till the next Court. Wdaymonte.

Doughter fined. The Court of Doughter for a defective highway was fined 5^s and had day given them until 1362. the next Court.
 Boston fined. The Court of Boston was fined 10^s for their defective highway and want of a water house 1363. and day was given till the next Court.
 Fuller. Attachment was to be sent out for Edward Fuller. 1364.
 Webb. Henry Webb was discharged for want of sufficient witness. 1365.
 Gourdon fined. The town of Gourdon was fined 5^s for want of a pair of stocks and a water house. 1366.
 Water-ton fined. The town of Water-ton was fined 5^s for want of a pair of stocks and had day till 1367. the next Court.
 Sharnob of Payer fined. John Sharnob and John Page were fined 5^s for turning the way about and day was given till the next Court. 1368.
 Gourdon. Thomas Gourdon appearing and being hirsessed was discharged. 1369.
 Worn. The wife of Josiah Worn was referred to Salem. 1370.
 Higgin. An attachment to be sent out for George Higgin. 1371.
 Ballard. William Ballard having no offer but surety had lottis was discharged. 1372.
 Serbants. John Fogun was in litta for his discharge because those were his hands were offered men's servants. 1373.
 Cambridge fined. The town of Cambridge was fined 5^s for want of a water house ponds of stocks and time was given them till the next Court. 1374.
 Betts. John Betts appeared and was discharged there being not evidence sufficient to prosecute him 1375. over-selling.
 Charles-Towne, fined. The town of Charles-Towne was fined 5^s for want of a water house and time was given till the next Court. 1376.
 Poole. John Poole for abusing his servant was fined 5^s. 1377.
 Cooper. John Cooper in was committed to his father for correction. 1378.
 Felmingham & West. Francis Felmingham and William West appearing for want of witness were discharged. 1379.
 W. Goose. Mr William Goose is respitted until his return. 1380.
 Mary Oliver son. Mary the wife of Thomas Oliver for disturbing the church of Salem was committed to prison until she be found satisfied for her good behavior and appears at the Court 1381.
 Quarrelling & fighting. Richard Dabrid and Peter Bussater for quarrelling and fighting are referred to the Court at Salem. 1382.
 Droghaming the Sab. Stock. Richard Holmingsworth for worshipping the Sabbath in travelling was referred to be set in the stocks upon a certain day at Salem. 1383.
 Ipswich fined. The town of Ipswich was referred 10^s for defective highway and time was given them till the next Court to repair them. 1384.
 Emory ponds break. Anthony Emory was fined 20^s for a pound breach and enjoined to give Thomas Coleman 1385. 13^s 4^d for his charge.
 Newberry fined. The town of Newberry was fined 5^s for want of a pair of stocks and time was given them until the next Court to make them. 1386.
 King. Thomas Sabory for his grosse lying was referred to the Court at Ipswich. 1387.
 Terry. Thomas Terry was enjoined to appear at the next Court to answer further. 1388.
 Wurt. An attachment was granted for George Wurt to appear at the next Court. 1389.
 Dedham Constable. John Haward being chosen Constable for the Court of Dedham did take his oath 1390. 10^s 1638.
 Gourdon Constable. Thomas Brooke being chosen Constable for the Court of Gourdon did take his oath 1391. 8^s 10^d money 1638.
 Ever Testament. The widow Ever was allowed Executing of her husband Thomas Ever deceased. 1392.
 Mr Harrison attorney. An attachment was granted for John Harrison gent. 1393.

The Governour. Mr John Winthrop jun.
Deputy Governour. Mr Richard Saltonstall.
Mr Endicott. Mr Isaac Stoughton.
Justice Rowell.

1394. John Davies for grosse offences in attempting lewdness wth diverse women was t^ursured to be Davies V. severely whippod both here and at Ipswich and to wear the letter V upon his breast upon his uppermost garment until the Court doe discharge him.
1395. John Corne dying in the house of Daniell Brewer administration was granted to the said Eutene intestate. Brewer.
1396. Willm Blanton Willm Potter Robert Chooper Henry Meale John Pitts and Thomas Apple Boate. gate appearing were discharged wth an admonition not to adventure too many into a boate.
1397. Thomas Boyse having attempted a rape wth Sarah Jusall was t^ursured to give the said Boyse wth 5th and to be whippod and imprisoned a time. Boyse wth 5th.
1398. Willm Judson appearing was discharged. Judson.
1399. Marke Desbun was committed and fined 5th for stealing at Detroit out of Mrs the face Desbun wth 5th witnesses are to have 5th a year. and the prosecutor 10th. fined.
1400. False Smiths appearing was discharged. Smiths.
1401. Richard Brooke for tempting two or more mands to unlesse was fined 5th to the — Brooke fined. Court and 20th a year to the two mands Rebena Phippen and Mary Marsy.
1402. Thomas Chyphate was appointed to have 29th for his fannoo when he armed Applegate. wherof he borrowed are returned backe as good as they were when he borrowed them.
1403. James Medtals not being returned from Pastataque wth Samuell Maberitte had granted Medtals. him liberty till the next Court to bring him in.
1404. Edward Sanders being s^{it} at Pastataque with plab Davison had liberty till the next Sanders. Court to bring him in.
1405. John Hogg for swearing Gods foote and t^ursing his servant wthing a xxx of Gods — Hogg swearing tate you was fined 5th. t^ursing fined.
1406. John Harrison not appearing a new attachment was granted. Mr Harrison.
1407. The wife of Robert Gaultley not appearing attachment was granted for her to appear Gaultley wife. at the next Court.
1408. Richard Silvester was fined 12th for selling strong water wth he wth into the Court. Silvester.
1409. Robert Shortness was sett in the bilbow for stealing the Magistrates in his pocket. Shortness sett.
1410. James Indden had granted his 10th against Gutschamache who warned him to appear and Gutschamache. did not come to prosecute. non s^{it}.
1411. Edmond Chidley is granted administration of the goods of Francis Dent deceased upon — Dent intestate. the testimony of John Winge and Sergeant Davies upon oates.
1412. An attachment was granted for John Harrison. Mr Harrison.
1413. An attachment for the wife of Robert Gaultley. Gaultley.

A generall Court holden at Boston the 13th of the first month 1638.

Present,
 The Governour. Mr. Nimitzox im.
 Deputy Governour. Mr. Isaac Stoughton.
 Mr. Ludrott. Mr. Simon Bradstreet.
 Mr. Saltonstall. Jurwase Rowell.

Deputies.
 Joseph Hull. Joseph Cooke.
 Christopher Lamed. Samuell Sheppard.
 John Uxham. Richard Jackson.
 Stephen Frons. Richard Browne.
 John Glover. William Fennison.
 Thomas Hoar. Thomas Mayhew.
 John Pearce. Thomas Flint.
 William Heath. Edward Tauson.
 Edward Porter. Edward Woodman.
 Griffin Proffe. Richard Impey.
 Atterton Young. William Bartolomew.
 Robert Keayne. William Hantgrove.
 Edward Gibson. John Woodberry.
 Robert Sedgewick. Geoffrey Masson.
 Falker Sprague. Edward Howe.
 Thomas Inye. Timothy Comhind.
 Edward Allen.

Mr. Downing a freeman. Mr. John Ludrott and Mr. John Nimitzox im had order to give Mr. Emmanell Downing the oath of 1414. freedom at Salem.

Order for the Military Companies made by the Governour and Council and confirmed by the generall Court.

109. Military Companies Order.

Whereas diverse gentlemen and others out of their care of the publick weale and safety by 1415. the attainment of the military chace and exercise of chaced have desired licence of the Court to joine themselves in one Company and to have liberty to exercise themselves at such times as their occasions will best permit and that such other liberties and priviledges might be granted them as the Court should thinke meete for their better encouragement and furtherance of so usefull employment. whiche request of theirs being referred by the Court to us of the standing Council, we have thought fitt upon serious consideration and conference wth diverse of the principall of them to sett downe order here in as followeth.

Incorporate.

1. Impaired we doe order that Robert Keayne Nathaniell Duntan Robert Sedgewick William 1416. Spencer gentlemen and such others as are already joyned wth them and such as hereafter shall from time to time take into their Companies shall be called the military Companies of the Massachussets.

Election of Officers.

2. They or the greater number of them shall have liberty to choose their Captaine Lieutenant and all other Officers their Captaine and Lieutenant to be always such as the Court or Council shall allowe of) and no Officer to be put upon them but of their owne choice.

Time of exercise.

3. The first Monday in every month is appointed for their meetings and exercises and to the end thereof men not be hindered from coming together we doe hereby order that no other travayling in the partitulars towne nor other ordinary towne meetings shall be appointed on that day, and if that day prove unseasonable for exercise of their chaced then the first of the same week is appointed for the same purpose, this not to extend to Salem or the towne beyond nor to Nympham Nympham Nympham nor Nympham.

Power to make orders.

4. They have liberty and power to make orders amongst themselves for the better managing of their military affaires (whiche orders are to be of force when they shall be allowed by the Court or Council) and they may appoint an Officer to let any fines or forfeitures wch they shall impose upon any of their owne Companies, for the breach of any such order so as the same exceede not twenty shillings.

for any offence.

1420. The said military company are to have one thousand acres of land in some sure place as may not be prejudicial to any plantation to be granted by the court to some of the said company for the use of the present company and success in the same to be improved by them within a time convenient for providing of necessaries for their military exercises and defraying of other charges which may arise by occasion thereof. 1000. ac. granted to the company.

1421. The said company shall have liberty at the times before appointed to assemble themselves for their military exercises in any town or townships within this jurisdiction at their own pleasure. Place of exercise.

1422. It is provided always that this order or grant or any thing therein contained shall not extend to free the said company or any of them from their persons or estates from the civil government and jurisdiction here established. John Wmington Governor. Thomas Dudley Deputy. Proviso.

1423. Captain John Underhill had granted him safe conduct to come to answer the charges of Boston betwixt this and the general court the 22nd of the said month next. Captain Underhill safe conduct. In oaths to be administered to every constable by order of this court.

1424. Whereas you are chosen constable within the Town of A. for one year now following and until after be sworn in the place, you do here swear by the great name of Almighty God that you will carefully intend the preservation of the peace the disturbance and preventing all attempts against the same, you shall duly execute all warrants which shall be sent unto you from lawful authority here established and shall faithfully execute all such orders of court as are committed to you to take and in all these things you shall deal seriously and faithfully while you shall be in office without any sinister respect of favor or displeasure so help you God. Oath of constables. 410.

1425. The lawes for money to be given for the killing of wolves and foxes are repealed. Wolves & foxes.

1426. John Smith for disturbing the publick peace by combining with others to hinder the orderly gathering of a court at Wrentham and to sett up another there contrary to the orders here established and the constant practise of all our courts and for undue procuring the hands of many to a blanke for that purpose, is fined 20th and committed during the pleasure of the court or the Court.

1427. Richard Silvester for going with Smith to get hands to a blanke was disfranchised and fined 40th. Silvester for the same disfranchised & fined.

1428. Mr. Ambrose Marten for calling the court a stinking carrion and a humane invention, and saying he wondered at Gods patience feared it would end in the same, and said the minister did detrone Christ and sett up himself, he was fined 10th and committed to goe to Mr. Mathew to be instructed by him. Mr. Marten standall fined.

1429. Mr. Thomas Maltrears because of his novell disposition was informed we were weary of him unless he reforme. Maltrears.

1430. Liberty was granted to mend the port of the Sagamore of Caggawam with the Governor's Indian xerowand man bracke.

1431. The Governor had leave to give the said Sagamore some small quantity of gunpowder to fill foule and drive. Powder to Caggawam.

1432. M^r. M^r. Maltrears the Sagamore of Caggawam acknowledged that he had received 20th of M^r. John Wmington for all his lands in Ipswich for which he acknowledged himself fully satisfied. Maltrears not satisfied for Ipswich.

1433. William Guntis had leave to build upon his lott his other dwelling being scatted so inconveniently. Guntis.

1434. Johnnes Islands is to remaine in the court's power only for the present Ipswich Rowberry and the new plantation betwixt them may make use of it till the court shall see cause otherwise to dispose of it. Johnnes Islands.

1435. Mr. Little and Sergeant Howier are desired to view by the bounds of Rowberry whether two miles square may not be granted more to Rowberry without hindrance to any new plantation. Rowberry enlarged.

Spencer ferry at
Hyms.

Spencer is granted the ferry at Hyms for two years taking 2^d for a single - 1436
person to the furthest place and but a penny a piece for more to the furthest place and but
a penny for a single person to the nearest place.

Salem & Hyms
bounds.

It is ordered that the bounds betwixt Salem and Hyms shall begin at the stiffe by the sea 1437
where the water runned ad the way by the from Hyms to Harbors head and run upon a straight
line to the long pond by the old path that goeth to Hyms at the south end thereof next
to Hyms, and the whole pond to be in Salem bounds and from that pond to run upon a
straight line to the island in the Hyms pond and from that island to run upon a
straight line to the great pine trees marked called by the six men that layd out the
bounds the six men bounds and from those trees to run upon a straight line into an
other little pine trees marked by the side of a little hill beyond the trees and to run upon
the same line so farre as our bounds shall weare into the country. Nathaniell Emerson
Walter John Woodberry
William Ballard Highard

Day of humiliation.

The 4th of the second month was thought fit for a day of humiliation to seek the favor of 1438
Gods and reconciliation wth him by our Lord Jesus Christ in all the Synodes. Robertes
oppression Atheisme excessiue superstition idlenesse contempt of authority and trouble in other parts
to be remembered.

Harbards Colledge.

It is ordered that the Colledge agreed upon formerly to be built at Cambridge shall be called - 1439
Harbards Colledge.

Mr. Gerrish Hogter
plantation.

Mr. Gerrish Hogter and Mr. John Phillips and their company had granted them eight myles every 1440
way into the country where it may not come upon other plantations already settled.

Mr. Endroit Cape
Ames.

Mr. Endroit was willed to send there to view Cape Ames whether it may not be a true Cape
and to certify how they find it.

Goaled.

It was ordered that a Challop should be sent to the Eastward to gett golde wth the best 1442.
the Smiths are to beare the charge and take the goaled, if they get not golde the country
to beare the charge.

Elabod.

It was ordered that 3rd should be payd Lieutenant Davenport for the present 1443.
for charge disbursed for the shabod wth when they have dained it he is to repay it
backe againe.

Mr. Edwarte for the
Lord Brooke.

Mr. Edward Hollister had present power given him to maniage the estate of the - 1444
Lord Brooke untill the Lord Brooke doe otherwise dispose of it.

Brittains contempt
writ.

James Brittain for his not appearing was committed and for his grosse lying dissi- 1444
mulation and contempt of Ministers Synodes and Covenant was censured to be whipped.

Mr. Southall.

Mr. Robert Southall upon his ffrowe acknowledgment under his hand given into the court - 1445
was appointed to appear at the next Court and enjoyned to acknowledge his fault and
give satisfaction to the Synodes at Weymouth and to give a Poppy of that he gave into the
Court to the Synodes of Weymouth.

Hyms inlingent.

Hyms was granted six myles into the country and Mr. Hantborne and Lieutenant Davenport to 1447.
view and informe how the land beyond by the whether it may be fit for another plantation or no.

Wadsworth of Cambridge
bounds.

It was ordered that the bounds betwixt Wadsworth and Cambridge shall stand as they were 1448
marked by Mr. Wadsworth so farre as he marked and from the last marked tree to be run out
by Mr. John Oliver according to the order agreed upon by John Johnson Abraham Palmer
and William Goddard northward and by west by a meridian Compass in a straight line.

Weymouth & Hyms
bounds.

Goodman Marton and Goodman Chidwood are appointed to run the lines betwixt Weymouth and 1449
Hyms formerly agreed upon.

Hyms committed.

Nemoyffaine was committed for his abysstrall ravings on shipboards. 1450

Boston & Hyms
bounds.

Mr. John Oliver Mr. Robert Keayne and Highard Cadbur are appointed to run the bounds - 1451
betwixt Boston and Hyms.

Weymouth & Boston
bounds.

Weymouth & Boston is to be bounded as formerly to the top of the great blew hill next 1452
Weymouth by a line running southward and by west half a point westerly and from thence by

- 1463. a square line extending to the other side of Mount Wollaston bounds. Mr Gibson was desired to agree with the Judice for the lands within the bounds of Marston Cambridge and Boston. Judice.
- 1464. The Court at Ipswich had order to examine and settle all things belonging to the estate of - Humphrey Wiffie and also for the lands sold and unsold. Wiffie Humphrey. intestate.
- 1465. John Emite and John Exur are bound in 40th to pay 20th the first day of the next Court being the 22th of the third month next. Emite & Exur.
- 1466. It was ordered that no Towne should send more then two Deputyes to the generall Courts. Two Deputyes a Towne. 411.
- 1467. Mr Endrott and Mr Stongeson were appointed to meete with some brethren of Plymouthe to agree with them about the bounds of the same. Plymouthe bounds.
- 1468. It was ordered that Letters should be written to Captaine Wiggins Captaine Sampsonne Mr William Mr Womarton Mr Edward Hill Mr Weworthen and their neighbours and Mr Banteghem to receive the same and have instruction. Letters to Captaine Wiggins.
- 1469. It is ordered that Salem and Ipswich shall have each of them two barrells of gunpowder Rowbergh Hymme Hingham and Weymouth each of them shall have one barrell of gunpowder which shall be sold out to those that finde most at 2th the pounds next money shall be returned to the Treasuror and for want thereof the Treasuror shall buy it of the Towne and Mr Kayne shall have three or foure barrells of the next powder to sell out as before at 16th the pounds the money to be returned to the Treasuror, all this is to be of the oldest and most decayed powder and every Towne is to see that there shall be allowed so much powder in the Towne as is in the store or in the severall houses, and if the default be in the severall houses the sutes of the armed shall answer for all that are defective, the powder is to be delivered by order from Mr Kayne and if the money for the powder be once paid into the Treasuror the Towne shall be then discharged thereof. It is ordered that in every Towne where no Magistrate is the Clerk of the Land hath a moneths liberty in sutes as the Judges mightie before the dischaige. 413.
- 1470. The order for the forfeiture of Swine is repealed. Swine.
- 1471. Thomas Parter by order of Court was granted a Lott upon his petition his master testifying Parter Lott his good service. Parter Lott.
- 1472. John Gluffe upon his petition was granted a Lott with his masters allowance and consent having served former yeares always. John Gluffe Lott.
- 1473. Ringlad Stover being chosen one of the Constables of Haverstowe did take his oath the 9th of the 3rd month 1639. before Mr Jurward Rowell. Stover Constable of Haverstowe.

All the general Court holden at Boston the 22th of the 3d month of May

1639. present

The Governour.

The Deputy Governour.

Mr John Enderott.

Mr John Symonds.

Mr Richard Bellingham.

Mr Richard Saltonstall.

Mr John Wintthrop junr.

Mr Israel Stoughton.

Mr Simon Bradstreet.

Mr Isaac Howell.

Deputies.

Mr Joseph Porter.

Edmond Hubbards junr.

Edward Bates.

James Parker.

John Glover.

Humphrey Allerton.

John Stone.

William Heath.

Robert Taylor.

Edward Gibbons.

Robert Sedgwick.

Walter Straggus.

Joseph Cooke.

Samuel Sheppard.

Richard Browne.

Thomas Mayhew.

Edward Allen.

Thomas Flint.

Simon Willard.

Edward Hollicott.

Timothy Combind.

William Crayke.

William Hantpound.

Edward Sampson.

Edward Woodman.

William Hubbard.

Richard Symonds.

Mr Edward How

was sent after in stead of

Richard Browne.

Election of Governour. John Wintthrop junr was chosen Governour for this yeare ensuing and in presence of the Court 1464
did take his oath to that place belonging.

Deputy Governour. Thomas Dudley Esqr was chosen Deputy Governour and did take his oath to that place appoynted 1465
mms.

Assistants. John Enderott Esqr was chosen an Assistant for this yeare and took an oath to that - 1466
place belonging.

Richard Bellingham Esqr was chosen an Assistant and took his oath. 1467

John Symonds Esqr was chosen an Assistant and took his oath. 1468

Mr John Wintthrop junr was chosen an Assistant for this yeare and took his oath. 1469

Mr Simon Bradstreet was chosen an Assistant for this yeare and took his oath. 1470

Mr Israel Stoughton was chosen an Assistant for this yeare and took his oath.

Mr Richard Saltonstall was chosen an Assistant for this yeare and took his oath.

Mr Isaac Howell was chosen an Assistant for this yeare and did take his oath.

Forwards purchase of Arms. Sergeant Howle was allowed and sworn purveyor of the Armes for the Court. 1461

74. Fishing plantation at Cape An. For encouragement of Mr William Compton merchant and other who intend to promote the fishing trade, It is ordered that a fishing plantation shall be begun at Cape An and that the said Mr Compton shall have place assigned for building of houses and stables and other necessaries - for that use and shall have sufficient land allowed for their occasions both for their fishing and for their keeping of cattell and for tithing of. And that such other fishermen as will joyn in that way of fishing and inhabit there shall have such lands and other liberties there as shall be needfull and fit for their occasions, And for this end this Court doth give power to Mr Enderott Mr Symonds Mr Wintthrop junr Mr William Heath and Joseph Bradford or any 3 of them to sett out the said plantation and all lands and other accommodations to be sett shall be planted there and none to be sett elsewhere but by their allowance.

75. Water towns bounds. For explanation of a former order made the 3th of the 4th month 1638. It is now declared 1469 that the southerly line of Water towns shall run to partition point and so upon the same point shall till it be from their meeting house direct north and that from thence their westerly bounds towards the new plantation shall be a right line drawn to the furthest point of their middle line.

- wher is in or by Toward bounds and from the said middle line by a line drawn to a point upon the northward line eight miles from their meeting house and that the said southward line shall be the bounds betwene Dedham and Waterhouse and Dedham line to run on upon the same point till they have taken in their five mile square so as it shall not run within two miles of their meeting house and so to be set out by Mr. Oliver who hath already begun.
1470. Jasper de m Robert Ender Abraham Howe John Catman and Walter Saun upon their petition had leave granted them to continue in the houses wch they have built and do dwell in Henry they be above halfe a myle from their meeting house. houses hired above halfe a myle from the meeting house.
1471. John Elford appearing had further respit for further tynall. Elford.
1472. Mr John Oliver and Robert Marten were appointed to set out the bounds betwene - Belmonte and Dollaston e
Belmonte and Dollaston and Weymouthe wch is to be run from the high water mark in the Weymouthe bounds. wch is 143
where mentioned in the last order in an ordinary tide and so to run southe halfe a point westward.
1473. Mr Walter Gradocke is forced of rates to the Countrey by agreement of the Count for the year ending from this day in regard of his charge in building the bridge and the Countrey is to finish it at the charge of the publike. Mr Davison and Lieutenant Sprague to see it done and to bring in their bill of charge. Mr Gradocke bridge.
1474. Whereas the Count did take order for a meeting to be had betwene our Commissioners and our neighbours of Weymouthe for setting out the bounds betwene us and that nothing hath bin done therein in regard that their Commissioners had not power to conclude any thing and for that it appears unto this Count that our people of Weymouthe stand in great need of hay, it is ordered that they may make use of so much of the grounds neare Weymouthe as they have their hayes the which were upon the bridge is, wch lands are undoubtedly within the limits of our grant, untill some further order be taken for a small determination of the difference betwene us untill the Count shall make other disposition thereof. Weymouthe and Weymouthe bounds.
1475. For further encouragement of men to sett upon fishing, it is ordered that sure shippes and vessels and other stoffe as shall be properly employed and adventured in taking making and transporting of fish according to the course of fishing voyaged and the fish it selfe shall be exempt for seven years from homeports from all Countrey charges, provided that this order shall not extend to any other shippes vessels or other stoffe but only such as shall be ordinarily employed in the usual and safe season for fishing charges the year, provided also that this order shall not extend to any merchandize and commodities (not properly belonging to the fishing trade) as shall be returned upon the sale of any sure fish. Fishing trade in town 416. waged.
1476. And it is forbidden to all men after the 20th of the next month to employ any good or bass fish for manning of ground upon paine that every person being a fisherman that shall sell or employ any sure fish for that end shall lose the said liberties of exemption from publicke charges, and that both all fishermen or others who shall use any of the said fish for that purpose shall forfeit for every hundred of sure fish so employed for manning of ground twenty shillings and so proportionably for a lesser or greater number, provided that it shall be lawfull to use the heads and offall of sure fish for ground this order notwithstanding. Good e. bass not to manne ground.
1477. All fishermen while they are abroad during fishing seasons they are entered wch follow that talling and millers shall be exempted from tynning yet they are to be furnished wch charged. Fishermen tynning = free in season.
1478. Mrs Juxo being entertained by Mr Bartholomew fowly for a year to the spring without charge if she have health, but if she prove sicke the charge to be borne by the publike. Mrs Juxo.
1479. The order about restraint of beere was repealed both in respect of the brewer and ordinaries and the ordinaries are permitted to sell beere at two pence a quart. vid. 357 Beere. 417.
1480. It was ordered that those that are permitted to retayne wines should not sell any to be drinke in their houses. Wine. 418.
1481. A homas Cooper of Weymouthe is permitted to sell wine and strange water not suffering it to be drinke in his house. Cooper of Weymouthe wine.
1482. Mr Joseph nd old of Weymouthe is permitted to draw wine. Mr nd old wine.

Newbury Ordinary
Smiths.

Edmond Brounley of Newbury is permitted to keepe a house of intertainment.

1487.

John Smiths for contempt is fined five pounds and censured to be imprisoned till he have paid both his fines.

Smiths submission.
Discharged.

John Smiths upon his submission and bringing in of his monyes had ten pounds remitted him and 1485
so 15th only was taken and he with his shewty are discharged.

Mr Dummer's wife.
Howe into state.

Mr Dummer was to pay 10th remitted to Mr Hertsjell Fogard and his company.

Elizabeth the wife of Edward Howe of Wyms deceased is granted administration of her husbands estate.

Judiths Smoades
Testament.

Mr Isaac Stongston is granted administration of the estate of his sister Judith Smoades for
the goods of her children according to the will of the said Judith.

Widley restored to
freedom.

Widley upon his acknowledgment of his fault and giving satisfaction to the court was
readmitted againe to the freedom of his body.

Mr Spach gave wine.

Mr Nathaniel Spach was permitted to draw wine and strong water for Cambridge.

Mr Holgrave.
Adjournment.

Mr John Holgrave was remitted 9th 3^d 4^d only 2th 10^d remaining to be paid by him.

The court was adjourned to the 6th of the 4th moneth.

Mr Browns fined.

Mr Richard Browns being gone to Somersett without leave is fined 1th he neither acquies - 1493
sings the court nor himself.

Day of humiliation.

The 17th of the 4th moneth was desired might be kept a day of humiliation - 1494
in all our churches for the want of wine and the help of brethren in distress.

Judians Dammage.

It was ordered that should be taken to prevent damage to the Judians and procure
ofem satisfaction for any damage done unto them.

Mr Mallowes.

Mr Edward Mallowes his rate of 5th 6^d was remitted him in regard of his losse sustained by
fire.

Captaine Mason
rewarded.

Captaine Mason had granted him ten pounds for his good service against the Indians of 1497
otherwise.

Smals raised at
Hingham.

Mr Joseph White Edmond Hubbards sen and Anthony James were authorized to end small businesses
under twenty shillings at Hingham.

419. W Dinnestunnet a
Cowne.

W Dinnestunnet is allowed to be a Cowne and have power to choose a constable and other officers
and make order for the well ordering of their Cowne and to send a deputy to the golt
and to receive his pay within plamore and Wignard Swayne to end all businesses under
twenty shillings for this year, the laying out of land to be by the order expressed in the
former order.

Salt peter matth.

Mr Peter is desired to write to Holland for five hundred pounds worth of peter and forty
pounds worth of matth and to give order upon the receipt of the salt peter and matth heere
in good condition to charge billed upon the Governour and the Countys debt promised to save
the Governour harmless.

Wid Harting.

Wid Harting is respited till the next court the means while to be dealt with by Mr Cotton
Mr Wilson and the court to see if she may be contented and give satisfaction, if not wit-
nessed to be then produced against her.

Mount Woll: ordinary.

Mr Martin Sanders is allowed to keepe an house of intertainment at Mount Wollaston.

Dorchester of Boston
bonds.

Mr Thomas Mearns Lieutenant of the Salts Springs and John Johnson are desired to view
the difference betweene Dorchester and Boston by Mr Hertsjell farrow who is master ground
belonging to Dorchester and to give their advise whiche if it satisfie not may be returned
to the court, and if either party be desired to prosecute his suit and have it tried by a
jury and the committee to give evidence.

Let by 1000th.

It was ordered there should be a Let by of one thousand pounds raised forthwith. Boston - 1504.

144th 10^d 1^d. Dorchester 74th 12^d 6^d. Salem 111. 13. 11. Weymouth 23th 2^d. Hingham 33th 14^d 5^d.
Wyms 79th 19^d 6^d. Cambridge 91th 19^d 9^d. Woburn 81. 17. 1. Newbury 67th 8^d 3^d.
Dorchester 93th 7^d 9^d. Ipswich 111th 18^d 11^d. Charlestowne 85th 15^d 10^d. Total 1000th.

Of his 1000th there is 250th appointed and allowed to build an house and repaire the batteries
at Castle Island.

The Governour the Deputy Governour wth m^r Isaac Stoughton are appointed to agree wth the
said Sibson how to bestow his 250^l. and what men to keep at his works for the 100^l p^a annu
after it is repaired.

Captaine Robert Kettner Lieutenant Sprague m^r Hautpinoe m^r Joseph Cooke William Hoar
Symfony Atherton Fitzgud Symon m^r Manganer m^r Hollister m^r Fawson Edmund Hubbard son and
Edward Bates are appointed a committee to levy the thousand pounds.

- 1697 Edward Palmer for his extortion taking one pound thirtie shillings seven pence for the plant
and wood worke of Boston stock is fined 1^l. and consigned to be sett on house in the stocks. Palmer extortion
fined & stockt.
- 1698 It was ordered that if the salt peter come not m^r Fawson shall be considered according to sure damages m^r Fawson salt peter.
as he shall susteyne.
- 1697 Amias Brewster his shypend was granted to be twenty pounds per annu upon his petition. Brewster 20^l shypend.
- 1698 Thomas Fournhill is abated 10^l of his fine and allowed a moneth to sell his beere wch is upon
his hands and then to cease keeping intertainment and he is owne to provide another. m^r Fournhill favoured.
- 1698 Thomas Fournells fine is respited till the next sitting of the next generall Court. his fine respited.
- 1698 Thomas Painter upon his petition was ordered to have a lott at m^r Rogers Plantation and the gauge
of the parkes to be borne by the publicke. Painter lott.
- 1698 m^r Mather Deane and William Parson are appointed in stead of m^r Clarke and m^r Dabonport
to see wth m^r Allen and m^r John Elliber to lay out the assured wares Dabonport and to settle the
bonds betwene Dabonport of Boston. Dabonport of Boston - 420.
bonds.
- 1698 The Court granted to John Wintrop the present Governour a parcel of meadows containing
about 60. acres or more by estimation lying wthin a myle or two of his farme towards
towards the south east of the said farme to have to him and his heirs provided that it be
not wthin the bounds of any course formerly granted. Grant of 60. ac. to
John Wintrop the
- 1698 For Salem particular Court m^r Emanuel Downing m^r William Hawthorne m^r Edward Hollister Salem Court.
and m^r Thomas Willid wth the Magistrates.
- 1698 For Ipswich particular Court m^r William Hubbard m^r Samuel Symonds and m^r Clarke wth the
Magistrates.
- 1698 It is ordered that the 50^l of the shipp should have 50^l from the Countrey towards the building of a
new bridge over the river there wch the bridge is finished to be allowed them. Symonds bridge.
- 1698 It is ordered that the gauge of dyet of the Magistrates and Deputyes should after this Court be borne
by the shipp. Magistrates & Deputyes
dyet by shipp. 421.
- 1698 Christopher Sibson Constable of Dorchester in the year 1637. had the fine of ten shillings remitted
him. Sibson 10^l remitted.
- 1698 It was ordered that all weeres shall be sett open from the last day of the week at noone till
the second day in the morning. ordered. 422.
- 1698 It was ordered that one of the Deputyes of Dorchester shall sett up a note upon the meeting house
doore that all whom the Countrey is indebted unto come in and make demand of their debts wthin 6.
weekes after this is sett up of the Constable of the County. County debts to be
demanded. 423.
- 1698 m^r William Bartolomew was granted to have 40^l for his journey to Idastataque. m^r Bartolomew reward.
- 1698 Goodman Nathaniel Woodward was ordered to have three pounds for his journey to discover
the running up of the river 10^l more was added by order of the Governour and Deputyes.
by Woodward & others.
reward.
- 1698 And they went wth him Thomas Howard Sergeant Jacob Thomas Clarke and John Man-
ninge to have 50^l a piece for their 10. dayes a piece spent according to the former order.
and John Clarke to have for going wth them and staying for them till their returne.
- 1698 Thomas Winterton was fined 10^l for his contempt and swearing the maistrall but upon his
petition 5^l was remitted and he paid in the other 5^l and was discharged. Winterton fined.
contempt.
- 1698 Henry ffane appearing having bin imprisoned 10. dayes for his unwearifull speeches of the Mini-
ster was dismissed wth an admonition to take heed of his life private and his atheristall ex-
pression.
- All the Islands in the bay indisposed of are granted to him that keeps the castle to take wood
and make use of during the pleasure of the Court. wood for the castle &c. 424.

Landed.

It is ordered that the Marshall shall give notice to the Committee about the body of laws 1520. to send into the next general court for draughts of laws as they have prepared for the court to take order about them what to settle.

Handen.

John Handen fine for intertaining a servant unlicensed being done ignorantly in 1527 remitted him.

Bussards.

Thomas Bussards was to be sent for by an attachment.

1528.

Marshall. 10th

The court gave the Marshall ten pounds more allowance for his notice in regard of his great troubles.

Grant of lands to diverse persons.

The court granted Mr. James Peter 500. Acres of land. to Mr. Simon Bradstreet 300. acres of land to Mr. John Underhill Esqr 400 acres of land. to Mr. Thomas Underhill 200. acres of land. to Mr. Jonathan Underhill 200. acres of land to Mr. William Houghton 250. acres of land to John Dod for Mr. Young 100. Acres of land. to Mr. Thomas Allen 500. acres of land in regard of Mr. Hubbards gift. to Mrs. Glover 600. Acres. to Lieutenant Kilsparque 100. Acres having borne difficulties in the beginning, to Captain William Crafter 200. Acres in regard of his misfortune, to Captain Edward Hibbins 300. acres in regard of his and long service to Captain Robert Edgeworth 200. Acres. to Increase Nowell 500. Acres, to Captain Robert Leaynes 400. Acres. to Mr. Peter Buntley 300. Acres, to Mr. William Dore 200. Acres, to Lieutenant Dinsford 150. Acres. to Mr. Nathaniel Eaton 500. Acres if he continue his employment when for his life to be to him and his heirs.

Mr Harding.

Mr Robert Harding upon his submission and acknowledgment to Mr. Wilson is discharged of 1531 the court being satisfied.

425. Estates in England rateable.

It is ordered that estates in England should pay as they are valued worth for the present and 1532 if there be loss the next court to advise what may be thought fit.

Mr Wilson 1000. at Detroit.

Mr John Wilson pastor of Boston is granted 1000. Acres of land at Detroit in any place so 1533. do it may not hinder a plantation.

Mr Hanson 500. at Detroit.

Mr Edward Hanson is granted 500. Acres at Detroit so as he goes on with the business of 1534. ponder if the salt peter come.

Mrs Glover 600. at.

It is ordered that Mr. Manhove and Mr. Flint shall set out Mrs. Grovers 600. Acres where 1535. it may not prejudice any plantation on the west side of the river of Detroit.

426. Secretary for the court.

Increase Nowell is chosen Secretary for this year. The Secretary is ordered to receive 1536. all moneys towards paying for the court of the Magistrates and Deputies.

Charlestown Boston of the bounds.

Mr John Oliver Mr. Abraham Palmer and Mr. Timothy Comline are appointed a committee 1537. to settle the bounds between Charlestown Boston of the above Amherst marsh if they can and if they cannot agree to certify the court how they find it.

427. Charlestown battery.

It is ordered that the battery at Charlestown should be repaired at the general charge so as 1538. it exceeds not 30th and not to be paid out of the rate unless it be left after the debt are paid and the 25th allowed for Castle Island.

Mr Bradocks 4th remitted.

Mr Matthew Bradocke is remitted his fine of some pounds.

1539.

Mr Howes 20th remitted.

Mr Edward Howes is remitted his fine of twenty shillings.

1540.

John Milargent.

Mr Houghton and Mr. Comline are appointed to view the place by John to see if it be 1541. fit for a plantation.

Dodham small causes.

In Dodham to order small businesses under 20th. Mr. Edward Allen John Kingstony and 1542. John Inson are authorized.

Weymouth small causes.

John Weymouth Edward Bates Mr. James Parker and William Smith are authorized to and 1543. small businesses.

Waterbury small causes.

In Waterbury Mr. Thomas Mayhew Captain Tomison and Mr. Dinsford are authorized 1544. to order businesses under 20th.

Mr Bellingham - fairme bounds.

Mr Timothy Comline in stead of Mr. Ballard with Mr. Houghton lieutenant Dabonport and 1545. lieutenant Howes are to set out Mr. Bellinghams farms and to certify the court thereof.

- 1740. It was ordered that a letter should be sent to Mr Symonds to send in the 100. which is in his hand to further the Colledge house. Colledge. 428.
- 1741. Mr Endrott Mr Downing and Mr Hawthorne are to dispose of the house which Mr Peter bought ad they can and returns the money for the Colledge. Colledge.
- 1740. It is wished that liberty to authorize Goodman Munkin Goodman Firman or Goodman Cudwell to draw wine and strong water. Munkin wine.
- 1741. The Crown of Newmonte have liberty to build a weare where it may not prejudice any man's property. Newmonte weare.
- 1741. It is ordered that the Court or any two Justices out of Court shall have power to determine all differences about a lawfull setting and providing for poor persons, and shall have power to dispose of all missettled persons into such townes as they shall judge to be most fitt for the maintenance of such persons and families and the most ease of the Countrey. Setting poor. 429.
- 1741. Whereas at the generall Court holden at Newtowne the 27th of the first moneth 1635. it was ordered that a certayne number of Justices should from time to time be elected for terme of their lives ad a standing Comittell or wherupon it hath ben taken by some as if the Court had erected a new order of Justices to the same and intent of his M^{ty} grant, This Court doth now declare that the intent of the said order was not to make any such order of Justices not warranted by our Patent, but that such Comittell were to be chosen out of those who had bin formerly Justices, and accordingly we doe now order that no such Comittell so chosen or hereafter to be chosen shall be accounted a Justice nor that any acts of power to be done by any such shall be of force and warrantable except he or they shall be chosen to some place of Justice here by annual election according to the tenor of the Patent and that no Comittell shall have power of judgement ad a Comittell but ad a Justice and that all orders wher appointed any of the Comittell to doe any act shall be intended that they shall doe such things ad Justices and not ad Comittells. Standing Comittell not Justices. 430.
- 1742. For the more speedy dispatch of all causes wher shall concerne strangers who cannot stay to attend the ordinary Courts of Justice it is ordered that the Governor or Deputy being assisted with any two of the order Justices whom he may call to him to that end shall have power to heare and determine by a Jury of 12. men or otherwise as is used in other Courts all causes wher shall arise between such strangers or wher in any such stranger shall be a party and all records of such proceedings shall be transmitted to the Secretary except himselfe be one of the said Justices who shall assist in hearing such causes to be entered ad fild in the Court at the charge of the partyes. This order to continue till the generall Court in the 7. moneths to come twelve moneths and no longer. Dispatch of Strangers causes. 431.
- 1743. It is ordered that ten barrels of powder shall be brought backe to Boston from Cambridge or Roxbury. Powder to Boston.
- 1744. For Governor Mr Ashmole Lieutenant Mr Willard and Sirgand Griffin to have the ending of small matters for this year. Governor small causes.
- 1745. Mr Sirgand Wollingham is now chosen to continue Overseer for the year ensuing. Overseer.
- 1746. Persons made free the 22th day of the 3. moneths 1639. Mr Willm Sergeant Mr Thomas Hymkins Mr Samuell Freeman Thomas Marton Nicholas Day Mr Samuell Wmiston Stephen Dimmer John Bygood John Coffe John Russellwit Seven Kent John Fimington Thomas Browne John Winton Shilling Sirgand Water Thomas Fuggles Joseph Shawe Francis Moore - Water Edmonds Willm Bowstreete Hoppell Foster Thomas Stott Willm Edmond Thomas Say John Alderman Griffin Bowen John Spurr Sirgand Hollidge John Clarke Giles Firman - Inay Add Benjamin Holton Herbert Garford Edward White Willm Clarke Edmond Wilson Willm Osborne John Miller George Holmes Matthew Wolfe James Astwood - John Robert Sirgand Perotke Edward Bridge Walter Blackborne Joseph Jewett Roger Porter Thomas Firman Nathaniel Gappell John Stott James Burke Jngs Eastin. John Smith Henry Swan. The 23th of the 3. moneths Mr Nathaniel Rogers Mr Nathaniel Rogers Robert Samard Mr Nathaniel Sparhawk Mr Thomas Wilson. The 6th of the fourth moneth made free Stephen Paine James Banett. The 6th day of the 7. moneths 1639. Mr Thomas - former Mr Benjamin Keayne Job Swinerton Willm Lord Lawrence Southwick John Grosse - John Coffe John Elston Luke Lord Chitcombs Sadler Thomas Hulse, The 7th of Edmond Bridge Sirgand Wollen Robert Curto Robert Samardson.

A quarter Court hold at Boston the 4th day of the 4th month 1639.

present,
The Governour. Mr Richard Saltonstall.
The Deputy Governour. Mr Stoughton.
Mr Enderott. Mr Bradshark.
Mr Wellingham. Increase Nowell.

- Silvester standall. Richard Silvester for speaking against the Law about hoggs and against a particular Magistrate 1557.
fines. was fined ten pounds whereof he is witness to have 6 s. a part.
- Lawrence & Capt. Bon. Henry Lawrence was for the present discharged about Captaine Bonito his servant. 1558.
- Mr Alaboncke verog. Mr Samuell Alaboncke being bound in ten pounds for the appearing of James Weddralfe forfeited 1559.
forst. his verogizant.
- Mr Davison verog. forst. Mr Hitzgild Davison being bound in ten pounds for the appearing of Edward Samuells forfeited - 1560
his verogizant.
- Strotton bon poute distharged. John Strotton upon evidence of his repentance was freed from his bands to the good behavioe wch 1561
an admonition.
- Emerson verog. disth. John Emerson appearing was discharged of his verogizant. 1562.
- Mr Bussarde non suit. Thomas Bussarde having warned David Phippen Joseph Andrew and Henry Hogan to appear at 1563
this Court and himselfe not appearing to prosecute the Court gave judgment for 10 s. a parte to be
allowed from and if payment be not made execution to be granted them.
- Norman standall. Samuell Norman was committed for want of security and was censured to be whipped for saying 1564
wch of. if Ministers wch some will but wch against England some would write them.
- Katherine ffines. Katherine wife of Samuell ffines promised to goe to the ordinance and to carry her selfe - 1565.
dutifully to her husband.
- Mr Harrison gaminge. Mr John Harrison appearing was fined 10 s. for his former not appearing and admonished not to 1566.
use gaminge.
- Walshin fines. John Walshin for was fined 20 s. and upon his submission he was remitted 10 s. and pays 1567.
in the office 10 s.
- Wibond fines. John Wibond for was fined 10 s. by the Governour Deputy said & was paid & paid it. 1568.
- Barlett fines. Willm Barlett for disseminating in drink and being was fined 20 s. by the Governour & was paid 1569
Borstang.
- Ellen Ponce fines. Ellen Ponce was fined 40 s. for cursing and withed imprecations and to pay the 2. witness 2 s. a part. 1570.
- Elizabeth ffines. Elizabeth ffines for disseminating was enjoyned to give double restitution for the eggs and things wch
she stole.
- Lands transcripts. All former had respit to bring in the transcripts of their lands untill the next Court. 1572.
- Mr Bonty fines. Mr Bonty of Newbery for selling strong water without leave was fined 10 s. 1575.
- Wanlie Judicant. John Wanlie was fined 5 s. for buying land of the Indians without leave wch condition if he yields up
the land to be remitted. 1574.
- Greenliffe. Edmund Greenliffe was referred to Ipswiche Court. 1575.
- Hall. Thomas Hall was also referred to the Court at Ipswiche. 1576.
- Ipswiche way. The presentment of Ipswiche for defective higg wayes was aboyded for want of witness for uncertainty 1577.
- Godman ffoster and Henry charger are referred to Ipswiche Court. 1578.
- Daniell cleave is referred to Ipswiche Court also. 1579.
- Francis Prouy is referred to the Court at Salem. 1580.
- John Elford & Willm James had respit till the next Court. 1581.
- John Elford & Willm James had respit till the next Court. 1582.
- Cher wife of Hugh Bunt was fined 40 s. for cursing and swearing. 1583.
- Adam Hawkes is referred to the Court at Salem. 1584.
- Edmond Chidley is referred also to Salem. 1585.
- John Haul about converting his boy was discharged. 1586.
- Wym was fined 10 s. for his bad wayes and to mend them by the next Court and to lay the ferry in a - 1586.
convenient place.
- Robert Long was discharged for want of proove. 1587.
- Mr John Wolcott and Willm Batcheller had respit till the next Court. 1588.
- Charles Towne was discharged about Richard Townend lott. 1589.

- 1590. Thomas Gournell was fined 30^l for severall offences selling wine without licence and beer at 2^d a quart^r he had warning 1^h of 10^l of the 4^h month.
- 1591. Robert Emner was discharged for want of proofs.
- 1592. Boston was fined 20^l for defective high wayes and enjoyned to repaire them upon the penalty of 5^l the stocks were ready to implor.
- 1593. The widdow Hydson was discharged her husband being dead.
- 1594. Foxberry was fined 10^l for damming up the narrow way from Weston to Dourgesfer and had liberty till the next court to make the way so ad a loaden horse carrying a part of former mans passage.
- 1595. Foxberry was fined 2^l 6^d for the defectiveness of the bridge at Widdyn juber and had liberty to amond it till the next court.
- 1596. The presentment of the bridge at Dourgesfer brooke is discharged for want of proofs.
- 1597. William Demison and Thomas Wilson had liberty till the next court.
- 1598. Dourgesfer had liberty to use Sergeant Gallitts house for a water house.
- 1599. The presentment of Dourgesfer high wayes and bridges were discharged for want of proofs.
- 1600. Nicholas Allen was fined 40^l for idleness and disorderly living and had liberty till the next court to settle himself.
- 1601. Captaine Stoughton was fined 40^l for releasing his man before the expiration of his time.
- 1602. Weymout was fined 2^l for their bad way at the stopping stones and were enjoyned to amond it by the next court upon paine of 5^l Thomas White had 10^l granted him being a witness.
- 1603. Mr Waltham and Mr Biggards were fined 5^l for want of stables and weight in their mill and to provide them by the next court.
- 1604. Mr Waltham was fined 3^l for taking too much toll in some above double what was due whereas 20^l to be given to the witnesses.
- 1605. Ralph Allen was fined 10^l for releasing a servant before the expiration of his time.
- 1606. Wymgam had liberty to use their meeting house for a water house.
- 1607. Wymgam was acquitted from the presentment about Thomas Emner's lott it being but reserved for him.
- 1608. Ferdinando Adams was discharged the presentment not being found oppression.
- 1609. William Fuller was kept the mill at Fouroud was fined 5^l for his grosse abuse in over tolling.
- 1610. The owners of Fouroud was discharged of the lott to Robert Edwards being but reserved for him.
- 1611. Robert Fletcher was discharged being not found faulty.
- 1612. Fouroud was fined 5^l for want of a water house.
- 1613. Waderton was fined 5^l for want of a paire of stocks and enjoyned to prepare them by the next court upon paine of 40^l.
- 1614. John Boffe for common wayling was distinguished fined 20^l and committed to prison.
- 1615. William Hammon not appearing attachment was granted for him.
- 1616. Waderton was discharged of the presentment for the high way to the mill for want of proofs.
- 1617. Waderton is fined 10^l for the bad way at John Haged and enjoyned to make good the way upon paine of 5^l.
- 1618. Daniell Abbott is departed to New Providence.
- 1619. Cambridge is fined 5^l for want of a pond.
- 1620. Cambridge is discharged of the presentment about stopping fise it being presently reformed.
- 1621. John Mafford having licence was discharged.
- 1622. Cambridge was fined 10^l for defective high wayes and enjoyned to repaire them by the next court upon paine of 40^l. Cambridge was enjoyned to repaire their wayes at long swamps and binobrooke leading to Fouroud upon paine of 5^l.
- 1623. The presentment of John Fanyed wife was mistaken.
- 1624. The will of Joseph Harton with his inventories was delivered into the court amounting to 48.2.9. ob.
- 1625. The will of Mr Abraham Mallowes was delivered in.
- 1626. Mr John Benjamin gave in the account of Richard Bunting whereby one 4^l appears remaining due to widdow Burlinge.

Gournell fined.
 Emner.
 Boston high wayes.
 Hydson.
 Foxberrys fined.
 Foxberrys fined.
 Dourgesfer bridge.
 Demison & Wilson.
 Dourgesfer water house.
 Dourgesfer wayes bridge, ob.
 Allen idleness fined.
 Captaine Stoughton releasing a servant fined.
 Weymout wayes fined.
 Will at Weymout for stables & weight wanting fined 5^l.
 Excessive toll fined.
 Allen releasing servant fined 10^l.
 Wymgam water house.
 Emner & Wymgam lott.
 Adams discharged.
 Excessive toll fined.
 Fouroud & Edwards lott.
 Fletcher discharged.
 Fouroud water house fined.
 Waderton stocks wanting fined 5^l.
 Common wayling, Boffe. f.
 Hammon attachment.
 Waderton discharged.
 Waderton wayes def. f.
 Abbott Providence.
 Cambridge pond want. f.
 Cambridge stop fise discharged.
 Mafford discharged.
 Cambridge wayes def. f. payned.
 Fanyed wife disch.
 Harton testant.
 Mr Mallowes testant.
 Bunting in estate. amt.

A quarter Court hold at Boston the third day of the 4th month 1639.

present,
the Governour. Mr. Saltonstall.
the Deputy Governour. Mr. Winthrop Junr.
Mr. Endicott. Mr. Bradstreet.
Mr. Symonds. Mr. Broughson.
Mr. Hollingsham. Mr. Wadsworth.

- Stary drunk & fight. John Stary for being distempred wth drinke was sett in the stocks. 1627.
Wm. minor oppressive fined. False manner was fined wth for being at oppressive drinking at Thomas Bury at Marblehead. 1628.
Henry Strong was fined. Nicholas Hilary was fined 40 for selling strong water. 1629.
Heale wth right. John Heale for running away and stealing was trespasred to be severally whipped and committed to his masters to be kept againe. 1630.
Wilson, host, future. Richard Wilson for stealing 8 lb of money and diverse small things from his master Samuell Wadsworth was committed to be put forth to service for yeeres or some yeeres except he can procure 10 lb also he is to have a c. sett upon his next garment, for service it to be wth his master if his master will have him, or els to be put out by the Court. 1631.
Curren drunk fined. Richard Curren being drunk was fined 20. 1632.
David drinkings fined. William David for sundry drinkings at his house was fined 3 lb. 1633.
Demmar wth right. Robert Demmer is bound in 10 lb to appear at the next Court, Thomas Curren and John White are bound in 5 lb a peere for Demmers appearance. 1634.
Busspode deputation of the Governour fined. Thomas Busspode being accused of defaming the government was committed and fined 6 lb 13 s 4 d wth 1635.
Hugh Hunt diste. Hugh Hunt had 20 lb of his fine remitted him and paid in 20 lb and is discharged. 1636.
Wardens murder suspicion. Warden Wadsworth being accused of suspicion of murder and for matter not appearing cleare it was referred untill the next quarter Court and the fine was enjoyned then to appear. 1637.
Clarke. Daniell Clarke being found by the jury to be an immoderate drinker was fined 40 wth 3 s 3 d paid 1638.
Simson non suit. John Simson was enjoyned to pay Captaine Gommison 8 lb and Mr. Wadsworth 5 lb having warned them to appear 1639 and not prosecuting.
Wadsworth stocks. John Wadsworth for being in the company of drunkards was to be sett in the stocks at Ipswich. 1640.
Robinson false clamor. Richard Cooke is granted 20 lb against Thomas Robinson for unjust molestation. 1641.
Bludge. Herbert Bludge appeared. 1642.
Womberton & Baker non suit. John Womberton being warned by John Baker to appear at the Court at Boston and Baker not appearing to prosecute the Court granted John Womberton 50 lb dammage. 1643.
Lemp, ungracious wth, enstarved. John Lemp for filthy unclean attempts wth three young girls was trespasred to be whipped both here at Roxbury and at Salem severally and was committed for a slave to lieutenant Davenport. 1644.
Andrews released from slavery. William Andrews who was formerly committed to slavery for his ill and insolent carriage, is released (upon his good carriage) from his slavery and put to Mr. Endicott by promising to pay Thomas Gogan 8 lb and so Andrews is to serve Mr. Endicott the rest of his time. 1645.
Edwards unjust wth. Mathew Edwards for putting his hand under a girls coat was trespasred to be whipped. 1646.
Knowe strong w. fined. Thomas Knowe for selling a pottle of strong water wthout license was fined 5 lb. 1647.
Nicholas Davison fined. Nicholas Davison for swearing an oath was ordered to pay 20 lb wth he consented unto. 1648.
Hogg drunk fined. John Hogg for his drunkenness was fined 10 lb. 1649.
Littin dooked disallowed for bidon fined. John Littin for sewing bookes wth he was commanded to bring to the Governour and forbidden to serve him to any other and not showed them to other was fined 10 lb. 1650.
Jones unjust fined. John Jones for defiling his wife before marriage was fined 20 lb. 1651.
David U. diste. John David upon his good carriage was discharged from wearing the U wth was formerly enjoyned him. 1652.
Silvester fined wth right. Richard Silvester had 6 lb of his fine respited upon his good behavio and he paid in the offer 6 lb. 1653.
Bury unjust fined. Thomas Bury for being drunk profaning of the name of God, keeping a tippling house and drawing his knife in the Court was trespasred to be severally whipped and fined 5 lb Richard Rodman and Thomas Wadsworth for quarrelling were fined 5 lb a peere, and paid it in. 1654.
Lar diste. John Lar is discharged of his fine having paid 5 lb formerly. 1655.
Henry. Richard Henry was granted 5 lb dammage for the long wanting of the 27 lb wth should have bin formerly. 1656.

- payd and was deferred untill the next week past and the trouble about it.
- 1657 Mr Thomas Northford for going to the jury and pleading wth them out of court is debarred from pleading any more cause hereafter unless by his owne and admittid not to presume to meddle beyond what he shall be called to by the court. m^r Northford debarred pleading & admittid.
- 1658 William Smithidge was enjoyned to take care of the Birnwood untill he may be lawfully discharged of the same. Smithidge & Birnwood.
- 1659 Thomas Willard Exhram Fox Francis Bold and Thomas Wimbber being waitymen drinking severall times strong water were imprisond and Wimbber and were sett in the stocks for being drunke. Waitymen excessive drinking committed &c.
- 1660 Edwards Fuller and Edwards Gouvard were bound in 20th a peere for the appearing of Edwards Fuller fuller & Gouvard. at the next court.

A generall Court holden at Boston the 4th day of the 7th month 1639.

present,
 Mr Robert.
 Deputy Governour.
 Mr Enderott.
 Mr Humphrey.
 Mr Bollingam.
 Mr Saltonstall.
 Mr Wintrop ind.
 Mr Stoughton.
 Mr Bradstreet.
 Jurvase Rowell.

Deputyes present,

Mr Samuell Downing.
 Mr William Hawthorne.
 Mr Edward Lawson.
 Mr John Plawke.
 Mr John Woulton.
 Mr Samuell Symonds.
 Mr Higginson.
 Mr Edward Hollister.
 Mr Edward Comins.
 Captaine Robert Sedgwick.
 Lieutenant Ralph Sprague.
 Mr Thomas Flint.
 Mr Higginson.
 Mr Edward Allyn.
 Mr Edmund Hubbardson.
 Mr Hallowell.
 Captaine William Tomison.
 Mr Thomas Mayhew.
 Mr Samuell Sheppard.
 Mr John Bridge.
 Captaine Edward Gibbons.
 Mr William Cypre.
 Mr John Stone.
 Mr William Hapth.
 Mr John Glover.
 Mr Thomas Hawkin.
 Mr Edmund Bates.
 Mr John Wigham.
 Mr Joseph Porter.

1661 Mr John Hall is discharged of the 20th band w^{ch} he gave for his servant John Burrows having Hall & Burrows out of the court.

1662 It was ordered that the new plantation by Concord shall be called Endbury Wimarumet shall be called Hampton, the other plantation shall be called Rowley. The other plantation beyond the mountains shall be called Polkchester. Names of 3. new plantations.

1663 The order of the court upon the petition of the inhabitants of Endbury is that Peter Hovse Bryan Endbury Sotts. Wendleton John Parmenter Edmund 33 Walter Hayne George Downing and Edmund Wise have commission to lay out lands to the present inhabitants according to their estates and persons and that Captaine Tomison Mr Mayhew Mr Flint Mr Samuell Sheppard and John Bridge or any 3. of them shall in convenient time repair to the said Towne and sett out sure lands and accommodations both for present and future inhabitants both for Mr Wigham and Mr Wigham as they shall thinke fit to their estates to be reserved for them if they shall come to inhabit there in convenient time as the court shall thinke fit.

1664 The court was adjourned untill the 9th at 3. atlocke. Adjourned.

1665 Mr John Enderott and Mr Isaac Stoughton were desired againe to make wth our brethren of Plymouth Plymouth Bound. and have now commission to settle the bounds betwene us and Plymouth and have full power given them so to doe.

1666 It was agreed that the order N 406. (that excommunicate persons whome have stood excommunicated from: repeale. above six months should be presented) shall be repealed. vid. s. 1334.

1667 It was agreed as it is evident unto this court that the common custom of drinking one to another is a most useless ceremony and draweth on that abominable practise of drinking healths and is also an occasion of much wast of the good treatme and of many other sinnes as drunkenness quarrelling bloodshed and many other mixtures of pious time of whome as they ought in all places and times to be carefully prevented; so

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Especially in plantations of荒芜 and commoned wherein the least knowne bills are not to be tolerated by sutes ad are bound by solemn Covenant to walke by the rule of Gods word in all their conversation It is therefore ordered, that after the publication of this order no person of this jurisdiction nor any other person who shall hereafter come into this jurisdiction after one weekes residence here shall directly or indirectly by any colour or circumstance come to any other contrary to the intent of this order upon paine of being forfeited for every offence to be layed by the Justices by order from any Magistrate or sutes ad are appointed in townes to determine small causes upon conviction by confession of the parties or other sufficient testimony upon oath, to be to the use of the Towne where the offence shall be committed and of the party complaining by equall proportion.

Cattle, stoned.

The order N 372. about feeding of great cattle and keeping up cattle by night or allowing damages is repealed and the order to fence against great cattle formerly made to stand in force.

133.

Lyons enlargement.

The petition of the inhabitants of Lyons for place for an Inland Plantation at the head of their bay bounds is granted them 4. mile square at the place will afford upon condition that the petitioners shall within two yeares make some good proceedings in planting so ad it may be a village fit to receive a convenient number of Inhabitants who may in due time have a quantity of land so ad they shall remove to inhabit there shall not whall fees for accommodations in Lyons above two yeares after their removal to the said village upon paine to forfeit their interest in one of them at their own election, except this Court shall see just cause to dispense further with them, and this village is to be four myles square at least by just content.

Doctors fees.

The business upon the petition of the physicians of Colchester is referred to the Magistrate of Salem, 1670 or any two of them.

Mr James Judonms.

The Covenant of Mr Thomas Judonms being ordered to be exemplified here followeth; This 1671 Judonms made the two and twentieth day of the first month Anno dñi 1672. Before me Thomas Judonms of Sagittott gentleman of the one parte and John Wintrop Esq. Governor of the Massachusets on the behalf of himselfe the Governor and Company of the Massachusets on the other parte witnesses that the said Thomas for diverse good causes and considerations him therunto moving hath given and granted and by these presents doth give and grant unto the said John Wintrop and his Successors the Governor and Company of the Massachusets for ever all that tract of land at Sagittott aforesaid upon both sides of the river of Churostoggin being four myles square towards the sea with all liberties and privileges therunto belonging, so ad they may plant the same with an English Colon sutes ad shall see fit and shall have ad full power for ever to exercise jurisdiction there ad they have in the Massachusets Provided that the interest or possession of such lands ad the said Thomas now useth or shall make use of for his own use and improvement within seven yeares next ensuing the date hereof shall be and remaine to the said Thomas and his heirs and assigned for ever under the jurisdiction aforesaid And ad well the said Thomas himselfe and his family and his heirs and assigned ad all other the inhabitants of the same jurisdiction are, and his grant by approbation of the said generall Court to be recorded and exemplified under the Common Seale or otherwise to be void. In witness whereof the parties aforesaid have herunto interchanged their hands and sealed the day and yeare first abovesitten. Thomas Judonms. Signed sealed and delivered in the presence of Stephen Wintrop, Thomas Northford. Amos Higginson.

Captaine Keayne presented two bonds and 12th. 10th.

Captaine Keayne delivered into the Court a bond of Mr Simkin for 30th. wth Mr Simkin overtho 1672 a more come unto the Court, the bond was delivered the Treasurer. Also Captaine Keayne delivered in a bond of 15th of Higginson parts who also was delivered to the Treasurer. Captaine Keayne was ordered to pay the Treasurer 12th. 10th. wth he received of Mr Saltwell for parte of Mrs Blows money.

Mr Browne's water house fined for his absence.

Mr Higginson Browne being formerly fined 5th. for going away when he should have bin at the Court 1673 had 4th. 15th. remitted him. The sutes ad of the Towne of Woburn are fined 3th. for sending Mr Browne away being to have attended the Court.

Abraham Shawe.

The petition for the sale of Abraham Shawes land was granted upon the condition inserted. 1674

Captaine Crashe.

The bill of 7th. 10th. for Captaine Crashe is granted. 1675

Mr Palsgrave 200. ar.

Mr Palsgrave is granted 200. ar. of land wth Captaine Garrison of Mr Browne. 1676

1677. Whereas there is much complaint of the excessive wearing of lace and other superfluous tending to little use or benefit but to the wearing of pride and exhausting of mens estates and also of still example to others. It is therefore by this court ordered and decreed that henceforward no person whatsoever shall purchase to buy or sell within this jurisdiction any manner of lace to be worn or used within our limits. And that no Taylor or any other person whatsoever shall hereafter sett any lace or points upon any garment either linnen wollen or any other wearing stoff whatsoever. And that no person hereafter shall be employed in making any manner of lace but such as shall be sold to such persons as shall and will transport the same out of this jurisdiction, who in such case shall have liberty to buy the same, and that hereafter no garments shall be made with furbes steebes whereby the nakedness of the chine may be discovered in the wearing thereof and such as have garments already made with furbes steebes shall not hereafter wear the same unless they recover their chine to the waist with linnen or otherwise. And that hereafter no person whatsoever shall make any garment for women or any of their sex with steebes more then halfe an ell wide in the widest place thereof and so proportionably for bigger or smaller persons.

An order against lace furbes steebes and great steebes for women.

1678. And for present reformation of immoderate great steebes and some other superfluous wch may easily be redressed without injury prejudice or the spoyle of garments as broad shoulder bands and rayled silke-vested double cuffs and tufts knots of ribb immoderate great breeches &c It is referred to the care of all the late guards Junymen and others who shall succeed or any of them to admonish all offenders in their severall Comms as they shall have occasion and opportunity. And whereas some have bin quibbed that they expressed never presented to the Court wch concerned the members of the City before the party had bin dealt wch at home, intimating hereby that the City would upon notice of these abuses in apparel have taken such course as would have reformed their members and so have presented the trouble of the Court. This Court hath therefore thought fit (in great confidence it hath of the care and faithfulness of the City) to stay all proceedings upon the said presentations in expectation that the Officers and members of all the said Cities having now the same knowledge both of the said disorders in apparel and the resolution of the Court to attain a generall reformation will speedily and effectually proceede against all offenders in this kinde, and that they will also from observation of our process to followe new fashions and to fall into excessive ostentation in attire) hope the more strict watch over all furbes for time to come. And this Court doth hereby intimate to all persons it may concerne of what quality or estate soever they may be that all such persons as after all these admonitions and forbairances shall obstinately persist in their excesses in this kinde shall be looked at as contemners of the honor and regard of the publick weale and must expect to be proceeded against by the strict course of justice as their offences shall deserve.

An order for putting away superfluous in apparel.

1679. For preventing of all unlawfull marriages &c It is ordered that after due publication of this order, no persons shall be joynd in marriage before the intencion of the parties proceeding therein hath bin three times published at some time of publick Lecture or Towne meeting in both the Comms where the parties or either of them doe ordinarily reside, and in such case where no Lecture are then the same intencion to be sett up in writing upon some poste standing in publick view, and used for such purpose onely, and there to stand so as it may easily be read by the space of fourteene daies. And all Townes wch have no publick Lecture shall forthwith appoint or sett up a poste in some publick place to be used for that purpose onely upon paines of 10^s. the month for default thereof.

An order for prevention of unlawfull marriages.

1680. The difference betwene Almont wollaston and Weymouth is ordered to be removed to the nearest and most convenient place and to take but 1^d a person according to the order N 240.

Almont and Weymouth sheweth.

1681. Mr Nathaniell Eaton being arraigned for trouble and barbarous beating of Mr Nathaniell Bristo and for other neglecting and misusing of his scholars, It was ordered that Mr Eaton should be discharged from keeping of scholl wch he had without licence, and Mr Eaton is fined to the Comms 66^s. 13^d. 4^d which fine is respited till the next Court unless he remove the means whereof. The Court agreed Mr Eaton should give Mr Nathaniell Bristo 30^s. for satisfaction for the wrong done him and to be payd presently.

The judgment for the Comms sent Bristo against Mr Eaton.

1682. Messrs James Fenison and Mr Whangwe were appointed to call Mr Nathaniell Eaton to account the beginning of the next week and to desire Mr Samuell Shoppard and Mr Joseph Hooker to help them the best they can.

Mr Eaton Chrombant.

1683. The house at Salom wch was belonging to the Comms is left to Salom for 100^l. to be payd betweene this and the next quarter Court.

House at Salom 100^l.

1684. Whereas many judgments have bin given in our Courts whereas no Verdicts are kept of the obidience and reasons whereupon the verdict and judgment did passe, the Verdicts whereas being duly entered or kept would be of good use for presidents to posterity and a rebuke to such as shall have just cause to

An order for entering of judgments, wills, administrations — inventories marriages

births deaths houses
and lands.

have their causes reheard and reviewed. It is therefore by this Court ordered and decreed that hence-
forward every judgment with all the evidence be recorded in a book to be kept to posterity. Item that
there be returned next of all wills, administrations and inventories as also of the lands of every marriage
births and deaths of every person within this jurisdiction. Item to return all men houses and lands being
certified under the hands of the men of every Towne appointed for the ordering of their affairs. This
shall be for the person and fees to be at the pleasure of the Court. The fees. Imprisoned for
every judgment in the Courts at Boston, six pence. Item for every will administration inventory
if it exceeds not a page six pence. Item for receiving the books of men houses and lands from the Towne
two shillings and six pence. Item for every birth one penny for every death one penny. The same
to be certified once every year at the time of the generall Court, the same party bringing the certificates
to carry the fees into the Treasurers for entry of the same. And six pence to be fined in forty shillings
as shall fall to send up their certificates. Mr Stephen Nims is appointed to this office of Treasurer
during the pleasure of the Court.

Treasurer.

Mr Downing 600. etc.

Mr Amos Downing is granted 600. acres of land.

1685.

437. In order for the
revision of the Court at
Boston for small causes
besides the Court of
Assistants.

affairs and the business of the ordinary Court of Assistants are so much increased as they cannot be
dispatched in this season as were fit, It is therefore ordered that six of the Magistrates as shall reside
in or near to Boston or any five of them or three of them (the Governor or Deputy to be one) shall
have power to assemble together upon the last fifth day of the eight eleventh second and fifth months every
year and then and there to hear and determine all civil causes whereof the debt and damages shall not
exceede twenty pounds, and all criminal causes not extending to life or member or banishment according to
the course of the Court of Assistants, and to summon Jurors out of the neighbor Townes and the Marshall
and other necessary Officers and to give their attendants as at other Courts.

Mr Hawtind.

Mr Thomas Hawtind had leave to goe for England and the Towne of Dorchester to raise another deputy. 1687.

Adjournment.

The Court is adjourned until the 11th of the next month next being the third day of the week. 1687.

The fifth day of the 9th month 1639.

Mr Dymtan.

The generall Court met at Boston and Mr Nathaniel Dymtan was sent in the room of Mr Thomas Hawtind. 1689

Dover upon Passtataque
Committees agreement.

The Deputy Governor Mr Amos Downing and Captaine Edward Dibbons were appointed to treat with
the three Committees from the Towne of Dover upon Passtataque with whom they did agree and settle
the same.

Mr Eaton of state.

Jurors of Howell Captaine William Jamison and John Bridge are appointed to take account of the
estate of Mr Nathaniel Eaton to dispose of the Duties receive the money take proofe of the debts
be accountable to the Court.

Thanksgiving Day.

It was ordered that the 28th day of this present month should be kept a day of publique thanksgiving
throughout the Countrey, those Jurors that have kept a day already are left to their liberty.

438. In order for settling
the Court of Election.

It is solemnly and unanimously decreed and established that henceforth upon the day or days
appointed by our Patent to hold our yearly Court for the electing of our Governor Deputy Govern
Assistants and other generall Officers being the last Wednesday of every Easter terme, that the freemen of
this jurisdiction shall assemble either in person or by proxy without any summons attend
and transact the Elections. At which time also they shall send their deputies with full power to consult
of and determine such matters as concerne the wellfare of this Commonwealth, from which generall
Court no Magistrate or Deputy shall depart until the Court be dissolved without the consent of the
major parte under the penalty of one hundred pounds. As for the place of yearly assembling, it
shall be where the preceding Court of Election was held, unless then and there some other place
shall be assigned. This Act of ours we therefore so carefully to concerne the good of this Countrey
that we earnestly entreate it may never be repealed by any future Court.

Healthier Lotts.

The petition of the inhabitants of Southester is granted for Mr Samuell Dudley Mr Nims Mr
Christopher Batt Samuell Nims Mr John Samuels and Henry Monday to order all business of the
Towne, so as this Court doth expect and reserve power to that end that such as have indirectly
obtained greater lotts then of due belonged to them the same should be reformed and that none be
taken for preventing such inconveniencies hereafter.

On order concerning
publike rates.

For explanation of an order made the third day of the first month in the year of our Lord One
thousand six hundred thirty and five concerning publike rates, It is now declared that by publike rates
is intended only such rates as are assessed by order of the generall Court for the Countreys occasions, and no other.

1095.

- 1696. To Mr John Enderott is granted his 550. Acres upon Ipswich River (if it be not in Rowley) Grant to Mr Enderott bounds upon the north of Salem bounds, but if it should be within Rowley bounds then he is to have the next convenient farms upon the said river. of his 550. acres.
- 1697. The place desired by Mr Bellingham for his farms is on the head of Salem to the North west from the Towne there being in it an hill with an Indian Plantation and a pond and about an hundred or 150. acres of meadow viewed by Mr William Hawthorne and Richard Davenport, this is granted if it be not in Rowley nor any other Towne. Grant of a farm to Mr Bellingham.
- 1698. Granted to Mr Simon Bradstreet to take his farms of 500. Acres in the next convenient place that is fit for a farms to that use is granted this grant to Mr Enderott. Grant to Mr Bradstreet of his 500. acr.
- 1699. Mr Thomas Mayner, Ralph Sprague and John Johnson did make returne according to order of Court that by joint agreement they had sett out to the Towne of Dorchester what they did judge to be marssh ground and where there was any difficulty they have sett stated and where no stated are they concluded it all marssh 17th. 4th months 1699. Dorchester bounds.
- 1700. The position of Richard Brown for his 200. Acres. Captaine William Emerson for his 200. Acres and John Johnson for his 35. acres is granted to be layd out at the furthest ends of Wadsworth bounds and near to Dedham bounds and to be sett out by Mr Edward Allon and Mr John Oliver, and then to see if there be room to sett out acres for Mr William Payne, if there be not room for Mr Payne, Mr Payne is to gett two that the Court will tredit to certify where may be place convenient for Mr Payne and not to hinder a Plantation. Grant of lands to Mr Brown, Captaine Emerson, John Johnson, & Mr Payne.
- 1701. John Stone and his wife were admonished to make bigger bread and to take heed of offending by making too little bread hereafter. Stone admonish about Bread.
- 1702. The Treasurer was ordered to allowe 8th to Foxberry for Henry Burtts loss by fire. Burtts loss by fire.
- 1703. It was ordered that all that were disarmed remaining amongst us carrying themselves peace-ably shall have their Armes restored to them. Armes restored. 439.
- 1704. Mr Bultley is granted his 300. Acres upon Courtland bounds on the East side towards Cambridge. Mr Bultley 300. acr.
- 1705. The Court granted Increase Howell his 500. Acres on the North side of the bounds of Courtland beyond the river over against the Governours 1200 Acres. adjoining to the bounds of Courtland. Mr Howell 500. acr.
- 1706. Mr Thomas Allen is granted his 500. Acres to joyne to Increase Howell on the north side of the said Increase Howell his grant. Mr Thomas Allen 500. acr.
- 1707. John Horton is granted 200. Acres of land. Horton 200. acr.
- 1708. The Court agreed to buy Mr Hansards Knowles his xmasse for 30th as he tendered it. Mr Hansard Knowles.
- 1709. John Woodward was admonished of drinking strong water againe and so was dismissed. Woodward admon.
- 1710. The Administration of the goods of Thomas Stevens deceased is committed to his wife and the Land which he left is to be disposed of by sale or otherwise by advise of the Magistrates of Ipswich for the maintenance of his wife and education of his children who are not yet able to provide for themselves, nor were disposed of in their fathers life. Stevens intestate.
- 1711. It is ordered that the Governour Deputy Governour Treasurer and Mr Stoughton or any three of them with two or more of the Deputyes of Boston shall have power or Power shall pursue all those matters which shall be further presented to this Court or themselves concerning a forme of government and lawes to be established, and shall drawe them up into one body (altering adding or omitting what they shall think fit) and shall take order that the same shall be copied out and sent to the severall Townes that the Elders of the s^{aid} Townes and freemen may consider of them against the next generall Court and the s^{aid} s^{aid} to be displayed by the Treasurer. Lawes.
- 1712. Mr William Hawthorne and Mr Edward Combind are appointed to measure the bounds of Hymers and to certify how it lies for the setting of their bounds and the bounds of the Village. Hymers bounds & Village.
- 1713. Mr Samuell Gold was granted 10th to leave his account his fine being distrained. Mr Gold distrained.
- 1714. Edmund Cronhiffe was ordered to be Ensigne for the Company at Newberry. Ensigne Cronhiffe.
- 1715. Captaine Sedgwicks was admonished to take heed of oppression and upon his acknowledgement of his saying was distrained. Captaine Sedgwicks admon.
- 1716. It was ordered that Ipswich should satisfy Mr Wadsworth for the 20th p^{ay} the Indian for his right. Ipswich & Wadsworth.

Weymouth & Frammings It was ordered that Captaine Gibbons should frayne the bands at Weymouth and have satisfaction 1717.

Salem village. It is ordered that all the lands near their bounds betwixt Salem and the said river not belonging to any other Towne or person by any former grant shall belong to the said village.

Salem bounds. Mr Edward Combind and Mr William Houghton are to set out the bounds of Salem next Ipswich. 1719.

Hardmer 20. The Court was ordered to pay John Hardmer 20^l for witnesses charge and traveling Goodman 1720.

440 In order for setting out of intertainment of people upon occasion of great assemblies and arrivall of ships with passengers, it is declared that upon such occasions it is lawfull for any person in any Towne, where such great resort of people shall happen to be to give intertainment to such people and to afforde them lodging and drinke at reasonable rates though they be not allowed to take common ordinarie. And it is further ordered that every Towne shall have liberty from time to time to choose a fitt man to sell wine, the same to be allowed by hisse from this Court, or the Court of Assistants, and that it shall be lawfull for such persons allowed to retayne wine to be drunke in his or their house. Provided that if any person shall be made drunke in any such house or any immediate drinking suffered there, the master of the family shall pay for every such offence five pounds. And it is further declared and ordered that such persons allowed to keep common ordinarie and fmed shall provide stables and hay for horses and mules and for carrying of goods and things; and it is further declared that if any shall take excessive prices for their wines or drincking, they shall be deeply fined for the same.

In order for the laying out of highways. Whereas the highways in this jurisdiction have not bin layed out with sufficiency for travellers 1722. ad void, nor as was intended by this Court, but that in some places they are left too strait and in other places they are too wide and are found to be a great charge about. It is therefore ordered that all highways shall be layed out before the next general Court, so as may be with most ease and safety for travellers. And for this end every Towne shall choose two or three men who shall joyne with two or three of the next Towne and these shall have power to lay out the highways in each Towne where they may be most convenient. And these who are so deputed shall have power to lay out the highways where they may be most convenient notwithstanding any man's property or tenure grounds, so as it occasion not the pulling downe of any mans house or laying open any garden or outland. And in common grounds or where the soil is wet or mires, they shall lay out the ways the wider as six or eight or ten rods or more in common grounds. Provided that if any man shall suffer any extraordinary damage in his improved grounds by operation of this order the Towne shall make him some reasonable satisfaction. Provided also that if any rate shall fall out whereof the owner is not able to pay, it shall be referred to the determination of this Court. And if any person shall find himselfe unjustly troubled with any thing with the said persons deputed shall doe, he may appeale to this Court or the Court of Assistants who shall have power to determine the cause. But if the party shall be found to have complained without just cause he shall pay all charges and be fined by the discretion of the Court. And they shall proceed in this order, Weymouth & Duxbury, Duxbury and Ipswich, Ipswich and Salem & Weymouth, Weymouth and Mount Wollaston & all Townes are enjoyned to have this order performed before the next general Court upon paine of five pounds for every Towne making default. And it is not intended that any person shall be charged with the repairing of the highways in his owne land.

441. In order for saving the goods of absent owners. Whereas many goods are lost for want of due care taken of them, it is ordered that before the first month next every Towne shall appoint an house to where all goods shall be brought wherof the owner is not knowne or is not in this jurisdiction to take care of them, and a person shall be appointed to keep them safe, and the same party shall within one month after he receiveth them deliver a note of them to the Marshall who shall cause them to be proclaimed in the open markett at Boston. And if the owner come he shall pay all reasonable charges; if he be not found within a yeare after such proclamation the Court of Assistants shall dispose of them. Every Towne not providing such house within the said time shall forfeit forty shillings for every default. And the Marshall or keeper of such goods being found in default in the trust committed to him shall be punished according to their default and the damage of the goods shall be double.

442. In order to prevent hurt by burning of grounds at unreasonable times. For the further preventing of the damage which may come by burning of grounds at unreasonable times, it is ordered, that whosoever shall find a fire in other mens grounds or in any common grounds for gathering of Almonds or for taking of tobacco or for any other occasion, except the party shall presently put out the same before it spreads, shall besides full satisfaction for all damages, according to the

former order) be fined forty shillings. And if the party offending be not able to pay the fine or -
satisfie the damaged he or she shall be punished by whipping or other corporall punishment at the
Court who shall have cognizance of the cause shall adjudge. Provided that this order shall not extend
to any person that shall bring any goods for any needfull or fitt occasion in the first or second mo-
neth. Provided also that it shall be lawfull for any man to finde a fine in his owne grounds at any
time of the year so as no damage come thereby.

1725. For preventing the mistriallage of letters et it is ordered that notice be given that Richard Stampe - An order for the
banks his house in Boston is the place appointed for all letters writen brought from beyond the sea, or prohibition of the
and to be sent thither and to be brought into, and he is to take care that they be delivered or sent - mistriallage of letters.
according to their directions, and he is allowed for every such letter a penny and missevered all
mistriallages through his owne neglect in this kinde. Provided that no man shall be compelled to bring
his letters thither, except he please.

1726. The judgment of the Court is that Mr Robert Keayne shall be fined 200^l whereof 100^l to be - Judgment against Mr Robt
payd before the first moneth next, and the other 100^l to be respited till the next generall Court, Keayne.
whereby the Court may have liberty to serve sabbath to him if they see cause.

1727. John Uxham is appointed to be in the place of Mr Pinder who is gone for England to order small - Weymouth. John Uxham.
business in the town of Weymouth.

1728. Mr Fulgrave is appointed to have his 200. Acres of land wch Captaine Jemison Mr Browne and Mr Fulgrave 200. ac.
John Johnson.

The 31th of the 8th moneth 1639. A Court held at Boston for small causes
not exceeding 20^l except four shillings. present

The Governour. Mr Bellingham
The Deputy Governour. Mr Stoughton.
Juror Mr Howell.

1729. John Wadidge for his drunkennes was fined ten pounds, whereof 5^l was payd Mr Juror Mr Howell Wadidge drinks find 10^l
and 40^s. is in the hands of Mr Goddington.

1730. Richard Jones for his cheating was censured to be whipped and put to the assigned of the party sworaged sabbath cheating wch
to make satisfaction for the monies whiche he did receive and have spent.

1731. Edward Gouwer brought in Edward Fuller and stands bound againe for him to appeare at the next Fuller wch
Court.

1732. John Johnson is by order of Court freed from trespasing paying ten shillings per annum to the Johnson freed of trespasing.
Company.

1733. Thomas Mearner servant formerly to Robert Smith is for the present discharged unless he - Mearner discharged
Master hereafter can show sufficient cause to the contrary. of service to Smith.

1734. William Powell for resisting the Sheriffs is fined 40^l. Powell fined 40^l.

1735. John Glover is admonished to use his servant Peter Tyld well or else the said Peter to be discharged Tyld against Glover.
and to take care that he may be taught his trade of a seaman by himselfe or other.

1736. Mr Israel Stoughton being formerly fined 40^l is discharged of the same, it being remitted because - Stoughtons fine
he could not hold his servant having no Governour. remitted.

1737. Robert Pommery appearing his party was discharged, but an attachment was granted against Pommery - Pommery attached.
for going away undischarged.

1738. Edward Fuller and Thomas Chappo for being distempred wch swine were enjoyned to appeare at the Fuller & Chappo.
next Court.

1739. Richard Paine not appearing forfeited his recognizance of ten pounds. Paine wch forfeit.

The 8th day of the 9th moneth 1639.

1740. Thomas Symonds was enjoyned to appeare at the quarter Court about Mr Latons house and the goldedgo. Symonds. Mr Laton.

1741. Robert Dwyer was enjoyned to appeare at the quarter Court. Dwyer.

1742. Abraham Howell was enjoyned to appeare at the quarter Court. Howell.

1743. Cary for swearing was fined 10^l. wch Mr Carens undertooke. Cary swearing. 10^l.

At Court of Assistants or quarter Court hold at Boston the 3^d day of the 10th month 1639. present,

Mr. Deane. Mr. Symonds.
Mr. Deputy Deane. Mr. Saltonstall.
Mr. Underhill. Mr. Winthrop Junr.
Mr. Bellingham. Mr. Sargent.
Juror: Rowell.

- Mr. Hogg's fine mitigatt. Mr. John Hogg was committed three pounds of his fine of five pounds. 1744
- Hogg's wife attaint. An attaintment was granted against the wife of Samuel Hogg for her appearance at the next Court. 1745
- Deppar extortion fine. Richard Deppar for his extortion was fined 5^l. 1746
- Hogbenys. Swine fine. The Towne of Hogbenys for neglecting of their order about Swine was fined ten pounds, but they were to be exempted who did endeavor to execute the order. 1747
- James Ingham bigamy. James Ingham being presented for having two wives, his last marriage was declared void, or a nullity, and to be divorced not to come to the sight of her whom he last took and he to be sent away for England by the first opportunity, all that he hath is appointed to her whom he last married for her and her children, he is also fined 100^l and to be sett in the stocks an hour upon a market day after the term, the next term day if the weather permit or else the next Court day after. 1748
- Mladrape recogn. for 5^l payd. Mr. Samuel Mladrape payd in the 5^l of his recognizance of 10^l the offer was respited till it appeared whether it may be returned from James Mladrape. 1749
- Deane's suspicion of murder, not guilty. bon port. Mladrape's Deane being indicted upon suspicion of murder was found not guilty, but was bound to the good behavior and to appear at the next Court and to pay the witness and Richard David was bound in 20^l for his appearance. The jury was sent upon Deane. Richard David. Robert Scott John Winton William Deane Stephen Heston James Bennett Robert Gutter. William Heston Thomas Bingham Robert Sanders Roger Shawe. 1750
- Richard Deane bon port. Richard Deane her husband was bound in 10^l for her good behavior and to bring her to stand in the market place the next market day with a paper for her next behavior. 1751
- Quintle bon port. Quintle was appointed to stand in the market place with a paper for her next behavior the next day. 1752
- Hewlett extortion - fined 20^l. Edward Hewlett for his extortion was fined 20^l and was bound over in 10^l to the Court the first month 1753
- Robinson resist. Jane Robinson for disorder in her house drunkness and light behavior was committed to be soberly whipped. 1754
- Hinderson bon port. Margaret Hinderson was committed to stand in the market place with a paper the next market day for her ill behavior and her husband was bound in 5^l for her good behavior and to bring her to the market place at the time appointed for her to stand there. 1755
- Diterson resist. Thomas Diterson was committed to be soberly whipped and condemned to slavery. 1756
- Demmay resist. Robert Demmay for his untoward attempt and his flying when he should have appeared was committed to be whipped. 1757
- Daungon. John Daungon is to appear at the next Court. 1758
- Deppar recogn. Harke Deppar is bound in 10^l to appear at the next Court at Salem and at the next quarter Court at Boston. John Flourington is bound with Deppar in 10^l for his appearance. 1759
- Mr. Allen discharged. Mr. Thomas Allen appearing was discharged the paying being before his fine and disliked of him. 1760
- Salem fined 10^l. The Towne of Salem for not keeping constant water this Summer was fined 10^l. 1761
- Expiret at Court 10^l. An attaintment was granted against the wives because none appeared to answer for their deserted wages and 10^l costs. 1762
- Conrad fined. Conrad for not giving in a transcript of their lands was fined 5^l and for neglecting their water 10^l. 1763
- Dodham fined. Dodham for want of weights and measures was fined 5^l. 1764
- Gambidge fined. Cambridge for desert of the way at Dinebrooke and Long Swamp was referred to the former fine of 5^l and for want of stocks was fined 10^l and for neglect of a constant water and fined 10^l. 1765
- Charles Towne meeting house. Charles Towne meeting house is allowed for a water house. 1766
- Innoe fined. Innoe for not keeping constant water is fined 10^l and for want of scaled weights is fined 5^l and for not giving in a transcript of their lands 5^l. 1767
- Boston fined. Boston for desert of their way between Powder-horne hill and the written way is fined 20^l and enjoyned to mend them. 1768
- Doungeser fined. Doungeser for not bringing in a transcript of their lands was fined 5^l. 1769

- 1770. Woymonte for want of a sufficient watercourse is fined 4^s and for neglect of keeping constant water Woymonte is fined 10^s and for not deliberating in a transcript of their lands is fined 4^s and Woymonte for not deliberating in a transcript of their lands is fined 2^s. looking to the execution of their order about Swine Woymonte is fined 3^s.
- 1771. Hingham for not making sufficient fences is fined 4^s and harts time to mend their fences till the 4th month Hingham is fined 10^s and for desert in their higgswayes are fined 10^s. and for not keeping constant water Hingham is fined 10^s.
- 1772. Lieutenant Duntan is appointed to take an Inventory of the goods of Sarah Hesse to pay the legacies and hisse testament. Hesse testant.
- 1773. The Governour had leave to take a Marchigant Indian and his wife. Indian.

A Court hold at Boston the 30th of the 11th month 1639. present

The Governour. Mr. Hollingsham.
 The Deputy Governour. Mr. Humphrey.
 Jurroase Rowell.

- 1774. William Waltam for being drunke aboard the Six talled the Bristow merchant wch he confessed was fined Waltam is fined 20^s it being the first time that he was known to be drunke and so was seriously admonished and dismissed. his 20^s was payd in.
- 1775. John Waughan having defiled and refused to marry her was committed to prison till Waughan. bastardy. her should give sufficient security to provide both for the mother and the child.

A Court of assistants hold at Boston a Quarter Court the 3rd day of the first month 1639. 1640. present

The Governour. Mr. Noyes imd.
 Deputy Governour. Mr. Saltonstall.
 Mr. Hollingsham. Mr. Bradstreet.
 Mr. Humphrey. Mr. Stoughton.
 Jurroase Rowell.

- 1776. Richard Wopper his fine of 4^s is remitted to 6^s 8^d wch he payd. Woppers fine mitigat.
- 1777. Thomas Dubonpoite for hiring John Parry to cast balled of paste wch he carryd in from and cast it into a hand made was admonished seriously to take heed of doing the like. Dubonpoite admon.
- 1778. There is wth delivered to the Governour by some that had fayled by taking too great prizes for his Commodities having satisfied the parties wch he should the Commodities into. 10th wchd for expressible pirated.
- 1779. Thomas Shmfield is appointed Administrator to his father John Shmfield deceased and to have the house and ground and the lands daughter to have the charge of the goods not disposed of, the will and administration.
- 1780. Samuell Bass his fine of 4^s upon his petition was remitted him. Samuell Bass mit.
- 1781. Wignol her being called and not appearing forfeited his recognizance. Wignol recogn. forf.
- 1782. The Court gave way to the Governour to free his servant Thomas Phillipps so farre as they have servant freed. power.
- 1783. Hester Kettum is freed from her service wch her master John Wolindge and the said master enjoyed Kettum wth Wolindge. to give Kettum 20^s wages and the said master John Wolindge is bound to his good behavioe and bound to appear at the Court the 7th month next and to put in sufficient caution for the goods behavioe and appearance.
- 1784. Mr. John Hogan had authority given him to receive of Mr. William Cynge 9th 8^d for wch Mr. Hogan is to Mr. Hogan Cynge 9th 8^d free Mr. Cynge as the Court shall direct and be responsall for the same.
- 1785. John Knight is bound in 4^s to appear at the Court at Boston the second month. Knight recogn.
- 1786. John Dumbard bound his land and 20th more to appear at the next Court. Dumbard recogn.
- 1787. James Hewlett not appearing forfeited his recognizance of 10th. Hewlett recogn. forf.
- 1788. Hatter Desboroughs of John Harrington forfeited their recognizance. Desboroughs recogn. forf.
- 1789. Isaac Madrike Pleint appearing was discharged being enjoyned to pay the witnesses as he should be able. Pleint expouall.
- 1790. Mr. Henry Sewall for his contumacious speech and carriage to Mr. Saltonstall was enjoyned to acknowledge his fault publicly at the Court and to be of good behavioe and was enjoyned to appear at the next quarter Court unless the Court of Justice doe release him from the goods behavioe and from his appearance at the quarter Court he binds himself in 60th 13^d 4^d for his appearance and good behavioe.

The 30th of the second month 1640. A particular Court hold at Boston
for small causes. present,
The Governour. Mr Treasurer.
The Deputy Governour. Mr Stoughton.
Jurroast Rowell.

Burtnaster received. The honrad Burtnaster being in distresse is granted thirty busshells of foune and money to make it up 1791.
Ten pounds was appointed to be payd him by the Treasurer.
Glave Dumble fined. John Glave is fined 20^s. for being drunke wch is to be for want undertooke to satisfie. 1792.
Doxo wchipt. John Doxo for his ungrate attempt upon a girle and dalliance wch is married and rebellious or shoborne 1793.
Danward wchipt. Danward for his ungrate attempt upon a girle and dalliance wch is married and rebellious or shoborne 1793.
Palmer fornication. George Palmer having committed fornication with Margery Puggs his wife he is bound to be severely wchipped. 1795.
Margery Puggs wchipt. Margery Puggs for enticing and alluring George Palmer was bound to be severely wchipped. 1795.
Longe wine seller. Thomas Stone having chosen Robert Longe to sell wine this Court doth allow him full the quarter Court. 1796.
Hudson ordinary. Boston having chosen William Hudson to be an ordinary this Court doth allow him full the quarter Court. 1797.
Trabell strudall admon. Nathaniell Trabell appearing was admonished to acknowledge his offence in his scandalous and seditious speech of several persons wch he promised to doo and to take advice and so the Court discharged him upon fine.

All a generall Court of Elections hold at Boston the 13th of the 3^d month

1640 present
The Governour. Mr John Winthrop.
The Deputy Governour. Mr Richard Saltonstall.
The Treasurer. Mr Simon Bradstreet.
Mr John Fendrott. Mr Isaac Stoughton.
Mr John Winthrop. Jurroast Rowell.

Deputed present,

Mr Joseph Stone. Captaine William Gommison.
Mr James Bate. Mr Thomas Flint.
Mr Thomas Stone. Mr Richard Griffin.
Mr Edward Bate. Mr Peter Bond.
Mr Nathaniell Dimran. Mr Edward Allen.
Mr John Glover. Mr Jasper Wedgastocke.
William Healy. Mr Timothy Combrid.
William Harte. Captaine Richard Alder.
Captaine Edward Gibbons. Mr William Yantourne.
Mr William Cypre. Mr Cornelius Bissop.
Captaine John Sedgwick. Mr Samuel Symonds.
Lieutenant Jasper Sprague. Captaine Danell Demison.
Mr Joseph Cooke. Mr John Woodbridge.
Mr Samuel Shepard. Mr Thomas Nelson.
Mr Thomas Harpene. Mr Christopher Platt.

Mr John Grosse.

Election of Deput. Mr Thomas Dimran was chosen Deput. for the present yeare ensuing and did 1799.
Deputy Governour. Mr Richard Saltonstall was chosen Deputy Governour for the present yeare ensuing and did 1800.
Assistants. Mr John Winthrop was chosen an Assistant and did take his oath to that effect 1801.
Mr John Fendrott was chosen an Assistant and did take his oath.

- 1802. Mr John Wminton was chosen an Assistant and did take his oath. Mr John Wminton was chosen an Assistant and did take his oath. Mr John Wminton was chosen an Assistant and did take his oath. Mr John Wminton was chosen an Assistant and did take his oath. Mr John Wminton was chosen an Assistant and did take his oath.
- 1803. Mr Nathaniel Duntan and Captain Robert Sedgwick were appointed to journey wth the New Towne to take the Account of the old Towne's accounts.
- 1804. The former here are appointed to examine St Fignad Saltonsfall demands of 160 and odd pounds layd out eight yeares ago.
- 1805. The Court of Chingam is allowed 12th 14th for the charge of a homad painter for the year 3th of the Court is to have the arer of land wth they bought for him.
- 1806. The petition of the inhabitants of Salem for some of their names to have Jefferys street and land to have a village there for Mr William Walton John Blatte William Allen Samuell Duffard George Horton et Pompanys what lands and enlargement may be convenient and is not granted, to any other plantation is granted them and it is referred to Mr John Wminton and Mr Simon Bradstreet to settle the bounds of the said village.
- 1807. The petition of the inhabitants of Sudbury for the addition of a mile in length upon the southeast or southeast side of their plantation is granted provided it may not hinder a new plantation, if there may be convenient place and accommodations for one, nor may not hinder wth the Edward's street of 600. land formerly granted and appointed to be set out formerly by Mr Thomas Noyes and Mr Thomas Hinton wth now they are authorized to do, and they are desired to consider of this addition, and to set out the same except before expected that it may be found fitt for a new plantation.
- 1808. Mr Henry Flint acknowledged his saying in subscribing the petition or remonstrance formerly and desired his name may be blotted out, wth was granted him.
- 1809. The 400. acres granted to Foxboro is ordered to be set out to them in four severall - parcels at the most where they may not prejudice any plantation already settled or that may be fitt for a plantation but for Foxboro is a village, and the parcel of Mr Thomas Dudley the present Governor of the said 400. acres to be made, and wth is to be taken by him adjoining to his land upon Front's river and Captaine Fennison and Mr John Oliver are appointed to set out the said severall parcels, all but the Governor's and to make certificates thereof to the generall Court.
- 1810. Mr Edward Mllyn was granted leave to look after passengers and goods transiend to him.
- 1811. Howley is granted two yeares immunity from publick charge in regard of their great loss and charge by purchasing of land and hindrance of planting the last yeare.
- 1812. Mr William Paine is granted his 300. acres of ground bought of Captaine Partridge to be laid out to Howley bounds where it may not prejudice any new plantation nor any former grant.
- 1813. Jurisys Rowell is chosen Secretary for the next year and till a new be chosen.
- 1814. Mr William Houghton Mr Samuell Enmonds and Mr Timothy Conlins are to set out the narrowest & safest and most convenient way betweene Wymms and Wmmsommet and to settle it accordingly.
- 1815. Mr Edward Woodman Mr William Paine and Mr Thomas Nelson are appointed to view and settle the bounds betweene Hampton and Foxborough and to make returns to the Court.
- 1816. Mr Robert Keayne had 120th of his fine remitted him, so that there remained only 80. to be paid by him.
- 1817. William Hudson is allowed to keep an ordinary in Boston.
- 1818. Nathaniel Sandon is allowed to keep an ordinary at Marblehead.
- 1819. Mr Robert Yonge is allowed to draw wine at Charlestowne.
- 1820. The Lady Deborah Moody is granted 400. acres of land where it may not hinder a plantation nor any former grant.
- 1821. Charles Towne is granted their petition that is two miles at their head lynes provided it fall not wthin the bounds of Wymms village and that they build wthin five yeares.
- 1822. The desire of Mr Wmmsommet and Wmmsommet is committed to the Governor Deputy Governor and Mr Wmmsommet to consider of Patmets and points wth and to grant it them provided they returne answer wthin three weekes from the 21th of profan and that they build there before the next Court.

Considered.
 Old Towne's accounts 443.
 St Fignad Saltonsfall 160th ev.
 Chingam & Planter.
 Salem Village.
 Sudbury enlargement wth Edward's 600.
 Mr Flint. Remon.
 Foxboro's enlargement of 400. ac.
 Mr Thomas Dudley's 400. ac. of land.
 Mr Mllyn.
 Howley immunity for 2. yeares.
 Mr Paine's 300. ac.
 Secretary.
 Wymmsommet to Wmmsommet.
 Hampton & Foxborough bounds.
 Mr Keayne's fine mitigated.
 Hudson ordinary.
 Sandon ordinary.
 Mr Yonge wine.
 Lady Moody 400. ac.
 Charlestowne enlargement.
 Mr Wmmsommet & Deputy 444.
 Patmets & points wth.

Mr. Oliver is ^{the} time of Mansfield.

Mr. Thomas Oliver is granted 15th for recovering Daniell Mansfield having had him 1823. in hand since winter was twelve months and being not further to help him, he was set free.

Mansfield granted to Hingham.

It is ordered that sure lands and meadows at Cornishasset and Fall fall within the limits 1824. Division shall be conferred upon Hingham and that Mr. Sumner Mr. Oliver William Yeates & William Platte or any three of them shall have power to dispose thereof to the inhabitants here according to their number of persons and estates for the most benefit of the Towne having consideration of such quantities of land and meadows as have bin formerly allotted to the said inhabitants so as such as have fallen short in former distributions may have supply by this.

Ordered to be retained by the Towne.

It is ordered that the Towne shall receive all the fines and the Court shall be freed from 1825. including 10th any of the fines hereafter.

Repair

It is ordered that the time of the beginning of the term shall be left to the Court and the former order 1826. is repealed.

Mr. Stoughton Discharged of Captains place.

Mr. Edward Small Shepard and Lieutenant Sprague have power to let the farms to anyone they 1827. see cause upon the time of Edward Converse is expired at their discretion.

Salmon Fort.

Mr. Isaac Stoughton is discharged from his place of Captains over the Company of Dragoons upon 1828. his own motion.

Expenses of Fort.

Mr. Edmund Downing Mr. William Hawthorne Mr. Willd and Mr. Helliott are appointed to joine with the 1829. Magistrates of Salem to assist them in keeping their forts.

Smale raised.

Mr. Samuel Symonds Mr. William Hubbard Mr. Richard Sumner and Mr. Thomas Nelson are appointed to joine with the Magistrates of Ipswich to assist them in keeping their forts.

Modill Islands flatter.

Four other Townes these were the last years appointed to continue this year to end June 1831. business under 20th.

Yamport named.

It is declared that the flats round about Modill Island do belong to Modill Islands to the ordinary low water mark.

Gold of the Company.

William Howard is desired as a Sergeant to oversee the Company at Hampton and John Cross is 1832. appointed Surber of the Chimes here.

Rowley Company.

Mr. Joseph Batt is desired to frame the Company at Goldsboro. 1834.

Sudbury named Company.

John Farmington is desired to frame the Company at Rowley. 1835.

Judicial.

Mr. Bryan Wendleton is desired to frame the Company at Sudbury and Mr. Peter Hois is appointed 1836. Surber of the Chimes at Sudbury.

Palmer fine mitigated.

The order for writing to the Madigansett Judicial was voted and committed to the Secretary. 1837.

Buildings.

Edward Palmer fine of 5th was remitted him to 10th was he paid. 1838.

Sunder wine.

The order was returned buildings, not to be above half a mile from the meeting house is repealed, 1839. William Sutcliffe paying of term is remitted him. 1840.

Mount Wollaston under a Towne's called - Brantice.

Mr. Martin Sanders is allowed to draw wine at Brantice. 1841. The petition of the inhabitants of Mount Wollaston was voted and granted them to be a Towne according to the agreement with Boston provided if they fulfill not the covenant made with Boston and hereto affixed it shall be in the power of the Towne to recover their dues by action against the said inhabitants or any of them, and the Towne is to be called Brantice.

Host of Mount Wollaston agreement.

It was agreed with some neighbors of Mount Wollaston with Mr. William Joseph Brooks Alexander and others 1842. that they should have a meeting in the name of the host for some way, undertaken that they should give to Boston 4th for one for two acres of the 7th acres formerly granted to David of Boston upon ex-emption they should have continued still with and 3rd the acre first obdun same with half bin or shall be granted to any other who are not inhabitants of Boston, and that in consideration hereof and after the said portions of money shall be paid to the Towne to be used all the said lands shall be free from any Towne rates or charges to Boston and upon these terms, and also from all former rates assessed with Boston, but to be rated by the host by itself, provided that this order shall not extend to any more or other lands then such as shall make payment of the said rates so agreed upon of 4th and 3rd the acre. And upon the former consideration there is granted to the Mount all that water ground lying between the first brook and the second brook adjoining to Mr. Hanges farms and from the west corner of that farms to the first north corner of Mr. Hedges farms to be reserved as a common for sheep by the inhabitants and land holders there, together with another parcel of water ground near to the first north corner was left out of the said company of votes extending all such ground lying among or near the said water grounds formerly granted out in lots to various persons and their heirs.

is granted to Mr Compton Pastor of the said Church 120 acres and to Mr Flint 80. acres w^{ch} are to be free from the rate of 3^d the acre.

1043. Thomas Gifford is granted to draw wine at Cambridge.

Gifford's wine.

1044. Robert Chudwood is granted to draw wine at Ipswich w^{ch} the condition of the Towne.

Chudwood wine.

1045. It is ordered that no man should carry over any other at a ferry with a Gammoor under paine to forfeit the Gammoor to the Treasurer.

Gammoor.

445.

1046. Mr Edward Woodman Mr Christopher Platt and John Grosse are appointed upon the way is settled to - Henry Merimark.

1047. The order that restrained pipe staves plants and other things from being transported is repealed.

Pipe staves, plants.

1048. Widow's Assize of Dedham hath liberty to take administration of the goods of her husband and hath liberty to sell half her lott for the bringing up of her children.

Widow's Assize.

1049. It is ordered that the 23^d 8^d 6^d lands out by Captaine Ribbons shall be paid him vizt 13^d 8^d 6^d by Waterton and 10^d by Cambridge and also Cambridge is to give Equa Sargim a Goate every winter w^{ch} is his liberty.

Captaine Ribbons 23^d 8^d 6^d Equa Sargim a Goate.

1050. Surges ad goes to Hynde village are for 2. yeares exempted from publick rates w^{ch} is to begin upon 7. houses are built and 7. families are settled there and only for surges ad are settled there.

Hynde village immunity.

1051. Sudbury is for one yeare exempted from rates from this day being the 20th of the 3^d month 1642.

Sudbury immunity.

1052. Mr Waltham and Mr Wadgrave are granted their lotts at Sudbury absolutely w^{ch} condition of dwelling there only Mr Waltham promised to build an house there and to be there Mr Wadgrave.

1053. It is declared that Fowley bounds is to be eight myles from their meeting house in a straight line and from a cross line diameter from Ipswich river to Merimark river where it doth not require any former grant.

Fowley bounds.

1054. Upon the petition of Robert Saltonstall that the 1000. Acres granted formerly to his father Sir Richard in Robert Saltonstall might be confirmed at Quoritate it was referred to Justaine Ferrisbur in Joseph Cooke and Sergeant Elliber or any two of them to view it and if it be not an hindrance to a plantation it is granted him.

1000. Ac.

1055. Whereas a Breviat of Lawes was formerly sent forth to be considered by the Elders of the Towne and other freemen of this Commonwealth, It is now desired that they will send to view their thoughts and proposals about the same by the generall Court in the next 7. months.

1056. This Court taking into Consideration how the liberty of the freemen in matter of Election of Magistrates or may be preserved and what way may be settled in the exercise of this liberty It is ordered that at the next generall meeting in the severall Townes ad the Deputyes shall be chosen for the generall Court in the 7. 8th or 9th month: the said Deputyes being so chosen shall propound to the freemen whom they would have put to nomination for Magistrates at the next Court of Election - and shall then sett downe the names of such as shall be so nominated and the certaine number of votes w^{ch} every man so named shall have and shall make a true returne of the same at the next generall Court and then the Magistrates and Deputyes transferring all their returned from their severall Townes together they shall take notice of so many ad have the greater number of votes from the severall Townes till they have so many (if so many be returned) as will make up the full number of Assistants and those named to be returned shall by the Deputyes to the severall Townes that the freemen may consider of them against the next Court of Election to oppose or refuse ad they shall be good, And at the said Court of Election none shall be voted for new Magistrates but such as shall come to nomination in the order aforesaid. This order to be of force till the end of the generall Court in the third or fourth month the next yeare and no longer except it be further confirmed then. 1647. continued to stand in force it 16330 repealed.

Election of new Magistrates.

446.

Continuance

1057. The ordinaries w^{ch} are wards in times of peace shall be sett by the Constables in the severall Townes, but in times of sudden danger of any enemy the military officers shall take charge thereof and all men shall be compellable to w^{ch} and w^{ch} except Magistrates Officers of Armies Sergeants Masters of Companies Lieutenants and Ensignes, the Treasurer and such as are assistants to the Magistrates in the Courts and such as are brought up in learning ad any two Magistrates shall hinder more to discharge but the servants of all these shall not be exempted.

W^{ch} are wards.

447.

1058. The Island sometimes called Conants Island w^{ch} was formerly granted to Mr John Wintgrove upon the yearly rent of one hoggshead of wine ad by the order of the third of April 1632. appeared is now granted and confirmed to the said John Wintgrove and his heirs in the same for w^{ch} they are to pay only two bushels of Apples every yeare one bushel to the Rector and -

Conants Island granted to John Wintgrove for his heirs in the same.

Indians' course.

another to the generall Court in winter the same to be of the best appoyled thes' growings.
It is ordered that in all places the English shall have their salted from despoiling the Indians' course
in any ground where they have right to plant and if any course be despoiled for want of fencing or
hearding the Towne shall be bound to make satisfaction and the Towne shall have power among themselves
to lay the charge where the occasion of the damage grows, and the Indians are to be intreated to help
forwards the fencing in of their course fields. Provided that the Indians shall make proof that the fault
of any a Towne's farms or person did the damage.

448. Linnen cloth manufacture.

This Court taking into serious consideration the absolute necessity for the raising of the manufacture
of linnen clothed of doct's declare that it is the intent of this Court that there shall be an order made
about it and therefore doth require the Magistrates and Deputyes of the severall Townes to acquaint
the Townesmen hereunto and to make inquiry what state is in every Towne what men and women are
skillfull in the breaking spinning weaving what means for the providing of woked and to consider why
those skillfull in that manufacture what course may be taken to raise the materials and produce the ma-
nufacture and what course may be taken for teaching the boys and girls in all townes the spinning of
the wome and to returne to the next Court their severall and joynt advise about this thing. The
like consideration would be had for the spinning & weaving of Cotton wooll.

Lobys 1200th.

M^r Jesse M^r Bates M^r Wheelocke M^r Duntan W^m Parker M^r Dingo Captaine Godwin M^r 1200th
Chepman M^r Flint Eⁿsigne Walker M^r Walker M^r Houghton Captaine Demison M^r Woodbridge
John Grosse and M^r Watt are appointed a Committee to consider of the time and manner of payment of
1200th rate and to lay it upon every Towne proportionably and so it was ordered that there should be a
Lobys of 1200th raised whereof M^r Hympton is granted 250th to relieve his necessity. The propor-
tion for the rate agreed upon is for Hingham 35th Weymouth 21th Braintree 21th Duxbury 21th -
Foxbury 75th Boston 179th Dedham 30th Fowtoun 50th Woburn 90th Cambridge 100th Dartmouth
90th Salem 115th Hympton 85th Ipswich 120th Newbury 65th Colchester 45th Hampton 10th Tot-
1200th. And it was ordered that in payment silver plate should pass at 5th of the ounce, good old
Indian course growing here being the same and merchantable at 5th of the bushell summer wheat at 7th of
bushell wth at 6th of the bushell. And for houses made toward oxen goats or hogs there is a Committee
appointed to value them in every Towne wth are required to value them under their worth rather
than above their worth.

449. The Committee.

The Committee are for Hingham John Wetherell W^m Haysen and John Hubbard. For Weymouth
Philip Phillip Stebbins James and W^m Smith. For Braintree Martin Sandard Richard Wright &
Alexander Weymouth. For Duxbury W^m Duxbury John Phillip and Goodman Sumner. For Foxbury
M^r George Clarke John Johnson of Ipswich. For Boston M^r John Weymouth M^r Hill and Jacob Elliot.
For Dedham Francis Weymouth John Hayward and Michael Medraffe. For Fowtoun Simon Weymouth Thomas
Brook and W^m Wood. For Woburn Thomas Hastings John Goodidge and Henry Wright. For Cambridge
Goodman Doffe Goodman Manott & John Moore. For Colchester M^r George Wright Richard Weymouth and
Walter Palmer. For Salem John Woodberry Jeffrey M^r M^r and Thomas Vayrope. For Hympton Good-
man Winton Phillip Brown & Goodman Cooper. For Ipswich M^r W^m Daine Goodman Weymouth &
John Weymouth. For Newbury M^r Weymouth M^r Woodman and Goodman Hall. For Colchester Goodman
Weymouth Anthony Goldens and Weymouth. For Hampton both Goodman Moulton & Goodman Grosse.

M^r Weymouth
3000. Acres.

There is 3000 Acres of land granted to M^r Weymouth the wife of M^r John Weymouth
our late Governor to be at her disposing for her and her sonnes where they shall desire it wth
out prejudice to any former grant.

Impoverished foreigners
cutt off.

James Weymouth for his foreigners lying and other foules offered was consued to be bound to
the shipping post till the lottme from the first bell and after the lottme to have his saved
cutt off and so he had liberty to departe out of our Jurisdiction.

Milled etc.

About Captaine Stone's mill A Committee was appointed to witte M^r William Dingo -
Captaine Hibound John Johnson W^m Parker W^m Haysen and Captaine Demison to
examine and certify about the said mill and to make returns to the next Court.

Colchester small trade.
Passengers free of rate.

M^r Watt M^r Weymouth and M^r Weymouth had order to send small businesses at Colchester under 20th.
It is ordered that the goods of the persons come from Ireland shall be free from this rate.

450. Bread.

It is ordered that no bread shall be made finer than to afford at 12. ounces the two penny loaf
and whosoever sells higher weight to forfeit his bread, this to be of force within 14 dayes after
publication.

1060. When the way is layd out betwene myne and Wymmett street It is to stand both for the ffooke
way and also for the horse ffooke and drift way as they shall settle it and no other to be allowed for
horse nor foot.

1069. Edmond Goodnow was chosen and sworn Constable of Sudbury.

1070. J. Persons made free the 13th of the 3rd month 1640. wth William Northester. Henry Humday.
John Samdard Thomas Bradbury. Thomas Dimmer Thomas Barker Thomas Higgell Maximilian
Jewett Francis Parrot Richard Swan. Robert Haselden John Haselden Francis Lambertson William
Staler John Wimbanks William Bonton. John Jurett William Hopkinson George Wilbourn wth Tho:
Goy Comore wth Thomas Deved wth Francis Willoughby Edward Larkin Thomas Pauls. John Jone-
sine John Martin. William Philip Abraham Hill. Edward Woods wth William Payne. John Tibbets
Nembery James Etandins John Whipple wth Edward Hovart wth Thomas Fiske wth William
Stobard. John Ainsfield John Battsell Robert Howell Thomas Watson Marke Formois Thomas
Waterspuffe Jeremy Hovartened Jonab Humphrey Thomas Colman George Wacker John Francis
Richard Hymingroate Richard Walsington Richard Sykes Clement Caples Brown Anderson John Bowe-
lid Edward Wassen William Grandeur John Hale John Curmbell Edward Bumpsted Joseph Wicksler Dimochy
Wicksler. John Gsameler Simon Fogard William Wood John Wrenell George Brown John Wrenvick
Edmond Pitt Francis Smith John Harding William Gumpston John Holbrooke William Phillips Thomas
Barlie Samuel Butterworth Robert Martin Matthew Pratt Robert Dyfus. Thomas Richards Henry
Deved wth William Woodford Thomas Church William Howard Abraham Perkin Jeffery Mungon Christur
Flauke James Davies wth Edmond Curme Peter Hovys Walter Hovys Edmond Dine Thomas Wight
John Parmenter John Bent Edmond Goodnow Thomas Gilm. John Woods John Fiddler John
Howe wth William Hibbard Christur Perry Valentine Hill Francis Boyle John Hyde Nathaniell
William John Robertt Peter Oliver John Kemmerick Christur Stoddard Samuel Sherman
George Smith Gorton Aflack wth William Compton George Howe Stebon Kinster John Daffett
William Potter Gregory Belgar Thomas Hlaro James Foxie. Thomas Aflackman Edward Spolton
William Allid Martin Samdard John Deade William Andrewed John Skedman Edmond Anger
Richard Francis John Chumbell William Manning Edward Pollins Richard Hoggie Nathaniell
Allispe Misaell Medralls Ferdinando Claude Francis Kirkering William Bullard Henry
Smith John Wlose Danial Affer Josias Affer Richard Barber q^{re} John Starborough.

Wymmett
Sudbury Constable.
freemen.

At a Quarter Court holden at Boston the 2nd tuesday of the
4th month 1640. present,

- wth Deputy Wollingham.
- wth Deputy Wintrop.
- wth Wintrop son.
- wth Saltonstall.
- wth Enderott.
- wth Stoughton.
- wth Humphrey.
- Jurwast Rowell.

- 1071. Leonard Buttolph for neglecting to obey a warrant served by the Constable was fined 2^o. Buttolph fined.
- 1072. wth Browning for selling strong water was fined 5^o witnessed to have 2^o of it. Browning.
- 1073. wth Cynge and wth Davison are desired to examine the accounts betwene wth James
and wth Mayhew. the James & Mayhew
acts.
- 1074. The charge of Widdys river bridge being 15^o 3^o 6^o was ordered to be allowed as followeth by Widdys river bridge.
Boston 6^o by Roxbury 5^o Douthester 1^o 7^o 8^o Waterton 1^o 7^o 11^o Cambridge 1^o 7^o 11^o.
George Hymens is committed to be layd in ward and to be whipped to morrow for his
insolent and contemptuous carriage. Hymens contempt
ward, wth wth.
- 1075. John Hoggie not appearing. Hoggie
- 1076. James Davies for his inquisitnes wth his wife was enjoined to appear at the next Court
of Assistants. Davies.
- 1077. Henry Chapman for not obeying a precept was fined 5^o. Chapman.
- 1078. wth John Woodbridge is discharged of his presentment for releasing a servant paying
2^o 6^o. wth Woodbridge discharged.
- 1079. Robert Duffer for upbraiding James Brittain calling him byar and saying he would write Brittain agt Duffer.
him so being a witness was fined 20^o and enjoined to acknowledge the wrongs he had done Brittain.

Mr Bullen against Thwayt. Mr Peter Bullen is granted the forme of Alexander Thwayt and to be responsible 1880.
 for it if he come to answer the suit.
 Howell innocent fined. William Howell for his sinne in getting his wife wth child before marriage was fined 40^s. 1881.
 Thwayt wth child. Denying it often and after confessing.
 Thomas Thwayt was censured to be severely whipped for his drunkenness and other mis- 1882.
 demeanour at Marble head wth Mr Linderoff took the care of by undertaking it.
 Henry Thwayt committed. Thomas Thwayt was censured to be severely whipped to morrow and so kept in prison. 1883.
 Saboury wth child. Thomas Saboury for breaking an house in the time of Thwayt was censured to be severely 1884.
 double restitution. whipped and for his child to be sold for a slave until he have made double restitution.
 Ollin and Saboury de. fined. Henry Ollin and Clement Saboury for drunkenness were fined 10^s a peere. 1885.
 Mr Bernard fined. Mr Bernard for giving a gallon of strong water amongst certaine persons at works at his 1886.
 house wth Ollin and Saboury were fine 3^s.
 Abell. Robert Abell business is referred to Mr Stoughton to inquire. 1887.
 Elizabeth admon. Elizabeth Lovell was admonished for her immodest expression. 1888.
 Downam wth child. John Downam for getting his wife wth child before marriage was fined 20^s. 1889.
 Hingam wages fined. Hingam being presented for defective wayes and bridge and the soil being certified by Henry 1890.
 of Hingam. Smith that they are mended they were fined 2^s 6^d and discharged.
 Gonserv fined. Edward Gonserv was fined 10^s because the fferry had bin neglected. 1891.
 Bell. Thomas Bell being settled since the presentment is respited. 1892.
 Downy after way. The way of Douthester being presented is referred to ditto. 1893.
 Mr Dummer. Mr Dummer for want of weights and scales which were supplied. 3^s. 1894.
 Went. Henry for want of towns weights and measured fined 6^s 8^d. 1895.
 Salem. Salem for neglecting their watch was fined 10^s. 1896.

The 30th of the 5th month 1640. present,
 The Governour. Mr Winthrop sen.
 The Deputy Governour. Mr Stoughton.
 Juntajs Howell.

Tower. John Tower for his disturbance of the peace, and his offence thereby against the Governour 1897.
 wealth is fined five pounds.
 Indian women. Two Indian women were adjudged to be whipped for their insolent carriage and abusing - 1898.
 wth child.
 Bonnet admon. Eliza Bonnet was censured to be whipped for her unchaste marriage. 1899.
 Rogged. Mr John Rogged for his drunkenness is fined five pounds. 1900.
 White. John White is bound in 10^s for to be of good behavio and not to come into the company of
 Bulls wife alone and to appear at the quarter Court, the first third day of the 10th
 month next. John White and George Curite bound themselves in 4^s a peere for the
 fornamed John White.
 Hope. Hope the Indian was censured for her running away and other misdemeanours to be - 1902.
 whipped here and at Marble head.
 Harte. Jaarte Harte bound himselfe in 20^s to be of good behavio and Mr Job + Bathurst 1903.
 bound himselfe in 10^s for the said Jaarte Harte his good behavio till he draw out of
 the Plantation, or bring a note from that he is free from fears.
 Janke. Joell Janke is bound over to the next general Court for getting his Master's daughter 1904.
 wth child.

The 20th of the 3rd month 1640. present

The Deputy Governor
M^r W^m Winthrop Jun^r
J^m Mason

- 1905. Henry Jolly being drunk the night before and calling Walter Henry Frabe and laying further to him a Member a Doerge, he was fined 10^s and to goe to prison till he have payd it. Jolly.
- 1906. John Bannard killed so for being distempored with wine was fined 10^s. Bannard.
- 1907. Daniel Nuttall bound himselfe in 10^s to appear at the Court to answer for the neglect of the 2. children in the ship with uter committed to him. Nuttall.
- 1908. William Kilroy and Pirhard Naynes bound themselves in 5^s a piece for the appearance of Daniel Nuttall.
- 1909. 27th of the 6. mo: Henry Bright took his oath for to discharge the plate of En. royal of the Waterhouse Church. James in Waterhouse this yeare and till a new be chosen.

A quarter Court held at Boston the first of the 7th month 1640. present,

The Governor.	M ^r Soughton
The Deputy Governor.	M ^r Bradstreet.
M ^r Winthrop Jun ^r .	M ^r Winthrop Jun ^r
M ^r Underhill.	J ^m Mason
M ^r Humphrey.	M ^r Saltonstall.

- 1910. Record of a former business. In the matter betweene Andrew Goldman and William Swift Goldman & Swift. It is ordered by the Court, that whereas the said Andrew Goldman by his Letter of Attorney dated the Day of June Anno Dni 1636. made unto John Naynes Esq^r gave him the said John Naynes power and Authority to sue and compound with the said William Swift for and upon one bond of the bearing date the Day of in the year wherein the said William Swift as a surety was bound with Roger Spring principall Debtor and Joshua Smith another surety for the payment of fifty two pounds unto the said Andrew Goldman upon a certaine day past, And thereupon the said John Naynes agreed and compounded with the said William Swift, And the said William Swift mortgaged his house and Lands at Watertown aforesaid unto the said John Naynes in behalfe of the said Andrew Goldman by one deed or writing dated in or about the month of in in the year 1636. aforesaid, And whereas the said William Swift alledgeth that the said Andrew Goldman hath alledgeth recovered for parte of the said debt the summe of eighttne pounds and five shillings from John Smithman and William Starry Jun^r of Boston Clothier, with they owed to the said William Swift, and that since the said mortgage made, the said Andrew Goldman hath contrary to the said agreement and troubled the said William Swift in England for the said debt, and recovered from him seven pounds and ten shillings more, which in all being twenty five pounds and fiftene shillings to witte to halfe the said debt, wanting but five shillings, And that halfe thereof is as much in equity as he being a surety with another ought to pay, And the other part the said Joshua Smith being a man of sufficient estate ought to pay the other halfe, This Court hath ordered that the possession of the said house and lands shall remaine in the hands of the said John Naynes till Midsummer next, to the end the said William Swift may make what use he thin of the returned in the meane time, and then this Court will sett downe a small order in the premises as shall be agreeable to equity. If the Court be pleased to record this order, I consent to it. John Naynes.
- 1911. John Woolridge appearing had discharged from his bands having swayed himselfe orderly. Woolridge.
- 1912. John Porter and Henry Tuttle being chosen Constables of Wingham did take the oath to Wingham Constab: their belonging.
- 1913. Thomas Cylston and Edward Wainshot were fined 6^s a piece for not attending the Jury Cylston & Wainshot when they were called.
- 1914. It was referred to M^r William Dunge and M^r William Priore to examine the books about Ship Chartered. the goods with same in the Chartered what are wanting or persons absent.
- 1915. Thomas Bagely for seeking to gett a wayd without her friends consent, is bound to his good Bagely to be contented, and if he trouble her by presenting any new suit, or make any disturbance, it is to

be accounted a breach of the good behavio^r.

Gluffe bon wort.

Richard Gluffe for saying shall I pay 12^d for the fragments with the round fuy covered hat 1916
left, he was bound to his good behavio^r, and paid three pounds six shillings and eight pence
which was dismounted by m^r Robert Saltonstall upon account.

Wether.

Edmond Wether was admonished to take heed of suffering.

1917

Ship. P. S. W. L.

M^r Samuel Haberkne bound himself in 120^l for the Company of the Charles to 1919
answer such actions as are or shall be brought.

Dittonson Ditch.

Thomas Dittonson is discharged from his slavery and committed to fugitive with Walter. 1919

Thomas & Richard.

John Thomas and William Richards are referred to m^r Skinner and Thomas White to settle things
between them.

Thomas.

Eden Thomas having a wife and four children is allowed twenty bushels of rye at - 1921
harvest and what necessary charge Goodman Button is at to be allowed him.

Wath.

Jonathan Wath was adjudged to be severely whipped, and for the present is committed
for a slave to Lieutenant Dabonport.

Ypswich.

Deceitful of Ipswich for their attachment 10^d they having sett out new highways near the
the former as they informed. 1922

Walter's servants.

Walter Morris two servants were adjudged to be whipped for running away and detoured
to their master. 1923

M^r Mallowes six children.

M^r Altherton Raugh m^r Thomas Devent and m^r William Colborn have authority, and
order to sell the house and ground with was m^r Mallowes to be disposed of by them for the
good of the six children, till they come to age, or marry, and the eldest some to have
a double portion. 1924

Fairthorpe Church.

M^r Samuel Winsley is sworn surveyor of the church at Fairthorpe.

1925

Doffe.

John Doffe had 10^l of his fine of 20^l remitted.

1926

Wroughton.

John Wroughton for going into other mens houses in the night and upon the Lords Day in
the time of exercise was adjudged to be whipped. 1927

The 8. th day of the 8. th month 1640.

Wright.

John Wright for his drunkenness swearing and other disorder was adjudged to be severely
whipped.

Wroughton.

David Wroughton having given satisfaction to the father of the children with whom
neglected is freed from his attendance at the Court any further. 1929

Dabie & Whiffington.

John Dabie and Henry Whiffington are bound in 20^l a piece and each for other to
appear at the next general Court. 1930

M^r Widdowes & Quabter.

John Quabter William Widdowes and
that what shall be adjudged by the Court to be obeyed shall be returned to the Court.
bound themselves in 20^l a piece 1931.

A general Court held at Boston the 7th day of the 8th month 1640.

present,
 The Governour, Mr Saltoustaill
 Mr Deputy, Mr Wintthrop jun
 Mr John Wintthrop sen. Mr Soughton
 Mr Endorott, Mr Bradshooke.
 Mr Drumfroy, Mr Isaac Rowell.

Deputyes.

Mr William Hibbens	Mr Thomas Sprute.
Mr William Tingt.	Mr Simon Willard.
Captaine Robert Cedywick.	Mr Ralph Wheelocke.
Mr Thomas Goytmore.	Elea: Ingher.
William Heath.	Mr Nath: Duncon.
Mr William Parke.	Mr John Glover.
Mr Emannoll Downing	Mr Thomas Holfson.
Mr William Southorne.	Francis Parrott.
Mr Samuell Symonds	Mr James Parke.
John Whipple.	Edward Bates.
Mr Fitzand Dummer.	Mr Samuell Sheenard.
Mr John Wadidge.	Mr Joseph Cooke.
Edmond Fire,	Mr Edward Nollcocke.
Smithfor Batt.	Mr Timothy Tomhind.
Mr Joseph Parke	William Thosobrough.
Edmond Hubbard sen.	Robert Kingsley.
John Grosse.	Captaine William Jennison.
	Mr Thomas Mayhew.

- 1932. Mr Dabertowne and Synne Constables are fined 10^s. a fowne for not returning their warrants fined.
and Deputyes names.
- 1933. The first Lawe against adultery made by the Court of Assistants Anno 1631. is declared adultery. 451.
to be abrogated but the same made the first month 1637. or 1638. by the generall Court
to stand in force.
- 1934. Whereas Captaine John Underhill hath come upon Basse- conduct into the Court this Captaine Underhill.
present day, and there openly and humbly acknowledged and bowayled his offences against
God and this Commonwealth, as he had formerly done the like to the Church of
Boston, who have thereupon writen him againe into the Church, this Court also
being straitly and well perswaded of the truth of his repentance, and willing to for-
give his former offences, so farre as may concerne obay of our private interest, and
are freely returned to him in Christian love: but being desirous to have yet further
triall of him, before he be fully restored to his former liberty, this Court doth order
that his sentence of banishment shall be suspended till the end of the next Court of
Sessions, and then the Court will further consider of his condition.
- 1935. The petition of the Inhabitants of Synne is granted for the cause of forfeiting Synne.
in the former order to be obliterated for not selling our Lott within two yeares after their
removing to the Village.
- 1936. Whereas much wrong hath bin done to the Country by the negligence of Constables Debyed. Constables. 452.
in not gathering up such Lobyed as they have received warrants from the Treasuror to
gather, and they neglecting the same during the time of their continuance in their
offices, thereby causing themselves a putting the trouble of gathering thereof induly
to the next Constable, who findeth it a wrong to have the former Constables businesse
imposed upon him, the former Constable for his excuse alledging himselfe to be out of office,
and so hath no power to distraine, it is therefore ordered that if any Constable
shall not have gathered the lobyed committed to his charge by the Treasuror then being,
during the time of his office, that he shall notwithstanding the expiration of his office
have power to levy by distress all such waded and lobyed, and if he bring them not in to

the old Treasuror according to his warrant, the Treasuror shall discharge such constables goods for the same, and if the Treasuror does not so discharge the constables, he shall be answerable to the country for the same; And if the constables be not able to make payment, It shall be lawful for the Treasuror old or new appointed to discharge any man or men of that County where the constables are unable for all or any of the same, and that man upon return to the Court shall have order to collect the same againe equally of the County with his just Damages for the same.

1937.

M^r Woodman

M^r Woodman of Newbery is released from being Lieutenant there.

M^r Nath: Eaton

M^r Treasuror and M^r Duntan are appointed a Committee to take the Account of M^r Nath: Eaton's business from Captaine Gornison and John Bridges.

453. Wampouxege

It is ordered that which wampouxege shall passe at foure a penny and blode at two a - 1937
penny and not above twelbe vners at a time, except the vnter desire more.

Ningham Ordinary

Nicholas Jarrod is allowed to fixe an ordinary at Ningham. 1940.

Nampton Episcopall bounds

Who whose names are underwritten according to the order of the generall Court have taken view of the bounds of Nampton and Poelthorpe according to our best light by our Distoury and from information of both the Countees, we judge it most equall, that the line beginning at Nampton river mouth running from thence so ad to keate M^r Barkillers farme layd out in Nampton bound, and from the souther west line of M^r Barkillers farme, the line to extend westerly betwene Poelthorpe and Nampton, the same way of the compass, that M^r Dominants river runned from the mouth to the end of Countee bounds. September 24. 1640. Thomas Nelson. William Paine. Edward Woodman.

Poelthorpe and M^r Wards Plantation bounds

M^r Woodman M^r Paine and M^r Nelson are appointed to view the bounds betwene Poelthorpe and M^r Wards Plantation and M^r Watt and Goodman Nowell to goe with them to informe them, that they may certifye the Court. 1942.

M^r Wards 533. acre

M^r Thomas Wards Pastor of Foxbery is granted 533. acres next to M^r Thomas Allen tinner of Charlestone beyond Pontord river, whereof 200. was granted by the Country, and the other 333. is parte of the 4000. acres granted to Foxbery. 1943.

454. Manufacture of linnen, wollen, and cotton cloath

For encouragement of the manufacture of linnen, wollen, and cotton cloath, It is ordered, that whosoever shall make any sorte of the sayd cloath fitt for use, and shall shew the same to the next Magistrate, or to two of the Deputyes of this Court, upon certification thereof to this Court, or the Court of Assistants, the party shall have allowance of three pence in the shilling on the worth of such cloath, according to the valuation, wch shall be certified with it. And the said Magistrate or Deputyes shall sett such marks upon the same cloath, as it may be found to have bin allowed for. Provided this order shall extend onely to such cloath as shall be made within this Jurisdiction and the yarne hereof spin also, and of such materialls as shall be rayed also within the same, - or old of Cotton. This order to continue for three yeares next following.

The 1200^l Levy

Whereas there was a Levy made the last Court of 1200^l whereof little is payd, and the order then made for the assessing thereof would now be unequal and intombent, in regard of the alteration of the prices of such things whereof it was to be payd in to the Treasuror, or such as he hath assigned the same unto, It is now ordered that it shall be payd in some at the value this Court hath sett downe, and that the Treasuror, or such as it shall be assigned unto may leave it in the hands of such as should pay it, untill it shall be called for, so it be within five moneths, and then to be delivered good and merchantable in full measure; onely the rate of Pontord, wch is most of it in value shall be accepted by the Treasuror, and such as he shall assigne it unto, and what losse shall come thereby it shall be made up by Pontord. Provided that such as have or shall pay their rates to the said Levy in money or some shall be exempt from the charge of repayment to such as shall suffer any losse by accepting their debts in cattell. 1946.

455. Debts to be payd wch some et.

Forasmuch as it appeareth unto this Court that there is a great store in hand, and some want for want of money, for wanting of the like mischance for time to time, It is ordered that after the last day of this moneth, no man shall be compelled to satisfy any debt, legacy, fine, or any other payment in money, but satisfaction shall be accepted in some, cattell, fish, or other commodities at such rates as this Court shall sett downe from time to time, or in default thereof by agreement of indifferent men, to be appointed by the Court. Provided that this order shall not extend to any debts or other payments due or arising upon any contract or other original cause wch shall be payd the last day of this moneth aforesaid. And this Court doth order that Indian some merchantable shall be payable at the rate of foure shillings the bushell, summer wheate at six shillings, nye at five shillings barley at five shillings and pease at six shillings, hemp and flax seed at 12^l. a bushell, and all these rates to be increased of such some as shall growe in this Jurisdiction.

1947. Ordained that every man that killed a wolfe with hounds shall have forty shillings allowed him, and whosoever killed a wolfe wth a hawk, or other curial shall have ten shillings allowed him, to be paid by the Countie. And if he be killed out of any Countie bounds it shall be paid by the Countie. And it is further ordained that such as shall have any hound mastiffe or any hound, with shall be aiding to the death of any such wolfe shall not be contributory to the reward to be given for such wolfe.

Wolbes. 456.

1948. It is ordered that no man in the Countie shall swear above three times to any cause without being sworn on Obedience or Countie upon oaine of 12^d a time, and that if any be swearing about private business, unless the business of the Countie is in hand, he shall pay 12^d in his Court.

457.

1949. The maner of the maner of Boston and of the maner of Lestowne is granted to the Countie.

Wolbes 457.

1950. The maner granted by the Countie to the Countie of Woburn, which in Woburnham is possessed of is confirmed, so far as it is in the Countie.

M^r Dudley's maner at Ipswich.

1951. M^r John Winterton is granted fishers Islands against the mouth of the River of the Countie, so far as it is in our power, reserving the right of the Countie and the Countie.

Fishers Islands M^r John Winterton.

1952. M^r John Winterton and M^r Simon Downham and M^r Emanuel Downing and M^r Thomas and M^r Thomas any three of them are appointed to sett out the bounds between the Countie and the Countie.

Countie and the Countie.

1953. M^r Thomas and M^r Samuel and M^r Edward are to sett out the bounds between the Countie and M^r Thomas's maner on the north side of the River of the Countie.

Countie and the Countie.

1954. Whereas we have been informed of the neglect of many in not saving such hides or skins, as either by casualty or negligence come to hand, which by damages hath redounded to the Countie, it is therefore ordained that the Countie of such waste that every hide or skin shall be dried before it is brought to the Countie, and that such hides or skins that be sent to the Countie shall be tanned or dressed, and whosoever shall neglect to do this shall pay for every such hide or skin the sum of 12^d.

Dried skins. 458.

1955. Forasmuch as there appeared a mistake in the former order, for enlargement of the grant made to Rowley upon their proposing a line, it is now ordered that which was intended, it is now ordered that the north of lands upon M^r Thomas's maner Northwiche shall be added to Rowley, and that the line shall run from the outermost part of that north to the River of the Countie by the end of the right hand side, to be run from the meeting house walled with Ipswich line, provided that all former grants upon the side of Ipswich river shall be excepted out of this grant.

Rowley enlarged.

1956. It is ordered that the land there now 150. acres granted to John Underhill upon Ipswich river, if it be not within County bounds, the Countie of Rowley hath yielded that although the land should any part of M^r Underhill's maner be within their bounds, yet that the said M^r Underhill shall have it, the Countie granting unto the Countie of Rowley so much land in another place, lying conveniently to the end of their bounds, with this Countie doth promise to do, M^r Underhill and the Countie of Rowley are to consent.

M^r Underhill's 150. acres on Ipswich river.

1957. The 100. acres formerly granted to be on the west side of the River of the Countie, to belong to M^r Underhill, is now granted her on the east side of the said river, without the limits of the last addition to the bounds of the Countie and between the said bounds, and the great pond of the Countie at Northwiche, and the Countie shall have liberty to lay out the same, provided she make returns to the next general Court that other grants following may be sett out.

M^r Underhill's maner.

1958. It is ordered that the letter lately sent to the Countie by M^r Eaton, M^r Haynes, M^r Maynes, M^r Goddington and M^r Branton, but concerning also the general Court shall be thus answered by the Countie that the Countie doth assent to all the propositions layd downe in the aforesaid letter, but that the charges shall be directed to M^r Eaton, M^r Haynes and M^r Maynes only excepting M^r Goddington and M^r Branton, as men not to be reputed, withal by no other persons or the people of the Islands, where they inhabit, as their case standeth.

M^r Eaton, M^r Haynes, M^r Maynes.

1959. Northwiche is appointed to be called Salisbury.

Salisbury.

1960. M^r Peter Hovest, M^r Haynes and John Parmiter are authorized to end small businesses at Salisbury with twenty shillings.

Salisbury small trades.

1961. The Countie of the Countie hath liberty to give John Town a lott, and so he is given by the Court.

Town.

1962. M^r Thomas Wright, M^r Alexander Wintchester and M^r William Chesborough are appointed to end small businesses at Brampton under 20^d.

Brampton small trades.

1963. M^r William Willmot his portion is granted him and he with his masters consent is sett out.

Willmot.

1964. M^r Thomas's maner is granted them, the proportion of 4. miles square with their former lott grant to make a village, wherof 500. acres is granted to M^r Thomas Poytmon to be sett out by the Court if the Countie and he cannot agree in which they shall not trespasse from any line, nor come within a mile of Chamsham river, and the great swamp and ponds to be in common.

Thomas's maner - 400. miles square. M^r Poytmon's gr.

Shawshin.

The Towne of Cambridge is granted a moneth to consider of Shawshin for a Village for they 1965. and if they like it not, the Towne of Roxbury hath liberty to consider of it for a Village for them till the next year in Court.

460. Against fraudulent conveyances. 17-17-50

For avoiding fraudulent conveyances, and that every man may know what estate or interest other men may have in any houses, lands, or other hereditaments they are to deal in, It is therefore ordered that after the end of this moneth, no mortgage bargain sale or grant hereafter to be made of any houses, lands, rents, or other hereditaments shall be of force against any other person, except the grantor and his heirs, unless the same be recorded as is hereafter expressed. And that no such bargain sale or grant already made in way of mortgage, unless the grantor remained in possession shall be of force against any other, but the grantor or his heirs, except the same shall be entered as is hereafter expressed, within one moneth after the end of this Court, if the party be within this jurisdiction, or else within three moneths after he shall returne. And if any such grantor or being equitably charged therewith or to make an acknowledgment of any grant or by him made shall refuse so to do, it shall in the power of any Magistrate to send for the party or refusing, and commit him to prison without bail or maine till he shall acknowledge the same. And the grantor is to enter his caution with the Recorder, and this shall save his interest in the means time, And if it be doubtful whether it is the deed or grant of the party, he shall be bound with sufficient to the next Court and the caution shall remaine good as aforesaid. And for recording of all such bargains or It is further ordered that there shall be one appointed at Roxbury, for with Mr Samuel Symonds is chosen for that will to enter all such bargains sales or of all kinds or within the jurisdiction of that Court. And Emannell Downing is chosen in like sort for the jurisdiction of the Court of Salem. And all the rest to be entered by Mr Stephen Winthrop the Recorder at Boston. And that it is not intended that the whole bargain sale or shall be entered, but only the names of the grantor and grantee, the thing and estate granted, and the date, And all such entries shall be certified to the Recorder at Boston within six moneths yearly. And it is ordered that the fee for every such entry shall be six pence. And it is hereby declared that this order shall not extend to any grant made or to be made by any Court.

Forbiddeth to be recorded.

Mr Robert Wint. Recorder.

461. Execution Cognizance, Forfeited.

How to take execution or cognizance and to make writs to be where any Magistrate is, he may 1967. do it: but in other Townes these are named and appointed. For Roxbury Mr Joseph Park. For Weymouth Mr James Parker, For Braintree Mr William Thoburn. For Dorset Mr William Hollingham. For Haverhill Mr Richard Dummer. For Grafton Mr Walter. For Hampton Mr John Milton. For Cambridge Mr Samuel Shepard. For Andover Mr Thomas Mayhew. For Concord Mr Thomas Flint. For Sudbury Mr Peter Royce and for Dedham Mr Edward Allyn.

Grantee. power.

Mr Thomas Flint is also allowed to manry at Concord and Sudbury. 1968.

462. Executions.

Whereas many men in the Plantation are in debt and have not money sufficient to discharge the same though their estate and goods should be sold for half their worth, as appears hath been upon some late executions, it hereby a great part of the people in the County may be undone and yet their debts not satisfied, though they have sufficient upon an equal valuation to pay all and live comfortably upon the rest. It is therefore ordered that upon every execution for a debt or debt the Officers shall take lands, houses, towns, tithes, fish, or other commodities, and deliver the same in full satisfaction to the Creditor at such prices, as the same shall be valued at by three understanding and indifferent men, to be chosen the one by the Creditor, another by the Debtor, and the third by the Marshall. And the Creditor is at liberty to take his choice of what goods he will, and if he hath not sufficient goods to discharge it, then he is to take his house and lands as aforesaid.

Mr Robert Goble. 800. ac.

Mr Robert Goble of Cambridge is granted 800. acres of land where he can find it without prejudice to any plantation granted or to be granted.

Thomas Brown. 200. ac.

Thomas Brown of Sudbury is granted 200. acres of land for the 25th adventure of 1971. Mr James Nayser.

Samuel. 100.

The County desired watercourse to grant William Kimball a lot and if he doe prove chargeable, the County to buy it. 1972.

White.

John White his petition is granted him and he is with his masters consent sett free. 1975.

Magistrates.

Propounded for Magistrates, Mr William Ribbons, Mr Thomas Flint, Mr Emannell Downing, Mr Richard Dummer, Mr Samuel Symonds, Mr John White, Mr William Cinge, Mr William Hawthorn.

Mr. Atherton Haugh. Mr. Thomas Mayhew.

1975. It is ordered that two twaynings shall be in the end of the third month or in the beginning of the fourth month with five twaynings from the middle of the eighth month to the middle of the first month. And for such as are absent from twayning, if a Magistrate think the business of necessity and for the partyes benefit, the Magistrate may appoint him to pay what he shalke make, but if the time be not advantageous to exempt without payment.

1976. A Certificate of highways is ordered to be recorded. The first day of the third month 1640. After those names are hereunder written being appointed to lay out the roads wayes for the Towne they in charge of the same according to order of Court, from Boreby to Foxpitt (with the consent of those that are to be likewise ordered for Boreby) have thus ordered the said wayes out: That is to say, from Mr. Hedges dwelling house vale, by the end of Bluffs hill, to the new bridge over the North river, and so to the new bridge over muddy river, and so by the Common fence to Foxpitt town, and so along by Mr. Siltstalls house over the falls at muddy river, and by marshes and over Mr. Duxtons meadow, and from thence by Mr. Rubbards parson house, and so in over the past side of Mr. Smiths house. And from thence by his consent of Salem man over the old Planted meadow, and so to the two woods usually dry in summer, near with woods the way doth branch, one whereof is easterly of the said Woods leading through the old Planted field to Salem ferry according to the market house, and the other way is westerly of the woods leading to a great brook at a landing place westerly of Mr. Struggs house. The breadth of both wayes from Boreby to the two woods abovementioned, by the consent of those of Boreby and Salem, is eight rods, and from the place where the two wayes beginne to branch, both to the ferry and to the brook are either of them six rods. Witness. John Dutton. Thomas Horman. William Hauthorn with the consent of Vincent Dabenscord and his signers Deade. Thomas Horgan with the consent of Thomas Harker.

1077. To Robert Turner petition for his money, it is answered, The Treasurer shall make ready and good payment and in money (if it may be) and if the petitioner be damnified for want of due and good payment this Court will make him recompense.

1978. John Harker is granted John Harvies his land for to adventure provided that he do let it appear to this Court he hath a sufficient assignment from Mr. Harvie.

1979. John Greenland is granted his petition, with is to plant upon a five and half in Charlestown bounds on his side.

1980. Mr. Mayhew is granted 3. p. q. for his money since demanded.

A Parliament Court hold at Boston the 29th of the 8th month 1640.

The Governour.
The Deputy Governour.
Mr. Winthrop.
Mr. Isaac Singson.
Mr. Joseph Howell.

1981. Henry Howard and William Hudson are discharged from their recognizance.

1982. John Smith for his distemper with wine was ordered to pay 10^s. and payd in the same.

1983. Nicholas Dabison will of 200^l. being delivered into Court by Cyl, was ordered to be kept by the Court.

1984. John Shaw and Nicholas Byson are granted administration of the goods of Abraham Shaw.

1985. William Hammond deposed that Edmund Dins. liff. sent him with warrants to appear at two Courts and for him to appear did not performe, Hammond was granted agt the said Dins. liff. 20^s.

1986. John Parker John Dutton Thomas Horman and Nathaniel Baker being called to be witnesses were granted 6^s. a piece and 1^s. all to be payd by the Court.

1987. John Dutton for swearing speaking and drunkenness was sentenced to be severely whipped.

1988. John Parker was granted 20^s against Thomas May for not appearing causing him to attend 3. days with.

1989. Attorney was granted to Thomas Harker against Thomas Turner to sit all such goods as are in his possession for a fourth of his bargain of town.

1990. It is ordered Mr. Singson should have business betweene Richards Lange of the Towne of Weymouth and Weymouth of Salem to call for the Towne book, and make reports to the Court if the same require it.

A quarter Court held at Boston the first day of the 10th month 1640.

Present,
Mr Hobson, Mr Balton stall.
Mr Dexty, Mr Wadsworth min.
Mr Wadsworth sen. Mr Sforston
Mr Humphrey. Mr Wadsworth Honore

- Cambridge. The Towne of Cambridge upon proof that the way at Wimbroke and Long Swamp was repaired before the declaration of the desert was discharged of the fine of 4^l.
- Waterhouse. Waterhouse freemen promising to yield to every Townsman his proportionable according to rule, 1692 without respect to freedom or not freedom were dismissed.
- Richardson bond. George Richardson is bound to the good behavio^r in 20^l and to appear at the quarter Court, 1693 the 10th month 1641. Henry & Wm Knop are bound for George Richardson in 10^l.
- Player. Bylob Player having taken from the Deputy Hobson a beale and other things of 15^l value, 1694 and from Lieutenant Sabemport the worth of 4^l he is committed to them until they be satisfied.
- Jentm. Joell Jentm upon his repentance was discharged. 1695.
- Hendall. Robert Hendall is deferred till the next quarter Court. 1696.
- Burntore. The Towne of Burntore were enjoyned to make their pound, stocks and watchhouse by the quarter Court in the first month. 1697.
- Dorchester & Roxbury. Dorchester and Roxbury the bridge and way being repaired were discharged. 1698.
- Boston. Boston, the way being new layd out had time to repaire them betweene Wadsworths - 1699.
- and Southford. Mr Thomas Southford acknowledging he had overshott himself and is sorry for it, & promising 200^l to attend his trial and not to meddle with touchstones was dismissed.
- Bartlett. Wm Bartlett the pillfering not being proved was discharged. new summons was to be sent 2001 for Robert Bartlett.
- Charlestown. Charlestown meeting house was formerly allowed for their watchhouse. 2002.
- Smith. Samuell Smith, there being a mistake in the presentment as appeared by witnesses was 2003. discharged.
- Fowley & Sudding. Fowley and Sudding in regard of the shewe were deferred till the quarter Court in the first 2004. month.
- Wade. Wm Wade was compelled to goe home to his wife and upon his promise so to doe, his repentance and testimony of his good behavio^r he was discharged. 2005.
- Salem watchhouse. Salem meeting house is allowed for their watch house. 2006.
- Grosse. Robert Grosse is remitted to Ipswich Court. 2007.
- Hubbard. James Hubbard is discharged the hurt being little, and done unwitting the other pressing in upon him 2008.
- Lyme Highway. Lyme was enjoyned upon paine of 10^l to repaire their wayes by the quarter Court in the fourth month 2009. next.
- Lyme watchhouse. Lyme meeting house is allowed for their watchhouse. 2010.
- Fowley & Sontm. Fowley & Sontments are deferred till the quarter Court in the next first month. 2011.
- Foolthorpe & Sontm. Foolthorpe & Sontments are deferred till the quarter Court the first month. 2012.
- Nampton & Sontm. Nampton Sontments are deferred till the quarter Court the first month. 2013.
- Ningham watchhouse. Ningham meeting house for the present is allowed for their watchhouse. 2014.
- Batt. Christopher Batt for selling his servant his time is referred to the Court at Ipswich. 2015.
- Marshfield & Coogood. It was ordered that John Coogood should be sent to his dame the wife of Thomas Marshfield at Framertrott by Robert Hemme, the father of the said Coogood having put him a servant to Thomas Marshfield. 2016.
- White & Sontm. The Commission about Mr Edmund White and Mr Sontm is referred for Mr Deputy Sollingham, Inwards Howel and Mr Thomas Mayhew to examine the accounts. 2017.
- Smith & Howard. Mr Sollingham & Mr Sparhawk and John Bridget are desired to hear business betwene John Smith and his father Jeremy Howard and examine accounts and settle things if they can, if not to make reports to the Court, if there be cause. 2018.
- Mr Humphrey & Sontm. Henry Sontm for firing the beare upon Mr John Humphrey, he was ordered to be sent to Mr Humphrey for 21. yeares from this day towards recompensing the losse. 2019.

- 2020. Samuell Dofford having bin much missused by his master Jonathan Wade, he is freed from the said m^r wade and is putt to John Johnson for three yeares and to have six pounds wages y^e annu, and for the other 1/2 yeares it is referred to the Court.
- 2021. Richard Nicholls rage is referred to the Court at Ipswich.
- 2022. Daniell Barton is granted 10^l. toste against Richard Robt, because he seised him with a warrant and prosecuted not.
- 2023. George Fithardson is granted 10^l. toste against Edward James Smith, he having seised him with a warrant and prosecuted not.
- 2024. Jonathan Wade is bound in 40^l. to be of good behavio^r.
- 2025. M^r Fithard Parker for selling 1/2^l or 3/4^l of gunpowder to an Indian being ignorant of the lawe. against it is respited till the general Court.
- 2025. M^r Henry Wobb his man Roger Cole for selling 2^l of gunpowder to an Indian not knowing the Law is respited till the general Court.
- 2027. John Stone for selling shot to an Indian not knowing the Law is respited.
- 2028. M^r Thomas Clarke his man selling 8^l of shot to an Indian is respited.
- 2029. Fithard Gollinott forgetting the Law against mending Indians gimbos, having gott two of their locks to be mended is respited for his fine till the next general Court. Michael - Willis is discharged being ignorant whose the locks were.
- 2030. M^r Henry Waltham his forme being lately dead, and he disrobering his forme had given 3^l. to the sexton though no other knewe of it, was discharged.
- 2031. Godman Button is allowed 10^l. 8^l. 9^l. for the charge with Thomas Eband.
- 2032. The Jury found Hugh Buot to be guilty of heresy and that his person and enow and danger = Bond for infection of others.
- 2033. It was ordered that the said Hugh Buot should be gone out of our Jurisdiction by the 24th instant upon paine of death and not to returne upon paine of being hangd.
- 2034. The Court granted this Jury 12^l. for their service. The names of the Jury that tryed Buot = Edward Hamford James Browne John Martin John Traule Thomas Hobbs Daniell Brewer John Suggells Griffin Grosse Isaacks Johnson Jonathan Heyes Fithard Lmesdell Christoffer Gibson.
- 2035. It was ordered that Alexander Worke should have 24. bushells of turne for Mary Jones for the time wast, and for the time to come a bushell of turne a week, and to have two blankets and a rugge to keep her warme.

A Court at Boston the 28th of the 11th moneth 1640. present,

The Governo^r. M^r John Humphrey.
 The Deputy Governo^r. M^r John Winthrop Jun^r.
 M^r John Winthrop Sen. M^r George Howell.

- 2036. The will of Anne Hunting was given in and the witnesses deposed. Anne Hunting testam.
- 2037. John Holland Edward Burt and John Sherman being returned for Jurymen, and not appearing when they were called they were fined 5^l. a peere. Jury defaults.
- 2038. The will of M^r George Clarke was given in and the witnesses deposed, and also the will and op^s of the inventory were deposed. George Clarke - testam.
- 2039. Thomas Hawkins for his unallowd speeches was enjoyned attendants but upon the petition of the gentlemen he was remitted. Hawkins.
- 2040. Samuell Hawkes for swearing, cursing, lying, theft, and unallowd speech, was enjoyned to be sett an hore in the stocks to morrow and have a trest stike on his tongue while the Court thinks meete, and was committed the meane while. Hawkes stockt.
- 2041. Willm Carpenter being chosen Constable of Weymouth for the yeare ensuing took his oath to that place belonging. Weymouth Constab.
- 2042. John Rogge for his drunkenness, wastfulness and idleness was enjoyned to be committed to the Lieutenant duabus portis till the next Court. Rogge. correction.
- 2043. Walter Knight forfeited his Recognizance of 5^l. by not appearing. Thomas Dexter forfeited his recognizance of 5^l. being bound for the appearance of Walter Knight who appeared not. Knight recogni. forfe.
- 2044. M^r James Parker is allowed to marry Thomas Clifton and Mary Wiltworth within a month. M^r Parker. maries.
- 2045. Ordered by consent of Henry Waltham merchant and Walthian the wife of Thomas Fithard of Weymouth that all matters in difference hereafter mentioned shall be referred to M^r Thomas Parker and Edward Bates of the same Towne, who by this Court have receivd two of

them, to appoint a miller to ~~take~~ ^{take} the mill for both parties, to sett downe an equal value for the rent
of m^r Walthams parts of the house, with the id to enjoy till her husband retorne, if he retorne this
Summer to heare and determine all accounts and reckonings betwene them, for which and they or
any two of them have hereby authority to examine witnesses upon oath, this to be in force till
the next Court of Assistants.

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The generall Court holden at London the 30th day of April 1629. by the
Governour and Company of the Massachusetts Bay in New England.

2030. Whereas the Kings most Excellent Majesty hath bin graciously pleased to erect and establish
us by his letters patents under the great Seale of England to be a body corporate, entitled the
Governour and Company of the Massachusetts Bay in New England, and thereby hath endowed us with
many large and ample priviledges and immunities, with power to make good and wholesome laws,
statutes and Ordinances, for the better maintenance and supporte of the said priviledges, and for the
better and more orderly and regular Government, to be observed in the execution and propagation
of the intended voyage, and the Plantation there, authorizing us to nominate and appoint and
select fitt persons amongst our selves for the managing ordering and governing of our affairs,
both in England and in the place specified and granted unto us by vertue of his Majesties said Charter,

2031. And we have in the execution of the said power and authority given us and in conformity thereto
unto, and to the purpose and intent thereof thought fitt to settle and establish an absolute Governour
at our Plantation in the said Massachusetts Bay in New England with by the vote and consent of a
full and ample Court now assembled in this behalf fitt and ordered as followeth, vizt:

2040. That three persons of such as shall be reputed the most wise honest & vertuous and discrete persons
resident upon the said plantation; shall from time to time and at all times hereafter have the sole
managing and ordering of the Government, and our affairs there, who to the best of their judgement
and endeavour so to settle the same, as may make most to the glory of God, the furtherance and
advancement of this hopeful Plantation, the comfort encouragement and future benefit of us and
others the firmest and most certain of this so laudable a work, The said 3. persons so appointed
to be entitled by the name of the Governour and Company of London Plantation in the Massachusetts
Bay in New England.

2049. And having taken into due consideration the merit, worth, and good desert of Captaine John
Endicott and others lately gone over from hence with purpose to reside and continue there, we
have with full consent and Authority of this Court and by direction of hands chosen and elected the said
Captaine John Endicott, to the place of present Governour in our said Plantation.

2050. Also by the same power and with the like full and free consent, we have chosen and elected Mr
Francis Winthrop, Mr Samuel Shelton Mr Francis Bright Mr John Winborne Mr Samuell
Bronne Mr Thomas Graves and Mr Samuell Sharpe these seven to be of the said Court
and doe hereby give power and Authority to the said Governour and these seven to make choice of
three others such as they or the greater number of them, in their discretions shall esteeme and
conceive most fitt thereunto to be also of the said Court.

2051. And to the end that the former Planters there may have no just occasion of exception as being
excluded out of the priviledges of the Company, The said Court are content and doe order by direc-
tion of hands, that such of the said former Planters, as are willing to live within the limits of
our Plantation, shall be enabled and are hereby authorized to make choice of two such as they
shall thinke fitt to supply and make up the number of 12. of the said Court, One of which
twelve is by the Governour and Company or the Major parte of them to be chosen Deputy to the
Governour for the time being.

2052. And further the Court doth authorize and give power to the said Governour and Company
or the major parte of them, whosoever the Governour or Deputy to be allwayes one to make choice
of a Secretarie and such other subordinate Officers to attend them at their Courts meetings
or otherwise or as in their discretions shall seeme meete and needfull. And to the end that
every one of the forenamed officers a well Governour Deputy and Company as others who they shall
thinke fitt to nominate and choose may be the more careful in performance of the charge
committed unto them, It is by this Court thought fitt and ordered that each of them shall
take an oath proper to that place he shall be elected and chosen to, with is to be administered unto
him or them at the time of his or their election or admittance into the said severall places or places.

2053. And we doe hereby authorize to administer unto the Governour
the oath to his place apperteyning and that the Governour having taken his oath as aforesaid
shall administer the Oath to the Deputy apperteyning to his place, And we doe further
hereby authorize the Governour or Deputy or either of them to administer the Oath to the rest
of the Court and to all others the severall Officers respectively, with said oaths are to be
administered in a publique Court and not elsewhere.

2054. It is further thought on and ordered by this Court, that the said Governour Deputy and Com-
pany before named so chosen and established in their severall places shall continue and be confirmed
therein ~~for~~ the space of one whole year from and after the taking the Oath, or untill such
time as this Court shall thinke fitt to make choice of any others to succeed in the places or places
of them or any of them. And if it shall please God that any of them or any others to be hereafter

tracen to any office there shall deparre this life before the expiration of the time they were so chosen or for any misdeameant or unfitnesse shall be hold unnesse to for the place nor void nor voidly chosen unto, that then the Governour or Deputy and Councell or the greater number of them at an ample Court assembled shall have power and hereby are authorized, not onely to remove and displace any unfit person or persons, but also to nominate and choose a fitt person or persons to succeed him or them so decessed removed or displaced as aforesaid into the said place or places for the residue of the time unexpired.

And it is further agreed on and ordered that the Governour for the time being shall have power and is hereby authorized to call forth and meetings in places and at times convenient as to his discretion shall seeme meete, with power is hereby also conferred upon the Deputy in the absence of the said Governour, and the said Governour or Deputy together with the said Councell being chosen and assembled as aforesaid, and having taken their oathes respectively to their severall places, they or the greater number of them, who are of the Governour or Deputy to be always one and authorized by this Act grounded on the power derived from his Majesty's Charter, to make ordinances and to establish all manner of wholesome and reasonable Lawes, orders, ordinances, and constitutions so as the same be no way repugnant or contrary to the Lawes of the Realme of England for the administering of justice upon malefactors, and inflicting condigne punishment upon all offenders, and for the furtherance and propagation of the said Plantation and the more decent and orderly government of the inhabitants resident there.

At a Court of Assistants on Thursday the 21th of May 1629.

This Court taking into due and mature consideration how necessary it will be that a Divident be forthwith made of some competent quantitie of land in the London Plantation in New England both for the present accommodation of the People lately gone thither, as well to build them houses as to intlose and manure and to feede their cattell on, have thought fitt and ordered, that the Governour Deputy and Councell there shall make a Divident accordingly, and allot the same unto the severall inhabitants and as follows (vizt)

That 200. acres of land be by them allotted to each Adventurer for 40. Adventures in the Common stocke, and so after that rate and according to that proportion for more or lesse as the Adventurer is to thinke out they may build them houses and improve their labors thereon. That every Adventurer in the Common stocke or his servant for him or on his behalf shall make request or demands to the Governour or Deputy and Councell to have a proportion of land allotted unto ~~him~~ accordingly, and if within ten dayes after such request or demands made the same be not sett out and allotted unto him, then such person or persons are by vertue of this Act permitted and authorized to seat him or themselves and build his or their house or houses and intlose and manure grounds in any convenient place or places, not formerly built upon or manured, provided that the land so made thout of by any such person or persons doe not exceede in quantitie the one halfe of the land which is to be allotted unto him or them by Divident according to this order above written, with liberty also when the first Divident shall be made to take his or their allotment of land as offered doe in lieu of this if in the meane time the first thaire shall be disliked by them or any of them.

And for further explanation of this Act, it is thought fitt that if the place of ground whereon the Towne is to be built be sett out, and that it be publickly knowne to be intended for that purpose, that then no man shall presume to build his house in any other place (unless it be in the Mattachusetts Bay, and there according to such direction as shall be thought meet for that place) and in case his allotment for building his house, within the place of ground sett out for building of the Towne, be not appointed unto him within ten dayes, after demands or request to the Governour or the Deputy and Councell for the same, it shall be free for any being an Adventurer in the Common stocke, or his servant for him or on his behalfe, to build his house in any place within the said place sett out for the Towne, and to mixt to the quantity of halfe an acre of ground for each 40. Adventures in the Common stocke, unless a greater or lesser proportion be specially determined by the Governour and Councell, by which such builder is to be guided and directed.

It is further thought fitt and ordered, that all such as goe over in person, or send over others at their owne charge, and are Adventurers in the Common stocke, shall have lands allotted unto them for each person they transport to inhabit the plantation as well servants as allotted 40. acres. Which 40. acres of land so allotted to servants or others is hereby ordered to be so and for the use of his Master or fether for the being an Adventurer in the Common stocke, to dispose of at his discretion, in regard the Master or is at the charge of the said servant and others their transportation, wages and otherwise. But for such as being no Adventurers in the Common stocke shall transport themselves and their families,

ff

[Marginal notes in cursive script, including "The Governour", "The Deputy", "The Councell", and other illegible text.]

2099. It is ordered that so. Acres of land shall be allotted and sold out for the Master of the family, and such a proportion of land more if there be cause according to their charge and quality the Governour and Council of the Plantation shew shall thinke necessary for them whereby their charge may be fully and amply supported, unless it be to any with whom the Company in London have or shall make any other particular agreement, to with relation is to be had in such case.

2000. And for the ends abovesaid may the more safely and peaceably enjoy their said lands allotted unto them or chosen by them, and the houses they build thereon as abovesaid, It is thought fitt and ordered by this Court that conveyances shall be made thereof unto each particular man for the lands he possesseth, in the Companys name, and the Common Seale of the Company to be thereunto affixed by the Governour and Council there at the charge of the Company, with Common Seale is by this Court thought fitt and ordered to be committed to the charge and keeping of the Governour for the time being, and in his absence to his Deputy shew.

2001. All which premises beforementioned the Company doe by generall consent ratifie, establish, and confirm, And doe also order that Copies of these Acts shall be sent over to the Governour and Council there resident, subscribed by the Governour Deputy and six of the Assistants here, and Sealed with the Common Seale of the Company.

2002. The Objections of Mr. John Pratt to such things as I have and write objected against me, as offensive in my letter. First, generally whatsoeuer I write of the improbability or impossibility of subsistence for our selves or our posterity without tempting God, or without extraordinary means; it was with these two regards, first I did not mean that word I said in respect of the whole County or our whole Patent in generall, but only of that compass of grounds wherein their Townes are so thickly sett together: And secondly I supposed they intended so to remaine, because upon conference with divers I found that men did thinke it unreasonable that they or any should remove, or disperse into other parts of the County, And upon this ground I thought I could not justify myselfe, nor the Plantation nor Posterity: But I doe acknowledge that since my letter there has bin judy placed newly found out, as Rowbery Countrey and others (and that with this Patent) will afford good means of subsistence for men and beasts, in with and other such like new Plantations, if the Townes shall be fewer and the bounds larger then these are, I conceive they may live comfortably. The like I thinke of Comertown, with the Plantations there now in hand. And what I conceive so sufficient for my selfe, I conceive so sufficient also for my posterity; And concerning these Townes here so thickly planted, I conceive they may subsist in case that besides the conveniency with they have already near hand they doe improve farmed somewhat further off, and doe also apply themselves to and doe improve the trade of fishing and other trades. As concerning that intimation of the Commonwealth builded upon rocks sands and saltmarshes, I wish I had not made it, because it is construed contrary to my meaning with I have before expressed. And returned my letters doe seeme to expresse the judgment of such as came before, as having more honesty then skill, they being sitholders, Citizens, Tradesmen or my meaning was not so generall as the words doe import, for I had an eye onely to those that had made larger reports into England of the County, than I found to be true in the same aforesaid. And whereas I may seeme to imply, that I had altered the mindes or judgments of the body of the people Magistrates and others, I did not mean this in respect of the goodnesse or badnesse of the land, in the whole plantation, but onely in point of removal and spreading further into other parts, they afterwards conceiving it necessary that some should remove into other places here and there of more enlargement. And whereas I seeme to speak of all the Magistrates

and people, I did indeed mean only all those with whom I had any private speech about those things. And as for the barrenness of the sandy grounds, or I speak of them as then I conceived, but now by experience of mine own, I finde that such grounds as before I accounted barren, yet being manured and husbanded dooth bring forth more fruit then I did expect. And for the not prospering of the English grain upon this ground, I doe finde that time see that Oye and oats have prospered better then I expected, but as for the other kinde of grain, I doe still question whether they will come to such perfection as in our native Countrey, from whence they come; And whereas I am thought generally to have all that I have written into England by way of commendation of this land, as if what they had written were generally false, I meant it only of such expresse commendations, as I see did spread, and are contrary to that with I have here expressed.

And as concerning that with I said, that the Gospell would be as it were here as in England, I did it to 206; this end, to put some with minded to come hither only for outward commoditie, to looke for better grounds, but they looke this way.

As for some grounds of my returning, with I conceived from my friends for fear of doing him, I meant 206; only some particular occasions and apprehensions of mine own, not intending to lay any smart blame upon the State, And whereas I did expresse the danger of staying here in our first habitation, I did it only in regard of the manifold occasions and businesse, with here at first we meete withall. By with I finde in mine own experience (and so I thinke doe others also) how hard it is to keep our hearts in that holy frame with some times they were in, where we had lesse to doe in outward things: but not at all intending to impute it as necessary to our condition, much lesse as a fruit of our previous liberation, with we enjoy, with rather tend to the quieting of us, we improving the same as we ought.

This my Chiswore (according with the inward consent and meaning of my heart) I doe humbly - 206; commend to the favourable consideration and acceptance of the Court desiring in this as in all things, to approve my selfe, in a conscientious way of offence towards God and man. John Pratt.

Of this Chiswore of John Pratt before written, voluntarily by him made, as we are witnesses, so 206; doe we also joyne within, in humble desire unto the Court, that it may be favourably answered. And what other sayings are in the letter, in regard of the manner of expressions (with may seeme hardly to suite with these his interpretations) we doe desire the indulgence of the Court to passe over without further question. Peter Bulkeley. John Willson. Thomas V. Carter.

Whereas John Pratt of Newtowne being called before us at this present Court, and - 207; questioned for a letter with he wrote into England, dated at wherein he raysed an ill report of this Countrey, did desire respite till the next day to consider of his Chiswore, he hath now delivered in this before written, with upon his free submission and acknowledgment of his error, the Court hath attended for satisfaction, and thereupon pardoned his said offence, and given order that it shall be recorded, and such as desire to see thereof may have the same. John Haynes Hobart, Richard Bellingham, John W. Dimmock, Thomas Dudley, John Mumfry, William Goddington, William Pimton, Arthuron Raugh, Jurisaffe Rowell - Simon Bradshaws.

A Oxxpe of the Oathes apperteyning to the New England Company.

2060. You shall sweare to be good and true to our Sovereigne Lord the Kings Ma^{tie} and to his heires and Successors, you shall be assistant to m^r Governour, you shall supporte and mainteyne to yo^r power this fellowship, the Governour and Company of the Massachusetts Bay in New England and p^riviledges thereof, having no singular regard to yo^r selfe, in derogation of the Commonwealth of the said, the Statutes and ordinaunces wh^{ch} are or shall be made by the Authority of the Assistants and Comminalltie of the said fellowship, according to the tenor of the Charter for incorporating the same, neither wh^{ch} you shall execute, And wh^{ch} transgressors and breakers of the same you shall correct and punish, according to the true meaning of the said ordinaunces, the brotts and forfeitures you shall cause truly to be levyed, not sparing yo^r love or dread for friendship or favour, but to obey yo^r selfe you shall be just indifferent and equal, New Customs Statutes and ordinaunces you shall not make without the advice and consent of the Assistants and generally according to the tenor of the Charter, you shall admitt none to be free of this fellowship, but such as may claime the same by virtue of our p^riviledges, you shall not l^{et} your selfe to enter into any business or traffique for or in the name of this fellowship, without the agreement and minde of the Assistants, All these duties you shall hold and keepe to the uttermost of your power, So helpe you God so long as you shall continue in the place of Deputy of this fellowship.

The Governour and Deputies oath.
For the Governour.
You shall supporte and mainteyne to yo^r power this fellowship and Company of the Massachusetts Bay in New England and p^riviledges thereof.

2065. You shall sweare to be indifferent and equal to all manner of persons and to give yo^r best advice and counsel for supporting the Commonwealth and fellowship of the Governour and Company of the Massachusetts Bay in New England, not sparing for love or dread favour nor malice, but according to the Statutes and ordinaunces made and to be made effectually to assist the Governour his Deputy and Deputies and Assistants of the said fellowship in executing the said Statutes and ordinaunces being lawfull, you shall not to yo^r power suffer to be admitted into the freedom of this fellowship any person contrary to the tenor and true meaning of the Charter of the said Company, All these promises you shall faithfully observe to hold and keepe So helpe you God so long as you shall continue in the place of Assistant.

Assistants.

2070. You shall sweare to be good and true to our Sovereigne Lord the Kings Ma^{tie} and to his heires and Successors and to the fellowship of the Governour or of the Massachusetts Bay in New England - and that you shall truly and fairly receive and pay all manner of duties forfeitures brotts and other charges to the said fellowship belonging as farre as they may come to your hands and knowledge, and you shall from time to time faithfully and truly account to and with the Governour and Assistants, or to and with such persons as shall be assigned for all matters touching receipts and payments, and other your charge done in your time, by you or yo^r assignes for the use of the said fellowship. So God you helpe.

The Treasurers oath.

2071. You shall sweare to be good and true to our Sovereigne Lord the Kings Ma^{tie} and to his heires and Successors, you shall be obedient diligent and attendant to m^r Governour and the Deputy and Company of the Massachusetts Bay in New England at all times convenient, you shall shew your selfe friendly unto every one of the said Company, you shall faithfully and truly sett downe write, and register, in the Companies booke, all the acts ordinaunces and Constitutions of the said fellowship, that from time to time they shall make ordaine and constitute, you shall not give out any Oxxpe or Oxxp^e of any the same acts without the assent of a Court of Assistants, you shall keep secret all matters talk or conference had in any Court of Assistants or otherwise, the disclosing wherof may be prejudicial to this Company, And if you knowe any person or persons wh^{ch} shall attempt any mut or prejudice to the said fellowship or p^riviledges of the same, you shall forthwith give knowledge thereof to the Governour or his Deputy, All these things you shall truly hold and keepe to the uttermost of your power So helpe you God.

The Secretaries oath.

2072. You shall truly and duly waite the said Company to come to Courts and Congregacions to be accounted by the Governour or his Deputy as often and when as you shall be hereunto willed and required by the Governour or his Deputy, you shall not to yo^r power suffer any hurt to the Company so stand or be within the hearing of the said Company when they are sett all any their Courts nor to come in before he be called for by the Governour or his Deputy, And if you knowe any person or persons or do abett.

The Beadles oath.

2073. You shall sweare that you shall well and truly serve the Company in the Office of Beadle, so long as you shall be in the said place, you shall dayly give yo^r attendance upon the Governour for the time being for the publicke service, and shall diligently and faithfully execute all warrants and other processes that shall be directed to you, you giving yo^r personall attendance at all Courts and other publicke meetings to serve the Governour Deputy and Assistants, you shall not disobey any of the Com^{ms} of the Court that by reason of your attendance, you may take notice of, and in all

things with constant y^e ob^edy^e you shall performe the same wth all dilig^ent faithfullness and firmity, so
that as God shall give you grace.

The oath of the
Governor in New E.

You shall be faithfull and loyall unto our Souaigⁿ Lord the King's Ma^{ty} and to his heires and Successors, 2079
you shall preserve and maintaine to your power the government and company of the Massachusetts Bay in New
England in America and the priviledges of the same, having no singular regard to yo^r selfe in derogation or
hindrance of the commonwealth of this company, and to every person under yo^r authority you shall admin-
ister indifferent and equal justice, statutes and ordinaunces shall you never make without the advice and consent
of the Councill for the Government of the Massachusetts Bay in New England, you shall admit none into
the freedom of this company, but such as may clayme the same by vertue of the priviledges thereof, -
you shall not binde yo^r selfe to enter into any businesse or process for or in the name of this company
without the consent and agreement of the Councill aforesaid, but shall succeed faithfully and lawfully to
savy yo^r selfe in the place and Office of Govern^r, as long as you shall continue in it, and likewise you
shall doe your best endeav^r to drawe on the natives of this country called New England to the knowledge
of the true God, and to instruct the Planters and others coming hither in the same knowledge
and feare of God, and you shall endeav^r by all good means to advaunt the good of the Plantations
of this company, and you shall endeav^r the raying of such commodities for the benefit and encourag-
ment of the Adventurers and Planters as through Gods blessing on your endeav^rs may be produced
for the good and service of the Kingdom of England, this company and their Plantations, All
these promises you shall hold and keepe to the uttermost of your power and skill, so long as you shall
continue in the place of Govern^r of this fellowship. so helpe you God.

Deputy.

Deputy.

The oath of the
Councill in New E.

You sweare to be faithfull and loyall to our Souaigⁿ Lord the King's Ma^{ty}, and to his heires and 2079
Successors, you shall from time to time give yo^r best advice and Councill for supporting and main-
teyning the common wealthe and preservation of the Govern^r and company of the Massachusetts
Bay in New England, not heaving for love nor dread, for feare nor malice, but according to the Statutes
and ordinaunces made and to be made by vertue of the charter of the said company, shall effectually
assist the Govern^r or his deputy and Councill of the said company, in executing the said statutes
and ordinaunces, having no singular regard to yo^r selfe in derogation of the commonwealth of the same,
All these promises you shall hold and keepe to yo^r power so long as you shall continue in the
place or office of one of the said Councill, so helpe you God.

The oath of the
Governor.

And oath is also to be
administered to the
Deputy Govern^r.

You shall be faithfull and true to our Souaigⁿ Lord King Charles, you shall in all things save and 2076
advise yo^r selfe for the time of yo^r Govern^rment according to the favour of God, and for the advancement
of his the Kings, and the good of the people of this plantation, you shall doe justice to all men, to the
best of yo^r skill without partiality, you shall not exceede (as much as in you lyeth) the limitations of a
Govern^r or.

The oath of assistants
May 14th 1634.

You shall sweare that being chosen an assistant in the government of this body Politick for this 2077
years next following, you shall beare true faith and allegiance to our Souaigⁿ Lord King Charles, -
and you shall doe equal right and justice to all, and shall assist in all the publick affaires of the Common-
wealth faithfully and truly according to the authority and duty of yo^r place, so helpe you God or.

The Treasurer's oath.

I A B being chosen Treasurer for the Massachusetts Bay for this yeare and untill a new be chosen, 2078
doe promise to give out warrants with all convenient dilig^ence for collecting all such summes of money
as by the Court have bin or shall be appointed, and shall pay out the same by such summes and in such
manner as shall be lawfully appointed by the said Court, if I shall have it in my hands of the Common
Treasury, and shall receive the names of such Constables as shall be paying in their office in col-
lecting and bringing to me such summes as I shall give warrants for, so helpe me God or.

The oath of a
free man or of a man
to be made free.

I A B being by the Almighty most wise disposition become a member of this body consisting of the 2079
Govern^r Deputy Govern^r assistants and Councill of the Massachusetts in New England doe freely and
freely acknowledge that I am justly and lawfully subject to the government of the same, and doe according-
ly submit my person and estate to be protected, ordered and governed by the laws and constitutions thereof,
and doe faithfully promise to be from time to time obedient and conformable therunto and to the au-
thority of the said Govern^r and assistants and their Successors, and to all such laws orders sentences and
decrees as shall be lawfully made and published by them or their Successors, And I will allwayes endeav^r
as in duty I am bound to advaunt the weare and wellfare of this body or commonwealth, to my utmost
skill and ability, and I will to my best power and means seek to deterre and prevent whatsoever may tend
to the ruine or damage thereof, or of any the said Govern^r Deputy Govern^r or assistants or any of
them

them or their Entrenchments and will give speedy notice to them or some of them of any sedition violent
treachery or other hurt or evil with which shall know here or vehemently suspect to be plotted or intended against
the said Commonwealth or the said government established. And he will not at any time suffer or give consent to
any counsel or attempt that shall be devised or attempted for the impeachment of the said government,
or making any change or alteration of the same contrary to the laws and ordinances thereof but shall do
my utmost endeavour to discover, oppose and hinder all and every such counsel and attempt, so help me God.

2080. I A B being by Gods providence an Inhabitant and Freeman within the Jurisdiction of this Commonwealth, do freely acknowledge my selfe to be subject to the government thereof, and therefore do
swear by the great and dreadful name of the ever living God, that I will be true and faithful to the said Commonwealth
and will accordingly yield assistance and support thereunto, with my person and estate, as in equity I am bound, and I will also truly endeavour to maintain and preserve all the liberties and privi-
ledges thereof, submitting my selfe to the wholesome laws made and established by the same, and further
that I will not plot nor practise any evil against it, nor consent to any that shall so do, but will
timely discover and rebuke the same to lawfull authority now here established for the speedy preventing
thereof, Moreover I do solemnly binde my selfe in the sight of God that when I shall be called
to give my voice touching any such matter of this State wherein freemen are to vote, I will give my
vote and suffrage as I shall in mine owne conscience judge best to conduce and tend to the publique weale
of the body without respect of person or favour of any man, So help me God in the Lord Jesus Christ.

2081. I A B being by Gods providence an Inhabitant within the Jurisdiction of this Commonwealth do hereby
swear by the great and dreadful name of the ever living God that I will be true and faithful to the
said Commonwealth, and will accordingly yield assistance and support thereunto with my person and estate as in equity
I am bound, and will also truly endeavour to maintain and preserve all the liberties and priviledges thereof
submitting my selfe to the wholesome laws made and established by the same, and further that I will
not plot nor practise any evil against it, nor consent to any that shall so do, but will timely discover
and rebuke the same to lawfull authority now here established for the speedy preventing thereof, So
help me God in the Lord Jesus Christ.

2082. You shall faithfully endeavour with all good Conscience to discharge this trust committed to you as you
shall apprehend to conduce most to the safety of this Commonwealth, you shall not by any
partiall duties or for any partiall respects or private ends doe any thing to the hindrance of the
effect of any good and reasonable Commissions. you shall appoint or remove no officers, by any partial-
lity or for partiall respects or other private ends, but according to the merit of the persons in your
apprehension you shall faithfully endeavour to see that martiall discipline may be strictly holden,
not taking or budning any otherwise then you shall judge to be just and equal, you shall use
your power over more libe as the last and onely means, with in your best apprehension shall be best for
the publique safety in such case or. So help you Gods etc.

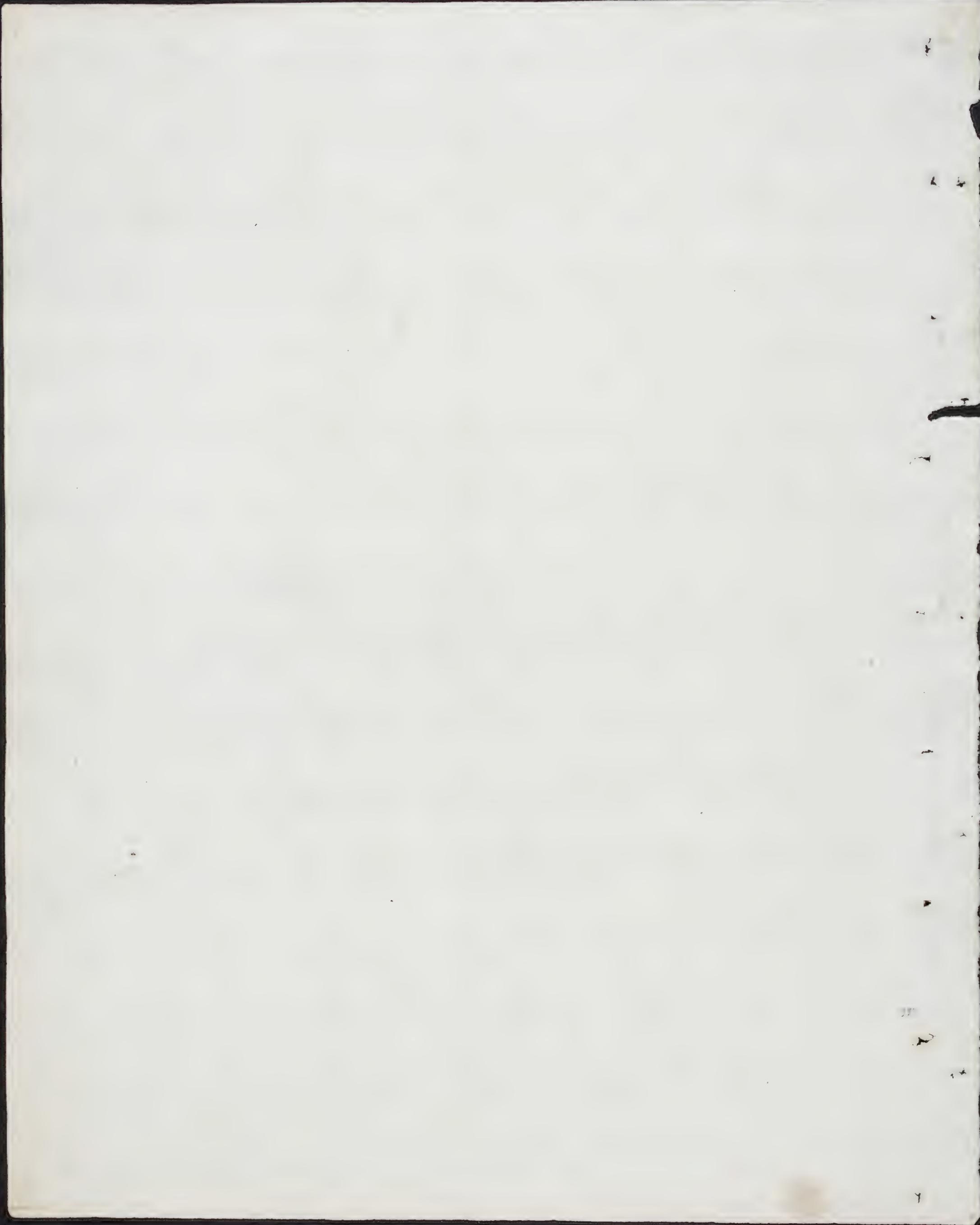
The oath of the
Commissioner for
Martiall discipline

John Miller
 George Holmes
 James Astwood
 John Hobbs
 Richard Perrot
 Edward Bridge
 210. Walter Whitborne
 Joseph Foxot
 Roger Porter
 Tho: Kirman
 Nathaniel Chapell
 John Stot
 James Wurt
 Hugh Laftin
 John Smith
 Henry Swan
 220. Tho: 23th 3rd mo
 M^r. Ezeriah Fogor
 M^r. Natha: Fogor
 Robert Saunders
 M^r. Nathaniel Sparrowhawk
 M^r. Tho: Nelson
 Tho: 6th of the 4th mo
 1639 made free =
 Stouen Pamie
 James Carrot
 Tho: 6th of the 7th mo
 1639 made free =
 M^r. Tho: Emier
 M^r. Wonia. Reayne
 230. Job Smibert
 William Ford
 Laurence Soutnert
 John Grose
 John Zeffe
 John Haggley
 Luke Spardo
 Anthony Sablos
 Tho: Maffy
 Edmond Bridge
 240. Richard medon
 Robert Curke
 Robert Saunderson

M^r. William Southpote
 Henry Munday
 John Saunders
 Tho: Dainton
 Tho: James
 Tho: Basker
 Tho: Mitchell
 250. Maximi: Foxot
 Francis Perrot
 Richard Swan
 Robert Chapman
 John Gage Adams
 Francis Lambert
 William Draves
 John Burbank
 William Bolton
 John Farrot
 250. Mirha: Foxpifon
 George Wilborn
 M^r. Tho: Foxmore
 M^r. Tho: Crauds
 M^r. Francis Wroughton
 Edward Larkin
 Cham: Daule
 John Penturus
 John Martin
 William Phillips
 270. Abraham Hill
 Edward Wood
 M^r. William Paine
 John Oluad: norw
 James Standige
 John Whible
 M^r. Edward Norris
 M^r. Thom. Turke
 M^r. William Stouens
 John Hairsfoild
 280. John Darhlor
 Robert Ellwell
 Tho: Watfon
 Marko Parmais
 Tho: Waterhouse
 Foremy Jurhanch
 Fonab: umandreyes
 Tho: Coleman
 George Vants
 John Harnum
 290. Richard Simmrote
 Richard Vithamiton
 Richard Sofos
 Edmond Tappley
 Owen Abafon
 John Bowlib
 Edward Hagon

William Charles
 John Hall
 John Trumble
 300. Edward Bumflood
 Joseph Whooler
 Timothy Woodier
 John Chauolos
 Symon Poyors
 Mirha: Wood
 John Merrill
 George Brown
 John Norwick
 Edmond Pitt
 310. Francis Smith
 John Garding
 William Garroter
 John Jobbroke
 Nicholas Phillips
 Tho: Baylon
 Samuel Butsworth
 Robert Martini
 Matthew Prato
 Robert Byrd
 320. Tho: Dittard
 Henry Corone
 William Godfree
 Tho: Arad
 William Haxard
 Abraham Perkins
 Joseph Minzy
 Arthur Clarke
 James Davis
 M^r. Edmund Brown
 330. Peter: Noyce
 Walter Gypno
 Edmond Vire
 Tho: White
 John Parmenter
 John Bont
 Edmond Goodnos
 Tho: Hfin
 John Viced
 John Fuddot
 340. John Tjow
 M^r. William Gibbons
 Arthur Porey
 Valentine Hill
 Francis Syot
 John Tjuel
 Nathaniel Williams
 John Vossit
 Peter Kinor
 John Vossit
 350. Anthony Stodard
 Samuel Sherman
 George Purts

Gotton flark
 M^r. William Compton
 George Jones
 Stouen Wright
 John Gaget
 William Potter
 360. George Polthar
 Tho: Platt
 James Gopyy
 Thomas flakman
 Edward Daiden
 William Allis
 Martin Saunders
 John Coade
 William Andrews
 John Steiman
 Edmond Anger
 370. Richard Francis
 John Chumball
 William Manninge
 Edward Collins
 Richard Gyppe
 Nathan: Aldish
 Mythack mod Salt
 Ferdinando Adams
 Francis Chirtromy
 William Dullard
 380. John Dullard
 Henry Smyth
 John Mogo
 Daniel ffisher
 Joshua ffisher
 Richard Darbire
 John Starbrow: y: &
 Tho: 4th day of the 8th mo 1640
 M^r. Samuel Dudy
 390. Elias Hobbit
 Edmond Gardiner
 James Darbire
 Henry Sants
 Robert Vinter
 William Stirtney
 John Page
 Samuel Morfo
 Tho: Wright
 Robert Frigo
 400. Saale Ruffwell
 William Judson
 James Oliver
 Tho: Wamtor
 Edward flinker
 M^r. William Holnigham
 M^r. William Cook



Present
 The Governour Mr. Eaton
 The Deputy Go. Mr. Withers
 Mr. Withers Mr. Stoughton
 Mr. Endicott Mr. Woodstreet
 Mr. Symonds James Nowell

- 2084. Christopher Grant for his Cruelty & usage of his servant Nicholas Gilbert was fined ten pounds and bound to his good behaviour: Garret Blount and John Stobben bound themselves in twenty pounds a piece for Grants good behaviour till the next quarter Court
- 2085. Robert Waldman a furrer man not appearing was fined six shillings eight pence
- 2086. John Hogg upon the forerity of Samuel Frame and Thomas Wbunt they having the goods in their possession for their forerity which hee was let have to Leage till hee went for Land and then to deliver them to his spe:
- 2087. Walter Edmonds being chosen Sunstable of Dorset did take his oath
- 2088. Susan Starr is granted Administration of the estate of her husband Thomas Starr and the inventory of it is granted in Court
- 2089. Richard Colmworth upon occasion of the death of Robert Walter was fined ten pound to keepe way to the wife and children of the said Robert Walter his negligence being the occasion of his death
- 2090. Robert Bartlet appearing and thre a mistake in the presentment was discharged
- 2091. Robert Bondall being tryed by the grand Jury was not found guilty
- 2092. Henry Palmer bound himself in forty pound for his wifes good behavior and appearance at the next quart Court when free from being with child and fitt to come abroad
- 2093. Mr. John Morcroft is fined twenty pound for his wastfull Carriage and bound to his good behavior for want of will well his appearance Also the fornamed John Morcroft is to pay twenty pound of the forty pound which hee forfeited
- 2094. Walter Knight appearing was fined ten pound for his rude speech and Contumacious for forerity hee made swerabill of a
- 2095. Richard Ponton is put to John Woods for eight years from the first of the 11th mo: last past with owne consent
- 2096. An attachment was granted against Nicholas Barons Gattell for the payment of his rent to Mr. John Goggan
- 2097. John George is put to Mr. John Withers for eight years with his owne consent
- 2098. Summons and Attachment was granted against the estate of John Sampson
- 2099. The difference betwene Mr. William Dyrge and Mr. Robert Compton is referred to the Arbitrament of Mr. Gould and Capt. Gibbons
- 2100. Mr. Richard Gumer had his fine of 5^s remitted the presentment being upon a mistake as was testified
- 2101. Thomas Carter son: and Edward Francis being chosen Sunstables for Charles town did take the oath appointed to that place
- 2102. John Johnson of Roxbury is freed from Trayning in regard of other publick services without any pay to the Company
- 2103. Thom: Hoop was miened to pay 5^s or appear at the next Court

A Court at Boston the 2th of the 2^d mo: 1641

Present
 The Governour Mr. Symonds
 The Deputy Go. James Nowell
 Mr. Withers son:

- 2104. Richard Wilson for his grosse abuse of his Mr. Tho: Chesholme in base railing speeches and refusing to pay his lawfull Demands was Conjured to bee forever whipped
- 2105. Edward Wraye it being Conferred that his Mr. Conferred hee was not to bee turned out nor give his wife if hee dyed the said Edward was freed by the Courts
- 2106. Mr. Joseph Kings for unworly and obscene speeches was sharply reprehended and for distemper in demerit was fined forty shillings to bee paid within ten dayes to the Treasurer
- 2107. Mr. Henry Pitts for his unworly speeches and obscene was fined for demerit w^{ch} especially forty shillings to bee paid within ten dayes to the Treasurer and was sharply reprehended for his speeches
- 2108. William Brown for his obscene and filthy speeches was sharply reprehended and Admonished not to see such base speeches
- 2109. Samuel Whoremans was miened and promised to appear at the next Court
- 2110. Thom: Turner Thom: Galtier and John Button bound themselves in forty pound a piece to appear at the next Court to answer for the things taken xxx of John Farbyes Wards
- 2111. Tho: Haguloy for selling his servant his t^{ms} contrary to order of Court was fined ten shillings
- 2112. Micha: Baron sent upon the Certificates of Richard Hores Esq: Mason William Williams and Thomas Hastings that full satisfaction hath bene given was discharged it being declared to bee a mistake of Synodance
- 2113. John Barnes for some distemper in demerit w^{ch} was required to give ten shillings which hee consented to

The Governour	Mr. Lumsden
The Deputy Gv:	Mr. Broadstreet
Mr. Wentworth: join	Mr. Wentworth: jun
Mr. Dabry	Mr. Wroughton
Mr. Dalton: talk	Mr. Howell

- Edward Johnson of Charlestowne being warned to appear upon the jury and not appearing was fined 2114
- Shillings eight pence
- James Dant for making an Indian drunke was fined twenty shillings 2115.
- Mr. John Long for his distemper in drinking and giving wine to others is fined three pound 2116.
- A warrant was ordered to examine all that tormented any thing of the weards and send a report in 2117.
- many doubtful they are to take the advice of Mr. Port: Whimster and Mr. Worman
- John Whitney was chosen Constable of Watertowne and took the oath
- There was granted Goodman Matt Marten and son John Whitney of Sonny, Tomhall and John 2118.
- Whitney a allowance for 8 1/2 yards of cloth valued at 12 pence 2 yard
- Francis Abell being warned for being drunke it being found to be a mistake shew was discharged 2119.
- Mr. Edward Combs retracting his opinions against singing in the Churches was discharged 2120.
- Thomas Patience for want of proffe was referred to Mr. Jndicat 2121.
- Edward Adams was enjoined to returne to his wife and being questioned for other things was 2122.
- discharged for want of proffe
- The Towne of Foxbery is enjoined to make a sufficient way betwene the burying place and the gate 2123.
- upon paine of 20 shillings forfeiture
- Also Foxbery is enjoined to repair the other way over the swamp toward Dorchester mill upon paine 2124.
- of 20 shillings forfeiture
- Essex was enjoined to repair those wayes by the next quarter Court upon paine of forfeiture 2125.
- 10 pound for the way to Salem for there way toward Foxly they have six months to repair
- Cambridge was certified to have repaired the way toward Dorvord 2126.
- Cambridge for the way betwene Watertowne and Foxbery is enjoined to repair it within six 2127.
- months upon paine of 3 pound 6 shill: 8 pence
- Weymouth Defortius way is certified to be mended 2128.
- Salem is enjoined to amend the shute swamps within a M: and the other wayes within six months 2129.
- upon paine of 5 pound forfeiture
- Boston is enjoined to mend those wayes upon paine of 20 shillings 2130.
- Watertowne is discharged and M is discharged 2131.
- Waltham was enjoined to amend those wayes upon paine of 20 shill: forfeiture 2132.
- Salisbury for want of weights and measures is fined 2^o - 6 pence 2133.
- Foxly was enjoined to mend those wayes within a month upon paine of 20 shill: forfeiture 2134.
- Dorchester way to be mended upon paine of forfeiting 20 shillings 2135.
- Ampton for want of weights and measures is fined 2^o - 6 pence 2136.
- Dorvord to pay ten shillings for neglecting watch and not appearing 2137.
- The wife of Robert Adams is for her dishonouring the name of god Conjured to be whipped 2138.
- Enoch Hunt for his oppressing parties and extortion was enjoined to make restitution and pay the 2139.
- witneses and fined three pound
- Weymouth is committed the three pound fine about neglecting those wayes 2140.
- Foxbery is committed the ten pound fine for neglecting those wayes 2141.
- Robert Adams and John Wadde were discharged the government being mistaken there answer being 2142.
- judged reasonable
- Jonathan thing for Laushing Mary Croftsill was sentenced to be severely whipped here and 2143.
- at Essex
- Cambridge was enjoined to give Equa: Barthe so much Corn as to make 35 bushells and 4 bush 2144.
- for the last year and this
- Christopher grant appearing was discharged from further appearance 2145.
- John White appearing was discharged 2146.
- John Bidwell is fined 10 shillings for selling strong water to Indians 2147.
- Abraham Whittell is fined five pound for selling his forwent his time 2148.
- Samuel Shearman is fined 20 shillings for selling his forwent his time 2149.
- The wife of Richard Carter appearing free was admonished and enjoined to bring her husband to 2150.
- be bound for her good behavior
- William Willbory and Dorothy Dreyer were bound to the good behavior to appear at the 2151.
- next Court bound in ten pounds and hee was enjoined to work with Goodman Wiswell 2 dayes in
- the woods and with Goodman Shmy one day in the woods for five yeares
- Mr. Dursin was referred to the Court at Salem 2152.
- David or Inlbourne for his heele misdeameor and foule misdeameor was Conjured to be young 2153.
- whipped to work an year longer till the Court please and forue his M: 3 weeks longer for lost
- time and trouble of his M:
- Mr. John Long bound himselfe in 20 pound to behave himselfe well and to appear at the next 2154.
- quarter Court
- John and Elnoe Piers were admonished to see better orders to be kept 2155.
- William Knox for selling beere 2 yeares unlicensed was fined 5 pound 2156.
- Alexander North was granted 3 bushells of Corn more than a bushell a week for his trouble 2157.
- with Mary Joans
- Honour Webb and Anthony Estobor Gunter of Boston had granted them power to gather in 2158.
- the estate of Paul Young and to pay the debts and to give account

2159. John Barnes was committed to pay ten shillings or a year at the Court to answer for a second distemper in drinking to much which hee not appearing is to pay

A generall Court of Elections held at Boston the first day of the
 1th mo: 1641

Govt
 The Governour Mr. Walton
 The Deputy Gov: Mr. Smith
 Mr. Smith
 Mr. Dudley
 Mr. Humphrey
 Mr. Broadstreet
 Mr. Stoughton
 Gov: Howell

Deputies

Mr. William Gibbons	Mr. Tho: Mayhew
Mr. William Tyng	Capt. Will: Bonifon
Capt. Robert Goddard	Richard Burdett
Mr. Tho: Sargent	John Duff
Mr. Edmund Downing	Mr. Edward Allen
Mr. William Hathorne	Edward Gusher
Mr. John Whipple	Mr. John Glouer
Mr. George Coddings	Humphrey Atherton
Mr. Edward Apolish	John Johnson
Mr. Richard Waller	Joshua Jones
Mr. John Woodbridge	Samuell Hoag
Mathew Boyes	Stephen Kingsley
Mag: James	Henry Smith
Mr. Samuell Dudley	Mr. Joseph Ford
John Duff	Mr. James Parker
Walter Payne	William Carpenter
Mr. Tho: Flint	
Leift: Symon Willard	

- 2160. Mr. Richard Bellingham Esq: was chosen Governour for the year ensuing and did take the oath belonging to that office
- 2161. Mr. John Endicot Esq: was chosen Deputy and took his oath
- 2162. Mr. John Smith Esq: was chosen an assistant and took his oath
- Mr. Tho: Dudley Esq: was chosen an Assistant and took his oath
- Mr. John Humphrey Esq: was chosen an Assistant and took his oath
- Mr. Richard Walton Esq: was chosen an Assistant and took his oath
- Mr. John Smith Jun: was chosen an Assistant and took his oath
- George Howell was chosen an Assistant and took his oath
- Mr. Symon Broadstreet was chosen an Assistant and took his oath
- Mr. Isaac Stoughton was chosen an Assistant and took his oath

- 2163. The order formerly made for allowing of 100 pound of Anno: to the Governour is repealed
- 2164. The order for giving 40 shillings a year for Duels filled with dogs and is also repealed
- 2165. Mr. Dudley was intrusted to answer Mr. Gornwicks letter a billing to the directions in
- 2166. Mr. John Glouer and Humphrey Atherton are appointed and authorized to lay out the way Braintree high-way in difference at Framstead
- 2167. It is ordered that the Treasurer shall pay the debts of the Country at such a rate as will 464 Country Debts
- 2168. It is ordered that officers be paid as other debts are
- 2169. Mr. John Woodbridge Mathew Boyes John Duff and George Coddings they four or any three of them are appointed to get out the bounds betweene Cambridge and Framstead alias Haverhill or near the village if they have 6 houses by the next generall Court in the 8th mo: or as a towne
- 2170. It is ordered that every town shall get out their bounds within 12 mo: after these bounds are 465 Towns bounds granted B 427
- 2171. Thomas Yorlet John Whipple and Mr. Symonds are to view where Dunly may have their Addition Romley with provisions to be returned and to determine the bounds between them
- 2172. The Governour is appointed to see all the laws and to take notice what may be fit to be revealed what to be rectified and what to stand and to make returns to the next generall Court
- 2173. Mr. Stoughton Mr. Dunbar Mr. Glouer William Hathorne and William Parker are appointed to settle things betweene Bellingham and the plantation to be settled at Nantasket
- 2174. Whereas the last generall Court in October last there was an order made for the enlargement of

Common-Cloth

the making of Common Woollen and Cotton Cloth for which purpose it was then ordered that every person who should make any such cloth the same cloth should be valued and the maker thereof should have 3 pence allowed him for every shillings worth of cloth so to be made by him

Whereas the Deputyes of this Court have given us notice that it is the generall desire 2175 of the freemen of the townes who have sent them to this Court and betrued them with the affairs of the Common Wealth that all publick Charges (which may be feared should be taken of the Country) at home or further home to their present wants

A repair of 474

It is therefore ordered by the Magistrates and Deputyes of this Generall Court now at 2176. ordered that the said order so made the 8th mo. last shall from and after the 10th day of the 6th mo. next be repealed and annihilated and be of none effect. (Provided nevertheless that if any person shall make it appear to this Court that he is damaged by occasion of the said order the Court will consider of some recompence

The Answer to the Petition of M^r Pritchard and others of Framingfield upon Conterrot exhibited to the generall Court holden at Boston 2d of the 4th mo 1641:

Springfield

The petition being read in the open Court and the records and other writings read and 2177. referred to a Committee to be further examined upon their report the matter was againe considered by the whole Court and agreed that Answer should be given therunto as followeth

Whereas the said petitioners do certifye us that some of their neighbours and friends 2178. upon Conterrot have taken offence at them for adhering to our government and with drawing from that upon the river supposing that they had formerly bene disjoined from this jurisdiction or interest in Aquanam now Framingfield: and for proof hereof they allegge some passages in a Commission granted by this Court in the first mo. 1639 to the said M^r Pritchard and others for the government of the inhabitants upon the said River: and some passages also in Cortanis Articles supposed to have bene pronounced to them by Authority of this Court: It is hereby declared

first That the said passages in the said Commission as they are expressed in the petition 2179. are misreported so as the true sense and intention is thereby altered and Whereas the words in the Commission are they are resolved to transplant themselves in the river it is to plant themselves: againe it is said that those noble personages have interest in the river and by vertue of their patent doe require jurisdiction there in the river it is that no man shall that it belongeth to their jurisdiction: againe 3th in the Commission it is provided this may not be any prejudice to those noble or: in the river it is that nothing should be done or intended to the prejudice of the Lords or their intendments

secondly that the said Commission was not granted upon any intent either to disjoyn the persons from us or determination of any thing about the limits of jurisdictions the limits of the lands and our own limits being as then unknown therefore it was granted onely for one year and it may rather appear by our granting such a Commission and there arrearing of it as also by that clause viz: till some other Course were taken by mutual consent or: that we intended to reserve and interest there upon the river and that themselves also intended to stand to the condition of the first Articles of Departure given to the most of them which was that they should remaine still of our body

Thirdly for those Arguments which they draw from those articles recited in the petition we answer that they were pronounced and drawn out onely by some of the magistrates of each party without any order or allowance of this Court and therefore whatsoever these Magistrates might intend thereby the intent of the Court cannot be gathered from any thing therein but in those articles which were agitated and brought to some issue in our generall Court at Cambridge in the 4th mo. 1638 where then Commissions were sent: Framingfield then called Aquanam was claimed by the Court though by one of some private person and to belong to us and it was then agreed by the Court and recited into these Commissions that so much of the river of Conterrot as should fall within the limits of our patent should continue under our jurisdiction and it was then taken for granted that Framingfield would fall to be without question: and these articles had then bene fully agreed on by the Court and their Commissions had there not bene some question about those granting us free passage by the river in regard of the Lords interest as they alleged

It is now hereby ordered that William Pritchard sent for this year shall hereby have full power and Authority to govern the inhabitants at Framingfield and to hear and determine all causes both Civil and Criminal that reach not to life limbs nor Banishment according to the laws here established provided that in matters of weight and difficulty it shall be lawful for any person to appeal to the Court of Assistants at Boston: so as they perswade the same according to the order of this Court provided also that there shall be by the oathes of 6 men until they shall have a greater number of inhabitants for that purpose

Wild-Hemp

This Court taking into consideration the want of Bleathing that is like to come upon us 2178. the next winter and not finding any way to supply so well as Boston which we find not like to be provided in due time for the present want and understanding withall from the certain knowledge of divers of the Court that there is a kind of wild hemp growing plenty full all over the Country which if it were gathered and expressed might serve for a present supply till Boston may be had

It is therefore ordered that the Deputyes of this Court shall take order in their severall towns 2179. that speedy notice be given that all masters of families of the said wild hemp with direction when to gather it, and how to use it and for their encouragement they may well expect that what they shall gather more than they shall use is likely to be taken of from them for some have already offered to take of a good quantity at 2 pence the lb and to pay ready money for it at the members of this Court can inform any who shall desire to sell any of the said hemp

at the rate aforesaid and it is desired and will be expected that all masters of families
shall see that their children and servants should be industriously employed so as the most
things and earnings and other reasons may not be lost as formerly they have done and if it be
so continued will certainly bring us to poverty but that the honest and profitable Customs
of England may be maintained amongst us so as all hands may be employed for the working
out of homes and flax and other needfull things for cloathing without abridging any such
servants of times but for good and rest and other needfull refreshings

Servants & childrens
Employment even a
maning

2180

It is ordered that the last Comittes which were formerly appointed should hear and settle
things in Wyngham

Comittes for Wyngham

2181

It is ordered that no butcher or other shall sell any Calfs to be sold betwene the last of
the 1th mo: and the first of the third mo: upon paine of forfeiting the value thereof pro-
vided that this order shall not extend to such as shall sell any Calves for their own use al-
though they should part with some part thereof to some of their neighbours

466
A restraint of
Butchers from sell-
ing of Calves

2182

It is ordered that no person within this Jurisdiction shall trade in furs or Wampam with any
Indians upon penalty of the forfeiture of the same to the Company and this Court doth a-
point ~~Leift~~ Willard John Spelman Richard Colerott and also many as they shall receive into
these societies of which number it shall be lawful for Boston to export 3 or 4 Charles
towne and each other towne and which they shall not refuse without just cause and this
Court doth give liberty to these persons to trade with the Indians in all manner of Commodities
except guns powder shot and weapons: for which they shall give into the Treasury the
Twentyeth part of all furs by them so traded according as they shall agree to them and
that they shall take of all the Wampam from the Colledge provided it exceed not 25th
and to make payment for it And they shall have liberty to make orders for the ordering of
the trade in beaver and that this Court shall support and uphold them in all their lawfull
undertakings and that they shall buy all their Commodities within this Jurisdiction the
order to begin within one month after the publishing of the same which shall be within one
week of this Court

467
The Company of
the Traders for
New Hampshire
A revenue to the
publick-treasury
Liberty to make
orders
of your support
where they shall
buy Commodities

At the Generall Court in Boston the 2^d of the 4th mo: 1641

2183

Leift: Willard or his assigns the bearer hereof hath order from this Court to demand and
receive all such wampam paye as is due to us from our part of the tribute from the block
Ilands and all other Indians and the charges thereof in whose hands come the same shall
be and to give discharges for the same and to give account thereof to this Court for all
which this shall be sufficient warrant

Tribute from
Block-Iland

2184

Leift Willard Sergeant Colerott and Mr: Spelman with goodman Woodward are desired
to lay out the fourth l^{ts} or any three of them so as goodman Woodward be one

The bounds of
y^e Patterns

2185

And these have order to certify our friends of Conterott that if they please they
may send some with them

2186

Leift Willard and his officers have order to treat with the pequots to see if they
may be brought to be tributary

Tribute from
Pequotes

2187

It is ordered that there should be a Commission from the Governour given to Leift:
Willard and the rest of the Traders to demand all servants from the Indians

Commission

2188

The order against selling strong Water to the Indians so far as Conterott the
traders is revealed

Pequots
Traders in Bebr-
may sell strong wa-
ter to the Indians

2189

The traders for Souer have the trade granted to them for three years
from the Generall Court at Boston the 4th mo: 1641

Or

2190

It is grievous to us to meete with any occasion that might raise differences to arise be-
twene your people and us standing in so neare a relation of friendship neightbourhood
and Christianity especially therefore our study is when any such arise to labour the
reconciling of them upon the first appearance thereof it is that we have bene certified that
you have given leave to some of yours to set up a trading house at Wrentham which is
knowne to be within our patent bying as much or more to the north then Springfield we have
also that you have granted to Mr: Robert Saltonstall a great quantity of land not far beneath
Springfield which wee continue all to belong to us wee desire you to consider of it as
that wee are content to be an injury to us and doe us such right in Justice hereof as you
would expect from us in a like case wee suppose wee shall not need to use other argu-
ments not know to whom wee write wee have thought meete upon these occasions to
intimate further unto you that wee intend by gods helpe to know the Certainty of our
limits to the end that wee may neither misse nor upon the right of any of our neight-
bours not suffer our selves or our Colonies to be deprived of what rightly belongeth
unto us which wee hope will be without offence to any and upon this wee may have
some ground of proceeding in our further treaty with you about such things as may con-
cerne the welfare of us all these things wee leave to your consideration and shall
expect your answer in the meane time wee rest =

A letter to Cant-
ficutt for interch-
ment upon Bonds

The 14th of the 4th mo: 1641

2191

Whereas some Lords Knights Gentlemen and others did purchase of Mr: Edward Hilton
and of some merchants of Bristol 2 patents the one called Wrentham or Hiltons point
commonly called or knowne by the name of Souer or Northam the other patent set forth
by the name of the fourth part of the river Narragansett beginning at the sea side or
near thereabouts and comming round the said land by the river into the falls of
Quamot as may more fully appeare by the said grant And whereas also being at

at went within the limits of both the said grants have of late and formerly Complay
 not of the want of some good government amongst them and desired some helpe in this particular
 from the Jurisdiction of the Massachusetts Bay whereby they may bee ruled and ordered
 according unto god both in Church and Common Weale And for avoiding of such unjustifiable
 disorders whereby god hath been much dishonored Amongst them those Gentlemen whose
 names are here specified George Wilkes Gent: Robert Saltonstall Gent: William
 Brewster Edm: Jolliffe Thomas male were partners in the said patent do in the
 behalfe of the rest of the patentees Dispose of the lands and Jurisdiction of the same as
 followeth being willing to further such a good worke have hereby for themselves and
 in the name of the rest of the patentees given up and sett over all that power of
 Jurisdiction or government of the said people dwelling or abiding within the limits of
 both the said patents unto the Government of the Massachusetts Bay by them to bee ruled
 and ordered in all causes Criminal and civil as inhabitants dwelling within the limits of
 Massachusetts Government and to bee subject to pay in Church and Common wealth as
 the said inhabitants of Massachusetts Bay doe and no other and the freemen of the said
 two patents to enjoy the like libertyes as other freemen doe within the said Massachusetts
 government and that there shall bee a Court of Justice next within one of the two
 patents which shall have the same power that the Courts at Salem and Exmouth have
 provided always and it is hereby declared that one of the said patents that is to say
 that one the south side of the river of Wamacotaquand and in the other patent one third part
 of the land with all inclosed land in the said patent to the Lords and Gentlemen and
 their heirs shall bee and remane unto them their heirs and assigns for ever as those above
 said as having true interest therein leaving the interest of Jurisdiction to the Massachusetts
 And the said patent of Woroquamett shall bee divided as formerly is expressed by
 different men equally shouen one both sides whereby the plantation may bee furthered
 and all occasions of difference avoided
 And this Honorable Court of the Massachusetts both hereby promise to bee helpfull to
 the maintenance of the right of the said patentees in both the patents in all legal courses
 in any part of their Jurisdiction
 Subscribed by the forenamed Gentlemen in the presence of the gov-
 norall Court Assembled the day afore written

The Patentees at
 Piscataz doe as-
 signe over their
 Jurisdiction to
 the Governm^t of
 the Massachusetts

468
 four quarter Courts
 to be kept at Salem
 Ipswich
 who magistrates
 where Jury-men
 from Grand-Jury
 the Power of these
 Courts
 Appeals from
 100^l debt what
 berty to y^e Pl. than
 Judges of the Court

Whereas it is desired by this Court to save the Country of all unnecessary Travells and Charges 2197
 it is ordered that there shall bee 4 quarter Courts the magistrates of Exmouth and Salem with such
 others to bee chosen in Commission with them as this Court shall appoint not exceeding any other magistrates
 that will helpe them this order to take effect after these next quarter Courts shall bee ended at
 Salem and Exmouth two of these quarter Courts to bee kept at Salem and the other two at Exmouth
 the first Court to bee kept the last third day of the 4th mo: at Exmouth and the rest at the same
 time the former Courts were the next quarter at Salem the third quarter at Exmouth the fourth
 at Salem and the magistrates of Exmouth and Salem to attend every one of these Courts but no
 Jury-men to bee waived from Exmouth to Salem nor from Salem to Exmouth to either of these places a
 grand Jury shall bee waived once a year and those Courts to have the same power both in civil and
 Criminal causes the Court of Assistants hath at Boston: except Appeals for life limbs or
 Banishment which are wholly reserved to Boston Court: except it shall bee lawfull to
 Appeals from any of these Courts to Boston and it shall bee in the liberty of any Plaintiffe that
 hath an action of about an hundred pound criminal debt to try his cause in any of these Courts or
 at Boston the fines of these Courts to be payed the charges of the same and the outchises to bee retur-
 ned to the Treasurer for the publick
 And Walsbury and Hampton are referred to the Jurisdiction of Exmouth and each of them to give
 a grand Jury man once a year to Exmouth

wages of servants
 and laborers are to
 be mod. rate. and
 In what they are to
 be paid

This Court having taken into Consideration the scarcety of money and the great debatement of 2198
 the wages in some parts and other Commodities of the Country where by it is impossible that men
 should bee able to give such wages to servants and other laborers and workmen as formerly
 so as many think better to lay aside their busynesse and employments which would tend to the
 ruin of the Churches and Common Wealth: then to spend the small Remanance of their estate
 for the maintenance of others in such a way as will not afford them some small convenience
 It is therefore hereby declared that it is thought equal that all servants laborers and workmen should
 bee content to abate their wages according to the fall of the Commodities whereon their labours are
 bestowed and that they should bee satisfied with such things for payment as are raised by their
 labour or other Commodities which the Country affords and that they are to bee content to
 take part now in the present scarcety as well as they have had their advantage by the plenty
 of former times: and this Court shall account it great oppression in any that shall trans-
 gresse the intencion of this order and will have them proceeded with accordingly

plantation a fish-
 inge
 liberty for all fish-
 25 acres

It is ordered that a plantation for the furthering of fishing shall forthwith bee set out 2197
 at Nantacot and that all the rest to the end of the furthest spawke towards Nantacot
 where the tide overfloweth shall belong to it And that such of the present inhabitants
 of Nantacot as will follow fishing and will remove their habitations thither shall have
 land and meadow upon Nantacot next according to the order now established and that
 all other men that will follow fishing and remove their habitations thither shall have
 such accommodations there as the plantation will afford And that it shall bee lawfull for
 any other fishermen inhabiting in any other of the Townes within the bay to set out
 stages upon Nantacot or any of the Islands belonging thereto with sufficient ground
 for the drying of their fish

four acres allow-
 ance for a boate

And that there shall bee allowed now at the first to every boate which shall use fishing 2198
 four acres of upland for the present and the meadow to bee disposed of by an equal proportion
 amongst such as shall have cattell and it is further ordered that Mr. Stoughton Mr. Durran
 and Mr. Blouer William Goathe and William Parlos or any three of them Mr. Stoughton
 to bee one shall in convenient time repair to Nantacot and set out the lands and
 meadow there according to the meaning of this order: and it is further ordered that the
 Island called Nodorks Island and the other Islands there not otherwise disposed of shall

belong to Nantacott to be to the use of the inhabitants and fishermen so long as they shall come to inhabit there

2199 And this Court or some of the Court at Boston shall from time to time appoint some two or three able men to set out land and paye some or to such as shall come to inhabit or fish there and in the meane time the Commissioners aforesaid or three of them as aforesaid shall dispose of the same: provided always that no person shall be granted in propriety in any land or meadow there though the same be allotted to them before hee be a settled inhabitant there and in a course of fishing

Some Fishermen are only to be true Proprietors of land at Nantacott

2200 It was ordered that John Gratties should allow backe to Mr. Gibbons 30 shillings for so much over paid for the work formerly done

2201 And John Davis was admonished and enjoyned to pay the witnesses

2202 This Court having found by experience that our former orders to grant benevolences to well deserving persons hath laid us open to petitions and importunities in that kind: It is now declared that this Court will hereafter grant no benevolences except in extraordinary occasions and when there is money in the Treasurie sufficient and our debts first satisfied

Benevolence Act

2203 For the encouragement of such as will adventure in the discovery of mines It is ordered that whosoever shall bee at the charge to discover any mine in this Jurisdiction shall enjoy the same with a fitt portion of land to the same for 20 yeares to their progeny: and after that time is expired this Court shall have power to allot so much of the benefit thereof to publick use as they shall thinke equall and that such persons shall have liberty here-by to purchase the interest of any of the Indians in such lands where such mines shall be found provided that they shall not enter any mans propriety without the owners leave

469 Mines

The Priviledge of the first discovery

2204 Whereas Commissioners are appointed by this Court to heare and determine small causes within the County: It is ordered that if the said Commissioners shall at any time desire the helpe of any one of the next Magistrates: and hee shall have authority to repair thither at such times as hee shall thinke fitt to give his Advice to the said Commissioners and to minister oaths to witnesses for the better ordering of all such causes according to Justice

Triall of small causes in Townes Towne Court

2205 Whereas by former order all military Companies in the severall Townes are to bee Dragg'd 8 dayes in a yeare it is now ordered that the officers and soldiers for aunts aforesaid shall have power within their severall Townes to appoint what dayes and times they shall thinke most fitt for avoidance of losse of time and the opportunityes of the furtherance of Husbandry and other busynesse of the Countrey: so as the whole bee amount to 8 dayes in the yeare

Trammyes by whom appointed for 8 dayes

2206 And it is also ordered that the military officers in every Company shall appoint what armes every man shall bring to the Trainings so as two thirds of every Company bee furnished with muskets provided that every person shall bee provided with a musket according to a former order

The officers appoint the kinds of armes to beare with. Muskets must have muskets.

2207 Whereas by former order the Jurors of the Armes are to paye the penalty for default of powder and other munition and armes: It is now ordered in regard that money is now scarce that every such person who shall have money to provide powder shall bee exempted from the penalty if hee shall bring to the Jurors so much Armes or other Commodities as shall bee valued by the said officer to be worth so much powder: which hee shall bestow according to the nature of the default and for other defaults at the want of a bullet or two or some other part of such things as are subject to losse and expence any Magistrate may proportion the penalty according to the nature of the default

470

The Jurors shall give in to be appoynted

2208 It is ordered that fishermen should have their fish for baits at the same rate that others have at the Bores and bee first served

Fishermen

2209 It is desired that the Elders would make Catechisms for the instruction of youth in the grounds of religion

Catechism

2210 It is ordered that our Treasurers accounts should bee made up and delivered in to the next Treasurers within 6 weekes

471

Treasurers

2211 And it is ordered that Mr. Lynge should gather up the Armes which the last Treasurer hath left of the rates in his time and to store up his accounts within 6 monthes

2212 It is ordered the Hampton Dedham and all the out Townes should each of them have a barrel of gun powder for which they are to give satisfaction to the Treasurer

Powder allowed to Townes

2213 To assist at Salem Court Mr. Emanuel Downing Mr. William Gathorne Mr. Willis and Mr. Edward Appliant are appointed

Assistants at Ipswich & Salem Court

2214 To assist at Framwith Court Mr. Symonds Mr. Hubbard Mr. Jumer Mr. Holmisham and Mr. Dulley are appointed for to order small causes at Newbury Mr. Woodman Mr. John Oliver and Mr. John Woodbridge are appointed

Triers of small causes in Townes

2215 To order small causes at Concord Mr. Tho. Flint Mr. David Willard and Richard Griffin are appointed

2216 for Cambridge Mr. Joseph Cooke Mr. Samuel Shepard Mr. Edward Coffe are appointed for Dedham Mr. Edward Aloyne John Kingsbury and Henry Shirdley are appointed for Sudbury Mr. Noy Edmund Goodnow and Edmund Pitt

for Watertown Capt. Bonison Mr. Mayhew Mr. Brown are appointed for Hampton John Croft Christopher Suffer and John Moulton and one of those to receive fornye in marriage in a publick meeting and keep Records of the same

for Weymouth Mr. Parker Edward Dates and William Coffey and Mr. Parker in a publick meeting to see people fornye in marriage to keep a record thereof =

for Inmigham Mr. Wort, Dutto, James and Edmond Gubbert: son: and Mr. Wort to see
people buyne in Mariage and to loose Records therof
for Walsbury Mr. Batt: Mr. Dudley and Mr. Inmigham and one of them to see people buyne
in Mariage and loose Records
for Brambles Alley, Dumithes for Richard Wright and Samuel Thaffo
John Johnson is appointed to Examme and search for all the Countrey's debts and to see to
the performing of them

It is ordered that John Humphrey Esq: shall bee Sergeant Maier Condrall
It is ordered that Wamparago shall passe Surant at 6 a penny for any sume under 10th 2218.
pound for debts hereafter to bee made

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472 Wampam (472
page 6 a penny

Janr Hawkins
fines assigned

Grand-Jury-men

Run-away Indians
how to be recovered

Damages in Cattle
by Indians how
to be satisfied

Repraisinge
Capt Vnderhill
Cheriffstown Village Bounds

Free from Rates

Mr Hamis James
Fines for Selling
powder to Indians
mitigated

The line betwene
Worcester & Cambridge
man to settle things
aording to the former order

Mr Makrove 150
acres settled

Shawson given to
Cambridge for a
village

Estates in E. foud
from rates

Mr Craddock 500
acres

473 A foot-way
north of Island

Mr Makyrall
his farm

Mr Millmans
of 200 acres

Loss in Corn at
Lowell

Gracunk in dif-
ference betwene
the Bay & Plymouth

Farmes
nearford pri-
village

Mr Hough gr of
400 acres

57 Ri. Saltington
of 500 below spring
field

Timothy Hawkins
allowed him but if hee will
not pay 40 pound hee is granted
the house to take
away and dispose of it
provided hee give his answer
in within a month

2216.
2217
2218.
2219.
2220
2221.
2222.
2223.
2224.
2225.
2226.
2227.
2228.
2229.
2230.
2231.
2232.
2233.
2234.
2235
2236.
2237.
2238.
2239.
2240.
2241.
2242.
2243.
2244.
2245.
2246.
2247.
2248.
2249.
2250.
2251.
2252.

in the appraisment of Cattle which is continued to arise from the different rules men have gone by in such appraisments this Court having weighed the great inconveniencies which may follow here to set a

upon such appraisments have thought fit to declare what they conceive is the true rule to price on Cattle also followed in such Cases: viz. that it is not to be judged the market or true price which come and forced by urgent necessity to sell a beast for: but what benefit may arise by the milke and increase of a Cow: or labour of an ox Charges of hay considered and it is desired that all men will endeavour to frame their appraisments according to this rule

2259. Whereas Samuel Tinglew hath made a proposition to this Court to furnish the Countrey with salt at more easy rates then otherwise can be had and to make it by a new way and way which hitherto hath not bene discovered It is therefore ordered that if the said Samuel shall within the space of one year get upon the said works hee shall enjoy the same to him and his associates the space of 10 years so as it shall not be lawfull to any other person to make salt the same way during the said years provided never the less that it shall be lawfull for any person to bring in any salt or to make salt any other way during the said term

A monopoly of salt making for 10 years to Sam. Winslow

2258. John Curney James Gubben and John Porter are remitted there fines which they forfeited for want of quare order

2259. Capt. Bodwell is ordered to take care of the Captie this year viz. to voye the first of the 4th mo. and hee is to agree with the gunner and his man allowing them 200 bushels allowance of Indian Corne & ad. if the gunner will consent of it and no bushels more of Indian Corne the Capt. hath granted for other necessaryes = = =

Capt. Bodwell

2257. 475 orders of this Court which shall be voted many day of the same shall be for the Court and be referred to a Comittie of one or more to be sent into some forme and so reported to the Court the next morning

475 of y Courts orders

2258. Whereas the Lords and Gentlemen Patentees of Dover and other tracts of land upon the Bay of Narragansett have passed a grant of the same to this Court to be for ever enjoyed to this jurisdiction with reservation of some use of the said lands to their own use in regard of

Narragansett

2259. The Court doth intend leave of the Church of Salem for Mr. Potters of the Church of London for Mr. Wells and of the Church of Boston for Mr. Gibbens for to goe for England upon some business occasions for the good of the Countrey as it is contained

Mr Potters Mr Wells sent for

2260. The Court desires Mr. Governor Mr. Deputy Mr. Southorne Mr. Gibbens and Mr. Boynton are appointed to settle for a small way from Winstonsome to the written two

The high-way to Winstonsome

2261. The Court desires Mr. Governor Mr. Deputy Mr. Southorne Mr. Gully Mr. Stoughton Mr. Southorne Mr. Boynton Mr. Gully and John Johnson with any other of this Court that will to have a meeting to the end to consider of the jurisdictions and after conference with the elders the Governor to appoint the time and place

Convention for jurisdiction

2262. William Clarke Involving between Amn and Exmouth hath liberty to entertaine passengers and Cattle

Wm Clark Involving

2263. Mr. Parker of Weymouth is allowed to sell his strong matters

sell strong matters

2264. Arthur Sandon is allowed to have a virtualing house at marble head

virtualing house at marble head

2265. The Court giveth leave to publish the declaration of the present state of the Countrey with refusal

The state of the Countrey

2266. Mr. Cynge the Treasurer is freed from ordinary Taxations

freed from ordinary Taxations

2267. The Court gant order to mixell William Shogbrough and Edward Wright to gett a firm of Iron oars for Mr. Edward Allcom

William Shogbrough and Edward Wright

2268. Weymouth is appointed to pay 16 bushels of Corne onely Mr. Parker is to be free

Weymouth paym. 16 bushels

2269. Mr. Cynge is chosen Treasurer for the year ensuing

chosen Treasurer

2270. Francis Nowell is chosen secretary for the year ensuing

chosen secretary

2271. The business of Corvid rate is referred to the quarter Court

referred to the quarter Court

2272. The Governor and 2 other magistrates have power to agree with the marshal and the keeper of the prison

power to agree with the marshal and the keeper of the prison

2273. The Debt of Mr. Marshes bridge is referred to the Governor and 2 Magistrates to settle for 7 years

referred to the Governor and 2 Magistrates to settle for 7 years

2274. Quantums work: and Merrens Moone are layd to doerhofter

layd to doerhofter

2275. It is ordered that our cast Turner should have 200 bushels of Corne or the value with such fines as can be gott in

200 bushels of Corne or the value with such fines as can be gott in

2276. It is declared that Where farmers have the partition fence is to be seen betwixt the owners and if the one party fence and the other neglect and trespass hee is liable to pay damages

liable to pay damages

October 10th. 1678

2277. The observation taken for the most southerly parts of this patent going along by Charles river was found to be 4. deg. 49 m of northerly latitude: where was told observation the upper part of the river Nathaniel Woodward Mathematician Mr. Dalton William Workins John ffair

observation taken for the most southerly parts of this patent

It being found by experience that the course of elections hath need to be brought into some better order the
freemen growing so great a multitude as will be our burthen some to the Country and the day appointed for
that purpose will not afford sufficient time for the same And the way of choice as it is called is found
not to many inconveniences and loss of opportunities and advantage in the choice

the course of
of the Country
to be altered

It hath bene therefore considered by this Court that some other way should be provided to the freemen
of the Country that by their advice and consent some order may be established at the next general Court in
the 9th mo. the way which this Court hath thought one is that in every town which is to send a deputy to the Court
the freemen to meet before the Court of election and for every ten freemen to chuse one to be sent to the
Court with power to make election for all the rest and in this way to be at liberty whether they will
choose all together or vote severally or to vote for as many one that hath 10 votes shall be an elector
and Magistrates and elders to cast in their votes as other freemen

The deputies are to carry the Copy hereof to the several towns and to make returns at the next
Court what the mind of the freemen is herein that the Court may proceed accordingly

Made first the 2^d the 4th mo. 1641

Mr. Henry Dunster
Mr. Richard Suggs
Mr. John Allyn
John Maies
Richard North
John Bois
John Stevons
Mr. Adam Smith
William Hains
10. John Garrison
John Rowell
Thomas Davids
John Emory
Samuel Allum
Moses Wayne
Daniel Wood
Samuel Byfield
Francis Elliot
Abel Cole
20. Jacob Willson
Nicholas Wood
John Garbutt
Thomas Tabe
Andron Wickes
Robert Holmes
Coulson More
Richard Cutler
John Hogendon
William Woodbury
30. William Stears
Philemon Dickenson
Ephras Lode
John Robinson
Thomas Gardiner
Thomas Marston
Richard Bartholomew
Thomas Gould
Thomas Wilbar
Richard Robinson
40. John Wharston
Robert Fuller

Miles Ward
Samuel Cornish
Jonathan Porter
Richard Patmigoal
John Goodnow
William Brown
Samuel Chapun
Christopher Stanley
50. John Garrison
Thomas Darnish
Walter Harris
Ellis Hains
William Parker
Philip Norton
John Palmer
Richard Parker
Edward Cynge
Nehemiah Bourne
60. Francis Lanes
Robert Bridges
John Baker
Robert Cook
Jonny Dawson
William Viff
William Triffo
Richard Stanford
Augustus Walker
Jonny Shuter
70. Charles Clow
Robert Wain
John Baker
Mirha. Marchant
John Gardner
John Evans
Edward Brown
Daniel Warner
John Knowlton
Symon Compton
80. Robert Dage
Andron Hogges
Jacob Leager
George Bulard
William Blanchard

2281.
Michael Nowell
Joseph Amgibarry
John Foayer
Nathanial Galborne
John Ellis
90. Edward Richards
Benjamin Smith
Augustin Gilham
Thomas Wayne
Cynthia Inight
Jonny Wilson
Samuel Bulon
William Fuller
Euan Thomas
Abel Parr
100. Benjamin Ward
William Gunt
William Bateman
Folias Heman
William Gorr
Nathanial Galgood
Nathanial Wilkinz
Benjamin Curney
Richard Fire
James Deoad
110. Thomas Clarke
John Diall
Thomas Wittelych
Francis Dougl
John Swote
Arthur Gill
Thomas Ellyton
George Meriam
John Goad
George Whooler
120. Obodiah Whooler
Francis Loyre
Thomas Marshall
Jonny Shildon
Bozun Allyn

A Court at Boston the 27th of the 5th mo. 1641

Present
The Couroner
The Deputy
Mr. Smith
Mr. Dudley
Mr. M^r. Symphory
Mr. Stoughton
Mr. Nowell

George Lion being absent when he was called to serve upon the Jury was fined 10 shillings
James Laurance for going out of his Masters house in the night unreasonably against his express order
was sentenced to be sharply whipped and also for keeping company with that wench woman

- 2284. William Hillborn for defiling his Masters house was sentenced to be Whipped
- 2285. Dorothy Hillborn was sentenced to be Whipped for her servants and defiling her Masters house
- 2286. Mary Osborne for her grosse Mistrriage in giving her Husband quints filver and other abuses was sentenced to be fourty Whipped
- 2287. Mary Felton the wife of Benjamin Felton for her gouvraill thefts from Mr. Webb Mr. Parker Mr. Stoddor and Mr. Edwards man to the value of 3 pound 12 shillings and 11 pence the things were restored and her husband undertoke and bound himselfe to restore the value of the goods taken away to each of them

A quarterly Court at Boston the 7th mo 1641

sent
 The Governour Mr. Humphrey
 The Deputy Governour Mr. Dalton
 Mr. Wentworth for Mr. Stoughton
 Mr. Dudley Mr. Broadstreet
 Furdaffe Nowell

- 2288. Thomas Saktor son: Sunstable of Charlestown is fined 6 shillings 2 pence for warning the Jury men to late and for a wrong day which was two dayes to late
- 2289. Edward Larkin being warned to foree upon the Jury and not appearing is fined 4 shillings this fine is remitted the Sunstable mistaking and warning upon a wrong day
- 2290. The rates of Nubarfidge and Witorige are referred to the generall Court to be brought in by the townes of Boston
- 2291. William Molls is mjoynd in 10 pound to answer for oppression
- 2292. Mr. Nicholas Corrie for his mistrriage in Court is fined 4 shillings
- 2293. Thomas Owen for his Abultorous practices was sentenced to be sent to the galles with a rope about his necke and to vpon the ladder an hour the ropes end thrown out the galles and so to returne to prison
- 2294. Sarah Gales the wife of William Gales was sentenced for her mistrriage to be carryed to the galles with the rope about her necke and to sitt an hour vpon the ladder the ropes end thrown out the galles and after to be banished
- 2295. William Sampson hath liberty to sell 300 trees on the other side the barre so that it be not in the limits of any towne
- 2296. Anthony Stodder confessing his fault in his unfitting speech to the Governour in affronting of him is fined 12 1/2 pence
- 2297. Capt. John Underhill being mitted vpon proclamation no witnesses coming in hee was acquitted
- 2298. John Kilmaster John Knox and John Knight for there Distemper were admonished and dismissed
- 2299. Mr. Samuell Mauritt being found guilty of a confederacy with Thomas Owen to breake prison Contraining of it and lettting him be vpon his fland was fined an 100 pound
- 2300. Mr. Childer for confederating and Contraining was fined 12 pound 6 shillings 2 pence
- 2301. Mr. Durket for confederating and Contraining was fined 26 pound 12 shillings 4 pence
- 2302. Mr. Wolastan for Contraining being priuy was fined 12 pound 6 shillings 2 pence
- 2303. Mr. Jastly for Contraining was fined 12 pound 6 shillings 2 pence
- 2304. Thomas for Contraining hidemig and supplying was fined 6 pound 12 shillings 4 pence
- 2305. William Goro for Contraining was fined 6 pound 12 shillings 4 pence
- 2306. Mary Wilboe for Confounding and Contraining was fined 6 pound 12 shillings 4 pence
- 2307. Thomas Owen for escaping out of prison was fined 20 pound to be payd within a weeke or to be fourty Whipped
- 2308. Sarah Gales for Escaping to ray 12 pound 6 shillings 2 pence or be Whipped and banished
- 2309. Mr. Dunfield Mr. Williams and Mr. Gales were admonished to take heed of theire Contraintment
- 2310. Mr. William Tollens being found a goduror and his practices proved such hee is fined 100 pound and to be kept close prisoner till his fine be payd and then hee is to be banished vpon paine of death
- 2311. Francis Spurlin for calling the Church of Boston a howe a strumpet and other Currupt tenets hee is fined 20 pound and to be kept close prisoner till it be payd and then to be banished vpon paine of death
- 2312. Matgery Mathews widow of Thomas Mathews is allowed to sell her husbands house land and goods toward payment of her husbands debts regarding her necessary cloathes and bedding which were hers before marriage being properly her owne

A Generall Court hold at Boston the 8th day of the 8th mo 1641

sent
 The Governour Mr. Dalton
 The Deputy Couer Mr. Broadstreet
 Mr. Wentworth for Mr. Stoughton
 Mr. Dudley Mr. Broadstreet
 Mr. Humphrey Furdaffe Nowell

Mr. Emanuel Downing
 Mr. William Faulthorne
 Mr. William Page
 Capt. Edward Gibbons
 Mr. Tho. Coyne
 Capt. De la Motte
 Mr. Edward Collier
 Nicholas Brown
 Mr. Emanuel Symonds
 Mr. William Bartholomew
 Mr. Tho. Nelson
 Matthew Keyse
 Mr. John Woodbridge
 Mr. Samuel Dudley
 Christopher Pitt
 William Wyppard
 Mr. Joseph Cook
 John Bridge
 Joseph Hoke

Capt. William Conifer
 Mr. Symon Byss
 Mr. Peter Noyse
 Mr. Tho. Flint
 Capt. Symond Durlay
 Eliza Andrus
 Michael Powell
 Mr. Joseph Wood
 William Wyppard
 Mr. John Blower
 Capt. Nathl. Dunton
 Alexander Dunnington
 Stephen Angley
 James Parlor
 Edward Tate
 Stephen Hamo

Mr. Richard Lindman and Tho. Schooler were made free 2313.

Indian Runaway About the Indians it is referred to the Justice and furth magistrates as next upon a certain day 2314.

Mr. Thompson Mr. Thompson is committed the reward which he undertook for Tho. Owen fine for 3 years forbearance 2315.

Prison It is ordered the prison should be made warm and safe 2316.

Acquittal of a man It was ordered that should be written to Governor New Haven and New Yorkmouth to advise about 2317.

Wholesale of wheat It was noted that a Deputy of every town should send in writing to Capt. Gibbons the 25th of 2318.

Persons from Dutch of grandall and offense Mr. Edward and Mr. Timothy Combs with John Hooke were admonished not to go to the Dutch because 2319.

Wholesale of wheat prohibited to be baked It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2320.

Wholesale of wheat prohibited to be baked It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2321.

Wholesale of wheat prohibited to be baked It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2322.

Wholesale of wheat prohibited to be baked It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2323.

Wholesale of wheat prohibited to be baked It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2324.

Wholesale of wheat prohibited to be baked It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2325.

Wholesale of wheat prohibited to be baked It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2326.

Wholesale of wheat prohibited to be baked It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2327.

Wholesale of wheat prohibited to be baked It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2328.

Wholesale of wheat prohibited to be baked It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2329.

Wholesale of wheat prohibited to be baked It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2330.

Wholesale of wheat prohibited to be baked It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2331.

Wholesale of wheat prohibited to be baked It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2332.

Wholesale of wheat prohibited to be baked It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2333.

Wholesale of wheat prohibited to be baked It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2334.

Wholesale of wheat prohibited to be baked It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2335.

Wholesale of wheat prohibited to be baked It is therefore ordered that after the last day of this present 8th mo. no baker ordinary keeper or 2336.

- 2329. Mr. Robert Cooke is granted to have 12 acres in a bushell for the Towne paid him in at 4 shillings the bushell and hee should gett but 3 shillings a bushell for it the sume being 40 pound
- 2330. It is ordered that the way betwene Writton tree and ~~Writton~~ Writton should be made wth sufficient for Cartes horses and men: by Boston within 3 mo: upon paine of 20 pound
- 2331. William Osborn hath a safe Conduyt granted him to come and satisfy the Councill and if they thinke meete to stay till the generall Court if not hee is to depart till the generall Court and then hee hath liberty to come to the Generall Court
- 2332. Mr. Childs his fine of 10 pound is remitted to 20 shillings
- 2333. Goffe his fine is remitted to the Count of Wattertowne
- 2334. Mr. William Worlms for his father's 50 pound is granted too acres of and
- 2335. Mr. Gauthorne Mr. Apollon and Mathew Boyse are appointed to view and setle the bounds of Exwith Cape Inn and Bofoynes fields and returns there determination to the next Court for the trees which William Sampson or any other for him have felled by order granted him hee is to have them but hee is to fell no more
- 2337. And Mr. Broadstreet is to have furr trees as hee hath felled not exceeding 120 but hee is to fell no more
- 2338. Mr. Edward Hanson is appointed in stead of Mr. Oliver Smith Mr. ~~and Mr.~~ are appointed to end small causes at Newbery
- 2339. It was ordered that hence forward nothing should be put to vote before it be written
- 2340. It is declared by the Court that the Constable is to whip or punish any to be punished where there is not another officer appointed to doe it within his owne towne unless hee tranferr another to doe it
- 2341. Mr. Deputy Endicot Mr. Downing and Mr. Gauthorne or any two of them are to dispose of all lands and other things at Cape Inn until the Court take further order
- 2342. William Wilton is appointed to execute the Judgement for Mr. Phillip Gibbs upon Edward Mitchellson upon Mr. Gibbs his delivering of the band into the Court to be kept
- 2343. About the Marke Edward Bondar having order to seeke the clearing of the river of it and if hee clear the harbour hee is to have all which hee can gett exp^{ts} if not hee is to have the one halfe and the Country is to have the other halfe for the clearing of the harbour hee hath liberty till the first of the 2th mo: 1642 and hee is to give arrount to the Crofuer from time to time and to leave the full halfe or give good security
- 2344. Capt. Gibbons is appointed to see the laying of the ordinarre in Boston that they may not be troubled with towne is to take the like care by military officers
- 2345. William Archer being supported of ~~disability~~ disability for abusing himselfe with a Gun hee is referred to the next quarter Court
- 2346. Mr. Richard Jumer Appearing in Court gave satisfaction onely for his Judgement hee is referred to Mr. Wilton and Mr. Elliot
- 2347. It is ordered that the 1st day 3 weekes being the 4th day of the 9th mo: shall be kept a day of publick humiliation throughout our Jurisdiction in regard of our wants and the danger of our native Country
- 2348. It is ordered that a letter shall be sent to Mr. Apollon and the rest of the magistrates of Woburn to send backe the prisoner Mathew Allyn ~~and~~ or satisfy the debt and damage
- 2349. The proposition of shipping Deputyes for apparell and tranfarting and repairing all things for the generall Court amongst the 3 regiments is to be charged by the Deputyes to the freemen of every towne and their answer returned to the next session of this Court
- 2350. The Gouernor and Mr. Gauthorne were desired to speak to Mr. Inad for a copy of the libertyes and of the Capitall Lawes to be transcribed and sent to the severall Townes
- 2351. Mary Wilke her fine is referred upon her good Barriage
- 2352. Mr. Colms his fine of 100 pound is remitted to 40 pound
- 2353. Francis Gurnifant fine of 50 pound is remitted to 20 pound and if the give security to pay the same within 6 mo: it is referred to the Gouernor to send them away
- 2354. The fines are all assigned over to the Crofuer
- 2355. Mr. John Goodman Judge and Abraham Gouernor are appointed to a Company Mr. Oliver to see the artillery land layd out and make returns to the next Court
- 2356. All sorts of Towne are left at liberty as concerning the prices from hence forth any former order not withstanding and for servants and workemens wages it is ordered that they may be paid in Towne a shilling to the order the 2th mo: last but for the price of the partyes cannot agree it is to be valowed by two indifferent freemen to be chosen the one by the master the other by the servant or workeman who are to have respect to the value of the worke or service and if they cannot agree then a third man is to be chosen by the next Magistrate or if no Magistrate be in the towne then by the next Constable and for all other payments in Towne if the partyes cannot agree they shall choose two indifferent freemen and if they cannot agree the third to be chosen by the Magistrate or Constable as before and for payment of Towne for rates to the Crofuer the like course is to be hold and that the Crofuer shall not be forced to take Sattell
- 2357. The order for the high way from the Writton tree to Writton forest

High ways to

Writton forest

Voteinge

Courtsall punishment by Constable

Caps-Items

475

479

450

libertys

fines

Courtsall Servants wages

427

High-ways wth wth wth

421

Richard Bolnigham Gouernor John Endicot Deputy John Smithoppo and = " Grouse Moroll =

Warrant

Whereas Mr. Dunbar Mr. Sparke Mr. Bourne and Mr. Coytmore and Mr. Wolls they or any 2358.
find of them are appointed to settle the rates of wharfeage portage and Warehouse hire and Cartage the
next General Court and the order to stand the means while

And is granted by the Court to Mr. Smith to build a house and a hogge or goats pen by the lower 2359.
part of South river yet to be at the Courts disposing except the land given to Mr. Smith or
some parts thereof be allotted to her in the same place

It was appointed that every Court should pay for the ferry of his Company out of the fines 2360.
and the ferry men are allowed to take double pay after day light is down and those that pay not are to
give their names in writing or a pare or the ferry men may carry them before a Magistrate

the 24th the 7th mo 1641

Whose names are under written were ordered to settle the ferry between Boston and 2361.
Weymouth port so therefore hereby Certify that we have according to our best care and judgment
done herein viz we have let unto Edward Goodwin and Robert Williams the ferry to be carefully and
diligently attended to the content of the Country and that the said parties above said shall allow unto
the Treasurer six pounds per annum and hold it for the space of one whole year from the 24th of this
month the 16th mo 1641 and for 2 years more in case they give content unto the Country and they them
selves desire to hold it

William Cynges Tho. Coytmore Robert Williams
Robert Goodwin Edward Goodwin

Whose names are under written having full Authority from the Court whom we do belong to settle 2362.
all Controversies concerning the line of partition between Boston and Roxbury at such request con-
cerning which some doubt hath been made have agreed that the true and just line as they have been
marked by Court Concession shall stand for parting limits between both Townes and from thence
to run to the corner of Dodham Lands next adjoining of which some we have interchangeably
got to our hands this 20th of the 11th mo 1639

John Gore =
Joseph Dool =
John Johnson =
William Parke =
Boston William Cynges Roxbury
Jacob Eliot =

Whose names are under written being appointed by the Court to which we do belong to settle 2363.
the bounds between Boston and Cambridge have agreed that the partition shall run from Charles river
up along the channel of the small brook to a marked tree upon the bank of the said brook near the
first and lowest rocky meadow and from that tree in a straight line to the great red oak formerly marked
by agreement at the foot of the great hill on the northeast end thereof and from the said great
red oak to Dodham line by the trees marked by agreement of both parties this 2nd day of the 8th mo

Thomas Oliver Richard Charner
Boston William Colbrin Cambridge John Bridg
Gregory Stone
Joseph Haarb
Thomas Marist

Whereas it appeared that by the extent of the line according to our patent that the Town of Warrataquart 2364
is within the jurisdiction of the Massachusetts and Concession being had at several times with the said
people and sume deputed by the general Court for the settling and establishing of order in the Administra-
tion of Justice there it is now ordered by the General Court holden at Boston the 9th day of the
3th mo 1641 and with the consent of the inhabitants of the said Town as followeth

Impe: That from hence forth the said people inhabiting there are and shall be expected and reputed 2365.
under the Government of the Massachusetts at the rest of the inhabitants within the said jurisdiction are
also that they shall have the same order and way of Administration of Justice and way of keeping 2366.
Courts as is established at Exwick and Salem

Also they shall be exempted from all publick Charges other than those that shall arise for or from 2367.
amongst themselves or from any action or course that may be taken to procure their own good or
benefit

Also they shall enjoy all such lawfull liberties of fishing planting felling timber as formerly 2368.
they have enjoyed in the same Town

Mr. Symon Broadstreet Mr. Isaac Stoughton Mr. Samuel Simonds Mr. William Cynges Mr. 2369.
Francis Williams and Mr. Edward Gilton or any four of them whose of Mr. Broadstreet or Mr.
Stoughton to be one of these shall have the same power that the quarter Courts at Salem and
Exwick have all the inhabitants there are allowed to send two Deputies from the whole Town
to the Court at Boston

Also Mr. Broadstreet Mr. Stoughton and the rest of the Commissioners shall have power at the 2370.
Court at Warrataquart to appoint two or three to journey with Mr. Williams and Mr. Gilton to
condemne the people as the Magistrates do here till the next general Court or till the Court
take further order

It is further ordered that until our Commissioners shall arrive at Warrataquart those men who 2371.
already have Authority by the late Commission to govern the people there shall continue in the
same Authority and power to be determined at the coming of the said Commissioners and not before

William Browne was chosen and sworn Surveyor of the times at Sudbury 2372.
Mr. Richard Saltonstall is chosen Sarrant Major to Colonel Enderts Regiment 2373.
Mr. Isaac Stoughton is chosen Sarrant Major to Colonel Winthropes Regiment 2374.
John Muffell for attempting to abuse a boy was Condemned to be whipped 2375.

The Court is adjourned till the 6th day of the week in which the quarter Court is to be the 10th day 2376.
of the 10th mo.

John Milner took the oath of a Constable for to supply that office at Warrataquart for the year 2377.
in June

It is ordered that a Gift Sprague and Edward Conner should repair the bridge at Meadfield over 2378.
Mistake river and the same to be charged for out of the Treasury

Boundis
Boston
Roxbury

Boundis
Boston
Cambridge

Warrataquart

Meadfield
Bridge

482

483

484

- 2379. Mr. West Mr. Walker Goodman Hato and Stephen Hams are desired to show the way at
Trametes and City by the next General Court
- 2380. for Special and weighty Consideration the Court at Salem is deferred to the last third day of
the eleventh month
- 2381. Whether the right of the present possession of Water towns mill which Mr. Fox hath sue for see
due to him or no: the vote was that it is Mr. Dullops and not Mr. Fox
- 2382. William Collins and Francis Turkison were dismissed upon a bill of their hands for William
Collins to pay 40 pound Francis Turkison 20 pound when it shall be called for if they be able
and so they had liberty to depart and were not to returne againe into our Jurisdiction at thier next
meeting
- 2383. William Collins and Francis Turkison are incogued to depart out of our Jurisdiction immediatly
after the sabbath at their owne will
- 2384. It was voted that if the Towne of Salem lend the glass men 30 pound they should bee allowed
it againe out of their next rate and the glassmen to repay it againe if the works succeed
where they are able
- 2385. The Country desires an armoury in some parte of Boston meetinge house and the Almes to
bee fruntoryed and an fruntorye to bee beliewed to the Treasurers and what meete charge is
disburged or shall bee don to bee allowed by the Country
- The Fororders Oath
- 2386. You doe sweare that being chosen recorder within the limits to you appointed you shall truly
and faithfully endeavor the execution of your olate you shall faithfully record all things com-
mitted to you and safely keepe the same and shall make true transcripts of all that you shall
dolibate out of such records
- 2387. Stephen Day being the first that got upon writting is granted 300 acres of Land where it
may bee convenient without prejudice to any towne
- 2388. Mr. Cotton is granted 600 acres of Land where it may not prejudice a plantation
- 2389. Mr. Nathaniel Woods is granted 600 acres of Land where it may not prejudice a plantation
- 2390. William Tatchel for Treachiality with a Bow is condemned to bee hanged and the Bow to bee
flam'd and burnt or buried
- 2391. Mr. Deputy Recorder Mr. Downing and Mr. Gauthois are Authorized to get 19 Copies of
the laws Liberties and the formes of oaths transcribed and subscribed by thier severall
hands and none to bee authentic but such as they subscribe and to bee kept for by the run-
stable of each Towne 10 shillings a paire for each Copy to bee prepared within 6 weeks
- 2392. Robert Harris is released by the Court: is released with the consent of his Master
- 2393. It is ordered that in every Towne one shall bee appointed to grant summons and attach-
ments in all Civill actions and attachments are to bee granted when the party is a stranger
not dwelling amongst us or for some that is going out of our Jurisdiction or that is going a-
bout to make a way his estate to defraude his Creditors or when persons are doubtful in their
estates to the plaintiffs and the same persons to grant replevy and when they grant any replevy
they are to take bond with sufficient security of the party that desireth the replevy to
execute the sute and they are to have for Warrants 2 pence a paire for a replevy or
attachment 3 pence a paire and for bonds 4 pence these are to bee directed to the Constables
in Townes where is no Marshall the same party to grant summons for witnesses
- 2394. for Hampton William Walsford is appointed for Salisbury Mr. Bradberry for New-
port Mr. Cowle for Dorch. Francis Parist for Exmouth Mr. Charles firman for Salem
Mr. Dalph fooyd for Amm Mr. Sadler for Charles Towne Mr. Doniamin Hubbard for
Boston Mr. Maude for Roxbury Mr. Coare for Dorchester Mr. John Blower for Trametes
Mr. Dumithrope for Weymouth Mr. James Walker for Lynnham Mr. West for Cambridge
Mr. Collins for Water towns Mr. Lyles for Concord Mr. Willard for Sudbury Waltham
Jayne for Dedham Mr. Edward Aloye for these they have power to send out Cotes to any towne
and to bee called Charke of the riter these are chosen for a year and till now bee chosen in
stable is a magistrate may direct a warrant to sume one for the present
- 2395. These orders are to take effect at the first quarter Court in the first mo. next and in the
meane time magistrates are to grant Warrants and summons
- 2396. John Johnson hath power to sue those that are desertive about the Country Almes
- 2397. It is ordered that every Marshall shall have 6 pence out of every action during the pleasure
of the generall Court
- 2398. Mr. Wiggan Mr. Wannerton and Mr. Gibbens were chosen in Commission at Warratagus by
our Commissions which were sent to them which this Court doth confirme till further order bee
taken
- 2399. Mr. Flint Mr. Symonds Mr. Sumor Mr. Cynge Mr. Downing and Mr. Pritchard are to
bee repropounded to the Townes for new magistrates
- 2400. It is ordered that they that cutt the head betwene Cape Ann and Anisquam shall have
liberty to take sufficient toale at the Court shall thinke meete for a year
- 2401. If 2 sufficient men will give a 100 pound bond a paire for Fenton Daviot they may have him
for a time or if other 2 honest men will bee bound for him body for body for 10 dayes keeping a
locke upon his legs: or other Frons and then to returne him to the prison
- 2402. Mr. Margt. Dumithrope hath her 300 acres of Land formerly granted her to bee assigned about the
lower end of Concord upon neare meryward to bee layd out by Mr. Flint and Mr. Willard with
Mr. Oliver or some other skilfull in measuring so ad it may not hinder a plantation and any parte
thereof they may purchase of any Indians that have Right to it
- 2403. Upon the petition of Mr. William Cynge it was ordered that Mr. Bartholomew George
Whitwell bid to Mr. Cynge a possession
of the house and ground which William

Water town - Mill

300 acres
Stephen Day

600 m Collins
600 m Duncanson

Betiality

Liberty

Charges for
summons
Attachments

6 pence

Sumons for witnesses

756

756

3000 acres

It was ordered that Sarah the late wife of James Hubbard should have 40 pound of the estate of 245 her said late husbands & y^e the eldest sonne to have fourtie pounds, & the other two children to have twenty pounds apiece.

m^r. Hoffes
700 acres

m^r. Atherton Hoffe is graunted foure hundredes acres of Land in regard of 246 fiftie pounds disbursed in the roynt stocks.

m^r. Daviss

m^r. Daviss was denied libertie to sell demer, or ale, or to keepe a Dookes 247 shopp, because there are others sufficient in the Towne of Boston. and his carriage hath bin formerly offensive.

m^r. Duncum
Farme

m^r. Duncum is graunted his farme, with the boundaries, from Sudburie 248 bounds. a strait line running south eastward, & North westward, to the great pond over against that place, where the River issueth outt of itt on the other side; the line cutting y^e said pond over unto the said issue, then following the streames, unto the place where Sudburie cutteth against the River, & so along by the River within Sudburie line as itt is agreed betwene the Towne of Sudburie & Hie the line lying in forme is described in the Plot subscribed by m^r. Thom. Flint, & Thom. Mayhew.

m^r. Sam. Mares
wick fine remitt.

m^r. Samu^{el} Mares is remitted 40^l of his fine of 100^l formerly 249 upon him, if hee pay y^e remaining 60^l in due valuation.

m^r. Mayhew his accounts were referred to the Treasuro^r, & m^r. Duncum, 240 & for the Bridge by the Mill over the Charles River, the Mill doth concerne itt to belong to the Towne, or Townes in w^{ch} itt lyeth.

military officers

Thomas Bartlett is appointed Lieutenant, & Hugh Weason Ensigne, 241 to Captaine Joamson. Waterston.

present. The Generall Court of elections, the 18. day of y^e 3rd mon. 1642.

The Governo ^r	Deputie Governo ^r	John Whipple.	Capt. Geo. Cooke.	m ^r . Parkes.
The Deputy Governo ^r	m ^r . Hilton.	m ^r . Ema. Downing	m ^r . Nat. Starhawe.	m ^r . John Glover.
m ^r . Dudley	m ^r . Waldore.	Edm. Bator	Capt. W. Jamson.	m ^r . Nat. Duncum.
m ^r . Bollingham.	m ^r . Hayward.	Edw. Hollioke.	m ^r . Simon Eyses.	Alde. m ^r . hester.
m ^r . Saltonstall.	John Saunders.	Robert Bridges.	Simon Willard.	m ^r . Chas. borough.
m ^r . Breadstreet.	Edward Rawson.	m ^r . Tom.	W ^m . Noyes.	James Parkes.
m ^r . Staughton.	Mathew Boyse.	Capt. Edm. Gibbons.	Edw. Allon.	Edw. Bates.
m ^r . H. M ^r .	Maym. Jowett.	Ralph Speague.	Elba. Lusher.	Cp. Decke.
m ^r . Increase Nowell.	m ^r . Sam. Simonds.	Thomas Leno.	m ^r . Heath.	Edm. Hubbard.

Governor

John Womthrope Esq^r was chosen Governo^r for this year, and 242 till now hee chosen; & took his oath.

Deputy G.

John. Endicott Esq^r was chosen Deputy Governo^r, & took his oath. 243

Assistants

Thom. Dudley Esq^r was chosen an Assistant & took his oath. 244

m^r. Rich. Bollingham Esq^r was chosen an Assistant & took his oath.

Rich. Saltonstall Esq^r was chosen an Assistant, & took his oath.

m^r. Symon Breadstreet was chosen an Assistant, & took his oath.

m^r. Increase Nowell was chosen an Assistant, & took his oath.

m^r. Fraol Staughton was chosen an Assistant, & took his oath.

m^r. John Womthrope was chosen an Assistant.

m^r. W^m. Dmichon was chosen an Assistant, & took his oath.

m^r. Thomas Flint was chosen an Assistant, & took his oath.

m^r. Tjng was chosen Treasuror. 245

Treasurer

Deputy

It was ordered that a warrant should bee sent to Salem for a new 246 election of a new Deputy to bee joyned with m^r. Downing, because the Court is doubtfull of y^e choise, & m^r. Edmund Bator was sent.

m^r. Staughton, & m^r. Tjng Treasuro^r were appointed a Committee, to 247 advise Goodman Johnson aboutt y^e ammunition.

preparing of the

An Order was made for p^{er}ssing 4 horses to goe wth m^r. Collocott, and 248 his companie, (if they cannot hire wthout p^{er}ssing) to helpe them to carrie necessaries to run the South line.

Gloucester

One olme is to bee called Gloucester, John Sadler is chosen Consta- 249 ble thereof, and took his oath.

John Sadler had Commission to traine the men att Gloucester. 240

Abdiak Brown is appointed Surveyor of y^e armes att Gloucester. 241

George Norton is appointed to keepe an ordmarie att Gloucester. 242

Richard Gibbon was committed to the Marshall, for his seditious practices, & 243 upon his submission, & acknowledgment of his fault, vnder his hand hee was dismissed with an admonition.

Gibson

2424. Watertowne Delivering in a Transcript of their Lands, not being perfect was lent them backe againe. waken²⁴⁰
2425. Lieutenant Symon Willard, & Edward Donverse are appointed to view Shawsheen, & to certifie whether the Land that is freed, be fitt for a Village, or not. Shawsheen
2426. Goodman John Johnson had order, to lend six Carabines, to Mr. Collocott, & his Companie, wch are to run the South Line. South-Line
2427. It was ordered, that the Treasurers should defray the charges of the Soldiers, when they are employed, upon any speciall Order from the Generall Court. Charges 487.
2428. The Lawes were read over the 20th of the 3^d Month. Lawes
2429. John Lomberton was bound in 20th to appeare att the next Assesment at Ipswich. Assesment
2430. The Order for hemp, & flax seed to passe att twelve skillings, the Bushell, is repealed. Flax-seed 12^s. bush. 488.
2431. The Orders for restraint of wheat are repealed. Repeale
2432. There is power given to exercise Court wth in Jurisdiction, wth hath two Magistrates, to admitt any Church-Members, that are fitt to bee free, & to give them the freemens sath, & to certifie their names to the Secretarie att the next Generall Court. Freemen Admission 489.
2433. The Order for morris made for writting things, before they be voted, is declared not to concerne matters of forme, but to be meant of things, that are to be matters of record. Notes in Court Repeale 490.
2434. Philipp White for Drunkenesse, was fined 10^s, & for m^{is}deame= no^e, wch 10^s. Richard wayte undertooke for white. white
2435. The Deputie Governour, Mr. Staughton, Capt. Gibbons, Captaine Joamison, Capt. Cooke, Mr. Rawson, Lieutenant Willard, & Mr. Parker, these, or the greater number of them, are appointed to putt the Countrey in a Posture of warre. Posture of warre
2436. It is ordered y^t when any person shall bee bonded to any Officer, of this Jurisdiction, by any Constable, or other Officer, belonging to any foreign Jurisdiction, in this Countrey, or by warrant from any such authority, hee, or shee shall bee presentlie received, & conveyed forthwith from Constable to Constable, till the partie bee brought to the place, to which, hee or shee, is sent, or before some Magistrate of this Jurisdiction, who shall see dispose, of the partie as occasion, & the Justice of the Justice of the cause shall require, & thatt all how, & cries, shall bee diligentlie received, & persued to full effect. Officers duty to receive for same Prisoners A-15-7. Hue & Cry 491.
2437. Whereas the Countrey is putt to greatt charge by the Courts attendance, upon Sutes comenced, or renewed, by either appeale, petition, &c. It is ordered thatt in all such cases, if it shall appeare to the Court, thatt the Plaintiffe in any such action, appeale, petition, &c. in any Court, hath noe just cause of any such proceeding, they shall take Order, thatt the said Plaintiffe, shall beare all the charges of the Court, which they shall Judge to have bin expended by his occasion, & may further impose a fine upon him, if the moritt of the cause shall soe require, & if they shall find the Defendant in fault they shall impose the charges upon such Defendant. Charges of Appales in the Generall Court 12th Fin. 492.
2438. Mr. Alshmissal upon his petition, & certificate of his good carriage, is restored againe to his former libertie, & freedome. Alshmissal
2439. The Court left itt to the libertie of the Townes, to sende outt one Deputie a piece, if they please to y^e next session of this Court. Deputies
2440. The Marshall hath leave to goe to Connecticut serving a Deputie. marshall

Beaver Traders Due. The Beaver traders are appointed to bring in what is due to the Countrey, at the next Sessions.

wrecker Edward Bondall hath libertie to make use of any of the cables, & other things, belonging to the sacker, as hee needeth; allowing for the hurt of them.

Constable Gregorio Taylo. being chosen Constable for Water-towne, took his oath to discharge that place.

Mr Stoyes undertaking if hee shall be cast, what cost shall be caused, hee will beare it.

Thomas Jones servant to Mr Richardson hath libertie to dispose of himselfe.

Mr Hawthorne is dismissed for the present, & employed to appear againe, when the Court shall call for him.

The 3. day of the 3. moth 1642.

Those whose names are under-written, have determined & agreed (with the consent of Ipswich Cape-dme & Jeffroyes Creeke) that their bounds shall lye, as followeth; That all the Land lying betwene Ipswich, & Cape-dme meeting houses, shall be divided 6. miles to Ipswich, & 4. to Cape-dme, where there are 10. miles by proportion, where lesse, that is of fifts, 3. parts to Ipswich for 2. to Cape-dme, & where there is more than 10. miles the same to lye to Jeffroyes Creeke, & this to be measured before the next Generall Court.

Mr Hawthorne. Edw. Hollicke. Mathew Boyes.

The 10th of the 3. month 1642.

According to the former agreement above written, the bounds betwene Cape-dme, & Ipswich, are thus determined, viz. at a white stake marked on 4. sides, about 112. rod in a South-East, & by East line, betwixt the 2. meeting houses, to the South-ward of Obocque marshes, & from that tree by quartering the Compass, by a South-west & by South, & by a North-East & by North line, to be bounds betwixt the 2. plantations ^{above} mentioned.

Gov. Mr Norton, William Adis. Walter Tibbott John Tuttle. Robert Lord. John Gage.

Harrison The cause of John Harrison is referred to y^e Goddard & Mr. Bellingham to heare, & settle.

magistrates This Court y^e oath shall of Magistrate, Councillor, or other Officer, shall bind him any further, or longer, then hee is resident, or inhabiting within this Jurisdiction.

Contradictors Rich. Saltonstall. Grassell. Haughton. Nath. Sparhawk. Increase Nowell.

Townsmen It is declared by this Court that the selected Townsmen, have power to lay out particular, & private Highways, concerning their owne Towne only, soe as noe damage be done to any man without due recompence to be given, by the Judgment of y^e sayd Townsmen, or if y^e parties desire it, then by 2. chosen by y^e Townsmen, & 2. by y^e parties, & soe if any man shall find himselfe grieved, hee may seeke redresse in any Court.

493

Borders of Cape - Arms Jeffroyes Creeke Ipswich

Harrison

magistrates Oath bindeth whils Resident

Contradictors

Townsmen Highways

Recompence

+

2452.

Jamuell Winsloy is graunted six monthes time longer for the beginning of his salt workes.

242.
Winslowe

2453.

Comission is graunted to Capt. Wiggon, M^r. Edward Hilton, M^r. Wonnerton, & M^r. W^m. Waldorens to bee Assistant to such of the Magistrates, or others, as shall bee sent either by this Court, or by agreement & order of the Magistrates, or the greater number of them, to keepe Court at Pascataqu, as a more one Magistrate of this Jurisdiction usuallie doth, & lawfullie may, exerceise outt of Court, this Comission to continue till this Court take further order: & that itt shall bee in the power of a more one to admitt, & sweare freemen, soe they bee qualified according to Law, soe as there bee one of the Magistrates att the least present, & an oath shall bee given to the said Associates, for y^e. discharge of the duty of thier place.

Magistrats
Commissioners
by whom sent

494.

2454.

This Court considering that a booke now brought into the Court concerning the institution & authoritie, &c. of the standing Councill, was written by M^r. Richard Saltonstall, att such time as the warrant was given to some free man, to give thoe advice to a more one of the Deputies, concerning the institution & power of the standing Councill, &c. that accordinglie hee did deliver the same, to one of the Deputies within the time limited; this Court doth hereby discharge him from a more one censure, or further enquiry by this, or a more one other Court concerning the same.

Freemen

M^r. Saltington
Unworthly &c

2455.

You shall doe equall right, & iustice in all cases, that shall come before you, (after your best skill, & knowledg) according to the Lawes here established.

Associates
oath

495.

2456.

By vertue of an Order of the Generall Court, whose names, are underwritten, Commissioners for the laying outt of a Plantation, att Nantascott, doe order, & dispose of the same in maner following. First, that Jeromy Bellamy, John Collier, Nathaniell Baker, Edmund Besworth, John Pimco, Nathaniell Besworth, Edmund Bume, Thomas Collier, Richard Stubbs, Thomas Shaffoy, William Kirkboy, and John Stodder, shall bee admitted as Planters, & to take thier house Lotts, for building of houses in the valley betwixt the two hills, next Podoockes Island to the valens of ^{two} acres for each house, soe that there may be thirtie two Lotts att least, betwixt the said two hills the persons above mentioned, to take all thier Lotts on one side of the valley, to begin att either end of that side as they shall thinke fitt, by agreement, or else by Lott the said Lotts to bee, & to bee only five rods broad w^{ch} against the hill, which they choose, these persons to have, each, two acres of meadow, as they shall bee hereafter assigned, & also each of them to have 4. acres of planting Land att Podoockes Island, to bee layd out when the Plantacon shall bee fuller, in the meane time when a more one new need to plant, they may plant where they thinke fitt, & when itt shall bee allotted, & layd outt in prescrip^{tion}, those that have planted, in casting Lotts, they bee putt from such Lands, as they have planted, they are to bee allowed for thier labo^r. they have been att, by those, which shall possess thier Lotts afterwards; the Beaches, & places on Nantascott, or a more one of the Islands, that may bee fitt for setting up of Stages, for fishing, to bee left free for such purpose, for those, or a more one other persons, that shall Lott on such a worke, & this Plantation to bee possessed, & enjoyed, by the persons aforesaid, according to the Order of Court, above specified; Dated the 9th of the 2^d moth. 1642.

Nantascott

496.

Nathaniell Duncum. Israell Staughton.
William Parkes. John Glover.

2457.

The Court was adiourned to the 14. day of the 4. moth. next ensuing.

Adjournment

Bryant. Thomas Briant servant to m^r. Allerton having bin impriso- 2458.
ned, now 2. months was discharged from Prison, without whip-
ping, & sent to m^r. Masos Mavoricks to bee implid for his master.

Reference. Drumsells Circle of Newberrie is referred to Ipswich Court. 2459.

497.

This Court taking into consideration the great neglect in ma- 2460.
ny Parents, & masters, in training up thier children in learning,
and labour, & other employments, which may bee profitable to the
Common-wealth, doe herebypon order, & decree, that in severie Townes
the chosen men appointed for managing the prudentiall affaires of
the same, shall henceforth, stand charged with the care of the redress
of this evil; soe as they shall bee liable to bee punished by fines
for the neglect hereof, upon any presentment of the grand Jurie, or other
informacon, or complaint, in any Court within this Jurisdiction, & for
this end, they, or the greatest number of them, shall have power to
take account from time to time, of all Parents, & masters, & of thier
children, concerning thier children, learning, & of the employments
of thier children, especially of thier abilitie to read, & understand
the Principles of Religion, & the Capitall Lawes of the Countrey, and
to impose fines on such as shall refuse, to render such account to
them, when they shall bee required, & they shall have power (with
consent of any Court, or 2. Magistrates) to putt forth apprentices,
the children of such, as they shall find, not to bee able, & fitt to
employ, & being them up, nor shall take course to dispose of them,
themselves, & they are to take care that such as are sett to keepe cat-
tles, bee sett to some other employment withall, as spinning upon the rocke
knitting, weaving tape, &c. & that boyes, & girls bee nott suffered to
converse together, soe as may occasion any wanton, dishonest, or
immodest behavio^r, & for thier better performance of this trust committed
to them, they may divide the Townes amongst them, appointing to every
of the said Townesmen, a certaine number of families, to have speci-
all oversight of, they are also to provide, ^{that} a sufficient quantitie
of materials, as hempe, flax, &c. may bee raised in thier severall
Townes, & tools, & impliments provided for working out the same,
& for thier assistants in this soe needfull, & beneficiall employment
if they meet with any difficultie, or opposition, which they can-
nott well master by thier owne power, they may have recourse
to some of the Magistrates, who shall take such course for thier helpe
& encouragement, as occasion shall require according to Justice, & the
said Townesmen at the next Court in those limits after the end
of thier yeare, shall give a briefe account in writing of thier pro-
ceedings hereon; provided that they have bin soe required by some
Court, or Magistrate, a month at least before, & this order
to continue for 2. yeares, & till y^e. Court shall take further Order.

The Townes-
men Duty
A. 11. 18

Employment of
Servants
Children

their splitting
in Religion
manufactures

Put Appren-
tises

Keppers of
Cattles to be
Employed

Rude beha-
viour to be
avoided

Provision
of Hempe
& Tools

Account to
be given by
Townesmen

Continuance

498.

This Court will nott proceed to Judgment in any crim- 2461.
inall cause, against any person, nor in any Civill cause betwene
partie, & partie, without taking the oath here- under written viz.

General Court
before it pro-
ceeds in any
Criminall case
or civill

I doe sweare, &c. that in all causes wherem I am to deliberate 2462.
my vote, or sentance, against any person, or upon any criminall
offence, or betwene parties in any Civill cause, I will deale
uprightly, & iustly, according to my Judgment, & conscience, and I

Will according to my skill, & abilitie assist in all publike affaires of this Court faithfully, & trulie according to the dutie of my place, when I shall bee present to attend the service.

2463. Mr. Edward King being chosen Constable of Boston took his oath.

Constable

2464. It is ordered that the clause in the order 350 for restraint of publike Beers to sell by grose is repealed.

Beeres
Repeale

499

2465. Mr. Parker, Mr. Glover, & Goodman Bate, are appointed a Committee to settle high wayes att Braintree, nott yett sett out, & to certifie the Court, the 4th day of the 4th moth 164

High-wayes

2466. Whereas Mr. Hathorne of Salem, & Edward Tomlins of Lin, were chosen by the Generall Court, to lay out the length of the bounds of the Towne of Linne, according to the Courts Order of 6 miles from the meeting house, which accordingly hath bin performed the day, & yeare above writton, which was signified vnder o^r hands to extend from Charostowne Bounds to the South end of the great pond att Linne Village, & from thence to the great Swamp adjoining unto the great pond, & soe to run from thence Northward to the North River, & soe to Salem bounds, those being the nearest markes, which by o^r measure was find to state the Bounds.

Linne 6 miles
Boundes

500

William Hathorne.

Edward Tomlins.

2467. Mr. Haward is appointed to graunt sumons, Attachments, and Replies in Hampton in the place of William Wakeford.

Clerk of writts

2468. Mr. Haward, John Grosse, & James Davids, are appointed to end small busineses in Hampton vnder 20^s.

2469. James Hamlin is graunted 200 acres of ground for the 50th dolisorod Mr. Warham by Mr. Walter, & James White, Mr. Edward Anthony, & Mr. Do. Mogerodg, Capt. Wiggon his Commission for Pascatag is extended to Hampton.

Hamlin gr^t
of 200 acres

2470. Jeffrey Wragge is graunted 20^s out of the Treasurie, for his paines, & care in fetching letters from the Eastward.

wragge

2471. Those whose names are vnder-writton being appointed to view Shawschim, & to take notice of what fittnesse it was for a Village, and accordingly to o^r apprehensions make returne to the Court, were therefore manifested thus much, that for the quantitie itt is sufficient, butt for the qualitie in o^r apprehensions noe way fitt, the upland beinge verry barren, & verry little meadowe there-aboutt, nor any good timber almost, fitt for any use, were went after were came to Shawschim-house by estimacon some 14. or 16. miles, att the least in compass, from Shawschim-house were began to goe downe the River 4. or 5. miles north east, & then were left that point, & went north upon North, & came to Concord a little below the Falls, about one mile, or more, then were went up the River some 5. miles, until were came to a place called the two Brethren, & from thence itt is aboutt 2 miles, & halfe to Shawschim, & the most part of all the good Land is given outt already; more Land there is att the South side of the house, betwene the side of Concord lme, & the road of Cambridge lme, butt little meadowe, & the upland of little worth, & this is that were can say heron.

Shawschim

Symon Willard.
Edward Donners.

Boundaries of
Charleston &
Lime Village

It is ordered that for deciding the difference between the 2. 2472
Villages of Charostowne, & Lime, & for accomodating of both, according
to the intent of the Court, Capt. Cooke, Mr. John Glover, & Geo. Nathaniel
Woodward, shall view the place in Question, & take the length of Charos-
towne 8. mile line by exact measure, & sett downe the bounds, betweene
the said 2. Villages, as may bee most convenient for both, & certify this
Court of what they shall doe herein.

501.

Inconveniens
for Mynde

Upon Petition of Mr. John Glover, & others of Dorchester for improvement 2473
of a supposed mine in Newnorth about 40. or 50. miles hence; It is ordered y^t
they shall have the Priviledge granted by a former order; soe as they
goe effectuallie on with itt, within one yeare, & if they shall thinke fitt
to plant a convenient number of families there, which may make a
village, they shall have such quantitie of Land, & meadows fitt for their occasion
as the place will afford, provided that they bee sworne, & goe effectuallie aboutt
itt within 3. yeares next after such mine shall bee opened, provided also that
such graunt of a village, shall nott hinder the Power of this Court, in the orde-
ring, & disposing of any mines otherwise then hath bin already, or here-
after shall bee granted.

Widow
Johns Estate

Whereas Mr. John Glover, late of Nuberry died intestate, leaving 2474
behind him a wife, & one onlie daughter, of the age of about two yeares,
& in Lands; & goods, an Estate of about 420^l this Court therefore upon
the Petition of Joane Glover, the wife of the said John, & with consent
hath ordered, that shee said Joane, her heires, & assignes, shall enjoy, &
possesse for ever, the intire, & whole Estate of Lands, & Goods, left by her
Husband, in consideration whereof shee shall educate, & bring up her said
Child, att her owne proper cost, & charges, & att the day of the said
Childs marriage, consummated with the consent of her said Mother, or w^{ch}
shee shall accomplish the age of 10. yeares, or whether shall first hap-
pen, shee the said Joane shall give unto her said daughter, the summe
of one hundred pounds, & one hundred pounds more when shee shall attaine
the age of 21. yeares, which by this Court is ordered to bee the portion
of the said Child, to bee paid as afore-said, & for securitie of the said
portion, all the Land, & house of the said John Glover in Nuberry, late deceased,
is by this order engaged, & for further securing the portion of the said Child; It is
ordered the next Court of Ipswich, shall take band of the said Joane Glover, for
the payment thereof as in this order is provided.

200^l portion
to y daughter

And the said Joane Glover hath power granted her, to see her swer^t. 2475
for the yeare desired.

in^{es} winthrop,
3000 acres.

And whose names are underwritten being appointed by the last Court 2476
Court, to view a parcell of Land, att the fall of Concord River into Merrimacke &
there to lay outt 3000. acres for Mr. Winthrop; doe hereby certify that wee having
viewed the same Land, doe find itt generallie to bee ordinarie Land, nott of the
best, neither doe wee see any meadows worth the mentioning thereaboutt, except a
parcell on the west side of Concord River, which wee conceive may bee some 30.
acres, therefore wee doe thinke the Court may (if they see please) without prejudice
to the Common-wealth, graunt the said 3000. acres to the said Mr. Winthrop,
there to lye betwixt the said two Rivers, that is to say, upon the east of Concord
River, & the south of Merrimacke River, in a iust proportion, soe neere as the
Land will beare itt, & because wee find the Indians possessed of severall parcels of
Land, within the said 3000. acres, lying as before is mentioned, & also finding noe
meadows, of any worth there, wee doe thinke that the Court may doe well, to
add the said thirtie acres of meadows therunto.

2477. The Court graunted m^r Wintthroppe his 3000. acres, as is about certi-
-fied, & further graunted him the 30. acres of meadow. m^r Wintthroppe
3000 acres

2478. In the case betwene Rich. Sherman, & Captaine Keayne, this was pro-
-pounded to vote; whether the Defendant be found to haue bin possessor of the
-Plantiffs sow, converted her to his owne use or nott, It was voted by 2 Magistrates
& 15. Deputies for the Plaintiffs, & by 7. Magistrates, & 8. Deputies for the Defend^t
& 7. Deputies were Neuters. Shearman
and
Keayne

2479. Daniell Fairfields being a married Person upon his owne confession, and
other sufficient prooffe, is found by the Judgm^t of this Court, to haue had carnall
knowledge, & soe in a most vile & abominable manner, to haue abused the tender
bodis of Dorcas, the Daughter of John Humfroy Esq^r; one of the then Magistrates of
this Common-wealth, & that from time to time, from about his age of 7. yeares, to
about his age of 9. yeares, & that hee did also, in a most vnclerane, & wicked man-
ner, abuse himselfe upon the Bodis of Sara Humfroy, & younger sister of the
said Dorcas, & that this wickednesse was committed vari^o often, & most vsuallie, by him
on the Beds-dayes, & Lecturo-dayes. Fairfields
vnclerane

2480. The Court therefore agreed that this afore-named Daniell Fairfields,
shall bee severallie whipped att Boston, the next Lecturo day, & haue one of his
-nostrills slitt, soe high as may well bee, & then to bee seared; & then kept in Prison,
till hee bee fitt to bee sent to Salem, & there to bee whipped againe, & haue
the other nostrill slitt, & seared; then further hee is to bee confined to Boston-wock
soe as if hee bee found att any time during his life, to goe outt of Boston
-wock, this is beyond the rayles towards Roxbury, or beyond the Low-water marke,
hee shall bee putt to death upon due conviction thereof; & hee is also to weare
an hompon rope about his necke, the end of itt hanging outt att least three foott,
& soe often as hee shall bee found abroad withoutt itt, hee shall bee whipped, & if
-hee shall att any time hereafter, attempt to abuse any Person as formerly, hee
shall bee putt to death upon due conviction; & hee is to pay to m^r Humfroy 40^l. His Censure

2481. Jonken Davies for abusing the foronamed Dorcas, was ordered to bee
-severallie whipped, att Boston on a Lecturo-day, & shall bee returned to Prison,
till hee may bee sent to Lym^e, & there to bee severallie whipped also, & from thence
-forth shall bee ^{confined} confined to the said Towne of Lym^e, soe as, if hee shall att any
time goe forth of the Boundes of the said Towne, (withoutt license of this Court)
& shall bee duellie convict thereof, hee shall bee putt to death, & also hee shall weare
an hompon rope apparentlie about his necke, during the pleasure of this Court, soe as
if hee bee found to haue gone abroad att any time withoutt itt, hee shall bee againe
whipped, & further if hee shall bee duellie convicted, to haue attempted any such
wickednesse, (for which hee is now sentenced) upon any Child after this present
day, hee shall bee putt to death; & hee is to pay fourtie poundes to m^r Humfroy
for abusing his Daughter. Davies;
abuse of
Children
his punishment

2482. John Hudson for abusing the said Dorcas, was ordered to bee severallie
-whipped att Boston, the next Lecturo-day, & shall bee returned to Prison till hee
may bee sent to Lym^e, & there to bee severallie whipped, & hee paye unto m^r
-Humfroy for abusing his Daughter twentie poundes within these two yeares. Hudsons
fittines
whipped

2483. Dorcas Humfroy was ordered, to bee privatellie, severallie corrected, by this
Court, m^r Bellingham, & Increase Howse to see itt done. Dorcas
punishment

2484. m^r W^m Ting, Geo. Thom. Lins, Geo. Heath, Leif^t. Duncum, George
-Shoofield, m^r Parker, m^r Poole, m^r Sparrowhe, m^r Ayres, m^r Noyse, Leif^t. Willard,
m^r Allen, Capt. Bridges, m^r Baker, m^r Whipple, Bodman Bayle, m^r Rawson,
-John Saunders, & goodman Hayward, were appointed, a Committee, to Levie, &
-propoicon a rate of 00^l, which they agreed, as followeth. Rate propo-
-tioned

	l. s.		l. s.
for Hingham	20. 00.	for Bramitoo	14. 00.
for Weymouth	14. 00.	for Roxbury	50. 00.
for Dorchester	58. 10.	for Doonham	20. 00.
for Boston	120. 00.	for Watertowne	55. 00.
for Concord	25. 00.	for Charostowne	60. 00.
for Cambridge	67. 10.	for Lime	45. 00.
for Salem	75. 00.	for Nubury	30. 00.
for Ipswich	82. 00.	for Hampton	05. 00.
for Salisbury	12. 10.	for Sudbury	15. 00.
for Rowley	15. 00.	for Colchester	06. 10.
for Woodford	10. 00.		300. 10.
	499. 10.		499. 10.
			800. 00.

which is agreed to be paid, halfe, the last of 6. moth next, & the other - 2485.
halfe, the last of the 9th month in next.

Stowe get
of an 100 acres

Godman Stowe is graunted 100. acres, of Land, where hee can find 2486.
itt convenient, without prejudice to any Towne, for recompence of his paines
in writing the laws, already, & to write such as are still to be written.

Associates

Those that were formerly associates att Salem, & Ipswich, are orde- 2487.
red to continue till the next Generall Court, & these are to take an oath,
as other Judges, & the Magistrates of the same Court to give them their oaths.

Adjournment

Salem Court was ordered to be adjourned to the 12th day of the 5th moth 2488.

Gunnison Cooke

Hugh Gunnison having sett up a Drakes-shopp, is allowed to sell beere, 2489.
to his guests, some, att 2^d, some att a penny a quart, being alwayes to have -
small beere for such as desire itt.

Clark of weests
Willey

John Clarke is appointed Clarke of the writts instead of m^r Eberman. 2490.
Marie Willey is abated her fine to 40^s, which shee hath a twelve months 2491.
time to pay.

marriage

m^r William Bollingham is appointed to see marriages solemnized att 2492.
Rowley, & Nubury, & to keepe record thereof.

502.

Cryer for
things lost

It is ordered that hee who is to cry things lost, shall keepe a booke, - 2493.
wherein hee shall write downe faithfully, all such things, wth the markes, the
parties names; & the dayes, of crying itt, for which hee shall have 2^d hee is to
cry itt att 3. severall times, & this order is to be observed in every Towne.

503

Damage by
great Cattle

The Order made in the Generall Court att New-Towne, the 21. of 2494.
the 9th moth 1637. concerning satisfaction for Damages, done by great cattell, &c.
is repeated, & itt is now ordered that in all corn-fields, or meadows inclosed in
Down, or otherwise every man must secure his corn, & meadow, against great
Cattell, & if any damage be done by such Cattell, itt shall borne by him, -
through whose insufficient fence the Cattell did enter, & if that cannot be -
proved, then the Damages shall be equally imputed upon every man, according
to the default of his fence, & if all the fences be sufficient, the owner of
the Cattell must answer the Damages.

Fences

Impounding
for Dam. feasant
Replevyer

If the parties damaged find the Cattell damage feasant, hee may im- 2495.
pound them, or keepe them in his owne private close, or yeard, till hee may -
give notice to the owners, if they cannot agree the Owner may replevy them, or
the other parties may returne them to the owner, & take his remedie, as hee -
shall thinke best according to Law.

2496. It is ordered that the Owners of the Shippe Jeyall shall have ten barrels of wofull powder delivered them by Mr. Parson; for which they stand bound to returne 10. Barrells of good new powder, & they shall also upon the returne of the shippe, deliver 10. barrells more of like powder, at the same price they cat first penny, soe as (if they imbarrow on shipboard) the Countrey must bear the losse of the 10. Barrells; And they are to have 6. peeces of Ordnance by Capt. Gibbons appointment. (soe as none bee Drakes, or amio mounted) which they are to returne with the shippe, or to pay for them if they imbarrow.

10. barrells of Powder 197L
6. peeces of Ordnance 197L

2497. Whereas all the Generall Court, the 4th of the 7th moth 1639. there was provision made for the recording of severall particulars, amongst which it is observed, that Births, Deaths, & Mariages, are much neglected in many Towns.

504.

2498. It is therefore ordered, that the Overseers of the writts in the severall Townes, shall take care, especially to record all Births, & Deaths of Persons in their Townes, & for every Birth, & Death they doe record, they are to have allowed them the sume of 3^d, & are to deliver in yearlyly to the Recorder of the Court, belonging to the Jurisdiction where they live, a transcript thereof together with soe many pences, as there are Births, & Deaths to be recorded, & this under the penaltie of 20^d, for every neglect, & for time past, it is ordered, they shall doe their utmost endeavours to find out in their severall Townes, who hath bin borne, & who hath died, since the first founding of their Townes, & to record the same as aforesaid. Also the Magistrates, & other Persons appointed to marriage, shall yearlyly deliver to the Recorder of that Court, that is neerest to the place of their habitation, the names of such Persons as they have married, with the dayes, monthes, & yeares of the same, & the said Recorders, are faithfullie, & carefulle to enroll such Births, Deaths, & marriages, as shall thus be committed to their trust.

Recordinge Births Deaths marriages

2499. The cause of Thomas King about his wife being defiled before marriage, is referred to the next Court at Salem, wth the Elders advice certified.

Fornication

2500. It was ordered that the 21. day of the 1. moth should be kept a Publick day of humiliation, throughout this Jurisdiction, in regard of o^r owne straites, and the foule sinne broken out amongst us, & the distractions of o^r Native Countrey, Ireland, Hollana, & other parts of Europe.

Publick Fast

2501. Mr. Greenlife is appointed instead of Mr. Woodman, to end small businesses in Newbury.

2502. It was ordered that Mr. Richard Bellingham, & Mr. Symon Bradstreete, should goe to Piscataqua, & keepe a Court there, with the Commissioners there chosen, & they 2. to be of the Quorum, soe as noe Court to be kept without one of y^m.

505. Piscataqz Courts

2503. Whereas this Court is often taken up, in hearing, & deciding particular cases, betwene parties, & parties, which more properly belongeth to other inferior Courts, this Court being onlie to helpe in such cases, where the parties can have noe reliefe in any other Court; It is therefore hereby declared, that all causes betwene Parties, should first be tried in some inferior Court, & if the Parties against whom the Judgment shall passe, shall have any new evidence, or new matter to plead, hee is to desire a new tryall, in the same Court, upon a bill of exception, & if Justice shall not be done him, upon that tryall, hee may then come to this Court for reliefe.

506. Tryals first in Inferior Courts then Reviewe thre y^r Appeals to Gen: Co^{rt} 1517

2504. Whereas itt appeareth to this Court, that notwithstanding the former Lawes, made against selling guns, & powder, to the Indians, they are yett supplied by indirect meanes.

Indians

2505. It is therefore ordered that if any person after the publication of this order, shall sell, or barter any guns, powder, bullets, or leads to any person, inhabiting out of this Jurisdiction, without license of this Court, or the Court of

507. Ammunition not to be sold to forreines

License to
sell powder

Assistants, or some 2. Magistrates, hee shall forfeit for every gun 10th & for
every pound of powder 5th & for every pound of bullets, or lead 40th & 100 pro-
portionable for any greater, or lesser quantitie. And that this order, and the
former against repairing the Indians guns, &c. to them shall bee imprinted, & affix-
ed, upon every meeting house doe in this Jurisdiction.

500.
Tayalls
where

All actions of debt, & account, & actions of the case concerning debts, and 2506.
accounts to be tryed, where the Plaintiffe pleaseth, soe itt bee in the Jurdicti-
on of that Court, where the Plaintiffe or Defendant dwelleth, unless by consent
under both their hands, itt appeareth they would have the cause tryed in any
other Court.

Repeals

All other actions to be tryed within that Jurisdiction, where the cause 2507.
of the action doth arise, y^e former order made in the Generall Court concer-
ning this matter is repealed 5. 774 & 2503.

509.
Shawsin gr^{ed}
to Cambridge

All the Land lying upon Shawshin River & betwene that, & Concord River, & 2508.
betwene that, & Merrimacke River, nott formerly granted by this Court, are
granted to Cambridge, soe as they erect a Village there within this 5. years, &
soe as itt shall nott extend to the Indian Charostowne, village, or the Village of
Dochittawitt, nor the Farms formerly granted to the new Governo^r, of 1260.
acres, & to Thomas Dudley 2500. acres, & 3000. acres to m^r Somers, and
m^r Flint, & m^r Stephen Somers are to set out their head-lands towards Concord.

510.
For makinge
Gunpowder

This Court taking into serious consideration the great danger, that 2509.
this Common-wealth is liable unto, by Forraign, & Domesticks foes, which
wee have just cause to conceive will bee ready, as opportunity, & means
are putt into their hands, to practise against us: And being willing to lay
hold on, & use all such means, as God shall direct us unto, as may tend
to the raising, & producing such materials amongst o^r selves, as may
perfect the making of gunpowder, the instrumentall means that all
nations lay hold on, for their preservation, (having too much neglected, to
take due care which wee might have done) doe order, & decree, that every
Plantacon within this Collonie, shall erect an house in length about 20. or
30. foote, & 20. foot wide, within one halfe yeare next coming, into
which house wee desire, & commaund the Officers of each militarie companie
in each Towne to see, & cause a sufficient quantitie of earth, by
their companie, or otherwise, yearly to be carried, & twice in every
yeare, or oftner, the earth from its foundation by them to be stirred, &
removed, from one end thereof unto the other, from the bottome to the
top, mixing such urine of men & Beasts, wth goats, henns, hogs, and
horses dung, as shall bee by the carefull, & conscionable members, of this
Common-wealth brought to be dispersed, & scattered amongst the said earth,
the companie nott leaving of bringing more earth into the said houses,
till itt shall come within 2. foot of the wall plate of the same; & that
the said houses bee well covered, their sides, & ends soe ordered, that noe water
may come into them to the prejudice thereof, & for the further promoting
of what is above ordered, & decreed, wee declare, that all such inhabitants
of every Towne, as shall cause the urine of their families, in some such
place to be putt, & kept, as y^t itt may bee in due time brought, and
dispersed in the said houses, or other out houses, of their owne which are
alike ordered, & covered, doe best discharge their duties, & manifest them-
selves sensible of the danger of this Common-wealth.

2510.

The Townes are att libertie to make either one such great house, as is before appointed, or diverse smaller houses, according to number of families in the Towne, & different situation of them, & itt is intended that such Persons as are exempt from ordinarie trainings, & doe not allow a valuable recompence, & yett are able to afford helpe about the service, shall be employed thereon upon training - dayes, by the appointment of the military officers,

2511.

This Court taking into serious consideration the severall deceipts & abuses, which in other places have bin, & are commonly practised by the Tanners, Curriers, & workers of leather, as also the abuses, & inconsonencies, which accrue to the severall members of this Common-wealth by leather, not sufficientlie tanned, which is occasioned by the negligence, & unskillfulness of these severall Tradesmen, which before, & after itt is in the hands of the Tanners, may be much either furthered, or impaired, for the reason whereof itt is decreed, and ordered, as followeth.

511.

Tanners
Curriers
Shoemakers
Butchers

2512.

1. That noe Person, vsing, or occupying, the feate, of misterie of a Butcher, Currier, or Shoemaker, by himselfe, or any other, shall use, or exercise the feate, or misterie of a Tanner, on paine of forfeiture of six shillings, eight pence, for every hide, or skinne by him, or them, soe tanned, whilst hee, or they shall use, or occupie, any of the misteries aforesaid, nor shall any Tanner during his vsing the said Trade of Tanning, use, or occupie the feate, or misterie, of either, Butcher, Currier, or Shoemaker, by himselfe, or any other, upon paine of the like forfeiture;

None but Tanners
to use the said trades

no Tanners to be Butchers

2513.

2. That noe Butcher, by himselfe, or any other person, shall gash, slaughter, or cutt any hide of ox, bull, steere, or cowe, in slaying thereof, or otherwise, whereby the same shall be impaired, or hurt, on paine of forfeiture, for any gash, or cutt, in any hide, or skinne, twelve pence.

For the said

2514.

3. That noe Person, or Persons, shall after the 20th of the 9th moth next, bargain, buy, make any contract for, or bespeak any rough hide of ox, bull, steere, or cowe in the haire; but onely such persons, as have, & doe use, & exercise the art of Tanning.

None but Tanners
to buy the said

2515.

4. That noe person, or persons vsing, or which use the misterie, & facultie of tanning shall at any time, or times hereafter, offer, or putt to sale any kind of leather, which shall be insufficientlie, or not thoroughlie tanned, or which shall not have bin, after the tanning thereof well, & thoroughlie dried, soe that by the teachers, and tryers of leather, lawfullie appointed, shall be found to be insufficientlie tanned, or not thoroughlie dried, as aforesaid, then all, & every such Person, & persons soe offending, shall forfeit, soe much of his, or their said leather, as shall be found insufficientlie tanned, or not thoroughlie dried.

2516.

5. That noe person, or persons, vsing, or occupying the misterie of tanning, shall sett their statts in tan-hills, or other places, where the woozes, or leather, which shall be putt to tanne, in the same, shall, or may take any unkinde heate, and shall putt any leather into any hott, or warme woozes, or shall tanne any hide with any hott, or warme woozes whatsoever, on paine, that every person soe offending, shall forfeit, for every such offence twenty pounds.

2517.

6. That noe person, or persons vsing, or occupying the misterie, & facultie of curring, shall currie any kind of leather, except itt be well, & perfectlie tanned, or shall currie any hide being not thoroughlie dried, after his next season, in which next season, hee shall not use any stals, brims, or any other deceiptfull, & subtill mixture, which may, or means to corrupt, or hurt the same, nor shall currie any leather, most for other, soe leather, with any other, than good stuffe, such as the Countrey will afford, nor of any lege. & that when the leather will receive, nor shall currie any kind of leather, most for outer leather, & inner soles, butt with good, & sufficient stuffe, being fresh, & not of salt, & thoroughlie liquorod, till itt will receive noe more, nor shall burne, or scalle any hide, or leather in the Curring, butt shall worke the same sufficientlie in all points, & respects, on paine of forfeiture, for every such offence done, or acts contrary to the true meaning of this order, the full value of every such hide, - marked by his owne workmanship, which shall be Judged by 2. or three sufficient, and honest Curriers, or other skillfull persons, on their oath given to them, for that end, by any assistant.

7. That every of the regiments of this Common wealth, & shires, or two persons, of the most honest, & skilfull within their severall townships, by their discretion to search, & seize within the precinct of their limits, as often as they shall thinke good, & need shall be; & shall have a marke, or scale prepared for that purpose, & the said searchers, or one of them shall keepe the same scale, or marke, & with the same shall marke such leather, as they shall find sufficient, & not other, & if the said searchers, or any of them, doe find any leather sold, or offered to be sold, or brought to be searched, & sealed, which shall be tanned, wrought, corrected, or used, contrary to the true intent, & meaning of this order, it shall be lawfull to the said searchers, or any of them, to seize all such leather, & to detain the same in their custody, untill such time, as the same be tried, by such tryers, & in such manner, as shall be in this order appointed.

8. Upon the seizure of any leather, by virtue of this order, the officer, soe seizing the same shall within 3. dayes, call to him 4. or 6. men, honest, & skilfull in such ward, to view the same in the presence of the parties (who shall have timely notice thereof) & the said parties soe chosen, shall certifie upon their oaths, to the next Court, or to 2. assistants, the default of the same leather, against the parties - shall before submit to their Judgment.

9. That if any searcher, or sealer of leather, shall refuse with consent - speed, to scale any leather, sufficientlie tanned, wrought, & used, according to the true meaning of this order, or doe allow that which shall be insufficient, then every searcher, & sealer of leather, shall forfeit for every such offence twenty shillings.

10. That the severall fines, & forfeitures in this order mentioned, shall be equally divided into three parts, & distributed as followeth, the one part to the Common Treasurie, of the limits, wherein the offence is committed, another third part to the Common Treasurie of the townships where such offence is committed, and the other third part to the seizer, or seizers, of such leather, as is insufficientlie tanned & curried.

11. Provided that this order, shall not extend to avoid any former bargain, betwene any tanner, & shoemaker, butcher, or currier, or any of them concerning the matter of this order.

It is ordered that Ipswich shall have 12. saker bullets, with their guns, when they send for them.

The business betwene the townes of Ipswich, for Mr. Rogers, & Mr. Bradstreet, is referred to the Governour, Deputie Governour, Increase Nowell, Mr. Staughton, & Mr. Flint to determine without a Jury, & the townes being to deliver Mr. Bradstreet a month before their declaration; & hee to give Mr. Symons, his answers 14. dayes after, & neither parties to alledge at their hearing any other matter, for substance to putt the case to a new issue.

Mr. Treasurie, & Mr. Parker are appointed to view Naponset Bridge, to certifie the charge thereof.

It is ordered that after the end of this Court, no petition shall be received in any Generall Court, after the end of the 3. day of the sitting of the Court.

It is ordered that the books now in Court containing arguments against the standing counsell, shall be committed to the clerks, who are desired to returne their Judgment, & advice, about the matter thereof to the next Court.

Dearemont Mathews was ordered to ~~come~~ goe home to his wife, & if hee can prove his wife did beat him, when hee came home with order from Mr. Deputy, his wife to be punished, if nott hee is to recompence his master for damage done him, & losse of his time, & his master was willed for this time not to correct him.

Mr. Saltonstals petition is referred to Increase Nowell, & Mr. Ting.

It was ordered the Treasurie should deliver Mary Jeames against her marriage five pounds.

It was voted that Ryalls of of right should paye att 4. s. a piece.

leather

seize

scale

fines

former bargain

ammunition to Ipswich

Mr Rogers and Mr Bradstreet

Naponset Bridge

Petitions

Standing Counsell

mathews

Mary Jeames

Royalls of Eight

2510.

2519.

2520.

2521.

2522.

2523.

2524.

2525.

2526.

2527.

2528.

2529.

2530.

2531.

- 2532. It was voted by the Court to vindicate the Office of the standing Court: 514.
 as it is now ordered, & the Persons in whom it is now vested, from all dishon^r Standing Council
 & reproach, cast upon it, or them in Mr. Saltwates books.
- 2533. Marmaduch Barton is condemned to slavery, & to be branded, & remaine 515.
 in slavery, till the Court take further order about him. Jurors
- 2534. Richard Beckett was granted 3^l to be paid him of Mr. Pococks estate, for 516.
 his charge about Thomas Brown. Judges
- 2535. It is ordered that in all trials betwene Partis, & Partis, the Juris shall find 517.
 matter of fact, with the damages, & costs according to their evidence, & the Judges are
 to declare the sentence of the Law upon it, or they may direct the Juris to find ac-
 cording to the Law, & if there fall out to be any matter of apparent equitie as
 upon the forfeiture of any obligation, breach, of covenant, without damage, or the like,
 the Judges shall determine such matter of equitie, this order to continue to the next
 Generall Court. Continuance
- 2536. Every Towne within this Jurisdiction, shall choose one, or two freemen, who -
 shall meet att Salem, the first 4th day of the 2^d moth next, & shall there consider and
 agree upon a certaine number of the most able & fitt men in this Jurisdiction, to be
 putt to nomination for Magistrates att the next Court of elections, & their names, are -
 then to be faithfully certified to the Secretarie, & noe other, but these to be putt
 to vote, that Court. Deputies are
 to be consulted
 and to nominate
 who are to be
 elected magistrates
- 2537. And it is ordered that there shall be noe Generall Court hold, before the -
 Court of elections, except the Govern^r, & other of the magistrates, shall see iust oc-
 casion to call any in the meane time. Courts
- 2538. It is ordered that the Govern^r, Mr. Bellingham, & the Secretarie, with the
 Deputies of Boston, shall examine, & survey the records of this last Court, & perfect
 the same for the publishing, & that the Govern^r, with such magistrates as shall be
 present, at Boston the next Lecture day, shall give judgment upon the Prisoners, & see
 execution done, according to the sentence of the Court. Deputed to
 give judgment
- 2539. If any man shall forcible unlawfullie have carnall copulation with -
 any woman child under ten yeeres old, hee shall be putt to death, whether itt were
 with, or without the girls consent. 518.
 Abusing girls
 under 10 yeeres
 capitall.
- 2540. If any man shall forcible, & without consent, ravish any maid of wo- 517.
 man, that is lawfullie married, or contracted hee shall be putt to death. Ravish m
 capitall B. 6. 26
- 2541. If any man shall ravish any maide, or single woman, committing carnall 518.
 copulation with her by force, against her will, that is above ten yeeres in age,
 hee shall be either punished with death, or with some other grievous punishment,
 according to circumstances att the discretion of the Judges, & this Law to continue
 till the Court take further order. Death at discreat
 continuance
- 2542. If any man comitt fornication with any single woman, they shall be 519.
 punished, either by enoyning to marriage, or fine, or corporall punishment, or
 all or any of these, as the Judges shall appoint most agreeable to the word,
 & this order to continue till further order be taken in itt. Fornication.
 § 25 34
 continuance
- 2543. If any man shall break up, or rob any dwelling house, on the Lords day 520.
 when the inhabitants are gone to the worship of God, or comitt Burglary
 upon any other day, or by night, or shall rob any person, by the way, or
 upon foires, or shall steal any other goods left abroad, or in the house, shall
 be severely punished according to the nature of the offence, & the severall
 aggravations thereof, as the Judges shall appoint, this Law to stand in force,
 till the Generall Court doth alter itt. Burglary
 Robbery
 Theft
 continuance
- 2544. It is ordered, that such Laws, as make any offence to be Capitall, shall 521.
 forthwith be Imprinted, & published, of which Laws the Secretarie is to send
 a coppie to the Printer, when itt hath bin examined by the Govern^r, or
 Mr. Bellingham with himselfe, & the Treasur^r, to pay for printing of them. Capitall Lawes
 Published.
- 2545. made free the 10th day of the 3^d moth 1642.

M ^r . Francis Norton.	Edward Goodwin.	William Dickson.
John Withman.	Jamison Sherr.	Moses Whitt.
Samuels Joames.	William Jarry.	Robert Edwards.
John March.	John Gogginum.	Thomas Buteman.
Robert Burton.	John Blough.	William Dillon.
Bernamin Vermars.	John Whitehall.	Thomas Whittor.
Thomas Clutrum.	Samuell Thatcher.	William Habtmell.
Michael Shaftin.	John Hill.	John Storons.
Thomas Puttman.	Richard Waddy.	William Storons.
John Cooke.	John Matthe.	Anthony Somersby.
Phinnas Hiske.	William Lewis.	Henry Somersby.
William Hiske.	Richard Taylo.	William Berry.
James Hiske.	Edward Charlton.	Samuell Guile.
George Byam.	Humphrey Reyno.	Abell Howes.
Richard Bishopp.	Hugh Smyth.	John Swett.
Allon Remiston.	Hugh Chaplaine.	Peter Woodward.
Chas Stibman.	Richard London.	John Bracke.
John Tomkins. qu.	Hugh Burcage.	Nathaniell Whitting.
Anamias Bonckling.	Solomon Phillips.	Micha. Metcalfe.
John Neale.	John Greene.	Robert Page.
John Bullmich.	Isaac Dommis.	Francis Pebody.
Joseph Bayse.	Allon Poorby.	Isaack Perkins.
Samuell Gemus.	Thomas Thacker.	Thomas Wood.
Thodo. Atkinson.	William Repley.	Henry Ambrose.
Robert Beaford.	Weather Hawking.	Walter Roper.
Hugh Williams.	Hugh Richard.	Henry Ribby.
Richard Guttley.	Thomas Lincoln.	David Zullosh.
John Guttering.	John Stoddor.	John Lactor.
John Ingoldby.	William Robinson.	Walter Tibbot.
Robert Howson.	Robert Pearce.	Obadiah Brown.
Thomas Snow.	Thomas Dawsonport.	William Hilton.
Thomas Foster.	Richard Baker.	William Waldorne.
Daniell Burkers.	Robert Bond.	
John Pearce.	John Rigby.	The 22. day of the
John Baker.	George Wright.	4. mo th made. free.
Richard Knight.	Thomas Bliss.	Henry Palmer.
Richard Taylo.	Bernamin Alley.	Joseph Poaseby.
Phillip Taylo.	Roger Bancroft.	Richard Tid.
John Buckley.	Richard Eckles.	William Titcombe.
Edward Baker.	John Hooper.	William White.
Thomas Baker.	John Tomkins. qu.	Thomas Dorso.

The business between John Humphrey Esq^r & John Holgeaus. is referred to m^r. Downing, m^r. Sharpp, and m^r. Hollioko, to hear and determine.

The 11th day of the 6th moth m^r. Prichon took his oath, before the Governor, m^r. Dudley. de. y^e. 14. of 7. moth 164. Thomas Hoff was made free, 21. 7. moth William English, is admitted a free man of this Jurisdiction.

2540. 27. 10. 1641. made free at Salem. Walter Price. Robert Gutch. George Gardener. Richard
 Deince. Robert Leoman. Thomas Moore. Thomas Tresler. Wm. Robinson. Hugh Caum.
 2549. 20. 12. 1642. Thomas Edwards. John Litchim. Henry Harwoods.

f Generall Court held at Boston. 8. of 7. mo. 1642.

Present					
The Governour.	Deputies.	Wm. H. Hathorne.	Wal. Hayne.	Wm. Glover.	
The Deputy.	Leift. Haywards.	Wm. D. Batter.	Thom. Brooke.	Leift. Nath. Duncom.	
Wm. Dudley.	Samuel Wmsley.	Wm. Hollisoke.	Hens. Jackson.	Wm. Cheseborough.	
Wm. Bellmham.	Wm. Row. Hanson.	Capt. Rob. Sedgwick.	Wm. Allen.	Sam. Bass.	
Wm. Saltonstall.	Maxim. Jewet.	Wm. Francis W. Wapby.	who died at Co. Co.	Wm. James Parker.	
Wm. Bradstreete.	Francis Parrot.	Capt. George Cooke.	Capt. Wm. Gibbons.	Wm. Ferry.	
Wm. Fraughton.	Wm. Samuel Simonds.	Wm. Nath. Sparrowhauke.	Wm. King.	Wm. Joseph Peche.	
Wm. Flint.	John Whipple.	Capt. Wm. Jamison.	John Johnson.	Wm. Hubbard.	
Increase Nowell.	George Worlton.	Edw. Howe.	Wm. Heath.	Edwards Calcot.	

2550. Capt. Gibbons was appointed to gratifie y^e Indians, w^{ch} were employe^d by us being sent to Passaconaway.

2551. Wm. Saltonstall, & Wm. Bradstreete were desired to gratify him, w^m they employe^d.

2552. Richard White for his disobedience, & mis carriage in refusing to watch was committed to watch Prison till further course bee taken, it was after referre^d to the Quarter Court.

2553. An Order was sent Leift. Grantlife, or in his absence to Wm. Woodman, for sending home the Indian woeman, & child from Newberry, & to send to Passaconaway for satisfaction.

2554. Also Sery^t Leseret, & Sery^t John Hutchinson were sent to Wiantonomo, with certaine Indians instructions, to demaund satisfaction of him. first. to tell them of the credible informations wee have receiv^d from divers (partly by relation of the Indians themselves) that they have drawne in many other Sachems to joyne with the Narragansets, in making war upon the English.

2. That wee have heard that Wiantonomo intends to possess himselfe of the Pequots, & that Countrey and to make his son Sachem thereof.
3. That hee hath drawne y^e Indians of Long Islands, Blocke Islands, & other Parts thereabouts (being under the Protection of the English) to pay him tribute.
4. That hee doth keepe divers Pequots y^t are run away from us, or at least doth countenance, & allow the Decanticke Sachem soe to doe.
5. That these are all Breaches of the League, & Covenant hee hath made with us, & contrary to his Promise.
6. To acquaint him that one Mischebass an Indian about Providence did lately attempt by force to ravish the wife of one Nicholas Wood of Dorchester, & to desire that hee may be sent to us to bee punished not wth death, but some other punishment. Soe for William lately the Governour's servant run-away, to bee sent to us.
7. To take his severall answers to all these.
8. Upon his answers, then to signifie to Wiantonomak, that it is desired hee would come speake with o^r Governour, if hee refuse, & excuse himselfe hee cannot come, then to send two of his cheife Counsellors to give us further satisfaction herein, & that within 7. dayes.
9. To undertake for their safe comenig, & restoring.
10. If they give you occasion, (& not else) you are to informe them of o^r true intent in disarming the Indians near us, & that wee meane to render them their armes againe, when wee are satisfi^d of their innocency, & that what was done to Passaconaway his son. &c. was through his owne Provocation, & not by any Order from us. for wee intended only to speake with him, & that wee have given order to send his Squa, & Papoose, to bee sent home to him againe.
11. If hee will not promise to come, or send to us, then to tell them, that if they have soe little regard to keepe their promise to us, wee have just cause to account o^r selves free from o^r Covenant, with them, as those that are false to us, & regard not o^r friendship, nor their owne promise.
12. You are to let them know, that wee Count y^e English at Olmuth, Connecticut, New Haven, & other Parts of the Countrey that are in friendship with us, as all one with o^r selves.

The Court having good experience of yo^r wisdom, & fidelity have committed this weighty businesse into you, & for yo^r better helpe in the way thither, & converse with them have procure^d Benedict Henolds, & Chaution the Indian, to serve you as guides, & interpreters, & comend you to the most wise, & gracious direction, & Protection, & blessing of y^e L. God Almighty. Per Curiam Increase Nowell Secret.

2555. Wm. Wamerton had directions as followeth.

The Generall Court holden at Boston the 8. of the 7. mo. 1642. Upon credible information of a Generall, & bloody designe of the Indians against all the English in this Countrey, & of great supply of powder, & guns, w^{ch} they have from some of the English in the Easterne Parts, w^{ch} being alone, & under no Govern^t, cannot by any ordinary way of Justice be punished, or

restrained have given Power, & Commission to you, to make seizure of all such powder, as you shall find in the possession of any such Persons, whom you shall find by such proof, as you may abouch to have traded any powder (Directly, or indirectly) to any Indian, leaving them only soe much as shall bee sufficient for their owne particular use for which, this shall bee yo^r sufficient warrant. Per Curiam. Increase Rowel. Secret. Also Letters to bee writ- ten, to the Governo^rs of other Jurisdictions, to prevent the selling of powder to the Indians.

Souldiours Disobedience

Upon the frequent complaint of the neglect of Authority in the hands of such Comaunders, & Officers. It is Ordered, that if any person shall refuse, or neglect to obey yo^r Lawfull Comaund of any Military Comaunder, or Officer, in any Publique Service. viz. as watching, warding, Training, or Marching, or any other service of like kind; whatsoever hee can alledge to the contrary; it shall be Lawfull for two of the Chiefe Officers of every Company to punish any such Person, according to his desert by fine, not exceeding 20^s. or by bilboes, stocks, or such like Corporall punishment, as is usuall amongst Souldiers, or to commit him to the constable to be sent to the next Magistrate, who shall bind him over to the next Court, if he see cause.

Fine Corporall Punishment Comittment Magistrate

watching

Continuance

It is further Ordered that for an equal case to be held in watches, every Person not exempted from watching by former Order of Co^rt, whether fisherman, ship-carpenter, or others, y^t are exempted from training, shall notwithstanding watch, as others doe, or provide a sufficient man in his roome. This Order to be in force till the next Generall Co^rt of Elections.

521

Indian Invasions

This Court considering the continuall dangers the Inhabitants of this each Towne in this Jurisdiction are in, by the Plots, & Conspiracies of the Heathen amongst us, knowing that it is expected that the severall Townes in this Jurisdiction bee soe advised, & directed by the Court, soe that they may not be ignorant, what to doe in times of assault, have thought meete to require each Inhabitant, to take notice of these following Directions.

1. That in each Towne in this Jurisdiction, it shall bee Lawfull for the Comaunders of each Company, at any flarme, to call their Companies together, & set them in offensive, & defensive wayes, as there is occasion against the Enemy, according to their best wisdom, if direction bee not given by the Counsell of Warre in every Towne.

2. That an flarme in times of danger shall bee accounted by being performed any of these wayes, by any Inhabitant. viz. By distinct charging 3. muskets, or a continued beat of the drum in the night, or firing the beacons, or sending a messenger to the adjacent Townes, or discharging a peece of Ordnance, in the night time, & every true souldier is to take the flarme immediately upon paine of 5^s.

3. That every Towne provide a sufficient place, for retreat, for their wives, & children to repaire to, as likewise to keepe safe the Ammunition thereof.

4. That the Comaunders of each Towne on certaine Intelligence by an flarme, of any Enemy at any one Towne, the 3. next hereunto shall by a sufficient Company by each Towne added, repaire to the same Towne, where the Enemy is first placed.

5. That every Smith in this Jurisdiction laying aside all other businesse, doe with all speed repaire the Ammunition of the severall Townes, fitting them for any sudden occasion, & shall receive Country pay for it.

6. That all watches throughout this Jurisdiction bee set at sun-sett, at the beate of the Drume, & not bee discharged till the beat of the drum at sun-rising.

522

Surveyours of Armes

This Co^rt taking into serious Consideracon the present danger of each Plantation, by the desperate Plots, & Conspiracies of the Heathen, as alsoe, that they may bee furnished with such store of powder, as may prevent any Invasions, have thought meete to appoint John Johnson at Roxburye the Generall Surveyo^r of the Armes, on the demaunds of any sufficient Inhabitant of each Towne, to deliver their severall proportions of powder, which in their warrant from the Generall Court shall be mentioned, according as is here under-written, is agreed upon, provided that the said Inhabitant doe under his hand acknowledge the receipt thereof, & securely keepe the same, not delivering any part here of out of the said store, without present necessity requiring, & then on such good satisfaction, as may likely purchase powder againe, & if it be not in such service used, the same to take into his possession againe, or such a full store of fresh powder, in weight equalizing that, which was -

delivered in place. & that the severall Townes, which have already had amie powder, out of the Countrey store, & which exceeds thier portions here-under mentioned, shall within one moth deliver the surplus of such powder in thier hands, with sufficient pay, unto the sayd John Johnson, for that which is delivered out, that soe the Countreys store may be renewed against times of danger, & that the Deputies of each towne at the Generall Co^{rt} of Election from time to time shall certify the Court of the case, & condition of the said Townes store of powder. The names of the Townes, & the Proportions thereof, are these.

Hampton. 1.	Salem. 4.	Plymouth. 2.	Concord. 1.
Salisbury. 1.	Gloucester. 1.	Dorchester. 2.	Sturbury. 1.
Newbury. 1. Barrels.	Lin. 1. Barrels.	Boston. 2. Barrels.	Rockbury. 1. Barrels of Powder.
Roxley. 1.	Chalchottons. 2.	Watertowne. 1.	Dracut. 1.
Ipswich. 4.	Cambridge. 1.	Bedham. 1.	Attingham. 1.

- 2560. Remorandum that Hampton, & Newbury had each of them a barrel before, which they are to allow for beside the barrel which is now allowed to each of them by this Order. Powder.
- 2561. Watertowne hath 12. moth liberty, to pay for the 2. barrels of gunpowder. idem.
- 2562. W^m Arnold, Robert Coale, W^m Carpenter, & Benedict Arnold his Company, upon thier Petition, were taken under our Government, & Protection. 523.
- 2563. W^m Arnold, Robert Coale, Benedict Arnold, & W^m Carpenter, are to see to keepe the peace in thier Lands. Arnold. & Subjects.
- 2564. The Secretary, the Treasuro^r, & John Johnson, are appointed to take account of Mr. Harwards Ammunition supplied to the Countrey. Ammunition.
- 2565. The Traders are to give account of the Swampam.
- 2566. It was appointed thankes should be given to Mr. Willowbie, Mr. Haughton, & to Mr. Andrews, & others for thier kindnes. Complement.
- 2567. Capt. W^m Traffe for the neglecting the execution of his warrant was admonished, & fined 5^l. Traffe.
- 2568. The Towne of Cambridge for neglecting thier powder is fined forty shillings. Fine.
- 2569. The Bushell of apples was paid in.
- 2570. Mr. Robert Saltonstals rate which he is to pay for his Brother is respited till the next Sessions. Gloucester is to have ten muskets of the Countreys lent them. Ammunition.
- For the Ministers propounded to be sent to Virginia, it was voted, that if the Churches would consent to have them goe, the Magistrates should comend them to the Government there. Virginia.
- 2571. The Secretary, Treasuro^r, & Capt. Gibbons, were appointed to give directions to Captaine Staughton, about the Goods, which Capt. Sedgwicke brought over, that the whole principle be returned to procure a new supply, therewith. Repealed. Dronges. Referred to Capt. Staughton afterwards.
- 2572. The Court is adjourned to the 27th of this present Moneth. Adjournments.
- Ipswich Court is adjourned 14. dayes.
- 2573. The Co^{rt} desired if the Churches thought meet to have a day of Humilitacon kept ye 22th present. Indians.
- 2574. It was referred to the Treasuro^r, & Capt. Gibbons to gratify Mr. Antomemo with a Coate, & some tobacco, & Cutshamachin a Coate, & Shahton, for his journeyes to give him satisfaction, & alsoe to satisfie Benedict Arnold. Alsoe Pasiconoway to have satisfaction. Indians.
- 2575. And John Dorer to have 30^l allowed him for his journey to Comecticut. Indians.
- 2576. It was ordered that all the Indians Armes should be restored to them againe. Rate.
- 2577. It was ordered that for the payment of the Rate, which is to be paid the 4th moth wheate, & barley, shall paye at 4^l the Bushell, rye, & pease at 3^l 4^l the bushell; Indian Come at 2^l 6^l the Bushell, in Hake, at these prices, or in Beares, Irones, or Swampam, pay is to be made. Dronges.
- 2578. It was ordered that the 50^l of 520^l, in Capt. Sedgwikes hands, should be payed halfe to Mr. Dunster for the Colledge, & the other halfe to Capt. Sedgwicke. 524 ff. 526.
- 2579. It was ordered that every man shall pay 10^l before his Cause be entered, unless the Co^{rt} see cause to admitt any in forma pauperis. 525 Boston Co^{rt} 100^l.
- 2580. It is ordered that Boston small Co^{rt} shall have power to end any Cause under an hundred pounds, as Salem, & Ipswich have. 525 Boston Co^{rt} 100^l.
- 2581. Mr. Clarke is appointed in Mr. Rawsons place to end small causes at Newbury. Mr. Engene Lakebread is appointed to lead the Company at Sturbury as Unisigne. Mr. Stephen Wintthrop hath liberty to goe for England. Mr. Ralph Whalecke is appointed in Mr. Allen his place to end small Causes at Bedham & to be Clarke of the writts.

Woburn.

Proposition about Curie.

Charlestowne Village is called Woburne.

M^r. Bellingham, M^r. Saltonstall M^r. Symons, M^r. Hathorne, Capt. Jamison, M^r. Johnson, & M^r. Good. Heath, are appointed a Committee, to consider whether in any of the Causes to be returned, or dismissee Jurys against the C^o of Elections.

Highway.

M^r. Treasurer, M^r. Parker, Lieut. Duncan, M^r. Flower, & M^r. Chadborough these, 2584, or any three of them are appointed a Committee to view, & set out a convenient place for the Highway, & Ferry, at Dorchester, & certify the next C^o.

Highway.

It is Ordered that the Highway from the Written-tree, to Wommesmet, shall be altered through M^r. Keaynes, & M^r. Newgates ground, till the other way be mended, & gates made convenient, or left open for men to passe.

M^r. Hathorne.

M^r. Hathorne is dismissee from any attendance about the booke, for which hee was formerly questioned.

Tribute.

It is Ordered that the Iudicatures shall send to demand all the Tribute due to the C^o, every where.

Johningous Land
means farm

John Bridge is appointed instead of M^r. Allen deceased for to lay Capt. Jamison's land out.

Lawes 526.

Thomas Lusher is appointed instead of M^r. Allen to lay out Samuel Exenes farme.

It is Ordered that every C^o shall have a Copy of the Lawes at the Publike Charge.

Alarame

For the better direction of the Watch & flarms in this Jurisdiction for greatest safety of the severall Townes, & whole Countrey. It is Ordered that besides the Countreys flarms, for each severall Towne in this manner, there shall be an flarme: One musket discharged shall be an flarme to all the Sentinels, at the severall Quarters of each Towne, who shall answer the said flarme, not by shooting any more pieces, but by going to, & awakning the severall houses within their Quarters, by crying, some, some; thus the Towne being raised, if danger appears it shall be in the discretion of the Chiefe Officers, either to strengthen their severall Quarters, as they shall see occasions, or else to give an flarme to the whole Countrey: It is left to the discretion of the Chiefe Officers of every Towne, to appoint the most convenient Quarters, or Rendezous, where to set Sentinels, or Co^os of Guards.

Puscatag. 520.

It is Ordered that the present Inhabitants of Puscatag, who formerly were free here, shall have liberty of freemen in their severall Townes, to manage all their Towne Affaires, & shall each Towne send a Deputy to the Generall C^o, though they be not for the present Church members.

Wrones valued.

This Court taking into consideration, the oft occasion that wee have to trade with the Hollanders, at the Dutch Plantation, & otherwise; doth therefore Order that the Holland Ducato, being worth 3. gilders, shall be current, at six shillings in all payments, within the Jurisdiction, & the Six Dollar, being 2. 1/2 gilders, shall be likewise current at 5^s, & the Regale of D. shall be current at 5. shillings.

Coopers Vessels.

It is Ordered that all vessels of caske used for any liquor, fyre, or any other Commodities, to be put to sale shall be of London asize, & that fit Persons shall be appointed from time to time in places needfull; to gage all such vessels, or caske, & such as shall be found of due cize shall be marked with the Gagers marke, & noe other, & hee shall have for his pames foure pence for every tun, & soe proportionable, & its Ordered that M^r. W^m. Aspinwall, M^r. Demer, & Thomas Bearman shall be Gagers of caske for this yeare, & till others shall be chosen in their roomes, the Gagers marke, shall be G.

Salt-peter houses. 530.

The Townsmen in every Towne shall take Order, that every house, or some two, or more houses doe joyne together for the breeding of salt-peter in some house used for poltrye, or the like, & to give them directions, about the same according to former Order of Court, which Order is hereby repealed, save only to be made use of for directions of families in their severall

houses appointed by this Order & every Town which shall neglect the execution of this Order, before the last of the 1st 2nd next shall forfeit 20^s & every family so appointed, that shall fail therein shall forfeit for every 10th of the saying 12^s & to let them know that such Order, as shall be raised by this means shall be for the Publique use, but the Owners shall have a due price for the same.

Boston, Serj^t Leveret. Charlestown, Thomas Peirce. Cambridge, Serj^t French. Watertowne, Serj^t Beeres. Concord, George Howle. Sudbury, Eusebe Catehead. Dedham, Serj^t Phillips, Roxbury, Serj^t Hayes. Dorchester, Serj^t Pope. Braintree, Martin Saunders. Weymouth, Robert Martin. Hingham, Bozen Allen. Lynn, Serj^t Tomlin. Salem, Mr. Garford. Ipswich, Tom. Goodner. Rowley, Josiah Sweet. Brewsbury, Mr. Beaulife. Salisbury, Serj^t Justice. Hampton, W^m 4th St. Gloucester, Mr. Bredben. Grosth-Hampton, W^m Comfret. These to have the charge of looking to this Order, & to have halfe of forfeitures of y^e severall families for their labo^r & the other halfe to be bestowed for furthering the work.

2596. Whereas by Order of 10th in the 7th Dec^r 1676. there was appointed & named six Magistrates, & six Elders to Order the Colledge at Cambridge, of w^{ch} 12. some are removed out of this Jurisdiction: It is therefore Ordered that the Govern^r & Deputie for the time being & all the Magistrates of this Jurisdiction, together with the Teaching Elders of the six next adjacent Townes; that is Cambridge, Watertowne, Charlestowne, Boston, Roxbury, & Dorchester, & the President of the Colledge for the time being, shall have from time to time full power, & Authority, to make, & establish, all such Orders, Statutes, & Constitutions as they shall see necessary, for the instituting, furthering, & guiding of the said Colledge, & the severall Members thereof from time to time, in piety, morality, & learning. As alsoe that they shall have full Power to dispose, Order, & manage, to the use, & behoofe of the said Colledge, & Members thereof; all gifts, Legacies, Bequeathals, Revenues, Lands, & Donations, as either have bin, are, or shall be conferred, bestowed, or any wayes shall fall to the said Colledge, & whereas it may come to passe, that many of the said Magistrates, or Elders, may be absent, or otherwise employed in their weighty affaires, when the said Colledge needs their present helpe, counsell, & authority, therefore its Ordered that the greater number of the said Magistrates, Elders, & President shall have the Power of the whole. Provided alsoe that if any Order, or Constitution shall be made, that is found hurtfull to the said Colledge, or the Members thereof, or to the Locale-Publique that then upon the appeal of the Partie, or Parties aggrieved, to the said Overseers, that they shall repeale the said Order, or Orders at the next meeting, or stand accountable hereof to the next Generall Court.

2597. It is Ordered that 20th shall be added to the former Rate, or Assessment, according to y^e former proposition. Rate.
2598. It is Ordered that the Marshalls stipend shall be abated hence forwards to 10th per annum & his fees according to Order. 532. Marshalls fee.

2599. The Govern^r, Mr. Dudley, Mr. Bellmeham, & Increase Drowell are desired to consider of Goodman Morrisalls Petition.

2600. Shearman Petition is granted to be referred to a Committee, according to Order, in that case, provided that he desire it. Shearman.

2601. It is Ordered that the Associates at Piscataq shall have Power to try any cause under 20th though no other be sent to them. Piscataq

2602. W^m Hilton, W^m Wallderne & Tho. Colcote have Authority to end differences under 20th.

2603. Mr. Francis Williams is joined an Associate at Piscataq.

2604. William Dizon his stipend is abated to 10th per annum hence forwards & his fees.

2605. Mr. Pinchen is appointed to pay according to Order for the Beards Trade. 533. aylo^r Dronyer. Fees

2606. The Committee to meete at Salem is to meete the first 3rd Day of the first March, to consider of new Magistrates.

2607. It is Ordered that Mr. Staughton shall have two Deputy-Culterens, to bring backe - 2. Ordnance lent. Deakes for them, or to returne them.

2608. The Surveyors General of the fimes of the Country shall have Power to sell any of the Country fimes for an equall price, either in corne or other Country pay, & to provide fimes as same therewith be sone, as may, be her sell them not out of this Jurisdiction. 534. Surveyors generall of fimes.

2609. All Persons exempt from training who yet are to find fimes, & are able to use them, shall appeare with their compleate fimes before the military Commanders twice in a yeare to be exercised except Magistrates, Elders of Churches, Physicians, Schollers, & Tyrurgions. 535. fimes. Exempt persons

2610. The Magistrates in & near Boston, with the Deputies of Boston Charlestowne Cambridge, Committee.

Watertowne, Roxbury, Dorchester, or the greater part of them are appointed to be a Committee to treat with any Commissioners from Plymouth, Cometicott, or New-Haven, about the Dominion, & concerning avoiding any danger of the Indians & to have Power to doe herein, what they shall find needfull for Common safety & Peace, see as they enter not into an Offensive warre, without Order of this Co. t.

Leather. 536. The Order for preventing the sale of insufficient leather. &c. shall be extended to leather wrought into shoes, or bootes, as well, as unwrought leather, & Searchers are to be chosen by the severall Townes, & presented to some Magistrate, to be sworne to the due execution of the trust committed to them. 2611.

Wenches. The stock of 520^l in Capt. Sedgwickes hands is appointed to be delivered to Capt. Stoughton, to be employed by him, for the Countrey in such Commodities, as hee shall thinke most needfull. 2612.

It was Ordered that the House, Goods, & Land of John Edwards should be Harman Garricks, & his Heires, according to the appraisment. 2613.

Ferry. 537. The tenants of the ferry from Boston to Wommesmet are remitted all the former Rent, & 40^d per annu, is remitted for time to come, only they are to paye the Magistrates, and Deputies freely in the Countreys Service. 2614.

M^r. William Payne undertooke to answer the action of Henry Cosgrave. 2615.

George Muller upon the Detention of M^r. Capt. Bridges, is set free. 2616.

Wenches. It was Ordered that M^r. Waverick should pay presently in 30^l of his fine, & have 6^l for the other 30^l, & all to be payd in good merchantable paym^t. according to the last Order. 2617.

Strawbury-banke. It was Ordered that the Elders should be desired to take the case of Inhabitants of Strawbury-banke into thier consideration, & afford thier helpe for finding a Minister for them. 2618.

538. The Inhabitants of North-Hampton upon thier Petition, are granted the Liberties, w^{ch} other Townes have & M^r. Samuel Dudley, M^r. W^m. Payne, M^r. Winstan, & Matthew Boyse are to settle thier Limits. We thinke we are bound to defend thier right, according to o^r agreem^t. with M^r. Whiting & his Company, see as nothing be done till to the prejudice of M^r. Whiting, & the Company, till the matter be decided. 2619.

Piscataz. They shall have a barrell of Powder delivering day fift for it, at Boston, by agreem^t. with the Surveyor Generall. 2620.

Piscataz. The difference betweene this Co. t & M^r. Whiting, & his Company, is committed to 3 or 4 of the Magistrates about Boston, ^{to take some course} for the speedy determining of it, as they shall thinke fitt. 2621.

M^r. Robert Saltonstalls, & M^r. Haughs Petitions are not granted, because noe warrant is found for the disbursment of it, nor copies of receipts of particulars for the County. 2622.

M^r. Wheelwright. The Petition for M^r. Wheelwright, is his himselfe Petition. the Co. t. at Boston, they shall have Power to graunt him safe conduct. 2623.

It was Ordered by the Committee assembled, that the watches should be layd downe. 2624.

Wenches. M^r. Belmisham, Capt. Cooke, & Capt. Duncan, were appointed to goe to New-Plymouth, to settle the busines about M^r. Andrews his goo^d, to take bonds, seal thier discharge, & take the discharge for M^r. Andrews.

A General Court of Elections.

held at Boston 10th 3rd moth 1643.

- | | | | | |
|----------|-------------------------------|---------------------------|--------------------|------------------------|
| Present. | M ^r . Goberno. | M ^r . Flint. | Thomas Bookes. | W ^m . Ting. |
| | M ^r . Deputie Gov. | M ^r . Simons. | Edw. Howe. | Robert Sedgwick. |
| | M ^r . Dudley. | M ^r . Hibbins. | Thom. Wrayher. | Nich. Russell. |
| | M ^r . Belmisham | Deputies. | George Cooke. | Hugh Prichard. |
| | Increase Nowell. | Henry Chickering. | Kath. Sparrowhawk. | John Glover. |
| | M ^r . Bradstreet. | Edmund Rice. | Edward Gibbons. | Humphrey Allerton. |

Samuel Gage.	Edward Holloke.	Matthew Boyes.	George Boston.
Stephen Kingsley.	Edward Tomlins.	Maraim. Ewer.	William Hooke.
Bozon Allen.	William Hathorne.	John Clarke.	Christopher Batt.
Joshua Hubbard.	Thomas Batter.	Edward Woodman.	Edward Starrbuck.
William Torry.	William Hubbards.	W ^m Hayward.	James Parker.
W ^m Carpenter.	Joseph Wedcalfe.	Edward Johnson.	Joseph Welds.

Made free at y^e seconds Session of Salem Court. 20th 12th Moth 1642.

2625.

Richard Wore.	John Plunton.	40. Richard Woye.	Edward Shephards.
Hugh Stacy.	20. John knights.	Robert Williams.	Daniel Towne.
Thomas Avery.	John Jackson.	John Wranfeilds.	Thomas Danfort.
Edward Beacampe.	Nathan. Hyde.	Francis James.	Andrew Stephenson.
Made free 3 rd Mo th 10 th day 1643.	George Parkhurst.	Robert Procter.	W ^m Wraming.
W ^m Thomas Wallis.	John Pratt.	W ^m Fletcher.	Henry Simons.
John Scott.	Thomas Beard.	William Dmice.	John Tydd.
Isaac Wheeler.	John Arnoll.	John Woods.	John Worite.
John Ward.	John Holister.	Henry Brigham.	Benjamin Butterfeilds.
Andrew Lyster.	James Priest.	Robert Wradder.	70. Edward Wimm.
Made free 10. 3 rd Mo th 30 th day 1643.	Nicholas White.	50. George Barrell.	Nicholas Wote.
10. Thomas Goodnow.	Jeffrey Turker.	Richard Rowlin.	John Hollyter.
Edward Dants.	W ^m Turner.	Strong Furnell.	James Priest.
Henry Loper.	Roger Billmidge.	John Sanderbant.	John Albye.
John Parmenter.	Laurence Smyth.	Isaac Colmer.	Peter Bracket.
William Woods.	W ^m Ware.	William Blanton.	Crath. Ferman.
John Brewton.	Richard Evans.	Willes Tame.	Samuel Adams.
John Thurston.	William Prescott.	Crath. Horroshe.	John Haftmigs.
Christopher Smyth.	John Gurnell.	James Wrorgan.	John Wicketley.
John Emile.	Henry Woodworth.	Robert Pepper.	W ^m William Chese.
	Crath. Howard.	60. Richard Hildreche.	John Shephards.
			Thomas Adams.

2626.
2627.
2628.

John Womthrop Esq. was chosen Govern^r & tooke his oath to that place appertaining.
 John Thodict Esq. was chosen Dep^{ty} Govern^r & tooke his Oath.
 Thomas Dudley Esq. was chosen Assistant, & tooke his Oath.
 Richard Bellingham Esq. was chosen Assistant, & tooke his Oath.
 W^m John Womthrop Junior was chosen Assistant.
 Increase Nowell was chosen an Assistant, & tooke his Oath.
 W^m Thomas Flint was chosen an Assistant, & tooke his Oath.
 W^m Simon Beadstreet was chosen an Assistant, & tooke his Oath.
 W^m Israell Staughton was chosen Assistant.
 Richard Saltonsall Esq. was chosen Assistant, & tooke his Oath.
 W^m William Prichen is chosen an Assistant.
 M^r Samuel Simonds was chosen Assistant, & tooke his Oath.
 W^m William Hibbens was chosen Assistant, & tooke his Oath.
 W^m William Ting is chosen Treasuro^r.

2629.
2630.

W^m Symon Eyzes, Capt Jeamison, Hugh Wason, & John Chearman, till Capt. Jeamison come, are appointed to end small Causes in Dorertowne under twenty Shillings.

2631.

Whereas it hath pleased y^e Lord, with of his free grace, & mercy, natly from time to time taken the care of, & provided for the safety, & good of his Churches, & People here in New-England, soe to move the hearts of the Hono^{ble} house of Commons in England, as they have have bin pleased to make a speciall Order in o^r favor, for acknowledg^{mt} of o^r humble thankfulnesse, & shewing a gratefull remembrance, of the Hono^{ble} respect from that body, its ordered, y^t the saids Order, shal be sent unto us, under the hand of the Clarke of the said Hono^{ble} House of Commons

shall be entered among ^{o.} Publique Records, to remaine there unto Posteritie.
 Veneris 10.º Decembris. 1642.

Whereas the Plantations in New-England have by the blessing of Almighty God, prospered without any Publique charge to this State, & are now likely to prove very happy for the Propagation of the Gospel in these Parts, & very beneficial, & comodious to this Kingdom, & Nation. The Comons now assembled in Parliament doe for the better advancement of those Plantations, & the encouragement of the Planters to proceed in their undertaking, ordaine that all Merchandizing Goods that by any Person, or Persons whatsoever, Merchant or other, shall be exported out of this Kingdom of England, into New-England, to be spent, used, or employed there, or being of the growth of that Kingdom, shall be from thence imported hither, or shall be laden or put on board in any Ship, or vessel for necessaryes in passing to, & fro: And all & every the Owner or Owners thereof shall be freed, & discharged of, & from paying, & yeelding any Custome, Subsidy, Taxation, Imposition, or other Duty for the same, either inward, or outward, either in this Kingdom, or New-England, or in any Port, Haven, Creeke, or other Place whatsoever, untill the House of Comons shall take further Order therein to the Contrary. And all & every the Owners, Farmers, & Collectors of Customes, Subsidies & Imposts, & other Officers, Ministers, & Subjects whatsoever, are hereby required, & enjoyned that they, & every of them, upon the shewing forth unto them, this Order, or a true Coppy thereof, under the hand of the Clarke of the House of Comons, without any other writt, or warrant whatsoever, doe make full, whole, & entire, & due allowance, & cleare discharge unto the said Owners of the said Goods, & Merchandizes, their Factors, Servants, & agents, according to the tenor, & true meaning of this Order.

H. Fleming. Cler. Parl. D. Com.

Edward Gate, William Joy, & Nicholas Phillips, are appointed to end small businesses under twenty shillings, at Weymouth. 2631.

Mr. William Perkins is appointed Clarke of the writts at Weymouth.

Samuel Paper, James Pemyman, & Alexander Wmchester are appointed to end small businesses at Braintree, under twenty shillings.

John Saunders, & Samuel Dudley, & Christopher Batt, are appointed to end small businesses at Salisbury, under twenty shillings.

Obadiah Brewen is appointed Clarke of the writts, at Gloucester.

Mr. Wm Stephens, Obadiah Brewen, & George Dutton are appointed to end small Causes at Gloucester, under twenty shillings.

Mr. Wm Hathorne is appointed to record sales & mortgages in the absence of Mr. Downing, & till Mr. Downing returne.

Mr. Peter Royce, Edward Godinow, & John Dent, are appointed to end small Causes at Sudbury, under twenty shillings.

Edward Converse, John Larouell, & Hezekiah Richardson, are appointed to small businesses at Woborne under twenty shillings.

Edward Johnson is appointed Clarke of the writts at Woborne.

539. It is Ordered that after the last of the third writt to the end of the sixth writt it shall be lawfull to fish ground with Cobbs, & Basse notwithstanding the former Order. 2632.

Mr. Wm Hathorne, & Mr. Edward Hallioke are appointed to assist in the Courts at Salem. 2633.

Those who were to assist at Ipswich Court are to assist still. 2634.

Mr. Saxonstalls hath leave to depart, because of his wifes illness. 2635.

The Governour, Mr. Dudley, & Mr. Beadstreete, Mr. Treasuro. Capt. Gibbons & Mr. Hathorne are chosen to treat with the friends of Commeticot, New-Haven, & Plymouth, about the Confederacy betweene vs. 2636.

Mr. Humphrey Alherton, & Mr. Edward Tomlins are appointed to goe with Godm. Wm. Arnold, to speake with Mr. Greene, Mr. Warner, & Richard Waterman, & the rest there, to understand how things according to instructions, to be given them, in writing, & to get, & bring home the Indian, if they can. 2637.

Its Orderd of the Agreement betweene Ipswich, & Salem be Recorded. 2638.

The 27th of the 1st moth 1643.

2639. At a meeting by whose names are underwritten, chosen by the Townes of Salem, & Ipswich, & having full Power, either Towne to agree, & determine of the Bound: betwene the said Townes, doe in the behalfe of each Towne agree, & determine, the same, as followeth. Inprimis, wee doe conceive that the meeting House of the two Townes stands North-North-East halfe a point Easterly, & South-South-west, halfe a point Westerly, whether it be exactly, or noe, wee are fully agreed, y^t the line betwene the two Townes shall run as followeth, from the Bound-tree nere John Hairefields house west-North-west, halfe a point Northwesterly, & East-south-East, halfe a point Southerly, as the Trees are marked both wayes from the said Bound-tree.

Bounds.

Mr. Hubbard. Joseph Youngs. Jeffrey Drassy. Thomas Howlett.
John Tuttle. Roger Conant. John Balch. John Gage.

2640. Edward Converse, Ezek. Richardson, Capt. Cooke, Edward Goff, & Mr. Stileman are appointed to lay out the way from Cambridge to Woodborne,

2641. The Co^t granted Squa Sachem halfe a pound of gunpowder, & his price to be mended.

2642. Mr. Hooke had leave to depart, not being well.

2643. It is ordered that all the Armes, Ammunition, & Ordnance should be fetched upoⁿ within two weekes, & that Charlestowne, Cambridge, & Ipswich shall have each of them a drake, & that Capt. Sedgwick, Capt. Gibbons, & Capt. Cooke, shall dispose of the Ammunition, Armes, & Ordnance, & utensils, & the Surveyo^r to have an invoice of all, & Charlestowne to have Care: ages, & such other things, as they need towards the money, which hath bin promised them, & the Surveyo^r general to have the Armes, & Capt. Sedgwick, Capt. Gibbons, & Capt. Cooke are appointed to take charge of fetching home these things, & to lett the Islands as they can, yearly. It is ordered that Capt. Sedgwick should have what he hath layd out upon the Castle upon his account to the Treasuro^r.

10/2/43

Castle Island disturbed.

2644. The Co^t voted, & expressed their Consent to the Articles betwene us, & Connecticut, New-Haven, & Plymouth, if they Consent to them, & appointed them, to be transcribed, & subscribed by the Secretary.

Confederation.

2645. John Gwin for his reproachfull, & clamorous speeches was fined 20th which upon humble prayer of his fault was abated unto 5. which Capt. Sedgwick undertooke.

Gwin.

2646. It is ordered that Mr. Bradstrate, & Mr. Symonds should give Mr. Saltou all his oaths.

Piscataq.

2647. It is ordered that Mr. Deputy, Mr. Saltou, Mr. Bradstrate, Mr. Symonds, or any two should goe for keepe Co^t at Piscataq.

541.

2648. Capt. Wiggins Authority is appointed to extend to Hampton, as before.

Mr. Wiggins.

2649. The forenamed Commissioners have liberty to keepe Co^t for small Causes, as before: And two bigger Co^{ts} are to be kept there, the one betwene the English Harvest, & Indian, & the other, in the Spring.

Piscataq.

2650. The Gentlemen that keepe Co^t at Piscataq, are to view the grounds in question, & to see whether they can settle businesses betwene Strawberry-banke, & Dover, & if they cannot, to certify the Co^t, how they find Ignis.

Bounds.

2651. Thomas Bayes being convicted for mutinous, & turbulent speeches, was fined 5th & bound in 20th to appeare at the Quarter Co^t the first week, & to be of good behavior in the meane while.

Bayes.

2652. Robert Crossman for his offensive speeches was fined twenty shillings, & bound in ten poundes to appeare at the Quarter Co^t in the first week, & to be of good behavior in the meane time.

Crossman.

2653. Henry Chikering, William Gallard, Thomas Dwyte, & Robert Hinseen are bound for the 2. fines of Thom. Bayes, & Robert Crossman, w^{ch} is six poundes.

fines.

2654. Mr. Wicheerwright had a safe conduct granted, & liberty to stay foureteene dayes, soe it be w^{ithin} three moneths next ensuing.

Mr. Wicheerwright.

2655. The Order that restrained the killing of calves for some weekes is repealed.

Repeale. Calves.

Exeter.

Exeter Petition was answered, being it fell within o. Patent, the Co. took it 2656. all they should capitulate with them.

Elections.

542. About Elections, It was Ordered, that the Order made at the Generall Co. 13. day 2657. of the 3. Decr. 1640. 446. for a free & orderly Co. to be held for the nomination of such as are to be put to Election for new Magistrates shall be revised, & stand in force, till this Co. shall see cause to alter, or repeal it, with this explanation only, that whereas it is said in the said Order, that the Dep. should propound to the freemen whom they would have put to nomination for Magistrates, the intent of the said clause is not, that the Dep. shall have the sole liberty of nomination, but that all the free men should have equal liberty with them herein.

Number.

It was Ordered that warrants should be sent to the Townes, to send the numbers 2658. of males from sixteen years old to sixty in the beginning of the next year.

Admembers of freedom Churches.

Mr. Edward Tomlin is appointed Clerk of the writs att. in Mr. Sadlers place. 2659. It is Ordered concerning members, that refuse to take their freedom, their Churches should be writt unto to deal with them.

Six hundred acres to Mr. Ward.

The Govern. & Mr. Dudley are appointed on a Committee to treat with o. Brethren, 2661. & Confederates of Connecticut, & New-Haven, & if either of the former be hindered Mr. Bellingham is appointed in his stead.

Mr. Nathaniel Ward is granted his farms of 600. acres ad. neare Pentucket, as may conveniently be to be layd out by Sgt. Howlett of Ipswich, & Joseph Dewet of Rowley, & Phillip Thacher of Salisbury.

Armes.

It is Ordered that Mr. Bellinghams account be given in to the Committee within 2. weekes, & Mr. Tins 2662. is to perfect his account at the next Sessions & such as are beyond are to pay y. 7. d. in money, or Eng. Rgate.

543. It is Ordered that the Military Officers in every Towne shall appoint what Armes to be brought to the Arming-Houses on the Lords-Dayer, & other times of Arming, & to take order at farming and other houses remote that Ammunition be safely disposed of, that an Enemy may not possess himselfe of them.

The whole Plantation within his Jurisdiction is divided into foure Shires. vizt. 2665.

Essex.	Middlesex.	Suffolke.	Wesfolke.
Salem.	Charltonne.	Boston.	Salisbury.
Lim.	Cambridge.	Roxbury.	Hampton.
Iron.	Watertonne.	Dorchester.	Haverill.
Ipswich.	Stowbury.	Deerham.	Exeter.
Rowley.	Comord.	Brantree.	Dover.
Brewbury.	Woodborne.	Weymouth.	Stowburybanke.
Leicester.	Wreadford.	Hingham.	
Chochichawitke.	Lim-Billage.	Trantascott.	

Fast.

It was agreed that Benedict Arnolds should be allowed 4th for his paines. 2666. It was Ordered that the first day of the fourth year should be recommended to the severall Churches in o. Jurisdiction, to be kept a day of Publique Humiliation for the sad condition of o. Native Country.

Indians Subjects.

The Magistrates of the Day, or any 3. of them with the Deputies of the next Townes, or any five of them are authorized, & Ordered a Committee, to treat with Pimhom, & Sachanacho, about their submission to us, & to continue with them, & receive them under o. Jurisdiction, if they see cause, & to warne any to disturb, which shall disturbe them.

Monies.

Mr. Prichard, Mr. Dover, Mr. Weld, Mr. Atherton, or any 3. of them are appointed a Committee, 2669. about receiving, & ordering Mr. Andrews gift, & the specialties were delivered them, to witt of Mr. Bradford, & Comp. for 353. 6. 8. o. Mr. Stwoods bill for 55. Mr. Hills bill for 20. 13. 4. & the spent Govern. bill for 100. also a note for 44. 9. more, if it be not cleared to the satisfaction of Mr. Andrews was delivered in by Mr. Bellingham, Capt. Cooke, & Lieut. Duncan.

De Monies.

Capt. George Cookes bill for payment of 20. at in 30. dayes, Mr. Rowcrops bill for payment 2670. of 6. & Mr. Phanges bill were delivered by Mr. Hibbens in to the Treasurers.

Posture of warre.

2671. Capt. Gibbons, Capt. Sedgwick, Capt. Lake, Mr. Hawkins, Capt. Demison, & Goodman Edm. Johnson, they, or any 4 of them, are appointed to consider of some orders, to putt the Countrey into a posture of warre, & that Armes be put in Order, & they are to see to fortifications, & to propound such Order as they thinke of, to the Co^t.

De Comys.

2672. The 350^l worth of goods are committed to Mr. Stoughton according to Mr. Stoughtons advice to sell by retaile at 4^d in the shilling, for 14. dayes to pay by the first returne money, or bills, wher they please, & if not then paid, to pay by the 15th of the 8th moth in money bills for England, or English receipt at a due value by appraisement, which payment the Co^t shall choose.

aves.

2673. The former Committee of Magistrates, & Deputies are Authorized & appointed to examine and perfect the Lawes.

2674. For preventing of occasion of partiall & undue proceedings in Co^{ts} of Justice, & avoiding of jealousies, which may be taken up against Judges in that kind, It is Ordered, that in every case of Civill nature betwene Party, & Party, where there shall fall out for neere relation betwene any Judge & any of the Parties, as betwene father, & Son, either by nature, or marriage; Brother, & Brother in like kind Uncle, & Nephew; Landlord, & Tenant, in matter of considerable value, such Judge though hee may have liberty to be present in Co^t at the time of the tryall, & to give reasonable advice in the case, yet shall have noe power to vote, or give sentence thereon, neither shall sit as a Judge, but beneath the Bench, when hee shall see plead, or give advice in the case.

Judges in neere Relation. # 36 49

2675. For preventing disorder in Cornfields, which are inclosed in common; It is Ordered that those that have the greatest quantity in such fields shall have power to order the whole, notwithstanding any former Order to the contrary, & that every one who hath any part in such common fields shall make, & maintaine the fences according to their severall quantities.

Corn-fields fences.

2676. This Co^t being to be adjourned. It is desired that every Member of this Co^t will use their best endeavors in the meane time to inform themselves, & the Co^t concerning the Question about the Negative Vote, & to take advice from any person, & Its Ordered, that it shall be noe offence for any of them or any other, either Elder or other Person, who shall either privately, or in any lawfull Assembly deliver their minds soberly, & peaceably thereon, or to deliver the same in writing, in any modest, or briefe way, soe it be under their hands; & the Elders to be desired to give their advice in the Case.

Free Vote.

2677. Mr. Saltonstall took the Oath of Assistant.

2678. The Co^t is adjourned to the 1st Thursday of the seaventy Moneth next.

High-way.

2679. It is conceived by those that were appointed to lay out the way betwene Weymouth, & Braintree, that the way without the fields of Wyanatuckett is conceived to be the neerer, & more comfortable, & not soe troublesome to the Countrey in regard of putting up, & downe the rails, neither will soe much Damage redound to the Inhabitants, in regard of the spoiling of their Corne, as formerly hath bin. Mr. Jos. Payne, Mr. Bate, Robert Martin, Martin Samboers.

Indians 546

2680. This writing is to testify that wee Pomhoon, Sachem of Shawomock, & Saconotho Sachem of Patuxet, &c. have, & by these presents doe voluntarily, & without any constraint, or oppression but of o^r owne free motion, put o^r selves, o^r Subjects, o^r Land, & Estates, under the Govern^t of the Massachusetts, to be governed, & protected by them, according to their just Lawes, & Orders, soe farre, as wee shall be made capable of understanding from, & wee doe promise that for o^r selves, all o^r Subjects, & all o^r Posterity, to be true, & faithfull to the said Govern^t, & aiding to the maintenance thereof, to o^r best ability, & from time to time to give speedy notice of any Conspiracy, attempt, or evil intention of any, which wee shall know, or heare of against the same, & doe promise to be willing, from time to time to be instructed in the knowledge of the Worshipp of God, in whatsoever wherof, wee have herewith putt to o^r hands, the 22nd of the 4th moth 1643.

The Marke of Saconocho.

The Marke of Pomhoon.

This was sighted after cleare interpretation of every particuler, by their owne interpreter, Benedit Knolds, the presence of us, whose names are subscribed, & many of the Elders, & others; - John Wintrop Govern^r. Thomas Dudley, Richard Bellingham, John Glover, Joseph Neeld, Hugh Richard, Humphrey Allerton, William Apinwall.

Gorton.

2681. The 7th day of the 7th moth Samuel Gorton, & his Company had a safe conduct offered them, & were writte unto about divers injuries offered by them to us, & the People under o^r jurisdiction, both English, & Indians to come to the Co^t, unto which they returned noe other, but contemptuous,

& disdemifull answers, whereupon Comitions were resolved to be sent to require, & see satisfaction made with security, or to bring their Persons with reference to their Instructions.

Countrys Money.
Sending a warrant.

Twelve writmes were delivered to W^{ch}. T^{ing}. which came from W^{ch}. Peters, & W^{ch}. Woods.

2682

Warrant was Ordered to be sent to Dover to redress their two mistakes of sending a new Dep^{ty} & sending an incorrect number from of W^{ch}. from 16. years old, to 50.

2683

W^{ch}. John W^{ch}. Junior took the Oath of Assistants.

2684

Fines.

W^{ch}. Thomas W^{ch}. is fined two shillings, W^{ch}. Nathaniel Sparrowhawk is fined 2^d. W^{ch}. Sedg^e. 2685
Wicke is fined two shillings, Joshua Hubbard is fined two shillings, W^{ch}. Bellmicham is fined two shillings
Edward Starbucke for three weeks absence is fined forty shillings.

The Co. Et thinks not meete to write to the Justward about W^{ch}. Cleaves according to his Desire. 2686

Countrys Money.

It is Ordered that W^{ch}. Staughton, W^{ch}. Hibbens, W^{ch}. Treasur^e. & W^{ch}. Peayne or three of them, to be a standing Comitte^e & order things for the goods of the Country according to their Discretion. 2687

W^{ch}. P^{ch}. V^{ch}.

Commission was granted to W^{ch}. William P^{ch}. V^{ch}. for his yeare ensuing & till the Court take further Order, that hereby he shall have Power to Govern according to former Order, in 1644. only to try Causes by a Jury of 6. men if 12. cannot conveniently be had. 2688

Deputies. Dover

It was Ordered that an admonition should be sent to Dover for sending a new Dep^{ty} without leave, or new Statons, & not allowing means to the former Dep^{ty}. why he was hindered from coming. 2689

Election.

It is Ordered that for the yearly choosing of Assistants for time to come, instead of Papers, the Framen shall use Indian-beanes, the white beanes for manifesting Election, the blacke for Blankes. 2690

548.

Saunders.

John Saunders for his mutinous, & offensive speeches, & enjoyed to acknowledge his fault at Hampton. 2691

W^{ch}. James.

It is Ordered that W^{ch}. Dunster should be payd 10^l. by W^{ch}. Staughton upon account. 2692

James.

It is Ordered first that the Regiment, & commands of the Military Affairs be so ordered, that upon any sudden exigent, or assault upon any Place, there may be a lawfull Authority to make resistance for as Priety cannot be maintained without Watch-Ordinances, & Officers, nor Justice without Law, & Treason, nor more can safety, & Peace be preserved without Military Orders, & Officers, though we conceive the supreme Power commands be in the Generall Co. & so that we warre ought to be undertaken without their authority, yet because that great Body cannot be ready in sudden Cases to act by it selfe, we conceive it necessary that there be a Councell (the Govern^r. to be alwayes one) composed with Power, & Authority in all Cases of danger, & assault to raise the whole force of the Country, or any part thereof, & to draw them together, to one, or more places within his Jurisdiction, or any otherwise to dispose of them in the best manner, for the necessary defence of the Country. 2. That there be cho^{se} for a Serj^t. Major General, to lead, & conduct their forces leyged, & to execute all orders, & directions of the Councell. 3. Because assaults may be, & commonly are sudden, not admitting of any delay, we conceive it likewise necessary that in every Shire, there be appointed one Lieut^t. who shall have Power to raise the force of that Shire, or any part thereof in sudden Cases, where timely notice cannot be given to the Gov^r. & Councell, who shall give Order to the force leyged to march to any part of the Shire for the defence thereof, or otherwise dispose of them, till he receive Order from the Govern^r. and Councell. And further, that in every Shire there be one Serj^t. Major to command, lead, & conduct the forces of that Shire. 4. That the Regiments, or Shires be divided into severall Companies, and where any Towne hath not a convenient number of men, that they be adjoynded to some other Towne to make a full Company, & that in every such Company, there be a Captaine, & other Officers, & that the Capt. hath Power to call his Company together to make any just, & necessary defence, & to dismissee them, when he sees occasion, upon there is noe other commands to the contrary. 5. Its very convenient that once in every yeare, the Superio^r. Officers, should call the Regiment together, that every man may know his Place, & that all the horse listed in that Shire, shall appeare at that meeting, & that the respective Officers cause them, here to be exercised. 6. That a Beacon fired, & 4. musket discharged, & adu^{er}

The Country directed to a Posture of warre.

Beaton shall be an alarme, at which time every man shall repaire to his Colo^r, or appointed meeting-place there to attend further order. 7. The Regiment being thus settled we conceive it further necessary, that the Govern^rs Council, Lieutenants of Shires, & Serjeant Majors, doe make once every yeare to consult of the best meanes of o^r safety, & to take notice of all military Affairs, to see y^t all Officers doe faithfully discharge the Trust committed to them, & to punish all disorders, & neglects in all Officers, to take care, that all places be provided with able Officers, & where such are wanting to appoint one of other places, giving them re- compence for their paines. To dispose of the Dragoon in the most convenient Place, & to consider of meanes to furnish them; to consider of fortifications, & the meanes to effect it; & to suffer noe Publique fort to be erected without their approbation. 8. Also in every shire, or Regiment, the Lieutenant, Serjeant Major, & the Chiefe Officer of every Company shall meete once, or twice every yeare to consult of such matters, as tend to the safety of that shire, & of meanes of providing Ammunition & armes, & the Dragoon of the shire, or Towne & to provide one Canonere at y^t least to consider of the forts in the shire, & to take care of them & not to suffer any fort, though it be not of Publique concernem^t. to be erected without their approbation, to take notice of all disorders & neglects in Souldiers, or Inferio^r Officers; in watchings, Trainings, &c. & to reforme, & punish them reserving Power to the Captaines of every Company, to execute all such Orders of Court as are, or shall be entrusted to their care, & giving them Power to warne any Offendo^r, or y^t sent any Offence of a military nature, to the Counsell, or meeting. 9. And now wee receive it needfull that the Order of Court of Court, which binds every man to furnish a muskett, should not be in force against such, as are provided to serve with Pike, & Corflett, that soe those places that are supplied of pikes, may be encouraged to provide them. 10. It would be convenient that all military dispatches, & orders, might be issued after the usual manner, from the Superio^r to the Inferio^r Officer.

- 2694. Whereas Exeter is found to be in o^r Patent, upon their Petition they were received under o^r Government, & Mr. William Vanie Wintzen Boyes, John Saunders are appointed to settle the Bounds betwene Hampton, & Exeter, withm two Irons.
- 2695. It is ordered that noe ship, nor other Vessell shall cast out any Ballast in the Channell, or other place incommode, or other Harbo^r within this Jurisdiction upon penalty of ten pound.
- 2696. It was ordered that warrant should be granted to sell Squa Sachem, 1st of powder, 4th of shot, at 2^d severall times, halfe, at one time, & halfe at another.
- 2697. Whereas by a former Order, it was appointed 10^s should be paid for every fcton, at the entry of it, its now declared that the Wardshall shall gather it up, & execution to be granted him, ag^t any who neglect to pay it.
- 2698. William Wemborne, Robert Smith, Thomas Wardell are to end small businesse at Exeter, William Wemborne is chosen Clarke of the Writts at Exeter.
- 2699. It is ordered, that till the next Generall Court, & till the Court take furtger Order, Exeter Causes should be tryed at Ipswich.
- 2700. The letter to the Dutys was voted to be Recorded.
- 2701. It is ordered that Enon should be called Wemnam.
- 2702. Wemnam is granted to be a Towne, & hath liberty to send a Deputy.
- 2703. Mr. Pincen is ordered to pay for his Beaver Trade from the time of the running of the line.
- 2704. Mr. Treasurer, Mr. Hathorne, & Mr. Glover, are appointed a Committee to take the names of all the Traders, & what they have paid, & to certify to the Court.
- 2705. Mr. Phenwicke desired that if he did not prove, & make it appeare to the Commissioners, at the next meeting, of his line, by an ancient Patent, & an authentick one, doct take in Wooronocke then o^r line to stand, & that trading house to be subject to o^r Orders.
- 2706. It was agreed that we should send three Commissioners, with a Guard of 40. able men, to attend them which have authority, & Order to bring Samuel Gorton & his Company, if they doe not give them satisfaction; & y^t three Commissioners are Capt. George Cooke, Humphrey Atherton, & Edward Johnson. & Capt. Cooke to Comaund in cheife, & Humphrey Atherton to be his Lieuten^t of the military force. A letter was ordered to be sent to Sam. Gorton, & his Company, by whom we sh^d goe before, to declare o^r intent.
- 2707. They of Aquidnick are granted to buy a barrell of powder, provided, first, Woorrice give caution that it be employed for the defence of the Islands, by the advice of the Govern^r, & Deputy.
- 2708. It is ordered that the Deputies should acquaint the Elders, to desire them in speciall manner to comend his undertaking to God.
- 2709. It is ordered that the Widdow Wilsons fine of 5^s. shall be accepted in payment, according to his Petition.

Repeale.

Bounds. 549.

Ballast Harbo^r. Ships. 550.

ffees. 551.

Exeter. 552.

Wemnam. 553.

Country Indomes. Country Indomes.

Bounds. Phenwick 554.

Gorton. 555.

Aquidnick.

fine.

556

Bounds between
Dover and
Strawbury-Banke

Whereas it appears to this Co. that the Commissioners appointed to lay out the Bounds between
Dover, & Strawbury-Banke did not consider the said Strawbury-Banke as a Towne, nor for exactly being
on the Land, on that side the River as was needfull, & thereupon laid out certaine Lands to Dover, that are
more convenient for Strawbury-Banke, & certaine Lands to Strawbury-Banke, that are more convenient for
Dover, soe acknowledged to be, by one of the said Commissioners in the p. sent Co. It is therefore final-
ly Ordered, that all the Marsh, & Meadow-grounds, lying against the great Bay, on Strawbury-Banke side,
shall belong to the Towne of Dover together with 400. acres of up-land grounds adjoining, & lying nere to
the said Meadow, to be laid out in such a forme, as may be most convenient, for the improving, & fencing
in of the said Meadow, the remainder of the said grounds, to belong to Strawbury-Banke, reserving the due
right to every one, that hath Proprietie in the same.

Mr. William Aspinwall is appointed Clarke of the writts for Boston. 2711.

Mr. Ifson is appointed in the room of John Crosse to assist in trying small causes at Hampton. 2712.

It is agreed that the Military Commanders shall Order that the Companies be trained, & some man
be appointed by them, in each Towne to exercise them. Ordered. 540. 2713.

Rate.

It is Ordered for the Rate that is beyond, what is paid in wheat shall passe at 4. 1/2. the bushell, soe
that if losse come, the Townes that are bound to beare it, & take it of Persons. 2714.

Strawbury-Banke is granted Mr. Knowles his purchase paying the 30. to the Co. to satisfaction. 2715.

Mr. Tompsett is appointed in Edward Colcotts place to assist in trying small causes at Dover. 2716.

Mr. Glover, Mr. Russell, Ensigne Woods are appointed a Committee about the Children, to dispose of them
call for the fees, & to satisfaction be procured, & paid in. 2717.

The Co. gave Castle Lands, in the House here to Capt. Gibbons, vntill it be employed to Publique
use for fortification, at any time hereafter. 2718.

It was Ordered that Edwards Wendall should fetter away the Ordnance, Ammunition, Lead, & other
things from Castle Lands, & to deliver what is granted to Charlestowne, & the rest to Boston, & to be paid by
the Surveyors. 2719.

It is Ordered for the p. sent that the charge of the Soldiers to goe wth Capt. Cooke to Providence &c.,
shall be paid by Mr. Glover, & the rest of the Committee about the Children, & be repaid againe when it cometh in. 2720.

It is Ordered that Ipswich, Salem, Newbury shall answer for the powder & fines they have had. 2721.

Mr. Bellinghams account giving bin examined, & being subscribed by two of the Committee
is fully discharged, & his account allowed. 2722.

It is Ordered that the Soldiers of Ipswich, Rowley, & Newbury, who were sent to the Indians, shall
each man be allowed one pound of powder. 2723.

The Towne of Salem is discharged of 2. barrells of powder. 2724.

Jacob Sheat, & Margeret Webb are permitted to joine in marriage, though but twice published. 2725.

The 5th day of ye. 8th Mo. is appointed a day of Humiliation throughout o. Jurisdiction. 2726.

The former grant to Wiantasket was againe voted, & confirmed, & 11. men willed
to be beare troubling the Co. about Wiantasket. 2727.

Mr. Parker is discharged about the powder for Weymouth, & Mr. Jarry is charged therewith, hee
acknowledging it to be in his hands. 2728.

Mr. Tomson gave 3. barrells of his powder delivered him backe, & Mr. Thewicke had all
most two barrells of powder. 2729.

Mr. Robert Dalton is to answer for a barrell of powder. 2730.

Thomas Wendall for abusing a wile was censured to be regist, both here, & at Ipswich and
Order taken, that his wife should pay the charge, & save time in his servant for it. 2731.

George Turry was sent to Ipswich to be tryed, & order to be taken for defraying his charge. 2732.

Three conclusions were delivered in by Mr. Cotton in the name of himselfe, & other Elders. 2733.

Godwife frimtage is appointed to keepe an Ordinary, but not to draw wine. 2734.

This Co. purposing to adjoine till the 17th of ye. 8th Mo., not knowing what may fall out in
the meane while, wch may require the authority of this Co. It is therefore Ordered, that the Deputies
of the Bay, or the greater part of them, & the Deputies of Boston, Charlestowne, Cambridge, Roxbury, &
Dorchester, or the greater number of them, shall have Power, as a Committee to take Order, according to their
best Discretions, in all exigencies, & occasions, wch shall befall before the next Sessions of this Co. may fall out, ei-
ther concerning the Expedition now on foote against Samuel Gorton, & the rest of that Company, or

Knowles, Countrey Lands sold.

Countreys Money.

This to be Considered next Co.

Ammunition from Castle Island

Countrey Money.

Ammunition from Castle Island

Treasurers Discharge.

Ammunition.

Dispensation.

Wiantasket.

Ammunition

Ammunition.

Wendall.

Money

What.

Adj. m. Committee.

concerning any advice from the rest of the Commission^{ers} of the United Colonies, about the Narragansett, or Woshiggen Sachems, & their People, soe as they are not to enter upon any warre w^{ith} the Indians (other then Defensive) before the Court be againe assembled.

2736. It was voted that Mr. John Wadsworth Junior, should be paid his bill of fifty pounds, by Mr. Stoughton, or others, except what is already paid.

Monies.

2737. It is Ordered that Stephen Day should be released, giving 100^l bonds for his appearance, when he is called for.

Day.

2738. It is Ordered that Mr. Stoughton, & John Johnson, the Surveyor, shall have warrant to deliver Capt. Cooke, Lieut. Alkerton, & Edward Johnson, or any of them, what they desired needfull for themselves or their Company.

2739. The Court is Adjourned till the 17th day of the 8th mo. at noone.

Adjournment.

2740. It was Ordered that Mr. Stoughton shall pay the Indians, 20^l of the stocke in his hands.

Monies.

2741. It was Ordered the watches should be laid downe.

2742. It is declared by this Court that the Surveyor of the frames, who alsoe executes the Office of the Clarke of the Bands, whether they be chosen by the freemen only, or by the whole Military Company; all such acts as have bin, or shall be done by him, according to Law, are, and shall be accounted good, & effectual.

Watches.
Surveyor of frames. 557.
or
Clarks of the Band.

2743. It is Ordered that there shall be a Letter written to Goodwin Thom. one of the rest of Providence.

2744. It is Ordered that only the two Secy^{tes} w^{ill} goe to attend the Governour, & noe more shall attend attend the Court.

Repeale. 550.

2745. Mr. Wells is appointed instead of Mr. Bellingham, to see People joyne in marriage at Rowley.

Haverill.

2746. There is granted to Gwerell a part of the meadow about six score acres, more, or lesse, west of Haverill about six miles.

2747. This Court taking into Consideration, the necessity of husbanding wrens time, and in this Country, & of lessning the charges of the generall Court, have conceived that it would avoid the losse of much time, if the Deputies were chosen for one whole year, & that if in every shire the magist^{rates}, & Deputies here Inhabiting, or soe many, as can intend it, did meete, at convenient times before every Generall Court, to consult of, & prepare such busineses, as are to be determined at the same Court, which would much shorten the time that is spent in the generall Court, & consequently the charge alsoe. This wee have Ordered to be declared to the freemen of the severall Townes, that if it shall be thought fitt to putt this in practise an Order may be made, at the next Court for establishing thereof. And it is now Ordered that after the Deputies for the next Court of Election shall be chosen, such meeting as aforesaid may be had in the severall shires, whereby the Country may have some fruit of that which is now propounded.

559.
Shire Meeting.

2748. It is Ordered that if any ffrooman shall put in more then one paper, or beane, for the choice of any Officer, hee shall forfeit 10^l for every offence, & any man that is not ffroom put-ting in any vote shall forfeit the like sume of ten poundes.

Election. 500.
B-20-39

2749. It is Declared that whereas in the Booke of Liberties n. 23. none should take above 5^l of Cent. Bills of exorcismes are excepted.

Usury 561.

2750. Whereas by a former Order, w^{hen} are Ordered in Debts to accept Wampam, to the value of ten pound, It is now Ordered it shall passe but to the value of forty shillings debt.

Monies 562.

2751. It is Ordered that Pumhom, & Sockonoto should have care of them lent them a fowling peece, & Benedict Arnolds hath liberty to supply them powder, & shot, as hee sees occasion.

Dispensation.

2752. It is Ordered that Mr. Simonds shall have the Court booke for a fortnight, or thereabouts, to perfect his Copy thereof for Greek shire, & Court.

2753. Richard Colletot, Edward Fuller, John Saltwell, & Richard Smith are appointed to fetch the Cart from Wampumet Providence.

2754. Whereas at the Court holden at Boston, the 4th of the 7th mo. 1639. there was reserved Lands lying neere Ipswich River, granted for a Village, either to some of the Inhabitants of Salem, or

503.

A New Village.

Some of the Inhabitants of Ipswich, who have farmes neere unto the said Land, to be enjoyed by those, who first settled a Village there, they both Propounding, for it together, howsoever the Order mentioned only, Salem Inhabitants & for-asmuch as the said Inhabitants of Ipswich, have for nere this two yeares procured, & maintained one to dispence the word of God unto them, wch they intend to continue; It is therefore ordered, & granted, that Mr. John Endicot, & the said Inhabitants of Ipswich, viz. Mr. Bradstreet, Mr. Simonds, Mr. Worthingham, Mr. Wm. Payne, Mr. Robert Payne, & any other of Ipswich or Salem, as they shall associate to themselves, shall have liberty to settle a Village neere the said River of Ipswich, as it may be most convenient for them. to which the foresaid Land shall belong, that is to say, all that lies neere the said River (not formerly granted to any Towne, or Person) Provided, that any of the Inhabitants of Salem, who have farmes neere to the said Land, now granted; shall have liberty for one yeare next coming, to joyne with the said Village, & to have their equal, & proportionable Priviledges in the same: And whereas Mr. Bradstreet hath liberty granted him to take his farme of 500. Acres in the next convenient place, not yet granted to any Towne, or Person, nor p. judiciall to any Plantation made, or to be made, wch when hee hath done, & manifested the same to this Court, his aforesaid grant shall forthwith be void, & the said Land shall belong to the Village before mentioned, to be disposed of by the Inhabitants thereof, for the good of the whole. & if Salem, & Ipswich, shall not agree before the next Court about a parcel of meadow, now desired by Salem, to be to Wrennam, then the Court shall determine it.

564.

Cornfields.

Whereas it is found by experience, that there hath bin much trouble, & difference in severall Townes about the manner of planting, sowing, & feeding of common Corn-fields, & that upon serious consideration wee find noe noe generall Order can provide for the best improvement of every such common field, by reason, that some consists only of plowing grounds, some having a great part fitt only for planting, some of meadow, & feeding ground also, so that such an Order, as may be very wholesome, & good for one field, may be exceeding p. judiciall, & inconvenient for another. It is therefore ordered, that where the Commoners cannot agree, about the manner of improvement of such fields, either concerning the kind of graine, that shall be sowne, or selt therein or concerning their time, or manner of feeding the herbage thereof, that then such persons in the severall Townes, as are Deputies to Order the prudenti- all affaires thereof shall Order the same, or in case where noe such are, then the major part of the freemen, who are free by enjoyment, with what convenient speed they may to determine any such difference, as may arise upon any informa- tion, & see that of any former Order as concernes the improvement of any common-field is hereby repealed, con- trary is hereby repealed.

Repeale.

565.

The Election of Militi- ary Officers.

Whereas we are directed not only by the Prattice of all Civill Nations, but alsoe by the Rule of Christian, & 2756. common Politie, to provide for our owne safety upon all occasions. This Court (in respect of these, & other weighty Reasons) having duly considered ye. condition of this Countrey, & accordingly in that behalfe, enacted, & ordaind, that a Serj. Major Generall shall be chosen to command the whole Army, as alsoe a Serj. Major in every Shire, or Regim. & to the end that every place may be provided, & supplied wth such Persons as are, or may be best qualified. Doe therefore Order. 1. That the Serj. Major Generall shall be chosen at the next Court of Elections, his choice to be made by the body of the freemen, in such sort, as they are, or shall be by this Court appointed to chosse the Governour. 2. That every Shire except Worfolke shall chosse a Serj. Major, to command, conduct, & lead the Forces of y. Shire, wch choice as aforesaid shall be made by the freemen of every Shire (this Order of the Gene- rall Court, wherein Mr. Saltonstall, & Mr. Stoughton are appointed to be Serj. Majors, being now of the East & South Regiments, being now repealed, at their owne request) & that all whom it may concerne of every Shire may be well advised, & informed in their choice, its further ordered, that the Deputies of this present Court upon the first day of the next 15. day shall assemble in this manner viz. The Deputies of Suffolke at Boston, the Deputies of Middlesex, at Cambridge, the Deputies of Essex, & Worfolke at Salem, who being thus assembled, are desired upon serious consideration among themselves to retorne the names of such, unto their severall Townes, as they shall thinke most meete for the Places aforesaid, notwithstanding wch retorne, the freemen of every Towne meeting, in their severall Townes, the 4. day of the weeke following, to elect their Serj. Major Generall, shall use their free liberty therein, wch Election shall be made by Proxies to be received, & sealed up, by any, or other of their Deputies, & brought by them, unto their Shire Townes aforesaid, upon the 4. day of the weeke follow- ing. viz. The Votes of Suffolke to Boston before the Governour, & other Magistrates there. The Votes of Middle- sex to Cambridge, before Mr. Rowell, & Mr. Flint. The Votes of Essex, & Worfolke to Salem, before the Deputie Governour, who together wth the Deputies of that Shire shall open the said Proxies, & such in every Shire, as have most voices, being hereby chosen Serj. Majors, shall be soe declared to the Countrey; & its ordered, that until there shall be Leitts for every of the said Shires, in such a manner, as is here expressed, the Serj. Major of every Shire shall execute the Office & Power of such Leitts in every Shire in the meane time.

Boston hath 6. weekes liberty to repaire their wayes betwene Wminisemet, & the Wwritten-tree. 2757.

Mr. John Wheelwright is granted a safe Conduct if he shall desire it, to come to the next Court. 2758.

Lucie Deafe, the wife of Deafe appearing, & professing that shee hath aforesaid, & renounce her- 2759
tous opinions, & confessing his fault in blotting out something in the booke, wch shee brought, & in

Mr. Wheelwright.

Deafe wife.

Having the same, before she had delivered it, & professing she was sorry for it, shee was dismissed for the present, to appear when she shall be called for.

2760. Dedham hath the woods granted them, to sell the Bounds, & of the Roxbury men, & Elizer Lyster Joshua Fisher, & Mr. Henry Burdett are appointed instead of Capt. Jamison, & Mr. Oliver to lay out the Land of Roxbury men, & Capt. Keyne should have 400. acres there laid out by the same men, if it be to be had - near Dedham, & Watertowne.

2761. It is ordered that Mr. Edward Tomlins should have 20^l. to repaire the bridge, to make it strong & sufficient for waggons some of two, & twenty pounds, he hath undertaken it.

2762. John Johnson the Surveyor of the fimes, was ordered to deliver two Sacres to Mr. Robert Saltonstall, - viz Mr. Bellingham sold him, having brought them over upon his owne Account.

2763. Mr. Mayhew is granted three pounds for losse in Coene, 60. buffel thereof.

2764. Mr. Mayhew is granted 300. acres of Land in regard of his charge about the bridge of Watertowne which, & the bridge to belong to the Countrey.

2765. A bill of 26^l. 2^s. 10^d. is allowed to the Treasurers for charges of cattell, & corne, & Mr. Bradstrates journey to Pascatawa.

2766. And thirty foure shillings is granted Nicho Bushby, for making Clot before the Order for allowance was revoked, & the warrant was lost.

The Charge of the Prisoners, Samuel Gorton & his Company.

2767. Upon my examination, & serious considerations of yo^r writings, with yo^r Answers about them, wee doe charge you, to be a blasphemous Enemy of the true Religion of J. Jesus Christ, & his holy Ordinances, & also of Civill Authority among the People of God, & particularly in his Jurisdiction.

2768. Joshua Hubbard, & Bozoon Allen, being, by absent were fined 20^l.

2769. The Clause in the Order N. 430. for the penalty of 100^l. for any departing without leave, is declared only to be meant of the first Session.

2770. It was voted that 5^l. 15^s. should be allowed Mr. Ruck for the charge of the Committee that mett at Salem.

2771. Mr. Storjes Petition is answered thus; Wee conceive that shee can blame none but herselfe that her Causes were not tryed, the last Quarter Court, & therefore shee must stay till the Court come againe, unlesse in the meane time Capt. Keyne. & shee, come to an agreement betweene themselves which wee must desire.

2772. Goodman Shearmans Petition is answered thus; Wee conceive that if Capt. Keyne is willing, & accordingly shall performe what was undertaken for him in the first Session of his Court, that then Sheerman shall give him a discharge for all differences, & controversies concerning the same, viz if hee refuse to doe soe shall be debarred any further hearing for ever: but if Capt. Keyne refuse, Goodman Sheerman may take the benefit of the Law.

2773. Wee think some quantity of Land may be granted the waggelers at Concord, & the rest in that Petition, Provided, that within two yeares, they make some good improvement of it.

2774. Mr. Higgensons Petition is thus answered, wee can find noe record about the matter of his Petition, but the Petitioner might have liberty to print it, & make the best of it which is the answer now to his Petition; if any particular Persons dissuaded him from the printing of it, & thereby occasioned his losse, they, & not the Court are to give him satisfaction.

2775. Mr. John Allen, Pastor of Dedham, is granted 200. acres of Land, to be layed out by Elizer Lyster, & Edmund Rice.

2776. John Boatto is exempt from training, paying to the Company 20^l. for the time past, & five shillings of annuall for the time to come.

2777. It is ordered, that Samuel Gorton shall be confined to Charlestowne, there to be sett on worke, & to weare surr wolls, or irons as may hinder his escape, & to continue during the pleasure of the Court, provided that if hee shall breake his said Confinement, or shall in the meane time, either by speere, or writting, publish, declare, or mainteine any of the blasphemous, or a dominable heresies, whereunto hee hath bin charged by the General Court, contained in either of the 2. bookes, sent unto us by him, or Randall, Holden; or shall reproach, or reprove the -

2760

Bridge.

Ordinance.

Bridge.

wrong bill gran.

Gorton.

Explaine his.

charges.

Story and Keyne.

Shearman and Keyne.

Lands gr.

Mr. Higgenson.

200. acres to Mr. Allen.

Boatto.

Gorton.

Swornes of o. Lord Jesus Christ, in these United Colonies, or the Civil Government, or the pub-
 lique Ordinances of God therein (unless it bee by answer of some Question propounded to him,
 or conference with any Elder or any other licensed to speake with him privately, under the hand of
 one of the Assistants) that immediately upon accusation of any such writing, or speare, hee shall by
 his Assistant to whom such accusation shall be brought be committed to prison, till the next Court of
 Assistants, then & there to be tryed by a Jury together hee hath soe spoken, or written, & upon Con-
 fession thereof shall be condemned to death & executed. Dated the 3 of the 9th Moth 1643
 John Wilkes. Randall Holden. Robert Potter. Richard Carter. Francis Weston. & John Warner are
 confined upon the same conditions. John Wilkes to Ipswich. Robert Potter to Rowley. Francis
 Weston to Dorchester. Randall Holden to Salem. Richard Carter to Roxbury. John Warner to Boston.
 all these upon the conditions that Samuel Gorton above named is. William Woodell is confi-
 ned to Watertowne during the pleasure of the Court, & if he escape to be punished as this Court
 or Court of Assistants shall thinke meete.

Whomes allowed.

The Treasuro^r was ordered to satisfie Capt. Cooke for the soldiers for Thomas Parrish 2778.
 the Surgeon, 40^o for Mr. John Bulky, 40^o Serj^t Greene, 3^o Lieut. Plimton & Edward Johnson 5^o
 a p^{er}so. Capt. Cooke 10^o part of the 20^o in his owne hands.

It is ordered that Mr. Bellingham shall have 50^o allowed him for the year he was Gov^r. 2779.

It is ordered that Mr. Wintrop the present Govern^r should have 50^o allowed him for y^e last year. 2780.

It is ordered that Christopher Helmes shall pay 5^o & be dismissed.

It is ordered that John Moore shall pay 5^o or be put to service till he have paid it. 2781.

It is ordered that Richard Harkot for one year to save meat drinke, & his wages as the
 Court at Salem shall thinke meete shall be putt to Mr. Batter & see shall not goe out of Salem,
 without the leave of his drafter.

Gorton.

It is ordered that warrant forthwith shall be directed from this Court by the Secretary, 2783.
 to the Constables of the severall Townes to wch Samuel Gorton & the rest of that Company are
 confined; to this effect. viz. That within one weeke after delivery of such warrant, they shall
 provide an house & such things, as shall be necessary for their lodging & support, & that they
 take care that worke be provided for them for or towards their maintenance, & what they cannot
 attend by their worke, is to be supplied by the Constables for the present & their bill of charges
 being signed by any two Magistrates shall be allowed by the Treasuro^r from time to time; &
 if any of them will not doe such worke as they may, & as shall be appointed them they are to be
 left to shift as they may. And the Constables are to pay what is severly enjoyned them upon paine to
 be fined for their neglect at any Court, where it shall be presented, or complained of. It is Or-
 dered that all such cattell of Samuel Gorton John Greene, &c. as have bin, or shall be seized
 upon for the satisfaction of such charges, as the Country hath bin put unto, by sending to them, &
 fetching them in, & other charges about the tryall in the Court, & expences in the prison, or other
 waye; shall be appraised, & sold to the most advantage, & disposed of accordingly, & the surplus to
 be reserved by the Treasuro^r for their maintenance.

Waterman.

Richard Waterman is dismissed for the present be that what is taken of his, is to goe towards
 payment of the charge, & the rest of his estate is bound in 100^o that hee shall appeare at the
 generall Court the 3^o Moth, & not to depart without license & to submit to the Order of the Court.

Powder.

Nicholas Power, appearing, & denying that hee set his hands to the first booke, was
 dismissed with an admonition.

Committee.

The Magistrates & Deputies of the severall Townes are appointed a Committee to
 consider of the Declaration, & to answer Mr. Waterman's & Thomas Drarffells Petition, &
 to finish things in hand.

James Parr having his house & things burnt was granted 40^o out of the Treasury. 2787.

Thomas Drarffells Petition was granted, & hee is
 2788.

Gorton.

- 2789. For appraising the cattell brought from Providence, the Prisoners gave liberty to name 2. Robert Turner, & the soldiers 2. & the Court one, the Prisoners refusing, the Court, Robert Turner & the soldiers, chose Mr. Coleborne, John Johnson, & William Parkes.
- 2790. Mr. Inverities fine is abated to 20^l, & for that Capt. Gibbons his bill is accepted.
- 2791. Mr. Allcott is allowed for his 2. pair eyes, 3^l & for his work, 10^l. the other 3. men 10^l p. week apiece.
- 2792. The Committee was adjourned to the 16th of the 2^d moth.
- 2793. If the soldiers did kill Steukly Washott a lambe, the Treasuro^r is to allow for it.
- 2794. Wm. Stutt his fine of 10^l is remitted to 20^l upon his Petition.
- 2795. Tenken Davies upon his wives Petition gave liberty granted to leave of his waape, during the Courts Pleasure.

fine.

A Generall Court held at Boston the 7th of the 1st moth 1644.

The Magistrates that were present were these.

- The Governo^r Mr. Bellingham.
- The Deputy Governo^r Mr. Wm. Brewster.
- Mr. Dudley.
- Mr. Bradstreet.
- Mr. Hibbins.
- Mr. Flint.
- Mr. Symons.
- Increase Nowell.

2796. Wabomegon, Waffawanon, Cutshamocke, Waskanomet, & Squa Saegem. did voluntary submit themselves to us as appeares by their Court subscribed with their own hands & seals following, & other Articles, to wch they consented.

Indians subject.

We have, & by these presents doe, voluntarily, submit & without any constraint, or persuasion but of our own free motion put ourselves, our Subjects, lands, & estates, under the Governmt. & Jurisdiction of the Massachusetts, to be Governed, & protected by them, according to their just laws, & orders so farre, as wee shall see made rapable of understanding them; & wee doe promise for ourselves, our Subjects, & all our Posterity, to be true, & faithful to the said Governement, and aiding to the mainenance thereof to our best ability, & from time to time to give speedy notice of any conspiracy, attempt, or evill intention of any way wee shall know, or here of against the same; & wee doe promise to be willing from time to time to be instructed in the knowledge, & worship of God.

566.

In witness whereof, wee gave severall put our hands the 8th of the 1st moth 1644.
Cutshamocke. Waskanomet. Squa Saegem. Waffawanon. Wabomegon.

Certaine Questions propounded to the Indians, & their answers.

1. To worship the only true God wch was made heaven & earth, & not blaspHEME him. Ans. wee doe desire to reverence the God of the English, & to speake well of him, because wee see, wee doo better to the English, then other Gods, doe to others.
2. Not to swear falsely. Ans. They say, not what swearing is among them.
3. Not to doe any unecessary worke on the Sabbath day within the Gates of Christian Townes. Ans. It is easy to them, they care not much to doe on any day, & they can well take their rest on that day.
4. To hono^r their Parents, & all their Superio^rs. Ans. It is their custome to doe soe, for the Inferio^rs to hono^r their superio^rs.
5. To kill noe man without just cause & authority. Ans. This is good, & they desire to doe soe.
6. To commit noe unchaste lust as fornication adultery, incest, rapes, Sodomy, buggery, or bestiality. Ans. Though sometimes some of them doe it yet they avout that naught, & doe not allow it.
7. Not to steale. Ans. They say to that, as to the 6th Query.
8. To suffer their children to read Gods words, that they may learne to know God, & worship him in his owne way. Ans. They say, as opportunity will serve, & the English live amongst them, they desire to doe soe.
9. That they should not be idle. Ans. To these they consented, acknowledging them to be good.

Being received by us, they presented 26. fathom of wampam, & the Court directed the Treasuro^r to give them, 5. Coats; 2 yards in a Coat of red cloath, & a bottfull of wine.
2796. That for the meetings appointed by the last Court of Election of Serj^t Mayors, & Jurors, as was shewed in our order, shall take a week, or a fortnight more, as the service may be duly performed, & the dayes

Election of Serj^t Mayor.

Castle Land
re-fortified.

be appointed by the Deputies of our Shires: It is here fore Ordered that it shall be lawfull for the Inhabitants of the Townes within the Bay, or any convenient number of them to erect a fortification upon the Castle Land, such as the present time, & their abilities will give liberty, & opportunity unto, & to repaire the Batteries there, or any of them, & to keepe such Garrison there, as the necessary defence of the place doth require, & that they shall have liberty to take barke to the said Land, such Ordnance, & Ammunition, as was lately fettered from hence, or for more thereof, as they shall make use of, notwithstanding any former Order to the contrary.

Peter Brant is appointed Clerk of the Writts at Bramtree. 2797.

Dispensation.

William Fryke is appointed, & allowed to keepe an Ordinary at Wemman. 2790.

In regard of the defect of freemen at Warble-head it is Ordered that the Inhabitants of Salens shall have liberty to nominate some honest, & able man, though he be not a freeman, & the Deputy Governour shall have power if he thinke him fitt to give him the oath for Constable of that coloure, to continue till his Court shall take further Order.

Castle Land.

When the Townes in the Bay shall have repaired the worke at Castle Land, & mounted the Ordnance, & erected the fortification here of 50. foote square within, & the wall 10 foote thick at least, & eight proportionable with stone, timber, & earth, & a sufficient Garrison of 20. men at least provided for the defence of it. This Court will allow one hundred pounds of amunt towards the maintenance thereof. This Court will also allow towards his worke & the securing of the other passage by Bird-Island one hundred pounds to be paid when both the said workes shall be finished. And it is further ordered that notwithstanding the charge to be defrayed by the Townes in the Bay, yet the said fortification to be still accounted to belong to the Countrey: & his Court, or the Councell of warre from time to time, to save the remaund, or disposall thereof, as occasion shall require. And it is further Ordered that there shall be 5. barrells of powder, & a suteable proportion of shott, allowed to the Castle for the present, which is not to be spent but for the defence of the place, & Ordinary salutation of Ships.

Powder.

Host.

Nicholas Frost his sentence of Banishment is taken off, he being well reported of. 2801.

It is Ordered that Samuel Gorton, & the rest of that Company, who now stand confined shall be set at liberty. Provided that if they, or any of them shall goe 14. dayes after such enlargement some within any part of o. Jurisdiction, either in the Massachusetts, or new Providence, or any of the Lands of Longm, or Sachoncho, or elsewhere, within o. Jurisdiction, then such Person, or Persons shall be apprehended wherever they may be taken, & shall suffer death by Courts of Law, Provided also, that during all their continuance in o. Bounds Inhabiting, for the said time of 14. dayes, they shall be still bound to the rest of the fetters of their former confinement, upon the penalty therein expressed.

Powder.

Strawbery-banke is granted to have a barrell of powder, paying for it in dry fift, as Dover is to do for the barrell formerly granted to Northham. 2803

Dispensation
of Indians

It is Ordered that it shall be lawfull for one Smyth of Boston, to be appointed by the Administrators there, to mend the guns of our Sachems as are submitted themselves to o. Government, & that we set a marke upon such peeces of theirs as he shall mend, soe as noe other shall be mended under coloe thereof, & by this Order is not intended the peeces of their men, but only one for every of themselves, & that it shall be lawfull for the Governour for the time being, to licence any man, to sell to sell the said Sachems 4. pound of powder, & soe forty, one & shott as swearable, Provided, that none be taken by force not more then is intended.

Willson.

In the case of difference betweene the late widow of Thomas Willson, of Exeter, & his eldest son, forasmuch as both parties are not present, it is referred to the Court at Ipswich to parse & determine the cause. 2805.

Darby.

In the case of Mr. Darby dying intestate, It is Ordered the eldest son to have 20. marke, the other son, & youngest daughter by his former wife 5. pound a peere, the eldest daughter to have 20. & the widow to have the rest in herselfe, & bringing up to the 2. younger children, & at 20. yeeres of age, or at their marriage to give them 5. a peere, & if any losse come to make the estate lesse, then one hundred pound to abate each proportionably.

It is Ordered that it shall be referred to Mr. Nathorne, Mr. Dawning & Mr. Bytop, 2807.

to search, & determine the difference between Mr. Cately, & Eggman Armitage, & they gave Power to examine witnesses upon oath.

2808. It was declared that the former Commission to the Gentlemen appointed to keepe Co. at Pascatag is of force still & those Gentlemen were desired, & Mr. Billingham with them, that they, or 2. of them, should repair hither with all convenient speed to accept Co. there, & it is desired that Mr. Billingham & Mr. Altonshall would performe this time.

Pascatag.

567

2809. Forasmuch as after long experience we find divers inconveniences in the manner of proceeding in Co. by Iudicifrates & Deputies sitting together, & amounting it wisdome to follow the laudable practise of other States, wch gave laid ground worke, & order in the issuing of writs, & other consequence. It is therefore ordered; first, That the Iudicifrates may sit, & act by themselves by drawing up bills, & orders, wch they shall see good in their wisdome, wch savinge agreed upon them they may present them to the Deputies, to be considered of, how good, & wholesome laws, orders are for the Countrey, & according to give their assent, or dissent. And the Deputies in like manner sitting apart by themselves, & consulting, about laws, orders, & laws, as they in their experience shall find meete for common good, wch agreed upon by them, they may present to the Iudicifrates, who according to their wisdome savinge seriously considered of them, may consent unto them, or disallow them; And upon any orders shall give passed the approbation of both Iudicifrates, and Deputies, then laws, orders to be increased, & in the last day of the Co. to be read deliberately, & full assent to be given. Provided also that all matters of Iudicature, wch the Co. shall take Cognizance of shall be issued in like manner.

Generall Court divided.

2810. Upon seeing the busines of a considerable part of the trained Band in Hampton, & their now Lieut. Wm. Howard, the Co. not finding any just cause for the removing him out of that Office, yet upon his desire, & a rare for reconciling Brethren, & for the furtherance of the service intended, the Co. doth order, That Capt. Domison shall have power & liberty to exercise the said Company, wch shall be desired, yet soe, as Lieut. Howard shall not be excluded, & we do require, & shall expect, that the Company will carefully attend that service, under the Command of them both in such manner, as they both shall see cause to order.

2811. Mr. Robert Altonshall's Petition wch. Watertowne is referred to Commissioners, Mr. Secretary, Mr. Wm. Dibbens, & Mr. Samuel Sheppard, to search, & determine it, if they, or any 2. of them can agree, otherwise to certify &c. at the next Generall Co. & they may examine witnesses upon Oath.

2812. Upon Gray Wilkins Petition, it is ordered that the due from him, for his boy, should remaine in his hands, till upon the death, or recovery of the boy the Co. shall take further order.

2813. Thomas Dexters Petition is granted him; there is 2. ^{monies} given him to prove his debt from the Countrey.

2814. Whereas the Order for recording of Deaths, Births, & Marriages, is very usefull, & necessary, & yet not bin in many places duly neglected. It is ordered that all parents, Masters of servants, Executors, & Administrators respectively shall stand charged to bring in to the Clarke of the writts, the names of such belonging to them or any of them, as shall either be borne, or dye. & that the new-married man shall likewise stand bound to bring in a certificate of his marriage, under the hand of that Iudicifrate, wch married him, to the Clarke of the writts, wch shall under the penalty of 20^s. bringe a certificate under his hand with a vany a man, as well for recording marriages, as the rest, & for each neglect, the Person to whom it doth belong shall forfeit as followeth, viz. if any person shall neglect to bring in a note, or certificate as aforesaid, together with 3^d. a name, to the said Clarke, of the neglect & wch he shall pay 12^d. writts to be recorded above one word after such birth, death, or marriage, he shall pay 6^d. to the said Clarke, if hee neglect 2. words hee shall pay 12^d. if 3. words, & wch forfeitures shall be returned into the Treasury, also we thinke it were meete the Ground Jurys were minded to present such defaulters, as they take notice of against the intent of this Order.

fines to be paid under penalties.

568

2815. The Petition of Mr. Valentine Hill, Capt. Robert DeGruite, Mr. Wm. J. Treasuro, Mr. Francis Norton, Mr. Thom. Clarke, Joshua Hemes, & William Spinwall is granted. first they are established a free Company of Adventurers, with liberty to admit, & take in any wch they thinke meete for the advancement of the worke, & any that will may come in with in the said Co. out none after except they approve of them. They are granted Power to make wholesome Orders for the well managing of their Trade, as is granted to such Companies in other Parts. Secondly. Whatsoever Trade they shall choose, within 3. years next ensuing, if the Lord

Monopoly of Trade.

569

blasse their endeavours, they may enjoy it wthly to themselves, & the rest of their Company for 21. yeares, after such discovery is made, with full Power & Authority to inghite, & restrain any other Person, or Persons, what soever, during the yeareme aforesaid, that shall attempt any Trade by them discovered, without the warrant of the aforesaid Company, or if they have, or shall intermeddle as aforesaid, that then it may be lawfull for the Company in a Legall way, to seare upon such Goods soe traded. Lastly, They are graunted the Co^{ts} Letters, under the Publique Seale, unto the Dutty, or Swades, or any other, they may necessarily have to doe with, in the Prosecution of this discovery, or Trade, for the further Countenancing of their proceedings.

Upon Petition of Thomas Dudley Esq^r. Whereas by a deed bearing date May 29th 1679. the 2016. sals mill of Wabertowne was mortgaged unto Matthew Bradborne, w^{ch} by Petitione^s hath redeemed. It is therefore Ordered that the deed of Mortgage in to the said Mr. Dudley, & his Co^{ts} doth confirme the right, & title of the said sals mill unto him, the said Thomas Dudley Esq^r, & his Heires, against the Heires, or Assignes of the said Matthew Bradborne, according to the Covenant in the deed aforesaid.

It is Ordered that the Lands, & Estates of all men, w^{ch}ever they dwell, are liable to be 2017. rated for all Towne charges, w^{ch}ere the Lands, & Estates lye, the Persons to be rated to Church, & Common-Wealth in the Places, w^{ch}ere they dwell. but in case they remove out of the Jurisdiction, then their Estates to be rated to all Charges.

Wharble-Head hath leave graunted to fortify it selfe by a best worke, or otherwise, 2018. 2 guns to be delivered to him, with ammunition convenient, & suitable thereto. The petition for a Copy of the Patent, & Commission according to the tenor^e is graunted to Wersgaven.

Dover Petition. &c. The Gentlemen w^{ch} are desired to keepe the Co^{ts} at 2019. are desired to bene, & examine the complaint & to certify the next Co^{ts}.

It is Ordered that Benedict Arnold may sell some powder to Pompon, & Sapp. 2020. now, provided that he let them not give above 3. pound a peere, through the whole yeare, & it shall be lawfull for the said Arnold to employ that Indian, that he keeps, as his servant, to stoke in a yeere for the use of him, the said Benedict, so long, as he shall continue in his family.

Daniel framefield is allowed to goe to worke in any part of Boston Limits, both 2021. in the Island, & elsewhere, & also at Roxbury, soe as hee not above 5. miles from Boston Indus-try-house.

The Generall Covenant for matter of Religion, & Civill Liberties was taken into 2022. consideration, & Ordered that letters should be written to the other United Colonies, to advise wth them about it, & the Elders also to be advised wth about it, against the next Co^{ts}.

For the Castle Island, It is Ordered that those Townes in the Bay, w^{ch} are to 2023. tarrise on the worke there, shall have Power to appoint a Commander there till the next Co^{ts}, & hee to observe the Commission soe farre, as the defensibleness of the place will give leave, & opportunity.

It is Ordered that the Governour, Mr. Dudley, & Mr. Lubbin, these, or any 2. of them 2024. to be a Committee to consider of the Body of Liberties, against the next Generall Co^{ts}, w^{ch} is fitt to be repaled, & allowed, & present the same to the next Co^{ts}: also the Indagistrates residing at Ipswich, or any 2. of them, are appointed a Committee for the same purpose, that the Co^{ts} transferring both together may more easily determine w^{ch} to settle about the same.

It is Ordered that Richard Bellinzam Esq^r shall finish that worke was formerly com^d 2025. mitted to him about the persuing of the booke of Lawes, &c. & to present the same to the next Co^{ts}.

The Answers to the Propositions for the iron worke, was graunted, w^{ch} follow, 2026. To the first Article. The undertakers are graunted the sole priviledge for 20. yeares,

Mr. Dudley.
W^{ch}ine.

Where Lands
to be rated.

Rates.

Pirataq

Dispensation.
to Indians

framefields.

Castle Island.

Liberties.

Lawes.

Iron-worke.

and any to give liberty to joine till the end of the first Moneth putting in 100. m. per one year. Provided that after 2. years they make sufficient for the Countreys use.

To the second concerning mens Proprieties, it is not in the Co. of Dover, but they will - propound to the freemen, & others, & they doubt not of their consent, & for waste lands not formerly granted, they consent.

Proprieties not in Co. of Dover

To the third. In waste is granted what is desired, but to inhabited Land it is answered as before. The fourth is answered as the former.

To the fifth. It is answered in Proprieties, as before. in waste it is granted, provided, they take not above 6. places, & doe within 10. miles yeares set by an iron furnace, & forge in each of the places, & not a Blomerye only; Provided the Co. may grant a Plantation in any Place, wch the Co. thinkes meet, wch may not hinder their present Proceedings.

To the sixth. They are granted liberty to transport what the Inhabitants need not.

To the seventh & eighth are granted only liberty to the next Co. of.

To the tenth. That the Undertakers & their Agents, Associates, & Servants shall for ten yeares bee free from Publique Charges, & Taxations for any stocke they employ in this adventure for Priviledges, to save just as the Lawes of the Countrey doe allow, & persons Liberty to consider of the Land till the next Co. of the workes bee dissolved.

Next Major at present to bee chosen for one yeare only.

2827.

2828.

It is ordered that the next Co. of at Ipswich shall examine the late mutiny here, & determine it except they see cause to referre it to the Co. of or the Co. of Militants, & that they shall also have power to moderate the fines for defaulters in matters of Armes, & not appearing at Crimings for the time past, as they shall see cause.

Sergeant Major. Ipswich to the Power.

2829.

Shawfin is granted to Cambridge without any condition of making a Village here, & the Land betwene them & Concord is granted them all save what is formerly granted to the Militiam Company, or others. Provided the Army, & present Elders continue at Cambridge.

Cambridge and.

2830.

It was ordered that the 30. due to Robert Turner, for Smaller, & Quarter Co. of the Manshall should get by, wch see ran, & the Publique to defray the rest.

Co. of Orange.

2831.

Mr. Weather to be desired to prepare himselfe to goe to the Assembly at the next Co. of Election.

Mr. Weather.

2832.

Anthony Gynne of Dover his Petition is referred to the next Co. of at Dover, & he is allowed liberty to draw out his wine in the meane while.

Gynnes Petition.

2833.

Mr. Downings his Petition is granted, as the Committee gave certified Mr. Treasurers, Mr. Glover, Mr. Johnson & Eleazer Luffen are appointed Commissioners, or any three of them to view the place. &c. & to certify, at the next Co. of.

Mr. Downings Petition.

2834.

It was ordered that the Treasurers should attend the speedy discharge of Mr. Rainborough his debt, with the allowance of twenty pound forbearance for the time past, & the loane of two great saffers, for 2. great peices for one Voyage.

Mr. Rainboroughs debt. Ordinance Lent.

2835.

2836.

The debt of John Wood is respited for 2. yeares, being 20. in regard of his great loss.

Wood's debt respited.

John Coggeswell is granted to pay 16. 12. 6. the 25. of the next, & 16. 12. 6. the 25. of the next 1645. upon his Petition.

Coggeswell Petition.

2837.

A Copy of the Commission for the Captaine of the Castle. Whereas you A. B. are by his Co. of chosen & appointed Comtainers in these of the Castle Land, & the severall workes belonging therunto, together with the Soldiers, as shall from time to time bee residing thereupon, wch his Co. of doth commit to your Trust & Government, authorizing you hereby to take into your charge, & keeping, the said Land, Castle & Batteries wch now are, or hereafter shall bee made upon the said Land, together with all the Ordnance, & other Ammunition wch shall from time to time bee delivered unto you, soe as you may bee able to render a just amount thereof, wch his Co. of shall require the same. 2. When the said Castle, &c. shall bee finished, & once a Garrison of twenty men, or more committed unto you, you are hereby required to take care, that there bee never fewer, then 20. men remaining upon the said Land, for the defence of the

Commission.

said Castle, from the 1st of August unto the end of the 3rd of October, & never less than ten
for the other part of the year, you are all, from time to time, night & day, to keep a due
watch, proportionable to the number of your present Garrison. 3. You are in time of appa-
rent danger or just suspicion, to ready to leave to an anchor any Ship, or Ships, that are being
within shot of the said Castle, shall neglect, or refuse to send your boats, with your Capuchin, or other
small party, to the landing that is a ground, upon you are to do as follows: first, by
making one shot toward the said ship. 2^d if yet she neglects by putting weight over her
sight, by endeavoring to pass forward, you shall require, & take of her ten shillings for the first shot,
ten shillings for the second, & five pounds for the third, & if she have made any shot, at
the said Castle, you shall require you to make water at her, then you are to keep her under command
to raise her to anchor, for lights on shore, till you have further direction what to do, from your
as shall give power to determine your rates. And for Privateers, or Pirates, you shall suffer none
to pass the said Castle in the night, without giving due satisfaction, that they are friends, &
in the day time, if the number of them, or men in them give ground of suspicion, you may
take them, & bring them under command. 4. You shall not suffer any Ship, or Ships, to
sell or twenty tons, or upwards, the greater number of the owners, not being subjects, with-
in his jurisdiction, as after all his orders, as are to pass by the said Castle, outward bound,
except the rates paid unto the Officer appointed to receive it, a sum for amorage, & also you
a discharge for his clearance, under the hand of the Governor, or Deputy Governor, for the time being,
but if the best means you can to stop her, or make her if she refuse to do so. 5. Upon
sight of a Ship you shall send forth your gun, out a flag, & upon sight, or ventime intelligence of
two, or more unknown Ships, or many Privateers being upon the Coast, you are forthwith to give
warning thereof by shooting of a gun, of Ordnance, & giving a further signal, by hanging
out so many flags in the day time, or making so many fires in the night, as there are
Ships, amounting from Privateers to one Ship, & if there be more than four Ships, or Privateers proper
to make, you shall hang out a great flag in the day, & five be shown in the night. 6. If
such you be assaulted by an Enemy, you shall do your best skill, to do your utmost endeavor, by the
arms you have, & your sword, as shall be further sent unto you, to defend the said Castle, and
defend your Enemies, & shall not render up the said Castle to any Enemy, till by force, you be ab-
solutely compelled thereto, & you to do it, upon the most favorable terms that his Majesty
shall think fit, can possibly be attained. 7. You shall have power granted to imprison, or put
in bonds, any of the said Garrison that shall neglect, or refuse to obey your lawful commands, or to
infract some lesser punishment suitable to his, or their offence. Provided, that you shall not impri-
son any offenders, above 24. hours, without releasing him, or her, in your own, or a further by all in-
less the reason of the offence, or some other important duty necessarily present, in which case
the next opportunity is to be taken. 8. If a salutation of Ships, be you shall answer his Order
for 3. pieces from a Ship to you, you shall answer with one, & for 7. or more, with 3. & not
above, & for other salutations, & expense of powder, you shall be as sparing as may well stand
with the honor of your self, & country. 9. Whilst the aforesaid Castle, & works be firm-
ly, or made defensible, you shall only be bound to follow his Majesty's Commission, & Instructions soe
farred, as conveniently you may, & as may most tend to the common safety. 10. You shall per-
sually deliver up the said Castle, Ordnance, & other Ammunition, together with his Majesty's Commission, to
such as by Authority of his Majesty shall require the same, & to use person except force, as is afore-
limited. All Penalties to be received by virtue of his Majesty's Commission, you shall receive to be im-
ployed to the use of the said fortifications, & Garrison, by the advice of your Justices, as shall give the over-
sight thereof. Notwithstanding the former men of keeping, for many men always, upon the
said Island, yet when you see the least to be release of any danger, you may give liberty to man-
out your boats, for the necessary use of the Island, for as they stay away use longer, then the necessa-
ry occasions shall require, except hindered by tempest. You are not to deliver up any men of
your Garrison, but only upon warrant from his Majesty, or his Majesty's Justices, or the Governor, & in
his absence, the Deputy, & two Assistants, soe, that the Townes (before your being sent for) send officers
in their name. This Commission to be of force till the end of the next General Court, &
no longer, unless be confirmed by his Majesty.

- 2030. John Saunders his fine is abated to forty shillings, whereof 8^s to the witnesses, soe as see send it in by the next Generall Court. Saunders fine abated.
- 2039. The Commission above, with the alterations, was confirmed the 5th Mo. 1645. to Captaine Richard Davenport. Lastly, for further direction, & explanation of his commission, he is referred to his answers to his 17. questions, propounded to his Court. Mo. 5th 1645. Commission confirmed.
- To Richard Davenport, Capt. of the Fort of the Massachusetts, at Capt's Island. You are hereby Authorized, & full Power is given to you, at any time to require of John Johnson, Surveyor. Generall of the Countreys armes, & ammunition; all his Armes, and Ammunition, as is allowed to you, by the Garrison, under yo^r. Command. viz. For every Soldier one sufficient musket, sword, rest, & paine of bandoliers, with two fathome of maty for carry-musket, & for store for yo^r. Garrison, one barrel of powder, 20. great shot & 10. of maty, a Cogge of his Order by you for need shall be a sufficient discharge to the said John Johnson for his delivery of any sum of mites to you, you taking care thereof, & giving account hereof, according to the Court Order. Present The Governour. Mr. Winsrop. Mr. Audley. Jurres & Howell. Dapt. Davenport.
- At a Court the 20th of Mo. 1641. James Lufford was ordered to be delivered to his free Creditors. Lufford.
- 2041. Mr. Symon Boysey for striking Mr. Constable was committed, & fined to give Mr. Constable, 10^s. Boysey fined.
- 2042. Mr. Henry Walfam, & James Brittain, were bound for James Wilson his appearance at y^e next Court. Walfam. Brittain bound for Wilson.
- 2043. John Knight is committed until hee find sureties. Knight committed.
- At a Quarter Court at Boston the 7th of Mo. 1641. Jacob Eliot deposited to the will, & Inventory of John Tee. Eliot. Tee.
- 2044. John Smith is granted five shillings against William Brigard. Smyth. Brigard.
- 2045. John Richardson appearing, & testimony given of his goods carriage, hee, & his sureties were discharged. Richardson discharged.
- 2046. James Wilson appearing, hee, & his sureties were discharged. Wilson & sureties discharged.
- 2047. John Horner was required to pay ten shillings, or be whipped the 1st Mo. Horner fined, or whipped.
- 2048. Capt. Williams was ordered, & promised to endeavor, & do what in him lay to bring backe - Dapt. Williams. Brigardson.
- 2049. John Richardson. Richardson.
- 2050. William Richards was upon his presentment fined 5^s, & enjoyned to pay the witnesses, w^{ch} were Edward Bennet & his wife; Richard Silvester, & his wife; Ant^hony Warran, Thomas Rawlmes, Thomas Penny, Mr. Walfam, & Henry Smith, after 2^o of day, & to make a publique Samuel Smith his wife was restituted to be ill. Smith's wife ill.
- 2051. The Inhabitants of Drumbree, for the bridge over Windorot River are respited till the Drumbree.
- 2052. Generall Court.
- 2053. Lougham gets time till the first of the 3^o Mo. to finish the bridge over Layford's liking, w^{ch} they are to doe by that time upon paine of 5^s. Lougham.
- 2054. Thomas Barnes about late, was admonished, & discharged. Barnes.
- 2055. John Jobson for unadvised expressions, was admonished, & discharged. Jobson.
- 2056. Marce Bonds for want of prooffe was discharged. Bonds discharged.
- 2057. Dorchester for defective wayes was fined 5^s, & paid till the 2^o Mo. Dorchester fined.
- 2058. It was referred to indifferent men to judge, what recompense Mr. Rawlin amongst should receive to James Pen. Rawlin recompense Pen.
- 2059. William Davies for keeping an house of disorder, by giving entertainment against Order, was fined 20^s, & bound in 10^s not to sell ale, strong-beere, wine, or strong-water. Davies fined, bound.
- 2060. Mr. Audley was gone out of the Countrey before Court. Audley.
- 2061. Thomas Hawkins for making bread bollett was fined 5^s and enjoyned to give one witnesse, Edward Bates, 2^o of Mo. Hawkins fined.
- 2061. Boston for defective was towards Roxbury is fined 10^s, & enjoyned to mend them, by the 24th of the 2^o Mo. Boston fined.
- 2062. Cambridge for a defective way to Spontowne is fined 5^s. Cambridge fined.
- 2063. Fuller was respited till the next Quarter Court. Fuller respited.
- 2064. John Knight came to be tryed by action. Sanders wife was admonished, & discharged. Knight. Sanders wife.

At a Co. Ct at Boston the 27th of Dec^r 1641.

Present The Governour Wm. Brewster
Jm. Dudley Jm. Keesebecke

Knowers estate

The administration of the estate of Thomas Knowles is granted to James Dimona, & William Britton. Justice, & his wife, he has brought to the next Co. Ct. to answer fines objected against them.

Wilmore

Elizabeth Wilmore is committed to the custody of Waterhouse, to provide good a - 2067.

William Read

Daniel W. says put himself to John Read for 4 years from the 12th of his present day. 2068.

Jos. Everett

John says put himself to James Read for 4 years from his present day. 2069.

At a Quarter Co. Ct at Boston the 1st of the 1st Dec^r 1641

Present The Governour Wm. Brewster

Jm. Dudley Jm. Keesebecke

J. C. Gallards estate

Wm. Tomlinson & Thomas Dingle were committed administration of the estate of J. C. Gallards, & they are to settle the same, & their Estates. 2070

Story committed

George Story upon his imprisonment was committed, & after upon his submission, & acknowledgement of his fault, he was discharged. 2071.

Charlestowne deliv^r

Charlestowne delivered in a transcript of their lands. Dudley in a transcript of their lands. 2072.

Weymouth deliv^r

Weymouth delivered in a transcript of their lands. 2073.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2074.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2075.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2076.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2077.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2078.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2079.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2080.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2081.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2082.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2083.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2084.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2085.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2086.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2087.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2088.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2089.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2090.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2091.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2092.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2093.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2094.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2095.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2096.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2097.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2098.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2099.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2100.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2101.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2102.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2103.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2104.

Worcester deliv^r

Worcester delivered in a transcript of their lands. 2105.

- 2091. It was ordered James Davies should give 3. 12^d for keeping of John Kempe for 12 weeks, at six stillings a week. Davies. Kempe.
- 2092. Mary Haine was ordered to pay John Read 10^d for his gift, & trouble of him. Mary Haine.
- 2093. It was ordered that Jacob Chapman should be allowed 15^d for 3 dayes travel, & 2^d 6^d layd out of purk. Chapman payd.
- 2094. Order was sent to the Constables of Kingam that Mr. Strange, & his wife should be supplied according to their necessity, that they may be comfortably maintained by the gift of hay wacke, as far as is able to doe, & great not to fault, as they will answer at. Mr. Strange Kingam.
- 2095. It is conceived John Stiles should be allowed nine pound per annum for the time hee served, & twenty stillings for being turned away in winter, & unprovided. Stiles allowance.
- 2096. It is conceived that Thomas Marwin should be allowed nine pound per annum for the time hee served, & twenty stillings, for being turned away in winter, unprovided, & for the d. wales, killed. Marwin allowance.
- The 16th of the 12th Mo. 1642. Present. The Governour.
- 2097. Daniel Dwyer comenit before us for drinking part of severall pints of wine, with William Willoughby was fined ten stillings. Dwyer. Willoughby. fined.
- 2098. William Willoughby for beinge distempored with wine, & mispending his time, & neglecting both publique, & private ordinances, was committed to prison to be kept to worke here. Willoughby committed.
- At a Quarter Court at Boston 7. 5. 1st Mo. 1642.
- Present. The Governour. Mr. Bellingam. Mr. Deputy. Mr. Dudley. Mr. Flint. Mr. Furcasse Rowell.
- 2099. Mr. Nathaniel Britton for verbenous speeche, & writing, was fined, 10^d. Britton fined.
- 2090. John Pefoot was dismissed with an admonition. John Winter is discharged with an admonition. Pefoot. Winter dismissed.
- 2091. Mr. Richard Dollard bill of 21th 9. 10^d was assigned to be paid him, & for himselfe for 10. dayes, 2th 14^d & for Mr. Holman, for 10. dayes 2th 14^d. Dollard payd.
- 2092. Mr. Richard Browne being questioned for unnecke, & filthy dalliance, with Sarah now wife of Thomas Doyleston, for want of full evidence, they were dismissed with an admonition. Browne. Doyleston wife dismissed.
- 2093. Will^m Bull & his wife, were fined 20^d for fornication committed before marriage. Bull, Blissett fornicat. fined.
- 2094. John Stowers for reading to divers offensive passages (before rompa) out of a booke, against the Officers, & Officers of Waterborne, & for making disturbance therin, was fined forty stillings. Stowers fined.
- 2095. Sarah Bell for his gift, stealing money from her Master, was compelled to be whipped, except she begue for selfe well, betwixt this, & the next Court, & soe as she do. it see cause to remit it. Bells gift.
- 2096. John Davin was committed, & after was ordered to be released upon his owne bond, for his good behavio. & appearance, & the next Court. Davin committed &c.
- 2097. Susan Hewet, & others vs. John Bell goods were ordered to take their goods backe, & repay the money to Mr. Devergate. Hewet repay.
- 2098. Stephen Curmi for a foule, & dishonourable attempt to buy a cow of Mr. Neake peares, was returned to be carried to the place of execution, & there to stand with an gallen about his necke, & to be severely whipped. Curmi punished.
- 2099. Robert Woyan, & John Garland being indicted for ravishing two young girls, the fact confessed by the girls, & the girls, both upon their oaths, to have been deflowered, & filthy dalliance committed by the boys, the Jury found them not guilty, with reference to the Capital Law. The Court judged the boys to be openly whipped at Boston, the next market day, & againe to be whipped at Cambridge on the next day, & each of them to pay 5^d a peece to their Master in Arre. It was also judged that the two girls Sarah Wythes, & Barbara Cole being both guilty of that wickednes, shall be severely whipped at Cambridge in the presence of the Secretary. Woyan. Garland. Wythes. Cole. fined.
- 3000. The 15th 2nd Mo. 1642. Mr. Francis Winton, & John Penterus, being furiously offen Constables of Waterborne, by the Towne, did take their Chaires to discontinue that Office. Winton. Penterus. Constables.

- Present. The Governour. Mr. Deputy. Mr. Dudley. Mr. Bellingam. Mr. Flint. Mr. Furcasse Rowell.
- 3001. An Inventory of the Estate of Edward Wood deceased, was delivered in, & an account how the Children are disposed of, was approved. Woods Inventory.
- 3002. Richard Caylo. being enjoyned to appeare at the next Court to answer for his wife, & unnecke passages, he was dismissed with an admonition. Caylo. admonished. & dismissed.
- 3003. Henry Neale appearing his servant Henry Dobson was freed from him, and put Dobson freed.

- Deale pay with wages. to another, &c. Deale was enjoyned to pay all his wages, & deliver up all bands, & for all fines were ended betweene them.
- Hobson to Breckins. Henry Hobson is put to Goodman Thomas Breckins for the rest of his time for 4. of annu 3004.
- Stone Armitage with grant. John Stone, & Joses Armitage upon a warrant from Justice Hubbards gave for 3005.
- Smith bound to freedom. Daniel Smith is put to Justice William ffreming for a yeare, & then to be brought in 3006.
- Smith bound. Richard Smith is bound to be brought in for a yeare, & then to be brought in 3007.
- Robert Dwyer to Court. Robert Dwyer is put to Leonard Corbett, with 3. of annu for the rest of his time. 3008.
- William Brown for running away. William Brown for running away, & being an Ord name for the rest of his time, refusing to give an 3009.
- Richard Dindam appearing. Richard Dindam appearing upon a warrant upon an attachment by Justice Dampier: 3010.
- Quinn unjust. The 10. of 3. of annu Richard Quinn for being disordered by drinking wine & for 12. 3011.
- Edward Roberts was appointed. Edward Roberts was appointed to pay 12. for drinking to Richard Quinn. 3012.
- John Perry for running away. John Perry for running away was enjoyned to be whipped 3013.
- John Williams being taken. John Williams being taken by Justice Hubbards, did take for 3014.
- Edward Goddard being taken. Edward Goddard being taken by Justice Hubbards, did take for 3015.
- Edward Commins being taken. Edward Commins being taken is allowed to be taken at 3017.
- William Dory is appointed. William Dory is appointed Justice at 3018.
- Edward Jagan is appointed. Edward Jagan is appointed to be taken by Justice Hubbards at 3019.

The 7. of May for the 4. of Decr 1642.
 The Governour. The Deputie. Mr. Audley. Mr. Bellinzani.
 Mr. Bradstreet. Mr. Bloughton. Mr. ffleming. Mr. Quincey Donnell.

- Edgum Land. Edgum delivering in a transcript of his Land, he do. gave Mr. Allen leave to give 3020.
- John Dwyer. The other Dwyer, to wit John Dwyer, was taken by Justice Hubbards, & was taken for 3021.
- Edward Paine upon appearance. Edward Paine upon appearance was discharged, his being no action entered by 3022.
- Edward Wood was fined. Edward Wood was fined for taking great meals contrary to 3023.
- Thomas Stat & his wife. Thomas Stat & his wife for committing fornication before marriage, were enjoyned to stand in 3024.
- Thomas Williams being taken. Thomas Williams being taken was delivered by Justice Hubbards, & William Hudson. 3025.
- Edward Dindam in a transcript. Edward Dindam in a transcript of his Land, but published, was not being according 3027.
- Amie Kayne for her fault. Amie Kayne for her fault in not testifying the truth, upon she was called upon at 3028.
- Jonathan Belvoitz for discontenancing. Jonathan Belvoitz for discontenancing a witness, was committed, till see full justice: Samuel - 3029.
- Thomas Williams being taken. Thomas Williams being taken was delivered by Justice Hubbards, & William Hudson. 3030.
- William Jones upon appearance. William Jones upon appearance was discharged, his being no action entered by 3031.
- Richard Quinn is allowed. Richard Quinn is allowed twenty shillings of his fine. 3032.

- 3033. *John Long Gent. for his misdemeanors, distemper in drink, swearing, & cursing was fined twenty pounds, & to put in sureties before his departure.* Mr. Long fined.
- 3034. *Thomas Willson his fine is respited till the end of the second Moneth 1642. and dutch my Standard is bound in twenty pounds for the payment of Thomas Willsons fine.* Willsons fine respited.
- 3035. *Haar Norwell was fined for his absence, w^{ch} was to pay to the rest of the Jury.* Norwell fined.
- 3036. *Nicholas Powell is appointed Surveyor of the Armes for Dedham.* Powell Surveyor of Armes.
- 3037. *It was ordered that Mr. Stodder should give three pounds of Mr. John Long for himselfe, & ten shillings for the rest of his company, for the trouble, & damage they sustained by Mr. Long.* Mr. Long's damage.
- Present. *At a Small Court at Boston, the 20th of the 5th Mo. 1642.*
- 3038. *The Governour, Mr. Dudley. Mr. Stoughton. Furcase Rowell.*
- 3039. *Henry Smith not appearing (being warned by the Governour.)* Smith.
- 3040. *William Stepperson is judged at liberty to be married to Benjamin Stott.* Stepperson liberty granted.
- 3041. *The Constable of Roxbury was ordered to take care of John Kempe servant formerly to Haar Norwell, both for his maintenance, & cure, till the next Quarter Court, and then further order should be settled.* Kempe ransom for
- 3042. *The Court thought that Demond Whattson should be set to worke by s^{er}vy, as gave occasion to employ him, untill his said. shall appear, & take to s^{er} about him.* Whattson to worke.
- 3043. *Ralph in Smalley is granted administration of his s^{er} & estate, w^{ch} gave him all his estate, only some clothes, & tools to his brother.* Smalley Administration &c.
- Present. *At a Quarter Court, the 6th of the 7th Mo. 1642.*
- 3044. *The Governour. The Deputie Gov. Mr. Dudley. Mr. Bellmington.*
- 3045. *Mr. Saltonstall. Mr. Stoughton. Mr. Brewster. Mr. Smith. Furcase Rowell.*
- 3046. *George Roberts was committed to the keeper for his ill carriage, but after good leave to goe take care of his w^{or}ne, being it lay upon spoyleing.* Roberts committed.
- 3047. *Thomas Cooper, & Joshua Hubbards Constables of Longham.* Cooper. Hubbards.
- 3048. *Edward Davenport Constable of Woodborne.* Davenport Constable.
- 3049. *Jonathan Bosworth is discharged from his bonds.* Bosworth discharged.
- 3050. *Robert Sever for his misdemeanors in neglecting his w^{at}ch, is fined twenty pounds w^{ch} is to be do^u respite.* Sever fined.
- 3051. *Several of the Members of Longham, upon admonition of the Court did refer it to the Court, to speake to the Elders to consider the case, & to send some of themselves to see if it may please the Lord by advise to helpe to reconcile their differences, and settle them in a way of Christ.* The Elders advise desired.
- 3052. *Mr. John Woodbridge was fined 3^l & enjoyed upon paine of 5^l to acknowledge his offence, at Boston, Cambridge, & Cambridge, reading and acknowledgment, written for his drunkenesse, & swearing.* Woodbridge fined.
- 3053. *Mr. Edmund Datter gave six shillings, eight pence rest granted him, against Mr. John Dumpsrey for serving him to appear, & not prosecuting.* Datter to be granted.
- 3054. *John Lewis for running away, and breaking an house, was relesed to be whipped, & sent home to his Quarters.* Lewis relesed.
- 3055. *Rufus Cole was committed to worke for his living, till a master be found for him.* Cole to worke.
- 3056. *William Walcott was relesed to be whipped, & kept in Prison, till further order, for his idleness, & abuse of his friends.* Walcott whipt.
- 3057. *Rufus White being committed for refusing to w^{at}ch, upon his submission he was relesed.* White committed, relesed.
- 3058. *James Bet for attempting to drawe his s^{er} was relesed to be whipped, and kept to hard labo^r, & spare diet.* Bet whipt &c.
- 3059. *Thomas Colman was relesed to be severely whipped, for his unneccessary dalliance with two, or three w^omen.* Colman whipt.
- 3060. *The Jury returned Verdict about the death of Rufus Silvester his s^{er}.* Jurys Verdict returned.
- 3061. *The Governour gave in his s^{er} about 4th of the State of one Andrewes Fryery, a French man, that dyed here.* Part of his s^{er} returned.

George Watts is appointed to give ten shillings in costs for services.
 Richard Cole is put to William Barwick for a year, upon four shillings per week, as per the justice's
 3059
 3060
 At a Court at Boston the 27th of Novr 1642.
 The Governour. Wm. Dudley. Wm. Collingwood. Wm. Brewster. Rowell.
 Small fine, by John Eaton for not appearing upon the summons for costs were payed, 3061
 Robert Vernon not appearing upon the summons for costs of a writ of habeas corpus, till
 he General Court.
 Widow Aleniam is granted administration of the late John Aleniam's estate. 3062
 William Webb for his neglect in not fully attending to the order of Court about his own affairs
 fined ten shillings. 3063
 Upon consideration of several Petitions presented to the Court, it was ordered that the
 Committee of the Court should cause to be taken into consideration the petition of John
 Allen, and any other petition, respecting the said John Allen, and that the said Committee
 have power to take into consideration all the books, and writings of the said Edward Allen, to
 cast up, and to clear the account, for debts due, by interest of the several parties, and to pay, or re-
 ceive all debts, and to satisfy the same, with interest, as they may see fit.
 The Treasurer had order to pay Mr. Inver the sum of 12 shillings for his name about Newmarket. 3064
 John Rowton & Edward Allen are granted the administration of the estate of the late Edward Allen. 3065
 George Somers was bound to Mr. Beaufort for his wife's debt, and was ordered to be released. 3066
 John Deane servant to Mr. Deane was committed upon suspicion of felony. 3067
 William Dugan was granted six shillings, eight pence against Simon Kempfourn, 3068
 for attaching, & raising him to attend, & not appearing.
 Francis Deane's books are ordered to be sold, and the proceeds to be given to John 3069
 Newton, & Edward Allen his partner, & that he was put to, & after in good memory & understanding
 the 14th of the 2nd month 1642. Daniel Wainwright is put to William Deane for five years 3070
 from the 1st of the 2nd month 1642.
 At a Quarter Court at Boston the 6th of Decr 1642.
 The Governour. Wm. Dudley. Wm. Collingwood. Wm. Brewster. Rowell.
 Edward Cadwiler, & Robert Dolmer are fined three shillings, four pence apiece, 3071
 for being absent, being warned.
 Edward Lewis, William's John Shurman, & George Hutchinson are appointed to 3072
 bein the league, & to be sworn in Wainwright, & to satisfy upon their oaths, in particular
 league caused by John Deane for which he was punished, & John Deane can satisfy at the
 next Quarter Court.
 William Sheppard for robbing for 15 shillings of annuity, is fined two pounds. 3073
 Lumiere Apelman for robbing for 10 shillings of annuity is fined 2 shillings, being both
 leased one year of the time, & was ordered to be payed in John Deane's part, and by
 him to be payed two shillings to William Deane, & 10 shillings to the Treasurer.
 Wainwright's punishment is referred to the next Quarter Court. 3074
 It was ordered that Mr. Gibbins' goods be allowed twenty pounds for his goods 3075
 killed in Judique service.
 Mr. Bartholomew his wife, upon his breach of undertaking to be surety to answer 3076
 for his breach, at the next Quarter Court, it was referred to the next Quarter Court.
 Guyton's breach of action is referred by consent, till Mr. Bartholomew doe come. 3077
 David Deane by consent put himselfe to George Gurnison for 3 shillings till he be wronged out. 3078
 Isaac Deane's debt of 6 shillings by John Deane for 6 gallons of Mr. Deane's wine 3079
 Robert Gillam his 6 gallons, William Deane as he has 6 gallons, & himselfe 6 gallons.
 Deane's debt is put to Thomas Dexter for the rest of the time, Dexter's 3080
 mischance to pay to the Deane's, & to be due, and all is referred to Mr. Sadler,
 & Goodman Deane's charge to beare, & all is referred, as the 3 attachments are discharged.
 It was ordered that Mr. Walton should give his goods againe, which were unjustly taken 3081
 and he should be to order for the satisfaction of his son, if he can.

- 3002. John Lee is granted six shillings & pence against Richard Lettini, for summoning him to ap-
peare, ransoming him to attend, & not prosecuting. Lee costs granted.
- 3003. Martin Saunders undertooke the Bridges, presented, should be repaired, so Baranifree was fi-
ned three shillings, four pence, & discharged. Baranifree fined.
- 3004. It was ordered that Mr. Quirk, & Goodman Stone, should be sent unto, to come in at the next
Court, & should shew how they have disposed of the 50th or more at in, or shew why they should not. Mr. Quirk. Stone called.
- 3005. William Davies was fined 5th for his contempt, in receiving victuals against Underg's Co. &
London upon oath given, that the way is made out, is discharged. Davies fined.
- 3006. Boston is discharged, the way to Sparktowne being made good. Boston discharged.
- 3007. The other presentments are respited till the next Quarter Co. & because of the weather. Presentments respited.
- 3008. The 11th of Decr. 1642. 5 day. Elizabeth Casnet is put to William Wilson, for 50th wages,
for the yeare. El. Casnet put to Wilson.
- 3009. The 12th day. George Wicks being chosen Constable of Dorchester took his Oath. Wicks Constable.

At a Quarter Co. at Boston the 10th of the 4th moth 1643.
Present. The Governour. The Deputie. Mr. Dudley.
Mr. Bellingham. Mr. Saltonstall. Mr. Bradstreet.
Mr. Tibbets. Mr. Flint. Furcase Rowell.

- 3092. It was ordered that forty five shillings of the State of Mr. William Bladen, should be
paid to James Ridway, who was his servant for his yeares provision. Ridway paid.
- 3093. The Towne of Boston being presented for defect of their high-waies, they had bin presented for
It was ordered that Mr. Tibbets should have for his yeares, & charge about the Sayleth three
3094. pound, about Wrenstons twenty shillings, about Kemp seven pounds, for a year eleven pounds.
3095. Robert Deatzerby appearing is discharged of his bond & granted 10th costs against.
3096. James Brittain being presented, & traverfing the presentment was respited to the next Co. &
and bound himselfe in twenty pounds to appeare then, & answer. William Drandon to appeare for a witness.
3097. Thomas Layton appearing was discharged. Layton discharged.
- 3098. Richard Smyth being convicted, for being privy to Edward Waldo his intout to run away,
which was witnessed by Blith Bull hee was committed to. Smyth committed.
- 3099. George Willis for a Battery is fined ten shillings. Willis fined.
- 3100. Richard Willis for a foule Battery is fined 2th 10th & committed till he pay or give sufficient security. Willis fined & com.
- 3101. William Giddorne, senior. John Low, Robert Sutrope, William Hfield, John Woodwards, Ambrose Cuff
& James Bosworth were fined 10th apiece for drinking too much. Giddorne, Low, Cuff, Bosworth fined.
- 3102. Ralph Galtrope is fined 10th for being distempored with wine. Galtrope fined.
- 3103. William Hiltgot was admonished to take heed of suffering drinking in his house. Hiltgot admonished.
- 3104. Arthur Chylworthy being presented for taking excessive wages, it did not appeare & soe hee was
discharged. Chylworthy discharged.
- 3105. Mr. Draytond cause against Mr. Warmerston is transmitted to the Co. at Piscataway. Draytond cause transmit.
- 3106. Mr. Stodder being presented for selling cloth at an excessive rate, it appeared not excessive.
in sum, soe hee promising to satisfy Mr. Daine was discharged. Mr. Stodder not called, disch.
- 3107. Henry Lake, & his wife for fornication were enjoyned to appeare the next Lecture day,
at Dorchester after the Lecture, and to acknowledge their fault. Lake, & his wife for fornication to acknowledge.
- 3108. Ralph Galtrop, John Smyth & Clarke of the Bonds at Dorchester
3109. Francis Pemble bound him in 20th to appeare at the next Co. & to answer for his
lewd, & reproachfull speeches. Pemble bound.

Present The 27th of the 5th moth 1643.
Mr. Governour. Mr. Dudley. Mr. Bellingham. Mr. Tibbets. Furcase Rowell.

- 3110. Rowland Rogers for being distempored with wine, or strong drinke, was fined 2th
was being imprisoned is remitted to ten shillings. Rogers fined.
- 3111. William Sturt for selling powder, & shot to the Indians was fined 10th to pay the halfe,
when some is payable, & the other halfe a 12. moth after. & Thomas Spauld is surety. Sturt selling powder to Indians, fined.
- 3112. Samuel Baron for stealing wine, & other things, was refferred to be severely whipped, &
to make double restitution, to Mr. Bull, & his Dame. Baron stealing, whipt &c.
- 3113. Robert Rogers was, for receiving stolen wine, being consenting in it, enjoyned to pay
Mr. Wramming 32th & fined to the Countrey 40th. Rogers consenting to theft, fined &c.
- 3114. Mr. Wramming 32th & fined to the Countrey 40th. Wramming 32th & fined to the Countrey 40th.
Coby Davies being privy, & drinking with him was to pay Mr. Wramming 10th. Davies.

At a Court at Boston the 26th of the 10th Mo. 1643

Present. The Deputies Governour. Mr. Thomas Flint. Furroase Rowell.

- 3144. Leonard Fryar for swearing was fined 10^s. Leonard Fryar, James Helme, & David Wayne all 3 are bound in 40^s a peere to appeare at the next Quarter Court to answer for excessive drinking & distemper.
- 3145. John Garland for stealing severall tygers to the value of 3^l 5^s was enjoyned to make double restitution.
- 3146. Thomas Arnold being upon Constable of Watertowne,ooke the Constables day.
- 3147. The Will & Inventory of William Frye, to the Recorder was delivered, the mirth of the mirth, wroneth, the widdow being Executrix, and the witnesses Thomas Bayly, & John Burrows took their Oath.
- 3148. David Dauling, Mary Studly, & Jane Jeffery, for their filly, & unchaste practise, were censured to be severally whipped.

Fryar fined. Fryar, Helme, Wayne bound to appeare. Garland to make restitution. Arnold & Watertowne Const. Frye's will returned. Dauling, Studly, Jeffery whipped.

At a Court at Boston the 27th of the 10th Mo. 1643

Present. The Governour. Mr. Dudley. Mr. Winthrop Junr. Mr. Stoughton. Mr. Bibbens. Mr. Flint. Furroase Rowell.

- 3149. Captaine John Spadwicke for swearing many oaths, and other disorders is fined twenty pounds.
- 3150. Captaine Aaron Williams for distemp in drinke is fined ten shillings, wch hee paid.
- 3151. It was ordered that John Johnson of the Smocke, should take out of the Cattel, wch came from Providence, the money disbursed for that Company, & undertake, wch is twenty five pounds three shillings, & nine pence as of old.
- 3152. The owners of Sudbury will are fined 3^l 4^s for want of scales, & weights, and they are to provide them by the next Quarter Court in paine of twenty shillings.
- 3153. Dedham delivered in a transcript of their Lands, and was discharged; and for the way betwene Dedham, & Wrentham bridge they gave time till the fourth Moneth next.
- 3154. Thomas Painter for disturbing the singing of the Church, was reventured to be sett in stocks a Lecture day, at Lecture time, except youe humble selves, and give the Church satisfaction.
- 3155. Abner Ardway being accused for dalliance with Mary Giles for want of proove hee was dismissed with an admonition.
- 3156. John Read for refusing to watte, hee was dismissed, and hee is to be considered. David Williams for assaulting the watte was censured to be whipped at Quaintree, and warrant to George Read, to stop out of the wages, to pay the witnesses.
- 3157. William Porter for refusing to watte, to be considered of.
- 3158. John Drogan for resisting his Master was censured to be whipped, wch is whipt.
- 3159. James Landon, John Hallwell, Thomas Dausart, John Gill, and his wife, with John Pope being contented for taking too much wages, to be considered of.
- 3160. Edward Johnson being upon Lett. of Woodborne is allowed of.
- 3161. Henry Merryfield being contented for lewd speeches, is whipt. John Bennet for freeing his servant against Order, was fined ten shillings. Mr. Broughton is dismissed, hee being not respondent for it. John Barnard for his damperous well, is fined 10^s and enjoyned to make it safe with 20 dayes, upon paine of 4^l.
- 3162. Henry Adams being upon Constable of Quaintree took his Oath.
- 3163. Ralph Goltrop for being againe distemped with drinke, was censured to be whipped, wch is whipt, & hee is to be considered of, and pay twenty shillings, hee is discharged.
- 3164. Clement Campion is granted 6^l 6^s 6^d against John Rogert, for attacking him, & not of faulting.
- 3165. John Willmaster for being twice distemped with drinke was fined twenty shillings. John Betts appearing for want of proove was discharged. Thomas Weatherly for swearing, & quarrelling was fined twenty shillings, and to pay the witnesses five shillings.
- 3166. William Landon Junr. is allowed to keepe an house of entertainment.
- 3167. Mr. Stileman appearing about the way, for want of witnesses, was discharged.
- 3168. Leonard Fryar, James Helme, & David Wayne forfeited forty shillings a peere for not appearing.
- 3169. George Wright for his attempt to meddles with a married woman, is bound to his good behavior in forty pounds, & to appeare at the next Quarter Court the first Moneth, and to pay the witnesses.
- 3170. William Knops wife is allowed to keepe an house of entertainment.
- 3171. Raigards Osborne was granted 10^l 10^s 6^d against Thomas Turner for warming him to appeare, & not of faulting.
- 3172. Captaine Aaron Williams is discharged from Captaine John Spadwicke, in regard hee swears hee would kill him, as was testified.
- 3173. Attachments were granted against sur, & being warned did not appeare, as, David Latgam, Raigards -
- 3174. Anns, Samuel Frye his wife, &c.
- 3175. Mr. Dunsford's Petition is granted him, & any two of the Justices to give power to dispose of his goods, and to receive, & pay the debts.

Capt. Spadwicke fined. Capt. Williams fined. Soldiers charged & whipt. Sudbury will fined. Dedham transcribed. Painter stocked. Ardway admonished. Read dismissed. Williams whipt. Porter considered of. Drogan whipt. Landon, Hallwell, Dausart, Gill, & wife, & Pope considered of. Johnson upon Lett. Merryfield whipt. Bennet freed. Broughton dismissed. Barnard fined. Adams Quaintree Const. Goltrop whipt, & fined. Campion costs granted. Willmaster fined. Betts discharged. Weatherly fined. Landon ordinary keep. Stileman discharged. Fryar, Helme, Wayne forfeit. Wright bound. Knops ordinary keep. Osborne costs granted. Capt. Wm. Spadwicke discharged from Captaine Spadwicke. Attachments granted. Mr. Dunsford's Petition granted.

At a Court at Boston the 28th of the 10th Mo. 1643

Present. The Governour. Mr. Dudley. Mr. Bibbens. Mr. Flint. Furroase Rowell.

- 3173. The Constable of Boston is fined ten shillings for not returning his warrant. Thomas Grob not appearing upon the Jury is fined 5^l & is discharged. Thomas Wadsworth for his last ramage, is bound in ten pounds to be of good ramage, and to appeare at the next Court.

Boston Const. fined. Grob fine discharged. Wadsworth bound.

3201. James & John Adewicke for drinking intemperately and suffering others to drinke at their
 table, & selling wine, and fined 10^s apiece, & to pay 2^d 6^d apiece, fees. Thomas Burton for
 intemperate drinking is fined 5^s & 2^d 6^d fees. Thomas Sheepe for intemperate drinking is fined 5^s & 2^d 6^d fees.
 3202. The 27th of the 2^d mo. Barnabas Fowler tooke the oath for Constable for the year ensuing
 The 30th day. Thomas Burgess, & William Read being chosen Constables of the Town of Wey:
 neither did take their oaths.
 3203. John Johnson, & William Parks are appointed a Committee to examine, by the former Commissions:
 as otherwise, to find out, gather up, & receive into their custody, being hereby they are authorized to doe &
 to certify how they find things about Mr. Samuel Cooke his estate.

Adewickes fined.
 Burton. fined.
 Sheepe. fined.
 Fowler. Constable for the year ensuing.
 Burgess. Read. Weymouth. Co.
 Johnson. Parks. Committee
 Cooke's estate.

At a General Court of Election at Boston 29. 3. mo. 1644.

Present	Mr. Dudley	Mr. Wintrop jun.	Mr. Flint.
The Governour	Mr. Collingham.	Mr. Bradstreet.	Mr. Hibbins.
The Deputie Gov.	Mr. Saltonstall.	Jurwage Rowell.	Mr. Symonds.

Deputies present.	William Parks.	Mr. M. Cony.	Mr. W. Carleton.
Mr. W. M. Hathorne.	Mr. Thom. Mayne.	Lieut. Wm. Parkins.	Deaf. Boyle.
Mr. Ema. Downing.	Lieut. Hughson.	Boozon Allen.	Stephen Kneely.
Major Bo. Adewicke.	Capt. R. B. B. B.	John Dore.	Thomas Adewicke.
Lieut. Ra. Sprague.	Mr. W. Conlins.	Thomas Brink.	Mr. W. W. W.
Mr. John Glover.	Capt. C. Cooke.	Franc. Spikering.	Mr. W. W. W.
Lieut. Capt. Duntan.	Mr. Deat. Brainerd.	Mr. W. W. W.	Mr. W. W. W.
Mr. Wm. Ing. Croas.	Mr. W. W. W.	Mr. W. W. W.	Mr. W. W. W.
Mr. Thom. Adewicke.	John Bradstreet.	Mr. W. W. W.	Mr. W. W. W.
Mr. Wm. Burgess.	Edward Ralston.	Mr. W. W. W.	Mr. W. W. W.

John Endicot Esq. was chosen Governour, & tooke his Oath to that Place.
 John Wintrop Esq. was chosen Deputie Governour, & tooke his Oath.
 Thomas Dudley Esq. was chosen an Assistant, & tooke his Oath.
 Richard Collingham Esq. was chosen an Assistant, & tooke his Oath.
 Richard Saltonstall Esq. was chosen an Assistant, & tooke his Oath.
 Mr. John Wintrop jun. was chosen an Assistant, & tooke his Oath.
 Mr. Symon Bradstreet was chosen an Assistant, & tooke his Oath.
 Jurwage Rowell was chosen an Assistant, & tooke his Oath.
 Mr. Isaac Stoughton was chosen an Assistant.
 Mr. Thomas Flint was chosen an Assistant, & tooke his Oath.
 Mr. William Hibbins was chosen an Assistant, & tooke his Oath.
 Mr. Samuel Symonds was chosen an Assistant, & tooke his Oath.
 Mr. William Livingston was chosen an Assistant.
 Thomas Dudley Esq. was chosen Sergeant Major General.
 Jurwage Rowell was chosen Secretary for the year.
 Mr. William Croas was chosen Treasurer for the year.

3204. It is Ordered that Mr. David Yale Agent to Mr. Foxcroft shall bring in
 to his Oath a true Inventory of what Estate he hath in his lands (or that he knoweth to be
 in the hands of any other in his Colonie of the said Mr. Foxcroft within six dayes ensue-
 ing (in case he saith Mr. Yale refuseth to give Mr. Rowell satisfaction, & content, for
 a debt upon which he hath an execution granted him, against the goods, & chattells of the said
 Mr. Foxcroft.

Mr. Foxcroft's
 Agent.

3205. Mr. John Gore is granted leave to sett his servant Thomas Reeves free, &
 upon his Petition of Edward Browns survey of the land at Ipswich.

Browns Petition
 granted.
 Land in need more.

3206. It is Ordered that all Inhabitants as well Indians, as others, and to be named in
 their houses, always ready first for service.

Marble-Head trainings.

3207. In consideration of the great default, & neglect of the Inhabitants of Marble-Head
 in not exercising discipline in Martiall Discipline: It is Ordered that the Inhabi-
 tants of Marble-Head, shall make choice of some one of them, who shall exercise his best, that
 they may not be to take, & on speciall occasion call off for their assistance.

Mr. ...
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It is ordered that Mr. ...
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Mr. ...
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It is ordered that ...
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It is ordered that it may be ...
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Mr. ...
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- Richard Sadler.
- Richard Walker.
- Thomas Marshall.
- Robert Sedgwick.
- Abraham Dalmer.
- Dwight Converse.

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Resolved in General ...
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At a General ...
...
...

Strawberry-banks.

That the petition for the same... of the said Strawberry-banks... 3228

W. Petition of... 3229

That the petition... of the said Strawberry-banks... 3229

W. Petition of... 3230

That the petition... of the said Strawberry-banks... 3230

A Publick... 3231

That the petition... of the said Strawberry-banks... 3231

W. Petition of... 3232

That the petition... of the said Strawberry-banks... 3232

W. Petition of... 3233

That the petition... of the said Strawberry-banks... 3233

W. Petition of... 3234

That the petition... of the said Strawberry-banks... 3234

W. Petition of... 3235

That the petition... of the said Strawberry-banks... 3235

W. Petition of... 3236

That the petition... of the said Strawberry-banks... 3236

Arbitrators... 3237

By order of the last General Court, was under-written... 3237

Dut.

Boymonty
Halslag etc.

Con non for
Indians etc.

Castle Hants
etc.

Castle Hants
103.

Castle Hants
a bill of

Castle Hants
Plantation.

Castle Hants
etc.

Castle Hants
etc.
etc.

Castle Hants
etc.

Castle Hants
etc.

Castle Hants
allowance 10.

Castle Hants
fine abated.

Castle Hants
etc.

part of the fine, for neglect of claiming, & for the default of account, and satisfaction.

It is ordered that the said fine be paid to the said party, and that the said party be allowed to have 3251.

It is ordered that the said party be allowed to have 3252.

It is ordered that the said party be allowed to have 3253.

It is ordered that the said party be allowed to have 3254.

It is ordered that the said party be allowed to have 3255.

It is ordered that the said party be allowed to have 3256.

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It is ordered that the said party be allowed to have 3279.

It is ordered that the said party be allowed to have 3280.

It is ordered that the said party be allowed to have 3281.

It is ordered that the said party be allowed to have 3282.

It is ordered that the said party be allowed to have 3283.

It is ordered that the said party be allowed to have 3284.

It is ordered that the said party be allowed to have 3285.

It is ordered that the said party be allowed to have 3286.

and open plantation) it is consented that Mr. Playmore should give his request, as Mr. Deben Hayes, Edmund Goddard and appointed to lay out the said 300. acres of land.

3267. It is ordered that the last imporage shall be granted to Joseph Armitage, wife and by Mr. Downing, by Mr. Bassano.

Armitage & imporage

3268. It being considered not to be to the advantage of Isaac Hatley to give his Position granted him, but rather to stand to what hath bin formerly awarded to him by Commissions, he is therefore considered made that Jonathan Thring shall continue his time with Henry Ambrose, giving security to Samuel Greenfield for the 20. to be paid by 4. a year, after his time expired, he now indast, if he shall live for long, as to make yearly payment thereof.

Mr. Hatley
Jonathan Thring

3269. The Commissions are ordered to bring into the Court how they were issued by difference between Isaac Hatley and Robert Saltonstall, in the name of Waterhouse.

Commissions

3270. Mr. Robert Saltonstall is fined 50. for not bringing his Position in the small, to have been of paper.

fine 50

3271. It is ordered that the river at Ipswich shall be called by the name of Massin River, not only below, but also above the river, which falls into the said River in Waterhouse bounds above a mile from Cambridge line.

Massin River

3272. Also resolve that whatsoever Edwards Whiteliffson can make to appear upon good account, which hath bin formerly warranted for, you shall give that sume abated out of the said points, and that you the said shall pay the rest.

Whiteliffson

3273. Also resolve that there shall be as much land granted to Thomas Dorn, as may amount to the sume of money, that hath bin by his father Mr. John Dorn, put into the Country stocks, that is for some forty, as others have, upon the said Water from his father to receive the same.

Mr. Dorn

The Commission of the Sergeant Major General. By the General Court assembled at Boston the 29. 3. Dec. 1644. To Thomas Dudley Esq. Sergeant Major General.

3274. Whereas you are upon Commission General of all the Militarie forces in this jurisdiction, you are according to the Trust committed to you, as by vertue of the Commission, to take special care that all your Inferiour Officers doe according to the Power, as Trust committed to them, faithfully & diligently discharge their severall Duties, by exercising their jurisdiction in Militarie discipline, according to the Orders of the General Court, but so they may be made fitt, as expert in their severall, as by the Providence of God, they shall be called unto, as for the furthering thereof you may with the consent of the Council of the Common Wealthe, or the Major part of them issue forth your warrants for a generall training, of some one, or two, at the most, at one time, in places of the Territory of this Jurisdiction, to be exercised by you, selfe, & your Inferiour Officers in a Militarie way, as upon any sudden occasion, or appearance to you, selfe, of any danger, that may call for a Militarie warre, before the Council of the Common Wealthe doe assemble to appoint the same, you are forthwith to give Orders for it in all places you shall judge needfull, when any such appearance, or assault of any Enemies, Strangers, or Domesticks, or apparent danger thereof, shall be given, as yet received, nor particular Orders from the General Court, or Council of the Common Wealthe, you are forthwith to raise such forces in any, or all the severall Towns, as you shall judge needfull for the defence thereof, by the assistance of the Country, which are to be employed (till the Council of the Common Wealthe doe meet, & give direction) according to the advice of the Council of Warre, who are allowed to consist of such Major, and Major, as Captaines, as shall be in the field with you, together with some other few chosen Counsellors, that your selfe, & said Council, shall make choice of, if you see cause for to doe (according to the Commission) at Council of the Common Wealthe shall appoint the same, in which Council of Warre, your selfe shall likewise have a casting voice, which your selfe shall choose for yourselfe, together with such further supply, as the General Court, or Council of the Common Wealthe, shall from time to time see cause to send unto you, you shall conduct, lead, & command according to your best skill, & ability for the favouring of the people, & killing, & destroying, or taking captive all, or any of your professed Enemies, that by open hostility shall manifest themselves to be so, as your selfe shall see cause, if you, or the Council of Warre shall judge it to be needfull. You have also your Power granted you in all places, where you come, to purchase great Ordnance, muskets, pikes, shot, many bullets powder, iron, steel, or other weapons, and all other instruments fitt for warre, also Priming powder, to supply the want, & urgent necessities of the Army, as also, victuals, and provisions for the men, & beasts, keeping an exact account thereof, & giving a list by an Officer, to such, of whom you shall receive the same, that you doe payment, & satisfaction may be reasonably made, & upon the Army is on foot, your selfe together with the Council of Warre are to appoint Captaines, Lieutenants, & Ensignes in the regiments of any such as may

Sergeant Major General
Council of the Common Wealthe

3288. In all Assignments of goods, & chattels, and Land, & hereditaments, to all parties shall be given to the parties, or left in writing at his seals, or place of usual abode, & the party shall not proceed; if he be out of his jurisdiction, the cause shall proceed to trial, & judgment shall not be entered before he need not if he Defendant does not then appear, judgment shall be entered, & execution shall not be granted, before he plantiffs case, given bounds to be answerable to the Defendant, if he shall reverse the judgment within one year, or his judges time, as the Court shall think.

3289. A judgment acknowledged before any two Magistrates, or the Constable, or Recorder, shall be good in Law, & the fee for taking & recording the same shall be only 12^d. if the Constable, or Recorder be a Magistrate, and other Magistrate may suffice.

3290. The Court doth order, that the said Justices, & magistrates shall make over for every estate as shall be found to Samuel, & Elizabeth Phillips, the grand children of Richard Baynton, as appears give benefit & satisfaction to the content, & satisfaction of the said Richard Baynton, & his heirs, & assigns, & his wife, and not trust in the hands by the said Justices, to be given within a while.

3291. The Court doth order, that the said Justices, & magistrates shall make over for every estate as shall be found to Samuel, & Elizabeth Phillips, the grand children of Richard Baynton, as appears give benefit & satisfaction to the content, & satisfaction of the said Richard Baynton, & his heirs, & assigns, & his wife, and not trust in the hands by the said Justices, to be given within a while.

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3299. The Court doth order, that the said Justices, & magistrates shall make over for every estate as shall be found to Samuel, & Elizabeth Phillips, the grand children of Richard Baynton, as appears give benefit & satisfaction to the content, & satisfaction of the said Richard Baynton, & his heirs, & assigns, & his wife, and not trust in the hands by the said Justices, to be given within a while.

3300. The Court doth order, that the said Justices, & magistrates shall make over for every estate as shall be found to Samuel, & Elizabeth Phillips, the grand children of Richard Baynton, as appears give benefit & satisfaction to the content, & satisfaction of the said Richard Baynton, & his heirs, & assigns, & his wife, and not trust in the hands by the said Justices, to be given within a while.

Assignments.
H. 5. 9

A judgment acknowledged &c.

Wm Phillips &c.

fine remitted.
Sir Richard Saltwell

Plaintiff allowed 20^{to}
Wm Rainborough 100

Country debt forgiven.
Debtors in the iron works, their proportions reduced.

Wm Denny jun.

Dampson &c.

High way.

Servants pay.
Composition upon 10000

from the Coronor, to the Judges' directions' aforesaid, the names, & several numbers of votes, by
these parts, from every Assembly, by the said the greatest number of votes, to equal the number
of Magistrates, from every shall be confirmed, & the rest dissolved from every Court alike number, for
more, as may be: The Magistrates, & Deputies had before the said the said, as a full, & sufficient General
to sit in all things, by the major vote of the whole Court, & further it is declared that every Court shall
forwards, namely, by the left of the next Court, found in order the said of the late Deputies, the date of
starting, or departing from the Court, to the charge of the said Court, who together with one of the late
Deputies of the said Court, & one of the said Court, shall give Power to provide for the said Court,
if they shall find that the greatest number of Deputies shall give the way provided to them shall pro-
ceed, they shall thereupon forwards, & of course by the Court, & shall thereupon give notice to every
Court that they may proceed according to the said Court, & as it may fall out that two, or more
Courts may make choice of one, & if two men, it is hereby provided that the said Court shall begin, make
ing known to the said Court, upon the day next following shall make their choice, & shall
ward to the Court, & the said Court,
and the said Court, & the said Court,

3340. It is agreed that for an equal distribution of the said Court's gift to each Court, the 12 Courts
which shall be, to wit, Weymouth, Boston, Salem, Weymouth, Weymouth, Weymouth, Weymouth, Weymouth,
Sudbury, Weymouth, Weymouth, & the said Court, shall give 5th a year, or a year, & from all to give 5th or
a year, before the Court's gift in the said Court, & the said Court, & the said Court, & the said Court,
Weymouth, Weymouth, Weymouth, Weymouth, Weymouth, Weymouth, Weymouth, Weymouth, Weymouth,
Sudbury, Weymouth, Weymouth, Weymouth, Weymouth, Weymouth, Weymouth, Weymouth, Weymouth,

Mr. Andrews gift diffin.

3342. It is ordered that all the several Courts of general jurisdiction appointed on the 12th of June
last, shall be forwards published to the several Courts within the said jurisdiction, & that the several Courts
shall procure a copy of the said Court's gift, & shall thereupon forwards.

Courts published.

3343. The Court thinks it just, that Mr. Dawning, do give Mr. Dawning an acquittance of what he
has paid into the Treasury, & that Mr. Dawning give also an account to the Court, what he has
been taken into the Court, & the said Court, & the said Court, & the said Court, & the said Court,
delivered.

Mr. Dawning.

3344. It is ordered that the Court of Cambridge, & the Court of Cambridge, & the Court of Cambridge,
& the Court of Cambridge, & the Court of Cambridge, & the Court of Cambridge, & the Court of Cambridge,
induced, & the Court of Cambridge,
may holden in the said Court, & the said Court, & the said Court, & the said Court, & the said Court,
by the Court, & the said Court,
justly only upon the said Court, & the said Court, & the said Court, & the said Court, & the said Court,

Commissioners.

3345. Robert Saltonstall Esq. Complainant by Petition, on the behalf of the said Court, against
the Court of Weymouth, & the Court of Weymouth, & the Court of Weymouth, & the Court of Weymouth,
Deputies of Weymouth, & the Court of Weymouth, & the Court of Weymouth, & the Court of Weymouth,
part of the said Court's gift, & the said Court, & the said Court, & the said Court, & the said Court,
the said Court, & the said Court,
and the said Court, & the said Court,

Mr. Rob. Saltonstall.

3346. Upon the Petition of Sarah Bernard, it was ordered that the said Court should be satisfied, till the
said Court's gift, & the said Court,
the said Court, & the said Court,
the said Court, & the said Court,

Sarah Bernard.

3347. It is ordered that the Court of Weymouth, & the Court of Weymouth, & the Court of Weymouth,
for the time to come, that the said Court, & the said Court, & the said Court, & the said Court, & the said Court,
the said Court, & the said Court,
the said Court, & the said Court,

Boston ferry.

3348. William King Esq. fine of 20th is abated to 20th.
3349. Upon Mr. Stoughton's Petition it was ordered, that the said Court, & the said Court, & the said Court,
the said Court, & the said Court,
the said Court, & the said Court,

fine abated. King.

Mr. Stoughton's Petition.

Ridgand.

3350. The Court thinks it just, that the said Court, & the said Court, & the said Court,
the said Court, & the said Court,
the said Court, & the said Court,
the said Court, & the said Court,

Weymouth ferry. 50th

3351. Henry Bernard is abated of his fine, & the said Court, & the said Court, & the said Court,
3352. The answer to Thomas Norton's Petition, & the said Court, & the said Court, & the said Court,
3353. The Court thinks it just, that the said Court, & the said Court, & the said Court,
the said Court, & the said Court,
the said Court, & the said Court,

Dano. fine abated.

Weymouth.

3354. It was put to vote, for or against, that the said Court, & the said Court, & the said Court,
the said Court, & the said Court,
the said Court, & the said Court,
the said Court, & the said Court,

Mr. J. Gillyflower.

3352. The Court thinks it just, that the said Court, & the said Court, & the said Court,
the said Court, & the said Court,
the said Court, & the said Court,
the said Court, & the said Court,

The Court's decision.

The Court thinks it just, that the said Court, & the said Court, & the said Court,
the said Court, & the said Court,
the said Court, & the said Court,
the said Court, & the said Court,

judicature, touching the Appellants, as it is the Appellate, as it is referred Cases. What was spoken of
the Power of the Common, the same may be said of Deputies for the same, as the Power of the Common is
delegated to them, by power of Law.

Q. 3. Whether we may warrantably punish Penalties to Offences, which may probably admit
of venial degrees of guilt?

A. 1. Whether a Judge be bound to pronounce such sentence, as a Positive Law hath prescribed, in
case it be apparently above, or beneath the merit of the Offence?

A. 1. Certain Penalties may, as ought to be prescribed to Capital Crimes, although they may
admit venial degrees of guilt; as in case of murder upon premeditated malice, or upon sudden provocation, the
id est, the same death, in both cases, murder upon a premeditated malice, or a sudden provoked guilt, upon
sudden Provocation. Num. 35. 16. 17. 18. with Lev. 24. 21. Also in crimes of lesser guilt, as in theft, for
some theft be of greater guilt, than other, as for some man to steal a sheep, that hath loste need, is of greater
guilt, than for another, who hath more need, to steal a sheep, to measure of restitution to be. Lev. 22.
22. 1. 2. In case that venial circumstances of an offence, do not mitigate the degrees of guilt, as that the
Offence is raised to an higher nature, for the Penalties must be raised to an higher, and venial proportion; the
mitigation of a degree may be punished with some venial penalty, upon the striking of a staffe may be
punished with death, for one, in committed with an high hand, as the striking of a staffe on the Sabbath day
may be punished with death, upon a lesser punishment must some for striking a staffe privately, & in some
cases.

Q. 4. In case Circumstances do so vary a crime, as that many find are complicated, & wrapped up in it,
the Penalties is to be raised according to the Penalties of the severall kind; especially may be punished
with a lesser penalty, than if it be told before the Judgment made, in respect to the damage of one Person, or
another, in his good name by slander, or in his estate by detraction, in such case a lesser penalty
bated by circumstances is to be punished with respect to a life, & a slander, & to the detraction, which
are otherwise punished severally.

Q. 5. In case that the Circumstances, which vary the degrees of guilt, concern
only the Person of the Offender, as whether it was his first offence, or a Customary, whether he were enticed thereto,
or he enticed; whether he were principal, or accessory; whether he was advised, or willingly, & willingly. The
degrees made that the Penalties should be raised, or lowered, according to the lowest degree to be executed,
suppose, as in the case may be. 5. Stripes, & the highest degree 29. or 40. as stripes, more, or less, with
which compass, or latitude it may be. 4. In a Magistrate to aggravate, or mitigate the Penalties, as the
Circumstances do require, in all sorts of Offences, yet upon some cases would be taken that a Magistrate at
hand in his sentence to a certain rule, and may as may be in his Circumstances, lest some Persons
kind be alike circumstantiated, with another, if his punishment be not equal to one with the other, one
may strike himselfe in an unequally dealt withall, for another.

Q. 6. In case that a crime deserves a greater punishment than the Law inflicteth, may he lawfully
pronounce sentence according to the Penalties of the Law, because the same crime committed to him,
by Law to God's honor, but when the Law may seeme to be contrary to the conscience of the Judge, to inflict a greater penalty,
than the Law inflicteth, it is his part to suspend his sentence till he be informed with the Law given, or
liberty of Law to inflict the sentence, or to mitigate it.

Q. 7. The Penalties of great crimes may be
sometimes mitigated by such and such in some Cases, as in his Country is the General Court,
of respect to the Public good, or to the Delinquent's sake, done to the State in former times: for
Solomon mitigated the punishment of Abigail for his sake, done to his sake, for his sake. 1. Kings. 2. 27.
13. 9. End of 44.

Q. 1. Whether the distinction of Power, & Authority in Magistrates, is only Liberty of
Consent in the People, or according to the Statute, which respect to the Magistrates, & not in the General Court?

A. 1. Wee conceive, that by Patent, as the People are Liberty of Consent, for they gave all
other Power of Authority, as we gave, except in 2. respect to the 2. Just questions sent into to be by the General
Magistrates.

Q. 2. Whether the General Court consisting of Magistrates, & Deputies, be not the same Power
of the Common Weale, as to describe the Power of Magistrates, & Deputies, be not the same Power
long to the Common Weale.

A. 1. The General Court consisting of Magistrates, & Deputies, is the same Power of
the Common Weale, for as to describe the Power of Magistrates, & Deputies, is the same Power
not repugnant to the Law of God, nor to the Statute, nor to the fundamental Law, & Liberty of the
in the Common Weale, & accordingly may do all other duties, which belong to such a Power, as, namely, the
Acts of Consent, binding to the Provision, & the retention, & the welfare of the whole Body; & also duties of Judgment.
for same, as according to 2. Justice to the two former Questions of 2. Power, & Magistrates, & Deputies, by the Patent
or by the People, or Law of the Common Weale, reserved to them, & sealed in them.

Q. 3. Whether the Government be a pure Aristocracy, or mixed with a Democracy, if mixed
whether it should not be mixed in all the Administrations of the same?

shall notwithstanding offend contrary to his Order, shall forfeit & lose 2^d for every quart of wine, for sold & disposed of.

3384. It is remitted that John Salts should be placed in some convenient place where he should be employed, in the trade of house making, &c. & that the Town of Newbury should make up what his work wants of defraying the charge of his livelihood.

Tales Towne m. d. n.

3385. The Court considering the difficulties that may meet with, that make provision for his debt at his motion on who now makes provision for the same for as much proportionable pay to be made him out of the next Country Rate, as may enable him comfortably to goe home with, that, which he is called to, & may be expected from him; doe order that whatsoever charge for that shall be expended for the time to come by the present Session of the Court, it shall be satisfied by the several Towns, according to their equal proportions, in Cattle, sheep, mault, or barley, within 3. months after the date hereof. Dated the 16th of 4th moth 1645.

Provisions for the Debt.

3386. The Court being sensible of the many publique employments that the Magistrates are called unto, being daily in receipt, & necessarily & anxiously must employ of their time to the prejudice of their families, & estates, knowing also the strictness of the law in the Country in such places, as they may be called unto, doe hereby order that such as are the year or more to be placed of an Assistant, in the Towne that shall hereafter be chosen hereunto, shall have 200^l. allowed to say of their rate free, both from Towne & Country, for the space of three years, upon condition that in case any such Assistant shall be left out (at the day of election, or otherwise) within the said term of 3. years, that then such Assistant shall be left out shall not claim the benefit of this Order, for so long time as he is so discharged from being an Assistant, & that there may be an equal, just, & impartiall service rendered to each Towne, in the bearing of the rate, such allowance, it is further ordered that all such Townes, & parishes, & hamlets, & vicarages, as shall be equally & proportionably layd upon the estate of an Assistant (to the value of 200^l. as aforesaid) shall be paid out of the Treasury by virtue of a Warrant to be sent by the Constables of the said Towne, unto the Treasurer, signed & subscribed by such Assistant, or Assistants, whom it doth concerne, according to the time in law, & made in manner as the Court.

Assistants 200^l of rate rate free for 3. years.

3387. The Warrant made at Boston for the making of a new designe, & confirmed in that place.

Warrant confirmed at Boston.

3388. It is remitted that the estate of Limco should be considered by the Committee that shall be chosen by the Court, & the several Towns, in due proportion for the next Country Rate.

Limco estate considered.

3389. Robert Beaumonts petition is not remitted, but to be examined.

Beaumonts Pet. not examined.

3390. In answer to Mrs. Phillips petition, it is remitted equal (as the Court standeth) that the judgment given to the widow here, may be satisfied by lands, or goods, or part of one, or part of the other, as the guardians of the children with their own consent, shall see fit, & such lands as shall be offered over to the widow here, or the children for satisfaction of the said judgment, upon acknowledgment of the petitioners, & the guardians before any Magistrate, shall be recorded by the Recorder of Boston, & shall be a title of a good quietance to them against all men, provided that the petitioners, with the guardians of the children, with their consents, can not agree to transfer such lands, or lands, or goods, as may be owned by the widow here, but upon the judgment given to the widow here shall be satisfied according to law in that case provided.

Mrs. Phillips Petition.

3391. It is ordered that the Overseers shall pay to John Niles what is due for allowance of the Magistrates to Dover, & demands and calls of the Overseers of Dover.

Magistrates findings.

3392. It is ordered that all such as received and carried of novel deliveries in by the General Surveyor, & delivered of great amount, their names stand against, shall send in the same, or true copies thereof to the said General Surveyor, at his own charge, & shall give within a fortnight after the end of his session.

Country ordered.

3393. It is ordered 20^l. should be allowed the Towne of Sudbury towards their furnishing of their bridge, & way at the end of it, to be paid from, upon they shall be made the way payable for London goods, for it has done within a 12. months.

Sudbury bridge 20^l.

3394. It is ordered that all means may be used for the procuring, & quickening the Orders made about salt-peter, & that Edmund Gardiner shall have 40^l. allowed him by the Towne of Ipswich, which 40^l. shall be paid by the Debtors, & not by the Towne, who gave order for the Order of the Court.

Salt-peter.

3395. The Widdow desired by executors, now appearing to challenge any property in them, it is not thought meet to make with them. John Grant is chosen Clerk of the Court at Exeter. Anthony Staniard, Robert Smith, & John Grant are appointed to divide small causes at Exeter.

Widdow desired by executors. Clerk of the Court at Exeter.

3396. It is ordered that the sum of 40^l. was by the Court given to John Johnson in satisfaction to the former to the Court, & that the said sum of 40^l. should be paid to the said John Johnson, & that the said John Johnson should give up all the money formerly advanced to him, & what it shall of it. The said John Johnson is to receive the 40^l. as aforesaid, & provided that he shall give in just account (the next Court) of the money formerly advanced him, & what he received.

John Johnson 40^l.

3397. The Court great loss & damage done to the Towne of Sudbury, by wolves, who destroy the great number of Cattle, & notwithstanding the Order hath bin taken by the Court for the supplying of them, with find out little done (his way) for the better and more quiet of the Towne, & to get a better way of the great number of wolves, it is ordered, that any person, either English, or Indian, that shall kill any wolf, or wolf, or Indian, within of any plantation within his jurisdiction, shall have for every wolf, he killed by him, or 10^l. to be paid out of the Treasury of the County, provided, that due proofe thereof be made unto the Court, & that he bring a certificate under some

Wolfs 10^l.

Handwritten notes at the top left of the page.

Dr. William Lubin
Dobson

Account of the
17th Nov 1793

James to his wife

17th Nov 1793

Copy of the
writing at
the Court

17th Nov

17th Nov

17th Nov

17th Nov

17th Nov

17th Nov

Main body of handwritten text, appearing to be a series of accounts or letters, with some numbers (3420-3430) visible on the right margin.

[The text on this page is extremely faint and illegible due to fading and bleed-through from the reverse side. It appears to be a handwritten document with several lines of text.]

