

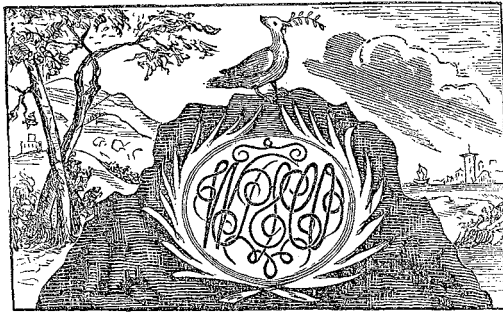


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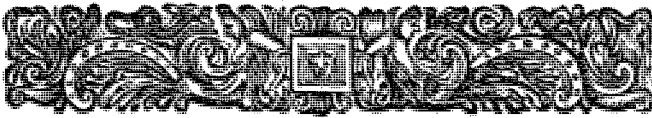
apers.

P A P E R S
Relating to
PEMAQUID
and parts adjacent in the present state
of Maine, known as
CORNWALL COUNTY,
WHEN UNDER THE
COLONY OF NEW-YORK,
Compiled from Official Records in the
office of the Secretary of State
at Albany, N. Y.
BY
FRANKLIN B. HOUGH.



ALBANY,
Weed, Parsons & Company.

MDCCCLVI.



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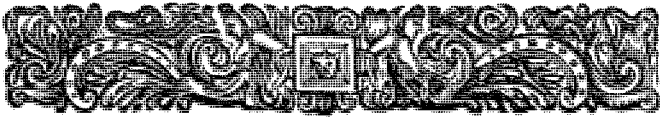
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INTRODUCTION.

THE obscurity which has involved the history of that portion of Maine included within the patent of the Duke of York, while under the ducal government, has long been felt and acknowledged,¹ and historians in their accounts of this period, have been obliged in the absence of authentic documents, to rely upon slight and imperfect data. The following papers now for the first time printed, it is believed, will add much to our acquaintance with the annals of the section known as "*Pemaquid and its dependencies*," in the early records of New-York.

The dependance of a part of Maine upon the government of New-York, originated as follows: William Alexander, Earl of Sterling, Secretary of the kingdom of Scotland, having been previously concerned in extensive grants in Nova Scotia²

¹ Vide, Williamson's Hist. of Maine, i, 228 et seq.—Coll. of Maine Hist. Soc., ii, 229-237:—ib. iv, 209, &c.

² The Nova Scotia Charter was granted March 9, 1621, confirmed and enlarged by a second patent, Sept. 10, of the same year. Williamson's Hist. of Maine, i, 223—Sullivan's Hist. of Maine, 124—Coll. of Maine Hist. Soc., i, 11.

and in the operations of the Plymouth Company, received by lot, in 1635,¹ one of the three divisions into which the territory of Maine was divided upon the dissolution of that Company. The share thus received, extended from the Kennebeck to the St. Croix rivers, and embraced several grants previously made, upon which settlements had been commenced.

In 1663, the Earl of Clarendon, on behalf of the Duke of York, purchased of Henry, then Earl of Sterling, his interest in American grants,² including, besides that of Maine, the title of Long Island, Nantucket, Martha's Vineyard,³ and other islands adjacent, and in 1664,⁴ the Duke of York received from his Royal brother a Charter for these territories and

¹ These lots were drawn Feb. 3, the grants executed April 22, and the charter of the company surrendered June 7, of that year. Coll. of Maine Hist. Soc., i, 42-44—Coll. of New Jersey Hist. Soc., ii, 38.

² The consideration of this purchase was £3,500, but upon failure of payment, a life annuity of £300 was, in 1674, agreed upon, payable out of the net profits of revenue arising from the colony, which proving insufficient, an order was issued in 1689 for the arrears to be paid out of the funds of the Colony. New-York Coll. Hist., iii, 606.

³ A small edition of a volume embracing the New-York official records concerning Nantucket and adjacent islands, prepared by the editor of this volume, has been printed under the patronage of the Hon. John V. L. Pruyn, of Albany, for distribution among public libraries.

⁴ March 12, Vide Patents, i, 109, Secretary's Office, Albany.

others, then held by the Dutch, since known as New-York, New Jersey and Delaware.

The New-York records do not show what jurisdiction was asserted over the eastern portion of the Duke's territories prior to the reduction of New-York by the Dutch in 1673. Upon that occasion the General Court of Massachusetts, under pretext of a survey that included the territory, took possession of the Pemaquid settlements, organized a local government,¹ and in July, 1674, a court was held under this authority within the Duke's territories. Upon the restoration of New-York to the English, by the peace of Westminster,² a new patent, embracing the same territory, was taken out by the Duke of York,³ and upon the arrival of governor Andros, measures were taken to re-establish this authority throughout the government. Civil and military commissions were issued, and upon the organization of a General Assembly in New-York in 1683, and

¹ Williamson's Hist. of Maine, i, 443—Coll. of Maine Hist. Soc., i, 131.

² Feb. 9, 1674, Art. 6.

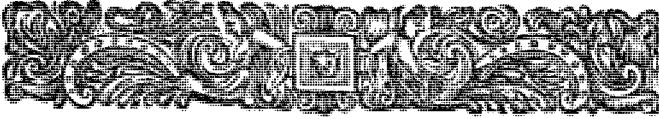
³ June 29, 1674, Vide Smith's Hist. of New-York, (1814) 61—Dunlap's Hist. of New-York, i, 129.

the division of the colony into counties, "Pemy-Quid, and all the Territories in those Parts, with the Islands adjacent," were erected into the county of *Cornwall*, and entitled to send one member to the General Assembly.¹ This connection continued until the succession of the Duke of York to the throne, when by a royal order² these territories were annexed to the New England government.

The following papers are arranged chronologically, with references to the originals in the New-York Secretary's office. The occurrence of a line of asterisks, denotes an omission of matter relating to other subjects, and a row of periods, indicates a loss of part of the record. The original orthography has been followed, except in the use of capital initials in names of persons, where small letters had been employed.

¹ Nov. 1, 1683. Orig. Laws, MSS. ii.—Livingston & Smith's, &c., Ed. Laws, i, 6.—The act organizing counties was re-enacted Oct. 1, 1691. It will be seen that Gyles Goddard actually represented Cornwall county during one session.

² This order was dated Sept. 19, 1686, Deeds viii, 75, Secretary's office, Albany.



PAPERS RELATING TO
 P E M A Q U I D
 AND ITS DEPENDENCIES.

*EXTRACT from the Grant to the Duke
 of York, Dated 12th March Ao 16.
 Car. 2.d 1664.*

[Patents i. 109.]

CHARLES the Second by the Grace of
 God King of England Scotland
 France & Ireland Defender of the
 Faith &c To all to whom these p^{nts}
 shall come Greeting: Know yee that wee
 for diverse good Causes and Considerac^õ
 us thereunto moving Have of our especial
 Grace Certaine knowledge and meere mo-
 tion Given and Granted And by these
 presents for us our heires and successo^{rs}
 Do Give and Grant unto our Dearest
 Brother James Duke of Yorke his heires

and Affignes All that part of the Maine Land of New England begining at a Certaine place called or knowne by the name of St Croix, next adjoyning to New Scotland in America and from thence extending along the sea coast unto a certaine place called Petuaquine or Pemaquid and so up the River thereof to the furthest head of y^e same as it tendeth northwards and extending from thence to the River Kinebequi, and so upwards by the shortest course to the River Canada northwards: And also * * * *

[Here follows a grant for the province of New-York and parts of Massachusetts and Connecticut, New Jersey, Delaware, &c.]

Lre to ye Inhabitants of Pemaquid.

[General Entries iv. 258.]

GEN^{TS}. It might seem strange to you that in soe long distance of time those parts under his Royall Highness Patronage and Protection, of which you are Memb^{rs} & Inhabitants have not been assumed in any particular care & Governm^t. as Substitute to his Royall Highness, by whose Grace and Indulgence I am (under him)

appointed Governo^r. of all his Territoryes in America; And truly I might justly have fallen under yo^r Censure of Remissness, were I not allwayes in Expectacōn that Affayres would have been perfected by my worthy Predeceffo^r Coll: Nicolls, to whom the sole managery of that Busyness was committed; neither could I ever doubt of the perfecting of it, had it not been interrupted by an Active & furious warr, in w^{ch} Expedition hee most sadly, (yet as bravely) laid down his Life at his Masters ffeet;¹ All expectations from him being now wholly extinct, It is a Duty incumbent on mee to erect a superstructure on that ffoundation, which hee in his Lifetime worthily aimed at; To which end I shall desire you, ffirst to give mee a true state of yo^r Affayres, as they now stand; next That you would transmitt to mee a modell of such a Governm^t. as shall bee most conducing to the Happyness of that Colony, both to its safety Traffick, & Increase of Inhabitants, promising upon the reception of that Scheme, not only

¹ Coll. Richard Nicolls was slain in a naval engagement with the Dutch, in the service of the Duke of York, in 1672. A monument is erected to his memory in Amphil Church, Bedfordshire, England,

to Invest you wth ample power to Exercise yo^r Authority both to Ecclesiastick as Civill Affayres, but will bee ready on all Occasions to bee assisting to you in the Preservation of all yo^r Rights and Interest against any sinister Obstructions; Thus desiring to heare from you by the first Opportunity, I heartily recommend you to the Almighty's Protection, & remaine

Yo^r Very Affectionate ffriend,

Fort James on ye Iland Manhatans
in N: Yorke, feeb: 16th 167 $\frac{2}{3}$.

FRAN: LOVELACE.

Council Minutes.

[Council Minutes vol iii. Part II. Page 117.]

At a Councell Sept 8th 1676.

Present The Governo^r
Capt Brockhols The Secretary
Capt Dyre.

* * * *

A Letter coming from Boston to the Governor from M^r Abr Corbetts who lives to the Eastward, in the Dukes Patent,

relateing the destruction of the Eastern parts near Pemaquid &c by y^e Indians, in the month of Aug^t last, about the 20th day of the month, The same being read and considered of,

Resolved, to send a floope to Piscataway Salem and Boston, to invite and bring as many of the Inhabitants particularly ffishermen as will come driven from the Dukes Territoryes, and parts Eastward, and to supply them with Land in any part of the Government they shall chuse.

* * * *

[New-York Colonial MSS. xxvii.]

At a Councill held in N. Y. the 5th day of Jan 1677.

Vpon a L^{re} from the Go: of Boston dated No: 13th brought hither by M^r W^m Bowdish the 2^d inst. desiring and order for the delivery of the Ketches at Pemaquid, to their own^{rs}, of which said M^r Bowditch with M^r W^m Duvall is said to be oner, And the said M^r Bowditch on y^e

behalf of himselfe & M^r Duvall offering security to pay salvage or what other Charges their Ketch shall be adjudged unto by the Go: alleading also that the f^d Ketch lyeing at shee doth will bee quite spoyled, & also will loose the fishing season this spring for which they make ready in ffeb^r, & is comonly esteemed to bee worth double y^t it is the rest of the yeare.

The same being particularly taken into consideracōn

Resolved That an order be given to y^e f^d M^r Bowditch on behalf of himselfe & M^r Duvall for the delivery of the f^d Ketch unto him or whom hee shall appoint, hee giving security to the value of the Ketch here to pay salvage, or such other charges as shee shall bee adjudged unto, at the returne of the Governo^r

An order hereupon for the delivery

A bond of 400^{lb} for paym^t of 200

Tho Del: & W^m Bowditch of Salem.

W^m Bowditch of Salem in N: Engl Merch & Tho Delavall of New-Yorke Merch a blank sum bound to Edm Andros Esq Go. in this his R. H. Territoyes in America his Successo^r & Assignes.

(The foregoing paper was endorsed as follows:)

To Capt Caesar Knapton, Command^r

You are hereby desired to cause the Ketch of to be delivered unto M^r W^m Bowditch or his order, according to the order of Council hereunto annexed hee having given in sufficient security for the doing whereof this shall be yo^r discharge

Given under my hand the 7th day of January 1677

Copy of a Letter to the Go: of Boston.

N. Y. Jan 7. 1677.

[New-York Colonial MSS. xxvii.]

Ho^{BLE} S^R.

Yo.^{rs} of No:^r 13.th by M.^r Bowditch, directed to our Go: or in his absence to his dep: arrived not here till the 2^d inst, which was almost 6. weekes after his departure, The contents whereof relate to the delivery of the Ketches at Pemaquid

to the Owners, Its suppos'd you meane the former owners, Otherwise y^e fortune of the warre had apparently made them change Maft.^{rs} It could have beene right, those persons had made their claymes or applicacón for them soon^r, probably ere this they had from Comãder Knapton, but severall Reports comìng that some of those own^{rs} have f^d they had rather the Indyans had kept their Ketches, then that they should come into the hands of New-Yorke Governm^t might in part bee the occasion why no other order was sent thither, then for their apprizem^t, and not broft here the rugged winter season setting in seeming to forbid their removall till spring,

Your opinion about the delivery of the vessels as well as captives, which you understand by the Go:^r Letter, to bee mentioned in the peace, seemes to bee followed with some passion in the following clause, that if they were not delivered for the benefitt of the right Own^{rs} that lost them, you should not know to understand his mocóns, for I suppose they will appeare to have tended to y^e Gen.^{all} good of his

Ma^{ties} subjects in those parts as well as the interests of the Govern^t, & will always bee our aime to act with charity and justice towards o^r neighbo^{rs}. as well as others, & which we could have the like retaliation from them, then should wee not bee so often Censured & Condemned :

It cannot but bee admitted that you so often repeate the overtures of peace betweene us & y^e Indiyans wrote to you of from Pemaquid, as you say & that unlesse the vessels were d^d. as well as captives you should not comply on any other termes, since if you will againe peruse o^r Letters you will find that the conclusion wee had made was a positive peace beyond any overtures or cessac^on of Armes, & our sending to you, was onely to acquaint you, that we had as neighbo^{rs}: & subjects to one Pr. enclued you if you pleased, and if you had refused it, upon any nice termes not comprehended in the Agreem^t. wee had made, the prejudice would have redounded to your selves, & allthough afterwards by a collaterall Agreem^t. wee got the Ketches to bee enclued, it was not because you mentioned you otherwise

should not comply &c., but out of a desire to the publick Good of his Ma^{ties} subjects, without any private aymes or pretence of particular advantage otherwise:

The which that you may find will be made Good by deeds as well as words, I have with the advice of the Councill upon the application from M^r Bowditch given order for the delivery of the Ketch wherein hee is conferr'd hee giving security to answer what salvage or other charges there may be adjudg'd unto at the Go: returne, which you may be confid.^t will not be unreasonable. And in any else shall not be wanting to continue fr correspondence with o^r neighbo^{rs} being

Ho:^{ble} S.^r

Yo.^r most humble Serv.^t

N. Y. Jan. 7. 1677. A. B.¹

[Council Minutes vol iii. Part II. Page 153.]

At a Councill June 9, 1677.

A propofall being made by the Governour whether it would bee advifable to

¹ Anthony Brockholls.

send to take Possession and assert the
 Dukes Interest at Pemaquid, & parts
 adjacent Eastward, according to his Roy^{ll}
 H^s Pattent or nott,

Upon considerac^on had thereupon, It
 was thought adviseable so to do, And
 that if we make Peace with the Indyns
 there the Massachusetts to bee comprized
 if they Please.

All the ffishermen & old inhabitants
 to be restored and Protected.

* * * *

[New-York Colonial MSS. xxvii.]

To Cap^t Anthony Brockholes & the Rest
 of y^e Councell of y^e Government of
 New-Yorke.

The Humble Petic^on of William
 Bowditch of Salem in New
 Engl^d Merch^t

Sheweth.

That yo^r Pet^r being bound for Pema-
 quid in the month of March past, to
 receive his Ketch, brought there by the

Indyans, for y^e which he had an Order of Councill, he made purchase from the Owners of two other Ketches lying there, that had likewise been brought in by the said Indyans, which said Ketches, if some speedy care bee not taken about them will be altogether spoyled & uselesse, haveing layd hall'd up in a Creeke all this winter, where they are also subject to the Hazard of being fired, by some malicious Indyan of whome there is too much suspicōn.

You^r Pet^r doth therefore most humbly prai, that hee may have an Order to be possefft of the f^d two Ketches, in like manner as hee had for the former, & hee shall give security to pay all such salvage and charges as they shall be adjudged to pay, at the returne of the Governo.^r

And yo^r petⁿ will ever pay &c.

[Council Minutes iii. Part II, 163.]

At a Councill 2^d Augst 1677

Cap^t Brockholes &c Lett^{rs} from Pemaquid of 12th & 13th of July read.

Ordered sending to or seeking the Indyans not allowable, but if they apply &

submitt according to the Instruccõns to bee received, for any Particulars, may apply to the Governo^r at New Yorke, for w^{ch} on their Desire to finde them passage in some of our sloops going & returning.

Orders, and Instructions to bee very punctually and strictly Observed particularly that none on any Pretence whatever, doe range or goe into the woods or creeks, but to use all endeavours to secure the Open Sea Coasts and Islands as well as defend the ffortt.

To admitt or treat with no p^rsons whatever but upon all Occasions or applicacõns to refferr to the Governo at New Yorke.

Another Slooppe to bee forthwth sent with y^e above Orders and a further Supply of Stores for the Garrifon.

The Garrifon being settled that Cap^t Brockholes or Ensigne Knapton bee left with fifty soldiers and the Sloopes Company the other Offic^{rs} to Come home as p^r former Intimacõn in the Governo^{rs} Lett^r the 26th past.

Any difference betweene Inhabitants and ffishermen to bee determined by M^r

Jofeline, or other Juſtice of the Peace but in extraordinary Cafes of great Import or value y^e commander to be p^rſent, and appeale allowed to the Governo^r and Councell at Yorke if deſired according to Law.

[Councell Minutes iii. Part II. 169.]

At a Councell Sep^t 11th 1677.

Reſolved that no Inhabitants bee admitted to dwell in his R^{ll} H^s Territories at Pemaquid and parts adjacent.

The Indyans there upon their ſubmiſſion admitted and Confirmed to live as other Indyans of the Govern^t, they comporting themſelves, and living as they ought.

The trading place to be at Pemaquid & no where elſe.

All Entryes to bee made att New Yorke and no Coaſters or Interlopers allow'd but if any found to be made prize.

All English fiſhers to have free liberty of fiſhing, they conforming themſelves to ſuch orders & rules as ſhall be given for the benefitt of ſaid fiſhery.

Liberty of Stages upon the ffishing
Islands but not upon the Maine except
at Pemaquid neare the ffortt.

The Indyans not to goe to y^e ffishing
Islands.

No rum to bee dranke on that fide the
ffortt fstands.

No man to trust any Indyans.

* * * * *

At a Councell Sept 27. 1677

* * * * *

Lett^{rs} from Pemaquid from M^r Caesar
Knapton Commander at Pemaquid, &
the ffrench att S^t Johns, & Penobscott
read.

*Orders and Directions for the Commander
att Pemaquid.*

[Warrants Orders Passes &c iii. 268.]

The Indyans late submission and peace
with them admitted and allow'd and
comporting themselves as they ought, to
have all Justice, and freedome of living
neare, converse and commerse with us,
as all other Indyans of the Government
have and do enjoy.

Butt to prevent all Inconveniency's or occasions of difference, no Indyans to goe to the fishing Islands, nor Christians admitted or suffer'd to inhabit or converse on the Maine, except att Pemaquid under protection of the Fort, this winter, or till further Order, to which place supplys are and shall be sent for all partys.

Traders from Yorke and that bring sufficient clearings from the Custome house according to act of Parliament, to be admitted to sett up for the present trading houses, under command, butt att convenient distance from the Fort, to the Landward, so as a street be left of good breadth, directly from the Fort to the narrowest part of the neck or point of land the Fort stands upon, going to the great neck towards New Harbour; and if endwise should any wayes blind, or hinder the fort of the fight or command of the water, then said houses to be sett broadways to the said designed street, to which all Doores to open, and not suffer'd on any other side or End.

All trade to be in the said Street, in or afore the houses, between sun and sun,

for which the drum to beate, or bell ring every morning & evening, and neither Indyan nor Christian suffer'd to drinke any strong drinke, nor lye ashore in the night, upon the neck or Point of land the Fort stands upon, & any presuming to the contrary or coming there drunk to bee apprehended and punished according to his desert, and also all Traders not giving over, and immediately shutting their doors att said time and warning.

No Indyans nor Christians to be Admitted att any time within the Fort except some few upon occasion of businesse below, but none to goe up into the Redout, nor no manner of trade whatsoever, upon any accompt or pretence whattsoever att no time in or neare the Fort, butt in the above streeet, upon penalty of forfeiture of all such traders Goods and priviledge and Corporall punishment as the case may deserve.

Fishermen giving notice to the Fort, to have all Liberty of making their fish on the fishing Islands, or neare and under the protection of the Fort.

If Occasion one or more Constables to be appointed for the fishing Islands, and Indyans to have equall Justice and Dispatch.

The Duke's sloop now sent in the King's service to remaine there all winter, to be constantly employed on the coast as occasion, and to take and make prizes, and bring to the Commander in the Fort, any shall bee found on the coast contrary to the above orders, and the Commander to secure or send the same to Yorke as occasion, and to take like care thatt the orders and regulations be punctually observed neare and under command of the Fort, or transgressors duly punish't.

The Commander if conveniency, and desired, to receive and secure in the Fort the traders best Goods or Effects, to which they may resort att fitting times, and have them when occasion.

Any Trader or other trusting an Indyan or Indyans except for dry provissions, or adulterating Rumme or strong drinke by mixing water or otherwise, to forfeit the same to the party trusted or buying, and be lyable to further censure as the Case

may require and the forfeiture of the remaining part of such strong Liquor to bee to the Commander, fatisfying or paying the informer.

The Indyans if plancks att hand or when had, to have an Indyan house made over the water, where they may resort and bee.

New-Yorke, September the 22th 1677.
The above by unanimous advice of my Councell to bee punctually observed.

E. ANDROSS.

[New-York Colonial MSS. xxvii.]

At a Councell held in New-Yorke the 20th day of Apr Anno Domini 1678.

Upon the addresse & Request of Mr William Bowditch of Salem in New England Merch.^t fetting forth his having purchafed two Ketches from their Owners, the which were brought into Pemaquid by the Indyans upon the Agreement of Peace made the latter end of the Suñer, & hee desiring an order for their delivering unto him tendring security to pay salvage or other Charges they may be lyable unto.

The same being taken into Consideration, together with the great damage the said Ketches are like to sustaine by lyeing longer in the condition they are,

Ordered That they bee delivered unto the said M^r Bowditch or whom he shall appoint to receive them together with their Appurtenances hee giving security here, to pay or make good what salvage, or other charges the said Ketch shall bee Lyable to & adjusted to pay by the Go: at his Returne. The which Capt Cæsar Knapton the Comander at Fort Charles is hereby desired forthwith to give order & cause to bee done

By order of the Councell.

Letter from Lieut Gov. Brockholls to Capt Knapton

[New-York Colonial MSS. xxvii.]

N. Yorke. June 7. 1678

CAPT. KNAPTON.

S^r. Yo^{rs} of the 23^d of the last month came to my hands the begining of this weeke at the arrivall of Hermanus Sloope

who brought Corp^l Caren Tho: Mathews and C Roades with him: I am sorry for the misfortune of the former The D^{rs} extraordinary care of him deserves a Requital Matthews I soon committed to the hole in the Fort, (who had rec^d his merritt if you had immediately run him through upon the affront given you) & Roades hath taken Possession of the State house whose Insolence & Impudence is beyond compare hee standing still in his Justificac^on, though hee hath very little to shew for him selfe to beare him out, If hee were at Boston probably they would trusse him up, but I thinke it will bee best to keepe both the one & the other in durance untill the Go: returne (which wee daily expect,) when they may bee made Examples: I hope hee will approve of what wee haue done in ordering the delivery of the Ketches to M^r Bowditch upon security, however wee think wee haue done for the best, & that without any finister end.

The newes hee brought you of lett^{rs} from the Go: & a Packet in M^r Taylers hands for New Yorke was very true, & it arrived here from thence in little time,

by Tho: Lewis floope who was then there
& ready to come away :

The Go: Letters were dated ffeb. 10th
The ship he went in gott, in 23 dayes,
to the foundings off the lands end where
the wind proving contrary, they put in to
Ireland from thence went to Milford
Haven in Wales so over land to London
where they arrived the 5th of January,

There were great Rumors^{rs} & prepara-
cōns for a warre with France, The K
propofing to y^c Parliam.^t to have a fupply
for the maintenance of ninty Capitall
Shippes, & thirty or forty thousand foldyers.

The Go: was knighted & difpatch't
away for Guernfey, there to make but
little ftay to returne in order to his com̃ing
back hither but when hee writte hee had
effected nothing of the bufineffe hee went
about. in Eng^l fo knew not what delays
hee may haue mett with fince. There was
little more of Newes he writte about.
Wee have not yet any certaine newes of
the warre being broken out, though more
than propable it is, yet Letters from Engl
of Mar: 26. fay no warre then. As for a
fupply of men you mention in lieu of

those that are dead & that you now send, Truly wee are not in a condicōn to doe it but expect the Go: will bring recruits both for yo^u & us too, as wee shall bee ill provided agst an Enemy wee have fitted up the Fort pretty well, with new platt-formes & carriages, w^{ch} were much out of repaire. The Mayo^r & Aldermen are employing their Companies of the train band about their Fortifications:

The Agreement of Peace made by the Gents of Piscataway & the Indyan Sachems, between them & the west side of Kinnebeck River I think is a good piece of worke, for that it will remove the apprehensions you had of them before:

The Articles you sent, as also the examinacōns and other papers about Roades & Alden, I shall reserve for y^e Go:

It seemes the Pinnace had better keep there; the f^d floope that was out a Cruising & Lieut Sharpe did well in bringing the Ketch & Roades into Pemaquid, their trading there being expresse agst the Go: orders: The matter is well knowne here having lost a good Ketch formerly to the Dutch & had this given him in Exchange

(as I am informed) when hee comes, wee shall heare what hee will say in his Justificacōn, but I admire hee should run such a hazard & suffer himselfe to bee deceived by such an Impositor as Roads: hee himselfe being likewise a Mem^b where Roads was condemned to bee hanged for Piracy, so that I thinke hee will have but little thanks from the brethren, to joyne interest with such a cheate.

It was kindly done of Madackowando to give you the notice of their a trading:

As for M^r Sturts Informacōn hee did neither wisely nor civilly in it, however the matter being past & hee expressing his being troubled for it, I shall passe it by without saying more of it, but hee may bee advised for the future not so busily to intermedle in other peoples busines.

Thus having as neare as may bee answered the particulars of yo^r letter, I remaine

S^r

Yo^r humble Servant

N. Y. June 7.th 1678.

Order for the surrender of a Ketch.

[New-York Colonial MSS. xxvii.]

At a Councell &c June: 12. 1678

Pres^t.

The Councell

M^r May . . .

& Delavall.

The occasion of meeting was the Arrivall of M^r John Alden of Boston, whose case & Examinacon had beene returned here before the Comander from Pemaquid, His Ketch¹ having beene seized upon in St Georges River to the Eastward, by order of the f^d Comander for trading in those parts with the Indyans or others, contrary to the order of this Governm^t; & flee lyeing thereupon under arrest together with her cargoe at Pemaquid,

Whereunto the f^d M^r Alden pleading Ignorance of the f^d order, & beleiving not to have infringed the same supposing those parts where hee had traded & then was in, were without the bounds of his R: H^s. patent, & within the conquest made by

¹ From a rough draft of these minutes, with that from which this was copied, it appears that this vessel was named the *Guift*, of Boston.

the duke upon the French in those parts, in the yeare 1674. As hee was informed by John Roades, who hee had hired to bee with him as being knowne in those parts & acquainted with the trade and was one of those that accompanied the Duke privateer in that Expedicón, The s^d M^r Alden likewise representing the great losse hee had formerly susteyned in the late Dutch warre together wth his great charge at home & innocence farre from presumption in y^t he had acted, Therefore desiring the favo^r of the Councell that hee might haue his Ketch & Cargoe restored unto him :

Upon Consideracón had of the Case & the good character of the p^rty it is ordered, That the s^d Ketch & Cargoe now under arrest at Pemaquid as afores^d bee delivered back to the s^d John Alden or his order (the which C. Caesar Knapton Coñander of ffort Charles in Pemaquid is desired to see done upon receipt hereof) Hee the s^d John Alden having given security of 240^{lb} for the paym^t of 120^{lb} here if at the Go: returne shée shall be Condemned a Prize for breach of the Order afoer men-

cōned: the f^d fume of 120^{lb} being by Merch^{ts} adjudged to bee the value of the f^d Ketch & Cargoe.

By Order of the Councill

Letter from Lt Gov Brockhols to C Knapton

July 1st 1678.

[New-York Colonial MSS. xxvii.]

Having rec^d a letter from Cap^t. Salifbury of the 24th past, concerning some preparacōns & intended designes of the Maques ag^{ft} their Ennemyes, I was willing to advertize you of it, by this opportunity of Gabriell Thompsons goeing to Boston, (who hath promist to take care of the conveyance of this to you.)

I the rather give you this intelligence being informed that the Vnnagoungos are the Indyans neare yo^r parts, which if so, probably yo^r giving them notice to bee upon their Guards, will lay some obligacōn of friendship upon them, the which you may advize with M^r Jocelyn about and accordidgly act therein:

Wee are all well here, but no farther newes from the Go: yet, nor of any certa'ty of Peace or Warre. Having nothing more to cõmunicate I take leaue & remaine,
S^r Yo^r friend & Serv^t.

A Copie of that pt of Co Salisburyes lett^r relating thereunto I have sent here inclosed the rather &c.

My Service to Mr Jocelyn.)
 ... Nicolls desires his may bee } July 1st 1678:
 ... refented to y^e both. }

Council Orders relating to Pemaquid.

[Council Minutes vol iii. Part II. Page 180.]

At a Councell held in New Yorke
August the 23^d 1678.

The Affaires of Pemaquid being taken into confideracōn — Resolved That the former orders sent there relating either to Christian or Indyan doe continue in force untill the Spring, as farre westward as Blacke Point when his Hon^r the Governour to goe there and take order about the Settle^m^t of Planters or Inhabit^{ts} trade and all

other matters of which notice is to bee given or in the meane time, any others may apply as occasion at New Yorke.

That no Indyan Trade bee admitted at Pemaquid but from and to this place to prevent Inconvenience.

That the Garrison Officers and Souldy^{rs} doe continue in y^e ffort there untill the Spring Except Sicke or unfitt persons desiring it, shall have Leave to Come away.

* * *

A Speciall Commission to the Court of Sessions att Pemaquid for the Tryall of Isreal Dymond and John Rashly About the Drowneing of Sam^l. Collins.

[Orders Warrants &c xxxiii.]

S^r Edmund Andros.

Kn^t. &c. To Ensigne Thomas Sharpe
Commander att Pemaquid John Joslyne
Esq^r Justice of the peace in Quorum, M^r
John Dollin M^r Lawrance Dennis and
M^r. John Jourdain Justices of the Peace
Greeting Whereas upon Informacōn that
Israel Dymont and John Rashly Stand

Committed about the Drowneing of Samuel Collins from on board the Ketch Cumberland Whereof the said Dymont was Master in yo^r parts, To the end that they may be braught to their faire and Legall Tryall and Justice Duly Administered, I doe hereby Appoint Authorize and Impower you at yo^r next or vsuall Court of Sessions to be holden att Pemaquid aforesaid to Call before you the Persons of the said Israel Dymont and John Rashly and them upon Such Indi^ct^m^t p^rsen^t, or Complaint, that shall be Exhibited on said matter to heare try and Examine, and such Judgm^t, or Sentance to pronounce and Declare thereupon as the Law in Such Cafes Directs, and to cause the same to be Duly Executed accordingly And for soe Doeing this shall be yo^r sufficient warr^{tt} and Discharge. Given under my hand and Sealed wth the Seale of the Prouince &c Dated the 6:th of January: 1680.

Council Orders relating to Pemaquid.

[New-York Colonial MSS. xxix.]

At a Councell &c. June 24th, 1680.

Ordered, That some persons bee appointed to goe from hence to Pemaquid, for holding Co^{ts}.

That in their way they call in at ffishers Island, the Governm^t whereof is to bee asserted, & that a Conftable bee appointed there. They are likewise to put in at Martins Vineyard & Nantucket, that fitt Magiftrates may be elected & confirmed there & that they be required to fend one of their former number hither, to answer their neglect in not making due returnes of their Elections the last Yeare.

Blanck Civill Co^miffions for Martins Vineyard & Nantuckett.

Military Co^miffions for Pemaquid.

June 26. Saggadock magiftrates or offic^{ts} to continue, the Co^{rt} to try onely for 40^s instead of 5^{lb} formerly granted them.

ffishermen to come to Pemaquid yearly to renew their Engagen^{ts}, & not to splitt or fling out their Gurry, or to trade with

the Indyans to the prejudice of the fishery
& hazard of those parts

Capt Knapton & M^r West to haue
com̃ission to joine with the Co^{rt} there.

Land to bee given out indifferently to
those that shall come & settle, but no trade
to bee at any other place than Pemaquid
& none at all with the Indyans as formerly
ordered.

The Justice alone or any two of the
Commiffion^{rs} or Assiftants to haue per-
mission (out of Co^{rt}) to judge of any case
or trespasse under the fume of 40^s.

At a Councill &c June 25, 1680.

Present the Gov & Councill.¹

* * * *

Pemaquid.

C. Knapton, to goe to Pemaquid

The Go^{rs} speech to the Indyans when
there.

M^r Jocelyn a com̃ission to bee Justice

¹From a rough draft full of erasures and interlineations.

Mr Potter Laurence Durrie, & Richard Redding to be Com̃ission^{rs} & Assist^{ts} in the Co^{rts} of seffions, to try to 20^{lb} Co^{rt}.

A Com̃ission for the Justices &c.

Appeal to the Affize

Sagadock Magistrates are... to continue the Co^{rt} to try only for 40^s in ftead of 5^{lb} formerly granted them.

Land to be given out indifferently to thofe that fhall fettle but no trade but at Pemaquid & none at all with the Indyans as formerly ordered.

All ffifhermen to come to Pemaquid yearly to renew their engagem^t. and not to fplitt or fling out their Gurry on y^c fifhing ground or to trade with the Indyans to the prejudice of the fifhery & hazard thofe pts.

C. Knapton & Mr West to haue com̃ifions to joyne with the Co^{rt} there.

The Justice alone or any 2, com̃iffion^{rs} to haue power to judge of any cafe under 40^s

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*A Commission to Cap^t. Caesar Knapton
and M^r John West to bee Justices att
Pemaquid.*

[General Entries xxxii. 92.]

S^r Edmund Andros Kn^t. &c By vertue
of his Ma^{ties} Letters pattents and the Com-
mission and Authority unto mee given
under his Royall Highnesse I doe hereby
in his Ma^{ties} name Constitute & Appoint
you Cap^t Cæsar Knapton and M^r John
West to bee Justices of the peace at Pe-
maquid and dependences Giving you full
power & Authority to act as Justices of
the peace according to Law, and former
practice; And all persons whom it may
concerne are Strictly Charged and Required
to give you due Respect and obedience
accordingly Given under my hand and
seale of y^e Province this 26th day of June
in the 32th yeare of his Ma^{ties} Raigne
Annoq Dominj 1680

*A Commission for Henry Joceline Esq^r
to bee a Justice of the Peace in Quorum
&c to bee Justices at Pemaquid.*

S^r Edmund Andros Kn^t. &c By vertue
of his Ma^{ties} Letters Pattents and the Com-

mission and Authority unto mee given
 under his Royall Highnesse I doe hereby
 in his Ma^{ties} name Constitute and Appoint
 you Henry Joceline, Esq^r to bee Justice
 of the Peace in Corum and you M^r John
 Dollen M^r Laurence Dennis M^r Richard
 Redding & Co^mander of Pen to bee
 Justices of the peace together with the
 Co^mander of Pemaquid for the time being
 to bee a Court of Sessions to bee held in
 Pemaquid for the Jurisdiction thereof
 Giving you or any of you (whereof the
 Justice of the peace in Corum or Co^m-
 ander to bee one) full power and Autho-
 rity to keepe a Court and to act according
 to Law and former practise, And all per-
 sons whom it may concerne are strictly
 Charged and Required to give you due
 respect and obedience accordingly This
 Commission to bee of force for the space
 of one whole yeare from the date hereof
 and till renewed Given under my hand
 and Seale of the Province in New Yorke
 this 26th day of June in the 32th yeare
 of his Ma^{ties} Raigne Anno q Dominj 1680.

Council Orders relating to Pemaquid.

[New-York Colonial MSS. xxix.]

N. Y. At a Councell &c Sept 14, 1680.

Pres^t The Go: & Councell--&c

C Knapton

M^r West.Pemaquid affaires by C Knapton & M^r West

Izrael Dymont & John Rashly; questioned at y^e orders there held 4th Aug. last--for drowning Sam Collins & being aboute their Cognifance &c referred to Next Co^{rt} in Pem & ordered to have a Comifion sent there to this purpose.

Walter Moore &c

Henry Palmer--Dep^t--for DebtAn order of Co^{rt} served

The Co^{rt} to bee the last Wednesday in June & first in No^r. The next Co^{rt} in June.

Severall ord^{rs} past read, signed by M^r West Clarke. & Lre to Justice Jordan &c

To write to Pemaquid that what is done is approved of & about the Maques that they are forbid, & that they should do the like by their Indyans, not to goe out one ag^{ft} y^e other to warre

A Letter to Ensigne Sharpe att Pemaquid[Orders Warrants &c xxxii $\frac{1}{2}$.]Septemb^r y^e 15th 1680.

Ensigne Sharpe

Yours by Cap^t. Knapton received I have sent you by this bearer thirty pounds in mony which I would haue you with the advice of Cap^t. Redding Lay out on a good Sailing Shallop.

That may be for the forte or Publikue Vse theire but Suppose you may light on one Cheaper. I heare things at preffent are well and in good Ord^r and hope you will so Continue Take Care to keepe the plattform in the fort in good repaire w^{ch} I judge you may doe by Wattering or throwing stuffe or Earth thereupon P^rfuming that noe ordinary weight Cann P^rjudice it I haue alsoe sent you supplyes * * * for as p^r inclofled Invoice, And am

Yo^r Affectionate friend

E. A.

*A Letter to M^r Justice Jordaine att Richmond
Island nere Cas Kobay.*

[Orders Warrants &c xxxiii $\frac{1}{2}$.]

New Yorke the 15th of Septemb^r 1680

M^r Justice Jourdain,

Cap^t Knapton and M^r West being arrived have Given me an account of their actings Eastward and yo^r particuler well faire which I shall alwayes Endeavour, and to that end doubt not of yo^r redynesse to performe and execute the trust in yo^u reposed as Settled not apprehending any alterac^on or inovac^on of Governm^t. butt may assure yo^rfelfe that each person in Authority discharging their duty shall have all Just protection and Encouragm^t, and be Endemnified accordingly I have taken care to prevent Mahakes incussions by forwarning said Mahakes warring with our Indyans and now send like ord^rs for o^r said Indyans w^{ch} I doubt not will be observed however aught not to bee Carelesse I shall not bee wanting in my duty in Every respect and as occasion lett you heare from me of which you are not to

faile on your parts and wth Commendations
to others authorized in your parts wth you
Remaine :

Your Affectionate friend
E. A.

Order for restraining Indian Hostilities.

[Orderr Warrants &c xxxii $\frac{1}{2}$.]

The Governo^{rs} ord^r to be Declared to
the Indyns att Pemaquid sent to the
Commander and Magistrates there

The Governo.^r hath sent to forbid the
Mahakes and doth lett you know you must
not warr upon each other being within
and of the Governm^t. But whereas many
partyes may be out you will doe well
Carefully to looke out and avoyd all sur-
prifes till you be Affertained all are returned
home and things Quiett and Well. The
Cheifest Sachems to be sent for and the
aboute ord^r Signified to them after w^{ch} to
give then Something more then they could
Deserve for Comeing such a Journey.

Sep^{tb}: y^e 15th 1680.

E A.

A Letter to Ensigne Sharpe.[Orders Warrants &c xxxii $\frac{1}{2}$.]New Yorke y^e 15th. Septemb^r 1680.

Ensigne Sharpe.

I have by M^r Wells and one writt by M^r West answered your^s of the 7th Instant except what relates to M^r Joslyne whom I would have you use with all fitting respect Considering what he hath been and his age, And if he Desire and shall build a house for himselfe to lett him Choose any lott and pay him ten pound towards it or if he shall Desire to hyre soe to live by him selfe then to Engage and pay the rent either of which shall be allowed you in yo^r account as alsoe sufficient provision for himselfe and wife as he shall Desire out of the Stores^o letting me know p^r this returne how hee desires it or what, that I may Settle it. Commendations to M^{rs} Sharpe

I remaine,
Yo^r. Affectionate friend
E. A.

*A Commission for Cap^t ffrancis Skinner
to be Command^r att Pemaquid and
Parts Eastward.:*

[Orders Warrants &c. xxxiii $\frac{1}{2}$.]

By the Co \tilde{m} ander in Chiefe

I doe hereby Constitute and appoint you Cap^t ffrancis Skinner to be Command^r att Pemaquid and Parts Eastward under the Governm^t of his Roy^{ll} Highnesse you are therefore to take Care that the Militia in the severall Places be well armed Duly Exercised and Kept in good ord^r. and Discipline and the officers and sould^rs thereof are Required to obey you as their Command^r, and yo^rselfe to observe such ord^rs and Direcc \tilde{o} ns as you shall from time to time Receive from me or other yo^r superiour Officers according to the Rules and Discipline of Warr and the trust Reposed you Given und^r my hand and Seale in New Yorke this 30th of August 1681.

A. B.

*Instructions for Cap^t Ffrancis Skinner
Commander att Pemaquid.*

[Orders Warrants &c. xxxiii½.]

Att yo^r Arrivall att Pemaquid you are to Demand of the Present Command.^r and take possession of the Garrison or fforte there and to take into yo^r. Charge Care and Management the Sould^{rs} thereunto Belonging and for them to Provide and furnish all Due Provisions and necessaries as formerly.

You are Likewise to take an Exact account of all Stores and Ammunition as you shall find there and send me an account thereof and what Condiçion you finde the place in and of yo^r voyage thither.

You are to be verry Carefull to Prevent any Diforders or Trouble amongst Indians and others and to see that they be Civilly vsed as formerly and that the ord^{rs} about Regulateing the trade and ffishery be observed.

You are to keep Due account of all Disburfm^{ts} for the fforte or Souldiers or othear publique Charge, and send the same to me with an account of yo^r Proceedings

and actings from time to time by all Con-
venient Oppertunity

Given und^r my hand in New Yorke
the 30th Day of August 1681.

A B.

*Letter from Lieut Gov. Brockholls to
Ensign Sharpe.*

[Orders Warrants &c xxxii $\frac{1}{2}$.]

New Yorke Augth: the 30th 1681.

Ensign Thom. Sharpe.

I have herewith for yo^r Reliefe sent
Cap^t: Skinner to be Command^r for Pe-
maquid and Parts Eastward You are
therefore to Deliver up the Garrison and
Sould^rs now und^r yo^r Command to him
and by the first Oppertunity Repaire
heither which will be necessary as soone
as possible M^r Wells Being Goeing for
England that you settle yo^r accounts with
him before his Departure.

Remaine

Yo: Affectionate ffriend

A: B:

*Extract from a letter of Lieut Gov.
Brockholls, to the Governor, dated New
York Sept: 17th, 1681.*

[Orders Warrants &c xxxii½.]

* * * *

What men are Left I Continue att
Pemaquid Severall Being Deaed and Ap-
prehensions of Trouble wth the Indians.
Cannot more Lessen the Garrison there,
But haue sent to Releiué Sharpe that he
may make up his accounts with M^r Wells
Before his Departure for England which
is Intended with my Lady in the Beaver
who Judge will be Ready to Saile about
a month this time.

* * * *

*Articles of Association for the Settlement
of a town upon Sheepscot River.*

[New-York Colonial MSS. xxxiv.]

Att a Meeting att M^r Robert Gibbers
House att ffort hill in Boston Held this
nintenth Day of Aug^{ft} in y^e thirty fourth
yeare of y^e Reigne of our Souerigne Lord
Charles y^e Second by y^e grace of God of

England Scotland France and Ireland King, Defender of y^e faith: & Annoq Christy: 1682 Wittneffeth; That whereas there was a neck of Land Suruaide & a towne Laid out vpon y^e Said necke Generally knowne & called by y^e name of Masons & Jewtts neck Lieing & beeing in Shipscutte Riuer, & a towneship bounded to y^e said towne; y^e ffourth Day of July Extent by Sq^e Joslinge Justis In Corrum with feurall other of y^e fformer Inhabitan-
 ce of said Riuer in Company with y^e said Justis as Afforesaid; therefore it was thought nefficary & Conuaeniant ffor y^e proppigatting & Bennifitt of Said towne & towneshipe & ffor y^e privilidges thei-
 of to call this Meeting where was Mett feuerall of y^e fformer proprietors: & Inhabitan-
 ce with their Affociats whose names are vnderneath Subscribed who Did Joyntly Bind themfelues to stand to seuerall Articles of Agreement ffor y^e fettelling and Sittuating of said towne & towneshipe for y^e good & Bennifishall
 Aduancement thei- of; theirfor to that purpose this Couenant & Agreement is Drawne; & is Affearmed with y^e hand

& seale of Euery person heare p^resent y^e Artickles ffolloweth, Viz.

Imp^rs. First. Itts: thought nefficiency that Euery fforemer Inhabitante properia-to^r & owne^r of any Lands Medow groundes & salt or ffresh with all their fformer priuilidges wrights or tittalles in any wise whatsoeuer of their former Rights Into y^e fforesaid towneshipe ffor y^e ffuter good & bennifitt thei^rof must & shall bee throwne Into said towneshipe y^e ffruitt trees barnes housing & ffencing stuff only to bee Excepted but all other priuilidges of any person or persons whatsoeuer must & shall belonge to said towneship as aboue is spesified.

Secondly. Itts ffurther Agreed that Euery person & persones whatsoeuer that Intend, to Settell build plant & Mannuer in y^e said towne thus Laid out & Suruayed ffor that Intent must & shall Repaire to y^e said neck of Land or towne as affore menthoned: to make preperration ffor their fettelling & building of said towne twelue mounths Affter the twenty ninth Day of September Insuing y^e Date of these p^resents in y^e yeare 1683; y^e 29: Day of

Septembe^r beeing y^e firtheft tim Ap-
 poynted According to Agreement vpon
 y^e fforfituer & penelty of Loufing all their
 wrights & tittells to or of any part or
 parfell of faid towne or towneshipe Ex-
 cept fuch properiaters Children that are
 att prentis or not att agg^e: then to Man-
 nuer & poffefs their Lotts: when Layd
 out p^r Men which muft & fhall bee
 Chofen p^r y^e: Towne ffor that Intent &
 purpofe.

Thirdly. Itts fforther Agreed that their
 fhall bee a fpeshall & speedy order taken
 that their may bee a Conueniante place
 as a tract of Land Laid out for A Miniftree
 with a Conueniant place to fett a meeting
 houfe to y^e beft aduantage for y^e towne
 & allfo that wee may haue a minifter of
 our owne ffree choyce & fuch a man as
 y^e Mager parte of y^e towne fhall Like &
 Approoue of ffor that End.

ffourthly, Itts fforther Concluded that
 as fone as any Men that haue fubfcribed
 their hands & feales to thefe p^refents fhall
 or may come to Make way ffor bulding
 or fettelling they may & fhall haue ffree
 Leaue & Lycence to Lay out & bound

their home Deuifhones that Lyes near y^e towne without Any hendrance or Disturbance of or by any person or persons whatsoever; moreouer it is Agreed that noe person nor persons whatsoeuer shall buld any vesells small or great Cutt or Cary away any timber speares ffencing stuffe hay thache or any other Marchendyes out of said towne or townshipe without y^e Leauē Licence & Approbaccōn of said towne Inhabitance then & their settelled.

ffifthly. Itts Likewise Agreed that all such persones that shall or may first settell & are their Reddy to Improue their lotts as ffencing & working ffor y^e Improuements of Said home Lotts Shall & may haue free Liberty & Licence to Lay out & bound their out Deuifhons for their beter Aduantage & fforwarding of their Improuements without any hendrance or Disturbance of any person or persones whatsoever & Euery mans Lotts shall be Equally Deuided euery manes equall proportion of Vplands & meadow both fresh & salt with all other towne shall see it ffor y^e said towne

Sixtly. Itts further Agreed that euery man both houfe keepers & fingell perfones att y^e Agge of fixtene yeares; must & fhall prouide three pounds of good powder with twelve pounds of Lead bullet & Swann shot: ffor a towne Store & allfo to keep a good ffier Loke muscet or fflowling gonne all to bee Redy for a stoke to preuent y^e heathen or a forrin Inuashon: & to haue two Sufficient men Chosen for that end to see euery man fo provided according to order.

Seuenthly. Itts Likewise ffrther Agreed: that noe person nor perfones must not neither fhall they nor any of them buld any dwelling houfe or Cause it to bee bult in Any part of y^e towneshipe but only vpon that neck of Land Layed out & furuayed for that End & purpose vntill fuch time as y^e towne fhall see it meete & fitt & that it may bee ffor y^e Aduancement & benefitt of y^e Affore menfioned towne & touneship According to Agreement.

Eightly. Itts Likewise ffrther Concluded that Euery Inhabitant of faid

Towne & towneship must & shall haue free Liberty & Licence without any Disturbance or Molestation of any person or persones whatsoever to transport any timber planke speares pip staues or any other prouishon or Marchandize whatsoever with any vefell or vefells great or small to any porte or ports that are ffree as Boston or Els where without paying any Dutyes or Customes in Espehall maner y^e grauth of our owne Country; where wee Inhabit.

Ninthly. Itts moreover Agreed vpon further Considerations that Euery Anshant & fformer properriator that haue any Children Allredy borne; that it is ffreely graunted that any of those Children shall haue as free Liberty Leaue & Licence to Come Into said towne or towneship of Shipscutt Riuer & haue Lotts Layd out for them by the select men Chosen for that purposs of all Lands medow ground & all other priuilidges whatsoever without paying any Sumpshan of mony or moneyes worth or any other grattuity whatsoever but shall bee as free Denisenes as any of

these allredy fettelled; allfo that euery former owner Mannuerer or propriato^r may & fhall haue ffree Libertye Leauē & Licence to Remoue take offe or fell all or any of their ffruit trees garden ftuff houfing barn timber or other hewed timb^r planke bords ffencing ftuffe & Like except it bee y^e timber now growing in or vpon y^e towne or towneshipe y^e towne or townsmen Agreeing to this, that then y^e faid Walter Phillips Jenier fhall & will agree to & with y^e faid towne & townsmen vpon all ffuter Affeares & ftand to what they may now or hereafter Acct. in y^e fforefittuer & penallty of Loufing all his former propriateyes within y^e Limes of faid towneshipe as he fhall Atteftie by fubfcribing his hand to this Laft Artickle to that end & purpofs.

Tenthly & Laftly. Itts moreouer Agreed that all thofe men that haue Subfcribed their hands & feales to all thefe aboue Menfhoned Artickles Made y^e 19 Day of Auguft 1682 as aboue may & fhall haue their ffree Liberty & Licence Ether them ore fom of them or y^e Mager part of them

att publick Meeting Appoynted for that purpose to make Choyce of take in or Incuridge any Responfabell Credable or Benyfishall man or men of Craftsmen Merchants or y^e Like without any Deniall hendrance or Molestashon: & ffor y^e Manifestation & Confirmation of all & Every of y^e Aboue specified Artickles wee haue all Joyntly & feuerally hearevnto Subscribed our Hands & Seales y^e Day & yeare ffirst Aboue Righten Regny Regis Carilus Secundus

As Atteft. Vpon a ffather Consideration beefore Signed & Sealed it is Intended that Every person & persons y^e now doe or at any time or times heareaffter shall Manneur & Settell y^e Aboue said towne & towneshipe must & shall Enioy all & every parte & perfill of said towne & towneshipe to say y^e wholl Premiffes & bounds thereof to bee free Lands to bee Enjoyed by vs & to vs to our heires ffor Euer without any hendrance disturbance or Molestation in any wise whatsoeuer by any person or persons Except it should bee Inuaded by a forrin nashun & Deferted

by all y^e Inhabitance as aboue shal bee
& now is Confirmed as p^r our hands &
Seales.

W ^t JOHN ALLYEN.	WILL ^m WILLCUTT
THOMAS GENT.	JOHN BROWNE
CHRISTOPHER DYER.	his B. mark
THOMAS MENER	JOHN DIER
ROBERT SCOTT	his -I- marke
his R marke	CALEB RAY
WILLIAM LOWERING	ELIZABETH PHYPS
JOHN WHIT	hir marke
his -I-marke.	DAUID RANSFORD
DANIEL GENTT	his ζ marke
his (- marke	

Allowed by me ; 30th August 1682.

HENRY TOWLYN Jus in . . .

These within Articles Recorded in the
Book of Records at Pemaquid and Exa-
mined by me

W^m SHORT Cl: Sefs.

We whos Names are vnder written Doe
Testify vpon oath y^t we saw Henry Tow-
lyn Esq^r Justis in quo Sign this within
mentioned Artickles with his own hand
as wittnes our hands

WILLIAM LOUERIDGE
THOMAS GENT,
BATH ANDERSON
CHRISTO DYE Conftable

These three men are now Sworn at
New Dartmouth this 16th Day of September
1684 Before me

GILES GODDARD Just in quo

*A Letter From Cap^t Brockholls to Justice
Josline att Pemaquid, New Yorke
August 24th 1682:.*

[Orderr Warrants &c xxxii $\frac{1}{2}$.]

Sir

In Anfwer to yo^rs of the 17th: July
I am Glad to heare of the Settlement of
yo^r Partes which must be Encouraged and
is Left to your Mannagment with the
advise of the Commander and those in
Place According to the Regulacóns and
Orders given by the Governo^r, which still
Remaine in Force and must be Attended
and Observed accordingly The number of
Persons you mencón will add much to
the strength and trade of the Country
which Shall Endeavour to Supporte the
Proper plans for Settlem^t. You are best
Acquainted with Therefore Left to you

as Aforefaid to Order the Laying out what wrott by Castine is of noe Importe you Knowing the Extent of his Roy^{ll} High^s Limitts which must be Maintained according to his Pattent

Have nothing of news butt Dayly Expected from England all well here my Respects to yo^u selfe and Wife is the only needfull att p^rsent from

Sir

Yo^r Affectionate ffriend

A. B.

Commission for Settling the Duke of York's Title.

[New-York Colonial MSS. xxxiv.]

Coll Tho. Dongan Liev^t Gov^r and Vice Admirall under his Royall High^{ss} of New Yorke & Dependencyes in America.

By virtue of the authority Derived unto me I do hereby Constitute and appoint you, Ensigne Thomas Sharp John Allen Esq. Justices of the peace M^r Richard Pattishall M^r Alex^r Waldrop M^r Thomas

Gyles or any three of you to be Commissioners for the settling his Royall Highnes^s territoryes between the River Kenebeck and S^t Croix Giving you full power and authority to act as commiffioners and to confult make rules and orders for the good and wellfare of the faid places and Government and to call to question and punish all offenders according to law and practise and all persons whom it may concerne are strictly charged & required to give you due respect & obedience accordingly

Affidavits Concerning Indian Hostilities.

[New-York Colonial MSS. xxxi.]

Jan 28. 1683.

James Dennes aged 26 yeares or thare about and now liuing in Kenebeck Riuer, and Being a subjeçt true to our Souraigne lord the King and hearing the Ingans threating the Einglish

This deponant faith that he hard the Ingans fay one that is counted a Captaine

amonge them he said, that his hart would neuer Be well tell he had killd some of the English againe and threatening that he would Burne the English houses and make the English Slaues to them as they ware Before. Seuerall times Before this Ingen which was called By the English Captaine Antoneie then a nother Capt said to this said Anthonie that he should hould his peace and not tell what he had amind to doe and furder said that he heard a Ingen woman say of her one acourd that she would not Be heare when the wars was if she could help it for the Ingans was so bad thay would make wars and she could not abid to see her English neighbours kild and beside she was afraid the English would kill her and furder saith not only the Ingans are going to Canada and say they will be Back againe in apreill insuing the Date here of

Giuen on oath before me

LAURENCE DENNY

Justes of Pease

Date february 22. 1683.

John Hornibroke aged 30 yeres or thare about.

This deponant faith that it is a genurall faing among the Ingens that they will haue wars againe and furder faith that thare was four Ingans lay at his houle and one of the Ingans faid that he would Stab a English man with his knive and Run away when he had dun and furder faith that a Ingan faid that the hachet hung ouer our heads and he did not know how sonne it might fall and Before that was he would giue John Hornibroke notice that he might go away and he was a weary of keeping the Ingans for falling out with the English and he would keep them no longer and furder faith that the Ingans did threaten to burne English houfes and make them Slaues as they ware Before and furder faith

As farr as I vnderstand by John Hornibroke that the aboue faid writing is Reported by the Indians for truth

JOHN ROWDON

That the Ingans did Report that they would go to Canada and fetch strength to fall on the English and some of the Chiefe of them is gon to Canada all Ready to fetch guns and amantion and they said that they would make the greatest armie that euer yet among them.

LAURENCE DENNY

Justes of the peace

The Deposition of John Voanny
& Will Bacon y^e one Agged 55 yeares
& y^e other 35 Dito

Testifieth & Saith,

That y^e said partyes setting fforth one purpose in y^e beehalfe of y^e Rest of ther neighbors & with their vrgent Request & Desier to search out y^e truth of y^e Ingenewes y^t was going Amongst vs. Wee did take our Viage ffrom Kenybecke to Casco bay wheare wee did Repeare to M^r James Andrews house to learn how Affeares went their & y^e said Andrews did willingly Informe vs that ane Indion which did Comenly Repear to his house & M^r Walter Cendalles ffor Releefe did

fay if y^e said Andrews & Cendall would not disclose his name that then hee would disclose what hee knew Concerning y^e Indons Against y^e English & After thay had promised hee told them that y^e Indones was Minded to Rise in Rebellyon againe & Cutt off y^e English but how sone hee could not yett tell but when thay did & hee see their Refalution hee would send them or bring them a burch Rine as though hee had brought them a Leter & ffather further faith not

Y^e same deponent further faith y^t did Informe them that thay had ffallen one a ffortnight agoe had thay not disagreed in their Judgment which did all that time preuent their Absolute Intentions & further faith not

Tacken before me this
28 day of ffebruary 1683

P^r J^NO ALLYEN Jus of Peace

The Depofhifhon of John Molton
Aged 50 yeares or their abouts tes-
tyfieth & Saith,

That hee being Cutting of wood in his
ffeld y^r goodwife Cutery called to him &
faid that fhould luke to himfelfe for their
was an Indeon would do him a mifchiefe
& y^e faid Molton Luked about & faw an
Indeon Coming threw faid Cuteryes ffeild
ouer to faid Molton without fpeaking
one word but came to faid Molton with
his knife in his hand and profered to stab
f^d John Molton wth y^e fame twice, &
then faid Molton defended himfelfe with
his Axe & threatening y^e faid Indon to
Cut out his braynes with y^e Same & when
y^e faid Indeon fee that, hee Deperted
ffrom y^e faid John Molton & went towards
M^r Samuell Boles his houfe & ffurther
faith not.

Taken upon oath before mee

ffebuary y^e 28 Day 168³/₄

P^r JNO ALLYENE Jus of Peafe

*A Letter from Cap^t Brockholls to M^r
Ffrancis Skinner att Pemaquid*

[General Entries xxxiii. 55.]

New Yorke May 10th: 1683.

M^r Ffrancis Skinner

S^r

Am Sorry the Loofneffe and Careleffneffe of your Command gives Oppertunity for Strangers to take notice of your Extravigancyes and Debaucheryes and that Complaints must come to me thereof being what your Office and Place ought to prevent and punish, to which perceive have Little Regard nor to the former Orders and Regulacóns for Settlement being alsoe Informed that you have Suffered People to settle alone in Remote Places Contrary thereto Exposing themselves to the fury of the Heathen which may Proue of ill Consequence as hath been allready Experience to all in those Partes, Expect a better obfervance and Comporte for the future, and that Swearing Drinking and Prophanesse to much practiced & Suffered with you will be wholly Suppressed and that you haue Due

Regard to all former Orders and Regula-
 cōns for Settlement &c by M^r Pattifhall
 Shortly Intended your way I fhall Send
 Commiffion for another in the Place of
 M^r Joyflyne Deceased who feere is much
 wanted, I am,

Your affectionate ffriend
 A. B:

*A Letter from Cap^t Brockholls to Justice
 Lawrence Dennis &c*

[General Entries xxxiii. 56.]

New Yorke May 10th 1683:

M^r Lawrence Dennis.

Sir.

Yours of the ninth of Aprill Received
 by which am troubled to heare Such
 Loofeneffe and Extravigancy att Pem-
 maquid and Remiffeneffe in the Officer
 or Commander there not to obferve the
 former Orders and Regulacōns for Settle-
 ments being noe wayes altered but Con-
 tinued & Confirmed All Care poffible
 hath been and is taken of that parte of
 the Governm^t by Giving Good and neces-

fary Orders which You the magistrates and Officers must see Executed and Observed accordingly and Suffer none to Vylate haveing perticuler Regard to the punishment & Suppressing those Debaucheryes you mencōn, about w^{ch} Shall Allwayes write to Pemmaquid and that none settle in Remote partes alone but in Townships according to former Orders and Regulacōns shall Likewise Commiffionate another in the Placē of M^r Joslyne Decefed and hope all paste Errors will bee Rectified by your future Good Comporte the news of which will be most acceptable to,

S^r

Your Affectionate ffriend,

A : B :

*A Commission to Mr John Allen of Sheps-
gutt to be Justice of the Peace for
Pemmaquid and Dependencyes.*

[General Entries xxxiii. 57.]

Anthony Brockholls Esq^r. Com-
mander in Cheife and the Councill
of the Province of New Yorke &c.

To Mr John Allen of Sheepgutt Greeting.

By Virtue of the Power and authority
Derived unto us under his Roy^{ll} High^s
wee Doe hereby in his Ma.^{ties} name Con-
stitute Authorize and Appointe you Mr
John Allen to be Justice of the Peace for
Pemmaquid and Dependencyes Giveing
you full Power and Authority to act as a
Justice of the Peace according to Law and
former Practice and all persons whom it
may Concerne are Strictly Charged &
Required to give you Due Respect and
Obedience accordingly. This Commis-
sion to be of fforce for the Space of one
whole yeare or till further Order. Given
under my hand and Seale in New Yorke
the 12th Day of May 1683 in the thirty
fifth yeare of his Ma.^{ties} Reigne &c.

A: B:

Petition from the Inhabitants of Pemaquid.

[New-York Colonial MSS. xxxi.]

(Endorsed: — “ A Peticōn of the Inhabitants of Pemaquid. Sept 6.th Defered untill the Govern^r go to Pemaquid; or send some body thither, only in the mean time the former orders are to be observed.”) [1683.]

To the Right Honora^{ble} Coll Thomas Dongan Gouvernor Generall of all his Royall High.^s Territories in America and Vice Admirall of the Seas &c and Councell.

The Humble Peticōn of the poor Inhabitants of the toune of Pemaquyd &c. Humbly Sheweth.

That when the most part of the inhabitants of this place did come from New York at the subdueing of this Countrie here to Serue his Royall High^s; Therefor and for Seuerall other good reasons (and Secureatie of the People) moueing your hono^r predeceffor S^t. Edmund Andros, and Confirmed by Cap^t Brockholls; did giue grant and Confirme

to this Toune of Pemaquid the whole trade of the Indians; directly and indirectly forbidding all other Persons to trade with the Indians within this Colony Except at Pemaquid vnder very great Penalties as the Records here make appear. And Likewayes your hono^r was pleased in your Articles sent by Cap^t Sharp to Order us here to build Laft Spring one Block-hous at Merrimeting; which according to Order is there Ready to be raifed; as will appear by some of your Peticōners who can informe ffurther; and for fecuring Laft Spring of his Royall High^s Reuenuē wee sent up one vessell about twenty ffour tunns well manned to trade haueing entered and paid Duties which does amount to more then all the Rest of this Country; except Pemaquid towne as your Collectors books will make appeare. But since your poor peticōners Vnderstands that Cap^t Sharp hath Receiued a Leter from your Hono^r to forbear setting up of the house vntill your Hono^r further advice otherwayes it could haue bin ffinished.

Therefore your humble poor peticōners doth humbly beg and Desire your hono^r

that our former Liberties granted to us Concerning tradeing with the Indians may be confirmed and striēt Charge giuen that noe other Person nor Inhabitant Shall trade Except they doe come and build here which will be a strenghening to the gar- rison of this place and for promoting his Royall High^{ss} Interest to Order that wee fend up a Veffell up Kenebeck riuer vntill your hono^r se caus to haue the blocke hous Raifed being willing to pay Custome & taxes according to orders which wee hope will be Considerable this fall in that Place other wayes it will be imbaselled and wee disabled from makeing our Liues Com- fortable; Likewayes to grant your poor Peticōners an order how wee shall behaue towards the french in your Jurisdiction to the Eastw^d for the trade that way is Considerable and will promote your hono^{rs} interest. And your poor Peticōners shall euer Pray &c.

[The Signatures to the above have been cut off by some person unknown, probably for the autographs.]

Council Minutes v. 1*.

At ffort James in New Yorke Sep-
tember the 13th 1686. [1683.]

* * * *

Ordered that John Allen be made
Sherriff of Pemaquid & Dependences, as
Islands & whatever is thereto belonging,
& he is to appoint the ffreeholders of
Pemaquid & Dependences to meet &
Chose one Representative

* * *

*Comiffion of Thomas Sharpe as Com-
mander at Pemaquid*

[New-York Colonial MSS, xxxiv.]

By the Govern^r

I Do hereby confitute and appoint you
Enfigne Thomas Sharp to be Commander
att Pemaquid and parts Eastward vnder
the Govorment of his Royall Highnefs
you are therefore to take Care that the
militia in the Severall places be well
armed duly exercifed and kept in good
order and difcipline and the officers and

foldiers thereof are required to obey you as their Commander and yo^rfelfe to obey fuch orders and direccōns as you fhall from time to time receive from me or other yo^r Superiour Officers according to the rules and discipline of warr and the trust reposed in You. Given under my Hand and Seale at ffort James the 10th day of Nov^r 1683.

*Comiffion of Alexander Woodrop as
Sub-Collector and Receiver.*

By the Govern^r

I do hereby Conftitute and appoint you M^r Alex^r Woodrop to be Sub Coll^r and Receiver of the publiq Revenue of the Cufomes & Excyfe due to his Royall Highneffe in Pemaquid and its Dependencyes on all Comodityes Customable and all liquors according to an act of the Gen^l Affembly publifhed the 31th day of Octo^r laft of which you are to keep due account and make returnes of faid receipts in Specie from time to time to me or my order and all perfons concerned are re-

quired to conforme themselves accordingly upon the penaltyes as in the said act is specified this my Com̃icōn to last only Dureing my pleasure Given under my hand and seale in New Yorke the 28th day of November 1683.

Instructions for the Settlement of Pemaquid.

[Council Minutes v. 23.]

At a Council held at ffort James in New York November y^e 22^d 1683.

Pr̃sent the Governor

Capt A Brockholls

Mr Ffr Fflypsie

I Spragge M^r Steph V Cortland

Mr Lucas Santer

The following Instructions & Orders were Considered.

Instructions for y^e Settlement of Pemaquid

That no coasting Vessell shall trade on the Coast as Bumboats tradeing from Harbor to Harbor, but as shall Supply the Generall account for one boate or more, neither shall it be lawfull for him

to trade in any Other Harbor, but where the boat or boats are, neither shall it be lawfull for him to trade with any other crew for liquors or wine Rumm, Beer Sider &c on such penalty as you think fitting.

An Ordinary is to be Sett up at every Island or ffishing place by an approved man of that place

It shall not be Lawfull for the Ordinary keeper to suffer any boates crew or any men belonging to any boates Crew to sitt & tipples to excessiue drinking, or unseasonable houres to hinder the said boates Crew upon such penalty as by you shall be thought fitte

It shall not be lawfull for any masters of vessells to sell or dispose of to any Crew besides their own any liquor of what kind soever on penalty or forfeiture to make good to the Vessels Crew the same

It shall not be lawfull that after any Crew be Ship'd & agreed to proceed on their Voyage & haue been to sea together to make a faire that if at any time by any of the Crews obstinacy or Idleness or any other means (sicknesse only excepted) that the Crew be so hindered of

makeing her faire the penalty & forfeiture for each faire be considered & so proportionable for a longer time that the Said party shall absent himself to the Hindrance of the Veffell going to sea.

It shall not be Lawfull for any Veffells Crew that belongeth not to the Government to make a Voyage in the Government, except he hath an house & staye within the Government on penalty of forfeiture of paying for makeing his voyage

It shall not be lawfull for any Veffell or Veffells that do not belong to this Govern^t to make an herring Voyage at Mount Niles (?) or any other place within this Government upon penalty thought fitt by you

It shall not be lawfull for fishermen to keep any more dogges then one to a family on such penalty & forfeiture as shall be thought fitt by you

It Shall not be lawfull for the ffishermen at Socatahock after the proclamation of this order to build any more howfes on that part of the Island that the Stages are of, but what they shall be on that part to the Southward where they haue begun

to build & what howfes are on the Island where the stages are of must be Removed within the space of 2 years likewise all falt houses or Warehowfes that Stand in the way of the flakes to be removed to a Convenient place on penalty as you think fitt

That all fishermen & planters shall be forced to haue Arms & Ammunition

That all persons whatever shall be forbidden to trade wth the Indians Saue only two howfes one at Merrymeeting & the other at Pemaquid

That all Veffells out of any Goverment if they com to trade or fish shall first enter at Pemaquid or the places appointed & that they shall not goe into any other Harbour except by streff of Weather but first to Cleare & giue an Account of their design & not to break bulk before they haue so Cleared & then proceed to trade or fish as license or permitt may be granted on penalty

That no Veffell or boates Crew shall break bulk or dispose of any fish till the first of June on penalty

That the fishermen may haue an affurance of these plantations about Socadahock & an Incouragement therunto that the planters in Sheepsgut River & Denorall Cote & the planters in Kenebeck & New Town in particular encouraged being fit for the fishermen as well as planters

That no one who takes fourscore Acres of Land Shall haue of the said Acres aboue eight Acres fronting to the Sea River or Creek & so proportionably for any who takes more or lesse Ground

That no Stragling farmes shall be erected nor no houses built any where under the number of twenty

The Officer who is Comãder of Pemaquid shall by the advice of the Comrs or any two of them Seaze any Veffell that offends contrary to the aforefaid instructions & such Orders as shall be made by you or any three of you for the well establishing that Colony, provided allways that nothing herein shall be don by you repugnant & contrary to the laws of this Country, & the laws of England

And for the promoteing of piety it is requisite that a person be appointed by

the Com̃iffioners to read prayers & the holy Scriptures

Ordered that no Veffell or boate or Cannoe whatfoever fhall trade nor go into any Harbo^r or River between the Rivers Kenebeck & St Croix but what fhall enter & Clear firft at Pemaquid, except they are forced by ftrefs of weather, upon forfeiture of both Veffell, & goods, & that no one whatfoever as he will anfwer it at his perill fhall take a permitt or lycense to trade there from John Nellfon at Boston or any other perfon whatfoever, except fuch as are appointed & Commiffionated by the Governor of New York

And for the further encouragement for people to go & Settle on the Dukes territories between the Kenebeck & St Croix they fhall haue lands for themfelves & their heires without paying any Quitt-rents except a fmall acknowledgment of one fhilling for an Hundred Acres p^r Ann, & that they fhall not be lyable to be arrefted for any debts for the fpace of feven Years excepting fuch debts as they fhall contract by occafion of their going thither, or whilft they inhabit on that place.

No fishing boats whatsoever shall throw over board any Garbage or Gutts or any other thing that tends to the damage of the fishery banks on forfeiture of their boats or Veffells

And all Veffells or fishing boates not belonging to Pemaquid or the Government of his Royall High^s are to pay as followeth

A decked Veffell four Kentalls Merchantable fish & an open boate two Kentalls.

Petition from the Inhabitants of Pemaquid.

[New-York Colonial MSS. xxxii.]

To the Honred^e Coll Thomas Dongan Left. Govern^r & Vife Admirall vnder his Ryell Highnes of New Yorke Dependences in America and to his Hone^{tbl} Counsell now Sitting att New Yorke

The humble Petion of the inhabytance of the Extreme partes of his Riall Hines Territory Betwene the Riuier Kenybeke and S^{tt} Croix

Humbly Sheweth

Ware as y^{or} P^etinor^s Came to vnderstand by Seuerall Commiton and in strucktion

ffor the Settillment of the affore said partes that yo^r Hon^r Hath intended Good ffor these partes and all ways will wee Believe Confferme the same which Gives vs Greate boulldnes to seeck yo^r Hon^rs protecktion and Reedres ffrom many burthen, and oppretions that are Layed vpon vs by the wonte of Lawes being Lefte to the will and plesuer of the Millitary order by which menes the Gouverment bee Coms to vs allto Gether Arbytery which foe to bee is Repugnant to the Laues of England and his Maj^{esty} Regall athority as allso a great Reflektion one yo^r Honer^s athority Being ffully ashored of our Deliuerc^e ffrom the same By yo^r Hone.^r Affter seurill yeares suffring By ouer Great Distant ffrom New Yorke whare wee are all ways to have oure Releefe in such and the Licke Cafes =

P^rmis the Boody of Lawes of New Yorke and the adjasent partes of his Ryall Hines territory hath not these partes in it Thare ffore humbly Request that wee may bee A mumber of that Boody --

2^{ly} — Thare has ben but one appointed ffor these partes which all

Cases Com beffore and if Injuftis Don any man vnder correcation bee it fpoocken to the Loos of his Eftate or Dammige to his parfon this Law Appointes noe Appeall ffor vs which priueliges is a Lowed of By yo^r Hon^r and Counfell at New Yorke and thare ffore hope yo^r Hon^{er} will provide fom way ffor ouer Releefe

3^{ly} It hath Binne the practis of the Commander of Pemaquid to apprehend by fforfe of armes the kings Juftis of the peafe and thretten other Juftis of the Peafe with Putting in Irons and keping in the ffort a prifnor feuerall dayes with other Grand abuffes and Villifing Lang^c and ffor noe Refon only ffollowing thare Commition Granted to the Said Juftis^c of the peafe as allfo thretnige the Defolging of Coarts att pleffuer By which meanes the Kings Juftifes and Subjects haue bine turned bee fides thare Bufnis: Humbly Beging Yo^r Hon^{rs} Releefe in the fame

4:^{thly}: Whare as you Honer haue Sent formly Artickles in tittled Infturction ffor the fettillment of Pemaquid which fignifies to yo^r petitioneor that yo^r Hon^{rs} haue thoughts of Good ffor the Inhabitance

of these partes if a Right vnderstanding whare as the ffurste Instrucktion Declarith that noe vesseill shall trad one the Coste as bumboates ffrom Harbber to Harber but such as shall supplye the Gine^rorall account ffor one Boate or more nether shall it bee Lawfull to trad in any other harber which or Instrucktion is much to the dammig of the in habby-tance and a great Discorigement of others that wold Come to inhabbitte ffor answer to the affore said Instruction the persons that haue supplied the ffishery haue allways fate such Grate prises one thare Goods that it hath ffor many Years Impoverished yo^r poore petitiones butt of Late hath by the Refons of Supplyes att a Cheaper Rate and not Confarned with the Supply of boates made vs to make a more comffortable Liuing then heare to fore

Likewayes wee tacke bouldnes to acquainte yo^r Hono^{rs} with a Confidderable quantidy of planters Settled and are a Coming to Settill in his Riall highnes territory in the Esterne partes if in corrigment ffrom Yo^r honer which wee Disspare not of Desirring yo^r honer to take it into

yo^r pieous Consideration how these affore
 said planters shall bee supplied Being
 absolutly Comanded that the supplies
 shall Dispose of noe goods but in the
 harbers whare ffishery is and to now other
 but the boats crue which affore said in
 strucktion wee humbly Confeue were
 Given in to yo^r Honer by him that had
 to much sellse in it and wee ffear a
 Combination wth other suppliers to the
 Impourishing of Your poore petifiners as
 heare to ffore which in fringment of trade
 hath neuer Ben as wee humbly Confeue
 to his Majesty subiack humbly Desiring
 Yo^r honer to Reliue vs in the same ---

5.thLy Whare as the ninth Instrucktion
 that the ffisher men of Sacady-hocke Iland
 shall not Builde any more howeses one that
 parte of the Iland whare the Stages bee
 but shall Remoue all thare Houses within
 the Spafe of three yeares which will bee
 the Runing of the proprietiers of y^e same
 but wee humbly Confeue and sartingly
 knowe that his Majesty by act of parlyment
 haue mad proclaymation that all Ilands
 and plases conuenient ffor ffishery all tho
 any person or persons propriety shall Bee

Improued ffor that End; as allfo Sr Edmond Androus Confferming of the fame: wee ffeare yo^r Honers in ffermation haue ben ffrom a perfon fformerly Claiming a Right thare vnto all tho pretended which parfon cane bee noe other parfon then M^r Richard Pattifhall which wee haue Grounds to ffeare Doth not Defigne Good to this partes wee Humbly Request yo^r honner to Reliue yo^r poore petyfenors in this matter.

6thLy. Ware as in the thirteenth artickell that all veffels fhall enter at Pemaquid and att noe other place which wee humbly Confeiue will bee Very Detrimentall to a Conſiderabell quantity of ffiſher men and planters by Reſon of the Great Diſtanc of Pemaquid and the Depenes and Difficulty of the bay of Pemaquid has Detained feuerall veſfills many Days ſom times Weeckes which has expoſed the ffiſhery and planters to Great Wontes as allfo a Great Dammige to thare Imploye ouer Humble Request to Y^r Honer is that you wold grante vs two plafes more of Entrys and Clering the one at Nu Dartmouth in Ships Gutt riuier whare ar

Confidderable inhabbitance and meny more Coming and promfing a Considerable trad of fhiping ffor maste and Lumber and all foe an office or fom parfon at Sacadyhocke in Kenybec Riuer appointed ffor Entring and Clearing

7thly Ware as the Eightenth infftrucktion Doth Requier noe fettillment in thofe partes under the number of Twenty ffamelyes which wee accknolige a very great prudence of Yo^r Honner wee humbly Confeue if yo^r Honer Doth but parfer tenn ffamelyes it may much more Con Dufe to the Settelling of thofe partes ffor tenn ffamelyes can be ffound to Settill at the ffurffe a towne fhip when twenty Cannot be procured but when tenn fettled fom fmall towne it hath all times by Expperience incurriged more to Come wee humbly Request your honner to Grante the Same

8thly Wee ffarther take Boulldnes to acquainte yo^r honner of a uery Considerable Charge that the towne of Nu Dardmouth is Ships Gutt Riuer and Sacadyhocke in Kenybeck Riuer in Erickting of a fforte at Each place ffor Security

of the inhabbitance against the Hethin by Reson of thretting Languge profeding ffrom them and to bee found confulltation ffor ware, as allsoe thay Declaring that iff thay did not Cutt of the English now thay came to inhabitt beffore that thay wold bee to manny ffor them and to strong wee humbly Requeste yo^r honer to provide some better security ffor affter time.

all those fforementioned artickells wee ar ffully parfuated yo^r honner has a better vnderstanding of then wee ar Capable to infforme ; not Douting as yo^r honner has allready Desighend Good ffor these partes will Grant vnto yo^r pore petiftnors all the affore said artickells wee shall Euer pray

JNO ALLYEN	ELIHU GUNNISON
LARRY DENNY	CHRISTOPHER RYER
JUSTES — — — —	THOMAS GENT
NIC ^h : MANNING	WILLIAM LOWERING
THOMAS GYLES	ROBERT COOK
PHI= PARSON	FFRANCIS JOHNSONN
	AFFTE NELE
	THO SERGANT
	GOURY GRAY
	JOHN LANGE
	ELIUS TRUCKE
	JOHN SELLMAN

*Rich^d Pateshall Informeth Against M^r
John Kelson M^{cht} in Boston.*

[New-York Colonial MSS. xxxi.]

Saieth: y^t some time in Desember: Last
past being 1683 I Ariued in Boston & met
ther with Capt Sharpe that was my pas-
enger to Rod: Island. I Asked him
wheth^r he was with: y^e Go^r Bradstret
a bout y^e proclame to Aske Leue ffor y^e
seting, of it, to y^t he Answered noe and
desired me to goe with him, the which
I did the Goue^r Answer was ther should
be caer taken About it After he had met
in Counsell:

I alsoe Asked Capt Sharpe whether he
had deliuered the Letter to M^r Nol . . .
he said noe, but would doe it After y^e
procla was vpp, when I vnderstod M^r
Kelson, had his Letter I went to his house,
to discorfe him Conferneing y^e Esterne
p^rts, wher I Aquainted him of y^e Hon^r
Goue^r Dongans Resolues to poses him
selfe, with his Riall Hines his Rite to S^t:
Croys by Letters pattens Granted from his
maiest: and he had sent Letters Accord-
ing to Costen, to Come in and pay his

Respect to Pemequide his Answer was Gou^r Dongan, was mistaken in Costen, for he was Comifinated from y^e King of Ffranse, and Likewise from y^e Gover^r of Canadey to Kepp y^e Rite and pofesion of those p^rts and that y^e said Costen was a Baron, and did Skorne to Come to Capt Sharpe being a men person, and of noe p^rts and could not Discorse sutch a Gentell,^m as Costen, further more that y^e Said Costen would Lose, his Life Rather, and that it would be an Ill dayes workes for Gou^r Dongan to vse Au:^t of Hostilley towards, him, for if he did y^e English in these p^rts would sone be Cut of, and y^e plases Left in Ashes. I Tould him that could not be for y^e Ffrench were but ffue, he Answered that these and all y^e Indeans were Ingaged to him in these p^rts I Answered that all y^e Indeans from Pemiquid westwards waer obedient to Goue^r Dongan, which waer two to one for y^e Estwards. He Answered he knew, to y^e Contrary I An^{fd} that then Go:^r Dongan had y^e Mohocks, and Senicaes consisting of at Left 3 M:¹ men to Send vppon these

¹ Three thousand.

Indeans in ther one ould quarell when he plesed

His Anfwer was he beleued y^e Gou^r: was mistaken in that two, for he was shuer y^e Ffrench Gouo^r: kept Jefeuits: in y^e Mohockes Castells and further moer y^e ffrench Go:^r had Lately sent for y^e Mohokes vppon some misdemer and Xecuted Eyght or Nine that y^e Mohokes Brought in them felues Alsoe that y^e Kenebecke Indeans were Stout ffellows and ffearred not y^e Mohocks

Council Minutes Indian Affairs.

[Council Minutes v. 66.]

At a Council held at ffort James
April 11th 1684.

* * * *

Governor Dongan said he was against giueing any provocation to the Indians, & would use all the faire ways to preferue peace

Governo^r Cranfield said that those the province of Mayne had draun themfelues into Garrifons

M^r Dudley replied it was don by any order from Boston

Governo^r Cranfield said there much difference between unnecessary feare, & many repeated threats & menaces from the Indians & their drawing away y^{ei}r wives

Governo^r Dongan said that if his officers at Pemaquid did any thing against the Indians, beyond his instructions, they should suffer for it, & that he would not make any preparations to alarum the Indians.

Governo^r Cranfield proposed that an allowance should be made wth the Maques to assist them of Boston, & the province of Mayne & other Colonies

Gov Dongan answered that if any assurance came from Boston & the province of Mayne that the Indians did make warre he would use his utmost to get the Maquase

Governo^r Cranfield desired that one might be appointed from N. York Boston, the province of Mayne & other Colonies to treat about it, to adiust the expences w^{ch} would be due to the Maques

Governo^r Dongan said he was against any thing y^t might show the least suspicion of the Indians, & give them iea loufie

Agreed upon by Cranfield Governo^r of the province of Hampshire, M^r Joseph Dudley & Mr Shrimpton & Governo^r Dongan wth the Council that if upon the arrivall of Mr Cranfield into the province of Hampshire, M^r Dudley & M^r Shrimpton at Boston they heare of any Acts of Hostility comitted by the Indians they forthwith giue notice the Governo^r of New York who will send som on purpose to them to Consult what is fitt to be don in it, & to adiust the payments that shall be due to the Maquase for their assistance in case they are employed & further to advise & Consider whatsoever shall be necessary for the preservation of his Ma^{ties} Subjects.

*Extract of a letter from Gov Dongan to the
Council of the Province of Hampshire*

[Council Minutes v. 68.]

Apr 11. 1684.

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*

We giue you many thanks for ye kindness towards this Governm^t, tho we haue

no reason on o^r parts to apprehend a warre wth the Indians; with whom we haue but lately renewed a friendship, & haue letters from Pemaquid which mention nothing of any likelihood of a warre amongst them, the copy of w^{ch} & some other papers are in the hands of y^e Governo.^r

[Council Minutes v. 72.]

At a Council Apr 21st 1684

P^resent the Governo^r

M^r ffr fflypsie Mr S. V. Cortlandt

M^r L Santer J Spragge

A petition from New Dartmouth for a patent referred untill the Governo^r go to Pemaquid

A petition fro^m M^r Alleyn for y^e same referred untill the Governo^r go to Pemaquid & both given back to M^r Giles Goddard.

Petition of Inhabitants of New Dartmouth

[New-York Colonial MSS. xxxiv.]

The Humble Petition of y^e Inhabitants of y^e Towne of New Dartmouth Belonging to his Roy:^{ll} H: James Duke of Yorke, in y^e Easterne Parts of y^e County of Cornhill in America, and to y^e Right Honourable Corn^{ll}: Dongan Gov^r & Vice Admirall Vnder his Roy:^{ll} High: of New Yorke and its dependences In America wth: y^e Rest of the Honourable Affsembly Sitting in Councell at y^e City of New Yorke. in October Next, &c.

Humbly Sheweth;

That Whereas your Honours Humble Pettition^{rs}: Obtained a Graunt of a Tract of Land to settle it as a Towneship about two years Past, from the Worshippfull Henry Jofflyn Esq,^r Justice in Quo: Deceased and by virtue of an Order Derived to him from S^r: Edmond Andros, Then Gov^r: haue Graunted the affores^d Inhabitantes To be bounded as ffol. Viz^t: On y^e South to y^e Sea, On y^e North to y^e Country, On y^e East wth: y^e: River,

knoune by y^e Name of Damaras Cotte,
 as also wth: y^e: ffresh Pond, at y^e: head
 of Said River, and so into y^e Country,
 and on y^e West bounding Vpon y^e Great
 Island of Saccadahoc, and so through
 Batesmans Gutt, Into y^e: Sea South & by
 West, and also Vpward from Batemans
 Gutt, Into y^e Country to y^e Great falles,
 and from thence to great Monfiocage
 ffalles, and from thence a north and by
 West Lyne into y^e: Country as p^r Platt
 will appeare, As also y^e: Orridginall
 Graunt from y^e: above said Joslyn Esq^r:
 Whereas yo^r: Pettition^{rs} Come to vnder-
 stand from yo^r: Hono^{rs}: hand That all y^e:
 Inhabitants fhall haue their Title of Land
 Confirmed vnto them in Townshipp,
 Wee have hearetofore p^rsented yo^r: Hono^r:
 wth: a Platt of y^e aforef^d: Toune Bounds
 as also from Vnder y^e Surveyo^{rs}: hands,
 Their Sirveying & Laying out of f^d:
 Townshipp according as y^e Law p^rvides
 Wee Humbly beseiching yo^r: Honour to
 Graunt & Confirme vnto y^e: now Inha-
 bitants of said Towne all y^e Lands wth:
 Rivers & Riviletts, Islands, & Iletts,
 Harbours, & Bayes, wth: in y^e: affores^d:

Bounds Vnto yo,^r Humble Pettition^{rs}: & heires, according to y^e Charter of East Grinoidge, Only Excepting 1th, a hundred acres if Demanded p^r anum Vnto his Roy^{ll}: Highnesse p^r acknowledgment: w^{ch}: if Graunted & Confirmed by yo^r Hono^r: & Councell, will much Encourage not Onely y^e Inhabitants y^t are now heare, but others y^t: are Comeing if our Lands weare Confirmed Vnto vs, Severall of our Inhabitants are Drawne of already, and others Intend Except they Can haue a speddy Confirmation of their Lands made to them

Therefore wee Desire That yo^r Honour would be pleased to take it into yo^r ferious Consideracōn That a Pattent may be Graunted Vnto vs for our Townshipp. That wee y^t: are heare & others y^t: would Come & fettle amongst vs may be Encouraged.

Wee doe allso further p^rfume & make bould to acquaint yo^r Honour y^t wee are Disturbed by People y^t Come heare to Clame Lands by form: & p^rtended writes; Cap^t: Elisha Hutchinon of Boston

hath been in these Parts, & gives out severall Threttenings y^t he will Come & take away our Land wheron our Towne stands & severall others Doe Thretten Likewise & say That they haue more wright to Shew Then wee have to our Lands, Therefore wee desire y^t: yo^r: Hono^r: will Consider Vs That Wee may haue assuurance, of our Lands, and y^t: no such p^rtenders or old Morgages y^t were made before the warrs wth y^e heathens may be p^rceeded ag^t: us: if they should it would Damnifie & vtterly breake vp our Towne: Cap^t: Hutchison saith y^t: he must have Vs become his Tennants or otherwise wee shall not Live here.

And also when our Representive M^r Gyles, Godward went Last; M^r John Allen without y^e knowledge of M^r Godward or vs sent Privetly a Pettition vnto yo^r Hono^r; it being ffalse as will appeare wee never knew any thing of it vntill M^r Godwards Returne M^r Allen haueing given vp all his former wright & title which he p^rtends he had to the neck of Land y^e Towne Stands vpon and Else

where, vnder hand & feale to vs and willingly tooke a Lott Equall to y^e Rest, as he pretended to Encourage vs to settle y^e: Place, as will more fully appeare by y^e articles.

Wee Presume ffurther to acquaint yo^r: Hono^r: That wee have heare amongst vs one Cap^t Nicholas Manning Cap^t: of a Company That is very Troublesome, and Doth much Obraide & Disturbe vs in our buisenesse, Townes Men & Overseers That are Legally Chossen by y^e Towne he Doth Disturbe at Publique Meetings, about their Toune affaires, he allso braggs That his power is better than our's, and sayth he will settle whom he will and where he please, w^{ch} makes Partyes & Divisions amongst vs, To our great Trouble, w^{ch}: if not p^rvented, wee feare will growe worse, wee Desireing y^t: yo^r: Honour will take all matters into Consideracón for to graunt vnto vs yo^r Poore & humble Pettitiones a Confirmacón of our Lands That wee doe now Enjoy, and also y^t yo^r Honour would be pleased for to sett or nominate y^e Name of our Toune ac-

ording to yo^r Pleasure, and what Elfe
yo^{ur}: Honour shall see fitting and wee
shall Euer Pray &c :

ROBERT R FOOT (?)	THOMAS GYLES Justice of peace
THOMAS GENT	
WILLIAM LOVERING his Mark	ELIHU GUNNISON Justice of peace
CALEB RAY — — —	RICHARD PAIN Mast maker and Purfar for his Magestys vfc in England
	JAMES COOKE Mariner

[April 21. 1684.]

*Commission of Nicholas Manning as Cap-
tain of a Foot Company.*

[New-York Colonial MSS. xxxiv.]

By the Governor.

Whereas, out of the good opinion I
conceiue of You I haue thought fitt to
Constitute, and appoint you, Cap^t Ni-
cholas Manning to be Cap^t. of a foott
Company of the militia for the County
of Cornwall These are therfore to will
and require you to take into your charge
and comand the said Company as Cap^t.
accordingly, and Duely to Exercise the
said officers, and souldiers thereof in armes
and to your best Care and Endeavour, to

keepe them in good order and Discipline, hereby Willing and Requiring them to obey you in all things as their Cap^t. and you Likewise to obserue and follow, such orders and directions as you shall from time to time Receiue from mee, and for the Doeing this shall be your Warrant, this to Continue During my Will and Pleasure only; Given under my hand and seale att Fortt James the 28th day of Aprill 1684.

Passed the Office. THO: DONGAN.

JOHN SPRAGG Sec'y

*Commission of Gyles Godard as Lieutenant
of a Militia Company*

[New-York Colonial MSS. xxxiv.]

Thomas Dongan Liev^t Governor &c

Whereas out of the good opinion I conceiue of you Gyles Godard I haue thought fitt to Constitute and appointe you to bee Leiu^t. of a foot Company of the militia for the County of Cornwall, You are therefore Carefully to Performe the Duty of a Leiu^t in all things and to

Obferue fuch orders as you fhall from time to time Receiue from your faid Cap^t or other your fuperior Officers and all Inferior officers and Souldiers of the faid Company are to obey you as their Leiu^t according to the Difcipline of Warre this Commiffion to Continue During my Will and Pleafure only; Given under my hand and Seale the 28: Day of Aprill 1684.

Paſſed the Office THO: DONGAN
 J: SPRAGG Sec^r.

A Commiffion to Caleb Raye for En-
 ſigne after the fame forme *Mutatis Mutandis*.

Commiffion of Juſtices of the Peace.

[New-York Colonial MSS. xxxiv.]

By the Governor.

By Virtue of the authority derived unto mee from his Royall High^s: I doe hereby Conſtitute authorize and appointe you John Allyen, John Dolling, Lawrence Denni, Thomas Giles, Alexander Woldrop, Thomas Sharp, Richard Pattifhall Eſquires to bee Juſtices of the Peace for the County of Cornwall and Commiffioners for the

fettling his Royall Highnesses Territoryes
 betweene the Riuer Kenebeck and St.
 Croix Giveing You full Power and autho-
 rity to act as Justices of the Peace, for
 the Good and Wellfaire of the Govern-
 ment and due administration of Justice,
 and to Consult and make Rules and
 orders, for the Weale and benefitt of his
 Royall Highnesse Territories betweene
 the River Kinebeck and St Croix and to
 Call to question and punish all offenders
 according to Law, and all Perrsons whom
 it May Concerne are strictly Charged and
 Required to give you due Respect and
 obedience accordingly; this Commiffion
 is to be of force dureing my Will and
 Pleasure, only Given under my hand and
 seale att Fort James this 28: Day of
 Aprill 1684

Passed the Office THO: DONGAN.

J. SPRAGGE Secr

[Council Minutes v. P. 91.]

At a Council held at ffort James
July the 9th 1684.

* * *

The petition of the Inhabitants of Pemaquid referred untill the Governo^r go thither & in the Mean time the former orders to be observed.

*Orders concerning Block House and the
payment of Quit Rents.*

[New-York Colonial MSS. xxxiv.]

By the Governor

Ordered that the Block house of Merry Meeting bee Imediately Raifed by the Town of Pemaquid and there to Trade and Traffique Paying Customes according to the act of assembly and the said block house to be Raifed at their Owne Charge and Likewise Ensigne Sharpe is to send up to the said blockhouse one file of men to be Comanded by John Rowden.

And that all vessells are hereby required
to Enter and Cleare att Pemaquid.

Passed the Office THO: DONGAN

J SPRAGGE Sec^r.

Fortt James the 8th day of Septem-
ber 1684.

By the Governor.

Whereas there are Severall Quitt Rents
ftanding out and in arrears to his Royall
High^{ss} at Pemaquid Due and Payable since
the agreement made by the late Governor
S^r Edmond Andros Knight &c These
are therefore in his Royall High^{ss} name
to authorize Empower and appointe you
Allexander Wardrop to aske demand and
Receive all such quitt Rents as are due
and Payable to his Royall High^{ss} in the
County of Cornwall and to give Receipts
for the same, for which this shall be your
sufficient Warrant. Guen under my hand
at Fortt James the 12th day of September
1684.

THO: DONGAN.

You are to Receive all the aforfaid quitt
Rents vntill the 26th of August 1684.

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*

Commissiion granted to John Buttery to be Cap^t of Foott belonging to New Towne and Sackadahock Date the 22^d day of October 1684.

Commissiion Granted to Gyles Godard Esq^r to be Cap^t of a Foott Company belonging to the Towne of New Dartmouth in the County of Cornwall Date the 22^d of Octo 1684.

Commissiion of Gyles Godard as Surveyor.

Thomas Dongan Lieu^t and Governor &c

Whereas by the Severall Petticōns of the Inhabitants of Pemaquid it appears to be Convenient and necessary to have a Surveyor in the County of Cornwall I have therefore thought fitt to Constitute and appointe Giles Godard Esq^r to be Surveyor of the said County and to Lay out any Traçt or Parcell of Land not Exceeding the quantity of one hundred acres for Each Person and alsoe to survey all Toune Shippe not already Surveyed not any wayes Prejudiciall to any Persons

Right or Interest and to make a Returne thereof to me for which this shall be your Warrant. Given under my hand and seale att. Fortt James in New Yorke the 22^d day of October 1684.

Passed the Office, THO: DONGAN
J. SPRAGGE Sec^r.

[Council Minutes v. P. 157.]

At a Council June the tenth 1686.

* * *

The Govern^r proposd that there being som Confusion amongst the Inhabitants of Pemaquid, it would be Convenient to send Cap^t. J. Palmer thither to agree wth them for takeing out their patents, & paying of Quitt rents & ordered that Instructions should be given to him.

* * *

Licences for the taking up of Land.

[New-York Colonial MSS. xxxiv.]

By the Governor

Whereas John Spragge of this Citty of New Yorke hath desired my Liberty and Lycence to take up and Enjoye a

Certaine Island Called and Knowne by the name of Summerfett Island and the small Island thereunto adjacent Scituate and Lyeing in Pemaquid in the County of Cornwall these may Certifie that the said John Spragge hath hereby Liberty and Lycence granted to him to take up and enjoy the said Islands in order for Confirmation by Pattent Provided the same be not appropriated or disposed off to any others Given under my hand at Fortt James in New York :

THO: DONGAN

By the Governor.

Whereas James Graham of the citty of New Yorke Merchant hath desired my Liberty and Lycence to Take up and Enjoye one thousand acres of Land sci-tuate Lyeing and being in Pemaquid in the County of Cornwall, These may Certifie that the said James Graham hath hereby Lyberty and Lycence granted to him to Take up one thousand acres of Land provided that not aboue one hundred acres of the said land be fronting to the sea or water side also provided the

fame be not appropriated or legally disposed of to any others. Given under my hand at Fortt James in New Yorke the 19th day of June 1686

THO: DONGAN.

By the Governor.

Whereas Thomas Smyth Gen^t. hath desired my Lyberty and Lycence to take up and Enjoye three hundred Acres of Land Scituate and Lyeing in Pemaquid These may Certifie that the said Thomas Smyth hath hereby Lyberty and Lycence to take up the said three hundred acre of Land in Order for Confirmation by Patent Provided the same be not appropriated or Legally Disposed of to any others Given under my hand at Fortt James in New Yorke the 19th day of June 1686.

THO: DONGAN

By the Governor.

Whereas Thomas Cooper of the Citty of New Yorke Gen^t. hath desired my Liberty and Lycence to take up and Enjoye three hundred acre of Land Scituate Lyeing and being in Pemaquid in the

County of Cornwall These may Certifie that the said Thomas Cooper hath hereby Liberty and Lycence to take up the said three hundred acre Provided the same be not appropriated or Legally disposed of to any others, Given under my hand att Fortt James in New-Yorke the 19th day of June 1686.

THO: DONGAN.

Authority of John West to act as Deputy Secretary.

[New-York Colonial MSS. xxxiv.]

Forasmuch as it hath Pleas'd the Right Hon^{ble}: Coll Tho Dongan his Majestyes Gouvernor of New Yorke & to Commissionate and Empower Cap^t John Palmer of the City of New Yorke Esq^r by grant or Deed in writeing vnder his hand and seale of the Prouince to Give Grant Ratifie and Confirme to all and Euery the Persons in Pemaquid now Settled and Inhabiting within that Partt of his Majestyes Prouince as shall be Desirous to take up settle and appropriate Land there,

such tract and tracts Parcell and Parcels and quantities of Land and Islands as in his Discretion he shall think most fitt and Conuenient I do hereby nominate and appoint and depute you John West of the City of New Yorke Gen^t to doe and Execute all act and acts thing and things in Pemaquid in the County of Cornwall dureing the time that Cap^t John Palmer shall stay in the said County to my office or Place of Secretary belonging or appertaining

Given under my hand and at Fortt James this 19th day of June 1686.

J: SPRAGGE Secr.

Commission of Capt John Palmer

[New-York Colonial MSS. xxxiii.]

By the Governor in Councill.

Haveing Receiued information that there be Seuerall diforders and Confusions amongst the Inhabitants of Pemaquid I haue therefore thought it conuenient to send you Cap^t John Palmer thither of whose great Prudence abilities, and Integrities I am Very well assured.

And for the better Establishing Settling and quietting of his Majestyes subjects in those Parts, in their Estates and Possessions I doe hereby giue you full Power and authority to treat with the said Inhabitants for Takeing out Pattents and Paying the quitt rents.

And to Preuent any dangers that may arife by being in a negligent, vnprovided Posture you are to warne the aforesaid Inhabitants to keep in Garrison Continually one officer and six souldiers at Least in time of greatest Peace and quiett and twenty Souldiers at Least if any warr should arife & happen.

And for the more Regularly Proceeding in all affaires you are hereby alsoe Empowered to nominate and Chuse discret and honest Persons some of the most knowing and Capable Persons to be Iustices of the Peace and quorum.

And forasmuch as very Little Reuenue hath accrued to his Majesty from Pemaquid by the Dutyes of Excise and Customes you are therefore hereby Impowered to Sett and Lett to farme the aforesaid Excise & Customes as advantagiously as

you Poffibly can, for the augmenting of his Majeftyes Reuenue.

And Laftly you haue hereby full Power and authority not only to act in the aforefaid Peticulers but in any other concerne or thing what fhall be moft meet and convenient for his Majeftyes Intereft.

Giuen under my hand and Seale at fort James in New Yorke the 19th day of June 1686.

THO. DONGAN

*Commission of Juftices of the Peace for
Cornwall County.*

[New-York Colonial MSS. xxxiii.]

Cornwall SS.

James the Second by the Grace of God of England Scotland Ffrance & Ireland King Defend^r of the faith Supream Lord of y^c Plantacōn & Collony of New York To our Trusty & Wellbeloved, Tho Sharpe, Richard Patifhall, Tho. Giles, Nico. Manning Giles Goddard, Jno Dolling, Laurence Denny, Elihu Gunifon Esq^{rs}

Greeting. Know yee That wee haue affigned yo^u & Euery of yo^u Joyntly &

severally our Justices to Keep our peace within our County of Cornwall in o^r Plantation & Collony of New York Afore^d And to keep & Cause to be Kept all those laws & statutes made & Eftablished for y^e good of y^e peace & for y^e Conseruacōn of the Same & for y^e quiet Rule & Gouvern^t. of our people within o^r S^d County in all & Singular their Articles according to y^e force forme & Effect thereof, Ant to Correct & Punish all offenders ag^t. the forme of y^e Laws & statutes or either of them in y^e County afore^d as according to y^e forme of y^e Laws or Statutes is or ought to be done. And to Cause to Come before yo^u or either of yo^u all those who Doe threaten any of o^r People concerneing their bodies or of burning their houses to find sufficient suretyes for y^e Peace & their good behaviour towards us & our people & if they shall refuse to find Security in this behalfe then to Cause them to be kept safety in our Prisons untill they shall find security in this behalfe.

Alsoe wee assigne yo^u & Euery three or more of yo^u whereof any one of yo^u,

yoⁿ y^e aforefd Tho: Sharpe, Richard Patifhall Tho: Giles, & Nic^o Manning wee will to be one our Justices to Enquire by the Oaths of good & Lawfull men of y^e County aforef^d by whom y^e truth of the thing may be the better Knowne for all manner of Larceny Petty Larcenay Trespasses & Extortions whatsoever & of all & singular other misdeeds Crymes & Offences of the which y^e Justices of our peace may or aught Lawfully to Enquire by whomsoever & howsoever in y^e County aforef^d done or perpetrated or w^{ch} hereafter there shall happen to be done or Accompted where the punishment thereof by the Laws of the s^d Collony doth not Extend to taking away of Life limb or member. & alsoe of all those who there doe lye in waite to wound or Kill our people or that hereafter shall soe presume to lye in Waite And alsoe of all p^rsons that shall & doe use & sell by false weights or measures. And also of whatsoever Sherriffs Brayliffs Marshalls Constables Goalers & other officers who in the Execution of their offices ab^t the p^rmisses or either of them haue behaved themselues

undutyfully or hereafter shall p^rfume to behaue himfelfe undutifully or are remiffe or negligent or hereafter shall foe happen to be in y^e County aforef^d & of all & fingular Articles & Circumftances & other things whatfoeuer by whomfoeuer & howfoeuer in y^e County aforef^d done or perpetrated or w^{ch} hereafter there howfoeuer shall happen to be done or Attempted concerning the full truth of y^e p^rmiſſes or any of them & to Inſpect whatfoeuer Indictm^{ts} foe before yo^u or any of yo^u taken or to be taken, or before others late Juſtices of y^e peace in y^e County aforef^d done or taken & not yet Ended And to Continue proceſſe thereupon ag^t all & fingular perſons foe Indicted or whom before yo^u hereafter shall happen to be Indicted untill they are taken Deliu^er up themſelues or be Outlawed. And to heare and determine all & fingular y^e Larcenys Petty Larcenys Treſpaſſes Ex-tortions Indictm^{ts} aforef^d & all & fingular y^e p^rmiſſes according to y^e Laus of y^e f^d Collony as in Caſes of this nature is uſed or ought to be done, And to Correct & puniſh the Offend^{ts} & eue^ry of them for

their offences by fines & ameracements, or otherwise as according to y^e Laws of y^e f^d Collony is used or ought to be done

And alsoe we Assigne yo^u and every three or more of yo^u whereof any one of yo^u the aforef^d Tho Sharpe Richard Patifhall Tho: Giles & Nic^o Manning Wee will to be one of our Justices to heare try & determine by the oaths of twelue good and Lawfull men of y^e County aforef^d all Causes & Cafes there brought & Commenced before yo^u as well acc^ons Cafes & Causes Civill between Party & party as Criminall of which y^e Justices of y^e Peace in their Sessions by the Laws of y^e f^d Collony may & ought to heare try & determine & in such manner & forme as by the f^d Law is p^rscribed & Directed.

Provided always that if upon the Determinac^on of any of y^e p^rmisses or Case of Difficulty shall happen to come before yo^u or any three or more of yo^u that then yo^u doe not proced to giue Judgm^t thereupon (unlesse in y^e p^rsence of one of our Justices of o^r Court of Oyer & Terminer within our f^d Collony) And therefore wee Command yo^u & Every of yo^u that yo^u

Dilligently Attend ab^t the Keeping of y^e Peace Laws & all & fingular other y^e p^rmiffes and that at certaine days & places which by o^r Leiut & Governor of o^r f^d Plantation & Collony of N Yorke for that purpose fhall be appointed yo^u make Inquiry of y^e p^rmiffes & all & fingular y^e p^rmiffes heare & determine & to doe & accomplifh thofe things thereupon in forme aforef^d to be done w^{ch} appertaines to Juftice according to y^e Lawes & Cuf- tomes of our f^d Collony fauing to us our ffines & Amerciam^{ts} & other things to us thereupon belonging.

Alfo we command by Vertue of thefe p^rfents our Sheriffe of our f^d County of Cornwall that at Certaine dayes and places (which fhall be appointed & made Knowne unto him as aforef^d) he Caufe to come before yo^u or any three or more of yo^u as in faid fuch & foe many good & Lawfull men of his Baylwick by whom y^e truth in y^e p^rmiffes may be the better knowne & Inquired off. In Testimony whereof we haue Caused y^e feale of o^r f^d Collony to be hereunto Affixed. Wittneffe Jno Palmer Efq of y^e Councell in o^r f^d Col-

lony & Commission^r for y^e settling of our Affaires & Appointing of Justices of y^e Peace in o^r f^d County the Eighth day of Septemb^r in y^e second yeare of our Reigne Annoq Dom. 1686.

The Oath of a Justice of the Peace.

Y^e shall swear that as Justices of the peace in y^e County of Cornwall in all articles in the kings Commission to yo^u directed yo^u shall doe equall right to y^e poore & to y^e Rich after yo^r Cuning Witt & power, & after y^e Laws of y^e Collony thereof made. And yo^u shall not bee of Counsell of any Quarrell hanging before yo^u & that yo^u hold yo^r Sessions after the forme of Law thereof made & att times & places appointed And the ffines & Amerciaments that shall happen to be made & all forfeitures w^{ch} shall fall before yo^u yo^u shall Cause to be Entered without any Concealm^t or Imbezelling & truly giue them to his Ma^{ties} Deputy Collector and receiver in y^e f^d County for the time being or send them to his Ma^{ties} Collector & receiuer Generall att New Yorke or to his Ma^{ties} Court of Exchequer there Ye

shall not Lett for Gift or other Cause but well & truly yo^u shall doe yo^r office of Justice of y^e peace in that behalfe & that yo^u take nothing for yo^r office of Justice of the Peace to be done but yo^r ffees accustomed & Lymitted by Law. And y^e shall not direct or cause to be directed any warrant by yo^u to be mad^e to y^e partyes but yo^u shall direct them to y^e Sherriffe of y^e f^d County or other the Kings officers or Ministers or other Indifferent persons to doe Execucōn thereof.

Soe help yo^u God &c

*Instructions for Cap^t Nicholas Manning
Sub-Collector Surveyo^r and Searcher of
his Ma^{ties} Customes and Excise due
£ payable in y^e County of Cornwall
£ Receiuer of his Ma^{ties} Quittrents
£ other reuenues arriseing within y^e
f^d County.*

[New-York Colonial MSS. xxxiii.]

Impri^s. You are to take notice of all shippes and vessells whatsoever coming to any porte within y^e f^d County & see that

they make Just & true Entryes and that Immediately upon their Arriull both of Veffell & Goods.

2^{dly} You fhall keep a true & p^rfect account of all monyes by yo^u receued on goods in Lieue thereof for his Ma^{ties} Cuf-
tomes & Excife.

Enter y^e Names of all veffells & the Names of y^e Masters in a Diftinct booke by yo^u to be kept for that purpofe

3^{dly}. You fhall not p^rmitt any fhipe or Veffell whatfoeuer directly or Indirectly to Load nor Unload any goods wares or Merchandize untill y^e f^d Ship or Veffell hath firft made her due Entry inward or outward

4^{thly}. You fhall appoint certaine Con-
venient place or places at which & noe other goods may be Shipped or Landed & that at Seafonable times between fun rifeing & fun fetting in y^e day time & in p^rfence of an officer

5^{thly} You fhall from time to time du-
reing your being in f^d office Returne to y^e Governo^r or his Ma^{ties} Collector & Re-
ceiuer Generall for the time being att
New Yorke a true & Just account of what

yo^u haue receiued & Collected & of yo^r Proceeding in yo^r f^d Office once euey six months att y^e furtherest

6^{thly}. You are to Collect & receiue his Maties Customs & Excise in y^e County of Cornwall aforef^d according to an act of Establihm^t therefor made by the Generall Assembly & published the 31. October 1683.

7^{thly}. You are to goe into y^e house & Cellar of any p^rson or p^rsons whatsoeuer where y^e suspect there is any wine or other Liquors & ord^r the f^d Liquors to be Gauged Causeing them to pay for all Rum foe found in y^e Cellar & they who shall sell by retaile to pay for all Liquors Wines beere & Syder that shall be by them sold & retailed. You are alsoe to goe into their Cellars & houses as aforef^d as yo^u shall see Cause to p^rvent all fraud & Imbezellment of his Ma^{ties} Reuenue.

8^{thly}. You are not to suffer any Vessell whatsoeuer to goe into or up Kenebeque River or any parte thereof untill they haue first made their Entry with yo^u at Jamestown & payed his Ma^{ties} Dews & if any shall p^rsume to doe y^e Contrary yo^o

are to Cause both vessell & Goods to be Seized & proceeded ag^t by Law as directed for defrauding his Ma^{tie} of his Customes

And that all Vessells tradeing into any porte River or place doe Enter & Cleere with yo^u before their departure und^r the like pains & forfeitures.

9^{thly} You are to take Care that y^e former Ord^{rs} made Relateing to y^e ffishery be duly observed & that what Ordred to be payed by all strange vessells & Shallops Coming to make their voyages in these parts be by yo^u duly Collected for his Ma^{ties} use of w^{ch} account to be likewise giuen as afore directed

10^{thly}. You are not to suffer any p^rson or p^rsons to sell any sorte of Liquors by retaile in any part or place within y^e f^d County but such as shall obtaine Lycence from yo^rfelfe & shall pay such s^ume of mony for y^e Same as yo^u shall think fitt to agree for & not Lesse than 12^s for Each Lycence g^rted and of y^e Monys on that behalfe receiued yo^u are to Render a p^rticuler ac^t to y^e Gov^r as opportunity p^rsents.

11^{thly} You are to Collect & receiue y^e Quitt rents due & payable from y^e Severall persons for y^e Lands they hold within y^e f^d County according to a List of Pattents granted Left with yo^u in y^e Speties therein mencōned & thereof to Keep a Distinct account & alsoe of all fines forfeitures & amerciaments that shall or may at any time hereafter happen or belong to his Ma^{tie} & thereof to send an ac^t to y^e Governo^r or his Ma^{ties} Receiuer Generall att New Yorke for y^e time being once euery 6 months att furtherest.

12^{thly}. In Case any p^rson Licenced to sell Liquors by Retaile desire y^e fame you may farme the Excise of their Draught to them for one yeare for such sūme of money as yo^u shall think fitt to Agree for haueing regard to y^e greatnesse of their Draught.

13^{thly}. You are to write to y^e Gouverno^r or his Ma^{ties} Collector or Receiuer Generall att New Yorke for y^e time being of all passages Concerning the Excise, Customs Quitt rents & other his Ma^{ties} Reueue to y^e End that suitable Ord^{rs} may be from time to time sent yo^u for regulateing y^e fame.

14^{thly}. ffor yo^r Better Governm^t in Collecting of y^e Customes & Excise aforef^d yo^u haue herewith a Breviar of y^e Act of Generall Assembly Establifhing y^e fame And these Direccōns yo^u are to follow & obserue untill further Ord^{rs}. Dated att Jamestown in y^e County of Cornwall the 17th day of 7^{bl^{er}} in y^e second yeare of his Ma^{ties} Reigne Annoq^c Dom 1686

*Confirmation of Roswick or Arrowfick
Island to John West*

[Patents vi. 30.]

Thomas Dongan Cap^t: Gen^{ll}: Governo^r:
in Chiefe and Vice Admirall in and over
the Province of New Yorke and Terri-
toryes Depending thereon in America
under his most Sacred Majesty James the
Second by the Grace of God of England,
Scotland, ffrance and Ireland King De-
fender of the faith &c To all whom these
p^rsents shall Come Sendeth Greeting
Whereas John Palmer Esq^r by Virtue of
the Commiccōn and authority unto him

by me Given by a Certaine Grant under his hand writing the feale of this Province thereto affixed and entered of Record in the Secretaryes office bearing Date the fifth *Day* of August in the Second Yeare of his ^d: Majestyes Reigne and in the Yeare of our Lord one thousand Six hundred Eighty Six hath Given Granted Rattified and Confirmed unto John West of the Citty of New Yorke in America Gentl All that Certaine Tract or Parcell of Land or Island Scituate Lyeing and being on the East side of Kenebeck als Kenebeque River within the County of Cornwall Commonly called or knowne by the Name or Names of Roswick or Arrowfick Island according to the furthest Bounds limitts and extents thereof as the same is Encompassed by Water together wth: all and singlar the Messuages Tenements Edifices Buildings, Trees, Timber Woods underwoods ffields ffeedings Pastures Moores Marshes Swamps Meadows Ponds Pooles Lakes Streams Rivers Runns Rivoletts Waters and Water Courfes ffishing fowling hawking and hunting with the Privilidge of Building and

Erecting Saw Mills or Grift Mills thereon or on any Parte thereof and all other Privilidges imunityes Profitts benefitts advantages Hereditam^{ts}: and appurtennces whatsoever to the said Tract or Parcell of Land or Island and Premiffes belonging or to or with them or any of them in any wise appurteineing Always Excepted and Reserved out of the said Grant all that Peece or Parcell of Land Parte of the said Island at the South end thereof formerly Granted by S^r: Edmund Andros Knight late Governour of this Province unto M^r Lawrence Dennis & others Inhabitants there Called by the name of New Towne, to Have and to hold the said Tract or Parcell of Land or Island and all and Singular other the Premiffes with their and Every of their appurtennces Except before Excepted unto the said John West his Heires and Assignes to the Sole and only Proper use benefitt and behoofe of the said John West his Heires and Assignes forever under such Rents and Services as in the said Grant are mencōned and Reserved as in and by the said Grant Relacōn y^runto being had may more fully and att Large Appeare.

Now Know yee that by virtue of the Commiffion and authority unto me Given by his moft Sacred Majesty our now Sovereigne Lord James the fecond aforefaid & Power in me Being and Refideing for and in Confideracõn of the Rents and Services herein after Mencõned and Reserved I have Given Granted Ratified Released and Confirmed and by thefe Presents Doe Give Grant Rattifie Release and Confirme unto the faid John Weft his Heires and Affignes for ever all that the above recited Tract or Parcell of Land or Ifland and Premiffes with all and Singular the Hereditam^{ts} and appurtennces thereunto belonging or appertaineing in as full and ample manner as the fame is mencõned to be Granted unto him by the faid John Palmer Except what in the faid Grant is Peticulerly Excepted and Reserved to have and to hold the faid Tract or Parcell of Land or Ifland and Premiffes with their and every of their Appurtennces Except before Excepted unto the faid John Weft his Heires and Affignes to the Sole and only Proper ufe benefitt and behoofe of him the faid

John West his Heires and Assignes forever Yielding Rendring and Paying therefore Yearly & every Yeare unto his most Sacred Majesty his Heires & Successors forever or to such Officer or Officers as from time to time shall be Empowered to Receive the *same* the sume of twenty Shillings Currant Mony of New Yorke in Lieu and Stead of all Rents Services Dues Dutyes and Demands whatsoever, to be holden of his most Sacred Majesty his Heires and Successors in free and common foccage according to the Tenure of East Greenwich in the County of Kent in his Majestyes Kingdom of England:

In Testimony of the Premisses I have Caused these Presents to be Entred and Recorded in the Secretaryes Office and the Seale of this his Majestyes Province to be hereunto affixed the sixth day of December in the second yeare of his said Majestyes Reigne, and in the yeare of our Lord God one thousand six hundred and Eighty Six.

THOMAS DONGAN.

May it Pleafe your Excellency.

The Attorney Generall hath Perufed this Pattent and finds nothing Contained therein Prejudicall to his Ma^{ties} Interest.

J^A: GRAHAM.

Exam^d 9^mber 30th 1686.

Att a Councill held att ffort James the fixth day of December 1686.

Present His Excellency the Governour.

Major Antho: Brockholls.

M^r Fredrick Fflipfon.

M^r Steph V. Courtland.

M^r John Spragge

Major Gervis Baxter.

This Pattent was approved off

J. SWINTON Clk Councill.

*Royal Order for the Surrender of Pema-
quid to Massachusetts*

[Deeds viii—75]

James R.

Trusty & well beloved wee Greet you well. Whereas wee have thought fitt to direct that our ffort & Country of Pema-

quid in Regard of its distance from New Yorke bee for the future annexed to & Continued under the Governm^t of our territory & dominion of New England our will & pleasure is that you forthwith Deliver or cause to be delivered our said ffort & Country of Pemaquid with the Greate Gunns¹ ammunicón & stores of warr together with all other vtenfills & appurtennces belonging to the said ffort into the hands of our trusty & welbeloved S^r Edmund Androfs Knight our Captaine Generall & Governour in Cheife of our territory & dominion of New England or to the Governour or Commander in Cheife there for the time being or to such person or persons as they shall Impower to receiue the same and for soe doing this shall be your warr^{tt}.

Given at our Court at Windfor this 19th day of Sept^r 1686 & in the second yeare of our Reigne.

By his Ma^{ties} Comand
SUNDERLAND Cl.

¹ The Great Guns from the Fort at Pemaquid, after being carried to Boston, were by order of the King in the spring of 1691, transferred to New York. (N. Y. Coll. MSS. xxxvii.)

Remonstrance against Surrender of Pemaquid &c.

[Council Minutes v. 221.]

Council Held at ffort James Wednsday
y^e 28th of March 1688

* * * *

Resolved that an adrefs to his Maj^{tie} be Drawn up giving his Maj^{tie} an account that this Government has bin much Diminished by takeing away Pemaquid the Jerseys Pensylvania and the three Lower Countys of Delawar. That this is the Bulwarke of all these partes of America that the Revenue is but small yett the Charges very great.

That Conneticut in his Maj^{ties} Pattend from Chares y^e 2^d is added to Boston by y^e Contrivance of the Governo^r of it & the Clerke of the Collony & unknown to y^e Major parte of y^e Collony

That y^e ffrench warr has Stopt y^e beaver trade so y^t without some speedy help this place will be Ruined.

Notices of Indian Hostilities

[New-York Colonial MSS. xxxvii.]

Extract from a letter of John Easton
of Rhode Island to Col Henry
Sloughter Governor of New York ;
dated June 24. 1691.

* * * *

Wee have intelligence that the Eastward
indians & some french have made an
asault vpon y^e garifons in and neere the
Towne of Wells and have killed about
fix persons therabout. They drove their
Cattell together & killed them before
their faces.

* * *

*Notice of Capture of Pemaquid by French
and Indians*

[Council Minutes vii. 213.]

At a Councel held at his Maties ffort
in New Yorke the 23th of August
1696.

* * * * *

His Excell did Communicate intel-
ligence from Boston that the two ffrench
Shippis that took the Newport Galley with
the assistance of the Indians have taken
Pemaquid ffort & that it is reported by
one of the Cap^{ts} that Count ffrontenac
has orders to take Albany & Schenectady
with intelligence of a great Squadron of
Ships lately seen upon the coast of Jamaica.

* * * * *

Passes.

[Pass Book—iv.]

Dispatch granted to the Barke Elizabeth Alizander Woodrop Master bound for Pemaquid November: y^e 29th: 83.

Dispatch granted to the Sloop Happy Returne James Barry Commander for Pemaquid & New found Land Aprill 26th 1684.

Dispatch granted to the Sloope Bloffum Stephen Heacock Comander for Pemaquid May the 22^d 1685.

Dispatch granted to the Sloope Primrose John Eureft Master for Stratford and off Pemaquid New Yorke July the 4th 1685.

Dispatch granted to the floop Lewis Francis Bassett Comander for Pemaquid & New found Land [Sept 4 (?) 1685.]