Pemaquid Papers.
PAPERS
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 & Companie.
MDCCCLVI.
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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 flight 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, 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, a new patent, embracing the same territory, was taken out by the Duke of York, 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 
afterisks, 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 repre-
tented Cornwall county during one session.

² This order was dated Sept. 19, 1686, Deeds viii, 75, Secre-
tary's office, Albany.
PAPERS RELATING TO
Pemaquid
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 Considerations us thereunto moving Have of our especiall Grace Certaine knowledge and meere motion Given and Granted And by these presents for us our heires and succes's Do Give and Grant unto our Dearest Brother James Duke of Yorke his heires
and Assignes 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 ye same as it tendeth northwards and extending from thence to the River Kinebequi, and so upwards by the shorthest 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.]

---

_Let 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'ts & 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't. of all his Territoryes in America; And truly I might justly have fallen under yo' Censure of Remissness, were I not allwayes in Expectacion that Affayres would have been perfected by my worthy Predecessor Coll: Nicolls, to whom the sole managery of that Busines was committed; neither could I ever doubt of the perfecting of it, had it not been interrupted by an Active & furious warr, in wth Expedition hee most sadly, (yet as bravely) laid down his Life at his Masters fleet;¹ All expectations from him being now wholly extinct, It is a Duty incumbent on mee to erect a superstructure on that foundation, which hee in his Lifet ime worthily aimed at; To which end I shall desire you, first to give mee a true state of yo' Affayres, as they now stand; next That you would tranfimett to mee a modell of such a Governmt. 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 Ampith Church, Bedfordshire, England.
to Invest you wth ample power to Exercise yo'r Authority both to Ecclesiastic 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 finer Obstructions; Thus deiring to heare from you by the first Opportunity, I heartily recommend you to the All-mighty's Protection, & remaine

Yo'r Very Affectionate Friend,

Fort James on ye Island Manhatans
in N: Yorke, febr: 16th 1676.

FRAN: LOVELACE.

Council Minutes.

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

At a Counsell Sept 8th 1676.

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

* * * *

A Letter coming from Boston to the Governor from Mr Abt Corbetts who lives to the Eastward, in the Dukes Patent,
relateing the destruction of the Eastern parts near Pemaquid &c by ye Indians, in the month of Augst 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 fishermen 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 Councell held in N. Y. the 5th day of Jan 1677.

Vpon a Lre from the Go: of Boston dated No: 13th brought hither by Mr Wm Bowdich the 2d inst. desiring and order for the delivery of the Ketches at Pemaquid, to their ownrs, of which said Mr Bowditch with Mr Wm Duvall is said to be oner, And the said Mr Bowditch on ye
behalf of himselfe & Mr Duvall offering security to pay salvage or what other Charges their Ketch shall be adjudged unto by the Go: alleadging also that the 1st Ketch lyeing at shee doth will bee quite spoyled, & also will loose the fishing season this spring for which they make ready in Feb', & is commonly esteemed to bee worth double y't it is the rest of the yeare.

The same being particularly taken into consideration

Resolved That an order be given to y' 1st Mr Bowditch on behalf of himselfe & Mr Duvall for the delivery of the 1st 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'

An order hereupon for the delivery
A bond of 400lbs for paym't of 200
Tho Del: & Wm Bowditch of Salem.
Wm 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 Successor & Assignes.
(The foregoing paper was endorsed as follows:)

To Capt Caesar Knapton, Comandr

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

Given under my hand the 7th day of January 1677

Copie of a Letter to the Go: of Boston.
N. Y. Jan 7. 1677.

[New-York Colonial MSS. xxvii.]

Hr. S.

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 2d 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 suppofed you meane the former owners, Otherwise ye fortune of the warre had apparently made them change Maft. It could have beene right, those persons had made their claymes or aplicacion for them soon, probably ere this they had from Coñander Knapton, but severall Reports coming that some of those own have f 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', and not brot 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: Letter, to bee mentioned in the peace, seemes to bee followed with some passion in the following claufe, that if they were not delivered for the benefitt of the right Own' that lost them, you should not know to understand his mocons, for I suppose they will appeare to have tended to ye Gen.'all good of his
Majesties subjects in those parts as well as the interests of the Governm', & will always bee our aime to act with charity and justice towards o' neighbors, 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' Indyans wrote to you of from Pemaquid, as you say & that unlesse the vessels were d't. as well as captives you should not comply on any other termes, since if you will againe peruse o' Letters you will find that the conclusion wee had made was a positive peace beyond any overtures or cessacon of Armes, & our sending to you, was onely to acquaint you, that we had as neighbors & subjects to one Pr. encluded you if you pleased, and if you had refuesd it, upon any nice termes not comprehended in the Agree'm. wee had made, the prejudice would have redounded to your felves, & allthough afterwards by a collectorall Agree'm. wee got the Ketches to bee excluded, it was not because you mentioned you otherwise
should not comply &c., but out of a desire to the publick Good of his Maist subjectis, without any private aymes or pretence of particular advantage otherwise:

The which that you may find will bee made Good by deeds as well as words, I have with the advice of the Councell upon the application from Mr Bowditch given order for the delivery of the Ketch wherein hee is conferred hee giving secu-

rity to answr what salvage or other charges there may be adjudged unto at the Go: returne, which you may bee confid. will not bee unreasonable. And in any . . . . else shall not bee wanting to continue fr . . . correspondence with o' neighbo's being

Ho: ble S.

Yo.' most humble Serv.

N. Y. Jan. 7. 1677. A. B.

At a Councell June 9, 1677.

A proposall being made by the Gover-

nor whether it would bee advisable to

1 Anthony Brockholes.
fend to take Possession and assert the Dukes Interest at Pemaquid, & parts adjacent Eastward, according to his Roy H' Pattent or nott,

Upon consideracion had thereupon, It was thought adviseable so to do, And that if we make Peace with the Indyans there the Massachussetts to bee comprizd if they Please.

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

* * * *

[New-York Colonial MSS. xxvii.]

To Cap' Anthony Brockholes & the Rest of y's Councell of y's Government of New-Yorke.

The Humble Peticon of William Bowditch of Salem in New Engld Merch

Sheweth.

That yo' Pet' being bound for Pemaquid in the month of March past, to receive his Ketch, brought there by the
Indyans, for ye which he had an Order of Councell, 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 Creek all this winter, where they are also subject to the Hazard of being fired, by some malicious Indyan of whome there is too much suspicions.

You're Pet't doth therefore most humbly pray, that hee may have an Order to be possesst of the sd 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.'

And yo're pet'n will ever pay &c.

[Council Minutes iii. Part II. 163.]

At a Councell 2d Aug's 1677

Cap't Brockholes &c Lett's from Pemaquid of 12th & 13th of July read.

Ordered sending to or seeking the Indyans not allowable, but if they apply &
submit according to the Instruccôns to bee received, for any Particulars, may apply to the Governo'r at New Yorke, for wch 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 fort.

To admitt or treat with no pensions whatever but upon all Occasions or applicacôns to referr to the Governo at New Yorke.

Another Sloope to bee forthwth sent with ye above Orders and a further Supply of Stores for the Garrison.

The Garrison being settled that Capt' Brockholes or Ensigne Knapton bee left with fiftie soldiers and the Sloopes Company the other Office's to Come home as p'r former Intimacôn in the Governo's Lett' the 26th past.

Any difference betweene Inhabitants and fishermen to bee determined by Mr
Joseline, or other Justice of the Peace but in extraordinary Cases of great Import or value ye commander to be present, and appeale allowed to the Governo' and Counsell at Yorke if desired according to Law.

[Council Minutes iii. Part II. 169.]

At a Counsell Sep't 11th 1677.

Resolved that no Inhabitants bee admitted to dwell in his R[h] H[e] Territories at Pemaquid and parts adjacent.

The Indyans there upon their submission admitted and Confirmed to live as other Indyans of the Goverm'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 benefit of said Fishery.
Liberty of Stages upon the fishing Islands but not upon the Maine except at Pemaquid near the fortress.
The Indian not to go to ye fishing Islands.
No rum to bee dranke on that side the fortress stands.
No man to trust any Indians.

At a Council Sept 27. 1677

Lett from Pemaquid from Mr Caesar Knapton Commander at Pemaquid, & the French att St Johns, & Penobscott read.

Orders and Directions for the Commander att Pemaquid.

[Warrants Orders Pages &c iii. 168.]
The Indian late submission and peace with them admitted and allow'd and comporting themselves as they ought, to have all justice, and freedom of living near, converse and commerce with us, as all other Indians 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 ad-
mitted or suffer'd to inhabit or converse on the Maine, except att Pemaquid under protec
tion 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 shoulde any ways blind, or hinder the fort of the sight or command of the water, then said houses to be sett broad-
ways 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 fun and fun,
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 ahoare 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 allso 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 whatsoever att no time in or neare the Fort, butt in the above street, 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 floop 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 transgresflors duly punisht.

The Commander if conveniency, and desir'd, 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 proviisions, 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, satisfying or paying the informer.

The Indyans if plancks att hand or when had, to have an Indyan howe 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. setting forth his having purchased 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 Summer, & hee desiring an order for their delivering unto him tendering 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 lying longer in the condition they are,

Ordered That they be delivered unto the said Mr. 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. Caesar Knapton the Commander at Fort Charles is hereby desir'd forthwith to give order & cause to bee done

By order of the Council.
who brought Corpill Caren Tho: Mathews and C Roades with him: I am sorry for the misfortune of the former The Dnr extraordinary care of him deservess a Requital Matthews I soon committed to the hole in the Fort, (who had receivd 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 Justification, though hee hath very little to shew for him selfe to beare him out, If hee were at Boston probably they would trufe 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 Mr Bowditch upon security, however wee thinke wee haue done for the best, & that without any sinister end.

The newes hee brought you of lettfrs from the Go: & a Packet in Mr 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 Feb. 10th.
The ship he went in gott, in 23 dayes,
to the soundings 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 & prepara-
cions for a warre with France, The K.
proposing to ye Parliam. to have a supply
for the maintenance of niney Capitall
Shippes, & thirty or forty thousand soltryers.

The Go: was knighted & dispatch't
away for Guernsey, there to make but
little stay to returne in order to his coming
back hither but when hee writte hee had
affected nothing of the businesse hee went
about. in Engl he knew not what delayes
hee may haue mett with since. 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. say no warre then. As for a
supply of men you mention in lieu of
those that are dead & that you now send, Truly wee are not in a condicion to doe it but expect the Go: will bring recruits both for you & us too, as wee shall bee ill provided agst an Enemy we have fitted up the Fort pretty well, with new platformes & carriages, wh were much out of repair. The Mayor & 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 Kinneck 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 examinacons and other papers about Roades & Alden, I shall reserve for ye Go:

It seemes the Pinnace had better keep there; the 1st floope that was out a Cruising & Lieut Sharpe did well in bringing the Ketch & Roades into Pemaquid, their trading there being expresslie agst the Go: orders: The matter is well knowne here having loft a good Ketch formerly to the Dutch & had this given him in Exchange
(as I am informed) when hec comes, wee shall heare what hee will say in his Justificacon, but I admire hee should run such a hazard & suffer himselfe to bee deceived by such an Imposto' as Roads: hee himselfe being likewise a Mem: where Roads was condemned to bee hanged for Piracy, so that I thinke hee will have but little thankes 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 Mr Sturts Informacon 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 near as may bee answered the particulars of yo' letter, I remaine S: Yo' humble Servant N. Y. June 7. th 1678.
Order for the surrender of a Ketch.

[New-York Colonial MSS. xxvii.]

At a Council &c June: 12, 1678

Pres.: The Council

Mr. May...

& Delavall.

The occasion of meeting was the Arrivall of Mr. John Alden of Boston, whose case & Examination had been returned here before the Commander from Pemaquid, His Ketch having been seized upon in St. Georges River to the Eastward, by order of the 3d Commander for trading in those parts with the Indians or others, contrary to the order of this Governm.; & shee lying thereupon under arrest together with her cargo at Pemaquid,

Whereunto the 3d Mr. Alden pleading Ignorance of the 3d order, & believing not to have infringed the same supposing those parts where hee had traded & then was in, were without the bounds of his R. H. patent, & within the conquest made by

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1 From a rough draft of these minutes, with that from which this was copied, it appears that this vessel was named the Guif, 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 fí Mr Alden likewise representeng the great losse hee had formerly susteyned in the late Dutch warre together with his great charge at home & innocence farre from presump- tion in yt he had acted, Therefore desiring the favo of the Counsell that hee might haue his Ketch & Cargoe restored unto him:

Upon Consideracón had of the Cafe & the good charactér of the pty it is ordered, That the fí Ketch & Cargoe now under arrest at Pemaquid as aforesaid bee delivered back to the fí John Alden or his order (the which C. Caefar Knapton Coñander of fort Charles in Pemaquid is desired to see done upon receit hereof) Hee the fí John Alden having given security of 240 lb for the paym of 120 lb here if at the Go: returne shee shall be Condemned a Prize for breach of the Order afoer men-
coined: the fth sume of 120lb being by Merch's adjudged to bee the value of the 1d Ketch & Cargo.

By Order of the Councell

Letter from Lt Gov Brockhols to C Knapton
July 1st 1678.

[New-York Colonial MSS. xxvii.]

Having receiv'd a letter from Cap'. Salisbury of the 24th past, concerning some preparations & intended designs of the Maques agst their Ennemies, I was willing to advertize you of it, by this opportunity of Gabriell Thompsons going to Boston, (who hath promis'd to take care of the conveyance of this to you.)

I the rather give you this intelligence being informed that the Vnnagoungos are the Indians near your parts, which if so, probably your giving them notice to bee upon their Guards, will lay some obligacion of friendship upon them, the which you may advise with Mr. 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 co'municate I take leaue & remaine, S'r Yo' friend & Serv'.

A Copie of that pt of Co Salisbureys lett' relating thereunto I have sent here inclosed . . . . the rather &c.

My Service to Mr Jocelyn.

... Nicolls desires his may bee' July 1st 1678:

... referenced to ye' both.

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Council Orders relating to Pemaquid.

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

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

The Affaires of Pemaquid being taken into consideracion — 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' the Governour to goe there and take order about the Set-tlem' of Planters or Inhabit's 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 Souldiers doe continue in ye sorth there untill the Spring Except Sicke or unsitt persons desiring it, shall have Leave to Come away.

* * *

A Speciall Commission to the Court of Sessions att Pemaquid for the Tryall of Israel Dymond and John Rashly About the Drouneing of Sam'l Collins.

[Orders Warrants &c xxxii.]

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 Jourdaine Justices of the Peace Greeting Whereas upon Informacion 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' parts, To the end that they may be brought to their faire and Legall Tryall and Justice Duly Administered, I doe hereby Appoint Authorize and Impower you at yo' next or vfuall 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 Indictm't p'senm'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 Cakes Direc'ts, and to cause the same to be Duly Executed accordingly And for seoe Doeing this shall be yo' sufficient warr't and Discharge. Given under my hand and Sealed w'th 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 Council &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 Constable bee appointed there. They are likewise to put in at Martins Vineyard & Nantucket, that fitt Magistrates may be elected & confirmed there & that they be required to send one of their former number hither, to answer their neglect in not making due returns of their Elections the last Yeare.

Blanck Civill Comissions for Martins Vineyard & Nantuckett.

Military Comissions for Pemaquid.

June 26. Saggadock magistrates or officrs to continue, the Co't to try onely for 40's instead of 5lb formerly granted them.

ffishermen to come to Pemaquid yearly to renew their Engagen's, & 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 & Mr West to have commission to joine with the Co" 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 Commission" or Assistants to have permission (out of Co") to judge of any case or trespass under the sume of 40£.

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At a Council &c June 25, 1680.
Present the Gov & Council.¹

* * * * *
Pemaquid.
C. Knapton, to goe to Pemaquid
The Go" speech to the Indyans when there.
Mr Jocelyn a commision to bee Justice

¹From a rough draft full of erasures and interlineations.
M. Potter Laurence Durrie, & Richard Redding to be Comissionrs & Assistents in the Court of Session, to try to 20 lb.... Court.

A Commission for the Justices &c.

Appeal to the Assize

Sagadock Magistrates are... to continue the Court to try only for 40s in stead of 5 lb formerly granted them.

Land to be given out indifferently to those that shall settle but no trade but at Pemaquid & none at all with the Indyans as formerly ordered.

All fishermen to come to Pemaquid yearly to renew their engagement and not to split or fling out their Gurry on ye fishing ground or to trade with the Indyans to the prejudice of the fishery & hazard those pts.

C. Knapton & Mr West to have commissions to join with the Court there.

The Justice alone or any 2, commissions to have power to judge of any case under 40s.

* * * * *
A Commission to Cap. Caesar Knapton and Mr. John West to be Justices at Pemaquid.

[General Entries xxxii. 92.]

Sr. Edmund Andros Kn. &c. By vertue of his Majesties Letters pattents and the Commission and Authority unto mee given under his Royall Highnesse I doe hereby in his Majesties name Constitute & Appoint you Cap. Caesar Knapton and Mr. John West to bee Justices of the peace at Pemaquid 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 seal of ye Province this 26th day of June in the 32th yeare of his Majesties Raigne Annoq Domini 1680

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

Sr. Edmund Andros Kn. &c. By vertue of his Majesties Letters Pattents and the Com-
mission and Authority unto mee given under his Royall Highness I doe hereby in his Ma\(\text{ster}\)s name Constitute and Appoint you Henry Joceline, Esq\(^r\) to bee Justice of the Peace in Corum and you Mr John Dollen Mr Laurence Dennis Mr Richard Redding & Co\(\text{mander}\) of Pen to bee Justices of the peace together with the Co\(\text{mander}\) 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\(\text{mander}\) to bee one) full power and Authority to keepe a Court and to act 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 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 26\(^{th}\) day of June in the 32\(^{th}\) yeare of his Ma\(\text{ster}\)s 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; question'd at y'.... orders there held 4th Aug. last--for drowning Sam Collins & being aboue their Cognilance &c referred to Next Co'r in Pem & ordered to have a Comission sent there to this purpose.

Walter Moore &c .......

Henry Palmer--Dep't--for Debt

An order of Co'r serv'd

The Co'r to bee the last Wednesday in June & first in No'. The next Co'r in June.

Several ordn 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't ye other to warre
A Letter to Ensigne Sharpe att Pemaquid

[Orders Warrants &c xxxii.]

Septembr'y ye 15th 1680.

Ensigne Sharpe

Yours by Cap't Knapton received I have sent you by this bearer thirty pounds in mony which I would have you with the advice of Cap't Redding Lay out on a good Sailing Shallop.

That may be for the forte or Publike Use there but Suppose you may light on one Cheaper. I heare things at present are well and in good Or'd and hope you will so Continue Take Care to keepe the platfforme in the fort in good repaire w'th I judge you may doe by Wattering or throwing stuff or Earth thereupon P'fuming that noe ordinary weight Cann P'judice it I haue alsoe sent you supplyes *** for as p' inclosed Invoice, And am

Yo' Affectionate friend

E. A.
A Letter to Mr. Justice Jordaine att Richmond Island nere Caskobay.

[Orders Warrants &c xxxii.]

New Yorke the 15th of Septemb'r 1680

Mr. Justice Jourdaine,

Capt. Knapton and Mr. Weft being arrived have Given me an account of their actings Eastward and yo' particulier well faire which I shall alwayes Endeavour, and to that end doubt not of you' redynesse to performe and execute the trust in yo' repofed as Settled not apprehending any alteracon or inovacon of Governm'. butt may assure yo'elfe that each person in Authority discharging their duty shall have all Jult protection and Encouragm', and be Endennified accordingly I have taken care to prevent Mahakes incussions by forwarning said Mahakes warring with our Indyans and now fend like ord'r for o' said Indyans w'ch I doubt not will be observd however aught not to bee Carleffe 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 w\textsuperscript{th} Commendations to others authorized in your parts w\textsuperscript{th} you Remaine:

Your Affectionate friend
E. A.

---

*Order for restraining Indian Hostilities.*

[Orderr Warrants &c xxxii\textsuperscript{1/2}.]

The Governo\textsuperscript{rs} ord\textsuperscript{r} to be Declared to the Indyans att Pemaquid sent to the Commander and Magistrates there.

The Governo.\textsuperscript{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:\ But whereas many partyes may be out you will doe well Carefully to looke out and avoyd all sur-prises till you be Assertained all are returned home and things Quiett and Well. The Cheifest Sachems to be sent for and the aboue ord\textsuperscript{r} Signified to them after w\textsuperscript{th} to give then Something more then they could Deserve for Comeing such a Journey.

Sep\textsuperscript{\textsc{th}}: ye 15\textsuperscript{th} 1680.
E A.
A Letter to Ensigne Sharpe.

[Orders Warrants &c xxxii.]

New Yorke ye 15th. Septemb' 1680.

Ensigne Sharpe.

I have by M' Wells and one writ by M' West answered your of the 7th Instant except what relates to M' Joflyne 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 himself 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' account as alsoe sufficient provision for himselfe and wife as he shall Desire out of the Stores letting me know p' this returne how hee desires it or what, that I may Settle it. Commendations to M's Sharpe

I remaine,

Yo' Affectionate friend

E. A.
A Commission for Capt' Francis Skinner
to be Commandr att Pemaquid and
Parts Eastward.

[Orders Warrants &c. xxxii.] By the Comander in Chiefe

I doe hereby Constitute and appoint you Capt' Francis Skinner to be Command' att Pemaquid and Parts Eastward under the Governm't of his Royll. Highness ye are therefore to take Care that the Militia in the severall Places be well armed Duly Exercised and Kept in good ord: and Discipline and the officers and soould's thereof are Required to obey you as their Command', and yo'selfe to observe such ord's and Direccôns 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 Capt' Francis Skinner
Commander att Pemaquid.

[Orders Warrants &c. xxxii.]
and actings from time to time by all Convenient Oppertunity

Given undr my hand in New Yorke the 30th Day of August 1681.

A B.

____________________

Letter from Lieut Gov. Brockholls to Ensign Sharpe.

[Orders Warrants &c xxxiiij.]

New Yorke Aug²: the 30th 1681.

Ensigne Thom. Sharpe.

I have herewith for yo Reliefe sent Cap': Skinner to be Commandr for Pemaquid and Parts Eastward You are therefore to Deliver up the Garrison and Sould's now undr yo Command to him and by the first Oppertunity Repaire heither which will be necessary as soone as possible Mr Wells Being Goeing for England that you settle yo accounts with him before his Departure.

Remaine

Yo: Affectionate friend

A: B:

[Orders Warrants &c xxxii.]

* * * *

What men are Left I Continue att Pemaquid Severall Being Deaed and Apprehensions of Trouble with the Indians. Cannot more Leffen the Garrison there, But haue sent to Releive Sharpe that he may make up his accounts with Mr 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 Mr Robert Gibbers House att flost hill in Boston Held this nintenth Day of Aug in ye thirty fourth yeare of ye Reigne of our Souerigne Lord Charles ye Second by ye grace of God of
England Scotland and Ireland, King, Defender of ye faith: & Annoq Christy: 1682 Wittenfeth; That whereas there was a neck of Land Suruaide & a townne Laid out vpon ye Said necke Generally knowne & called by ye name of Mafons & Jewtts neck Licing & beeing in Shipscutte Riuier, & a township bounded to ye said town; ye fourth Day of July Extent by Sq Joelinge Justis In Coorum with seurall other of ye former Inhabitance of said Riuier in Company with ye said Justis as Afioresaid; therefore it was thought nefficary & ConuAeniant for ye propigattting & Bennifitt of Said town & townelhipe & for ye privilidges theirof to call this Meeting where was Mett seuerall of ye former proprictors: & Inhabitance with their Associates whose names are vnderneath Subscribed who Did Joynlys Bind themselues to stand to seuerall Articles of Agreement for ye fettelling and Sittuating of said townne & townelhipe for ye good & Bennifithall Advancement theirof; theirfor to that purpose this Cowenant & Agreement is Drawne; & is Affearmed with ye hand
& scale of Every person heare present ye Artickles followeth, Viz.

Imp's. First. Its: thought neccessery that Every former Inhabitant properia-
to & owne of any Lands Medow gronde & salt or fresh with all their former priuilidges wrights or tittalles in any wise whatsoeuer of their former Rights Into ye aforesaid towneshipe for ye utter good & bennift their of must & shall bee throwne Into said towneshipe ye aforuit trees barnes houing & fencing stuff only to bee Excepted but all other priuilidges of any person or persons whatsoeuer must & shall belonge to said towneship as aboue is specified.

Secondly. Its aurther Agreed that Every person & persons whatsoeuer that Intend, to Settell build plant & Mannuer in ye aforesaid towne thus Laid out & Suruayed for that Intent must & shall Repaire to ye aforesaid neck of Land or towne as afores mentioned: to make preparation for their setteling & building of said towne twelue mounths After the twenty ninth Day of September Insuing ye Date of these presents in ye yeare 1683; ye 29: Day of
September being ye firtheft tim Appointed According to Agreement upon ye forstuer & penelty of Louing all their wrights & tittells to or of any part or parfell of said towne or townehipe Except such properiaters Children that are att prettis or not att agg: then to Manner & possess their Lotts: when Layd out p Men which must & shall bee Chosen p ye: Towne for that Intent & purpose.

Thirdly, Its further Agreed that their shall bee a speishall & speedy order taken that their may bee a Conueniante place as a tract of Land Laid out for A Minifree with a Conueniant place to set a meeting house to ye best aduantage for ye towne & allo that wee may haue a minifter of our owne fre choyce & such a man as ye Mager parte of ye towne shall Like & Approve of for that End.

Fourthly, Its further Concluded that as one as any Men that haue subscribed their hands & seales to these presents shall or may come to Make way for buildling or setteling they may & shall haue fre Leaue & Lycence to Lay out & bound
their home Deuiphones that Lyes near ye towne without Any hendrance or Disturbance of or by any person or persons whatsoever; moreover it is Agreed that noe person nor persons whatsoever shall build any vesells small or great Cutt or Cary away any timber speares ffencing stuffe hay thache or any other Marchendyse out of said towne or townshipe without ye Leave Licence & Approbacion of said townes Inhabitance then & their settled.

fifthly. Its Likewise Agreed that all such perrones that shall or may first settle & are their Reddy to Improue their lotts as ffencing & working for ye Improvements of Said home Lotts Shall & may haue free Liberty & Licence to Lay out & bound their out Deuiphons for their better Advantage & forwarding of their Improvements without any hendrance or Disturbance of any person or persons whatsoever & Every mans Lotts shall be Equally Deuided euer manes equall proportion of Vplands & meadow both fresh & salt with all other..... townes shall fee it....... for ye said towne .........
Sixthly. Itts further Agreed that every man both house keepers & singell persones att ye² Agge of sixtene yeares; must & shall provide three pounds of good powder with twelve pounds of Lead bullet & Swann shot: for a towne Store & all so to keep a good fire Loke muscet or fowling gonne all to bee Redy for a stoke to preuent ye² heathen or a forrin Inuashon: & to have two Sufficient men Chosen for that end to see every man so provided according to order.

Seuenthly. Itts Likewise further Agreed: that noe person nor persones must not neither shall they nor any of them build any dwelling house or Cause it to bee built in Any part of ye² townehipe but only upon that neck of Land Layed out & furuayed for that End & purpose vntill such time as ye² towne shall see it meete & fitt & that it may bee for ye² Advancement & benefitt of ye² Affore menishoned towne & townehipe According to Agreement.

Eigthyly. Itts Likewise further Concluded that Every Inhabitant of said
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 provisyon or Marchandize whatsoever with any vessell or vessels great or small to any porte or ports that are free as Boston or Els where without paying any Dutyes or Customs in Espehall maner ye grauth of our owne Country; where weee Inhabit.

Ninthly. Itts moreover Agreed vpon further Considerations that Every Anschant & Anormer propirietor that haue any Children Allredy borne; that it is freely graunted that any of those Children shall haue as free Liberty Leave & Licence to Come Into said townes or towneship of Shipscutt Riuier & haue Lotts Layd out for them by the seleect men Chosen for that purpuse of all Lands medow ground & all other priuilidges whatsoever without paying any Sumpshan of mony or moneyes worth or any other gratuity whatsoever but shall bee as free Denisenes as any of
these allredy settelled; allso that every former owner Mannuerer or propriator may & shall haue free Libertye Leaue & Licence to Remoue take offe or sell all or any of their fruit trees garden stuff houing barn timber or other hewed timb' planke bords ffencing stuffe & Like except it bee ye timber now growing in or vpon ye towne or towneshipe ye towne or townsmen Agreeing to this, that then ye said Walter Phillips Jenier shall & will agree to & with ye said towne & townsmen vpon all utter Affeares & stand to what they may now or hereafter Acet. in ye foreshittuer & penalty of Loufing all his former proprieteyes within ye Limits of said townehipe as he shall Afterfie by subfcribing his hand to this Laft Articke to that end & purpos.

Tenthly & Laftly. Itts moreouer Agreed that all those men that haue Subcribed their hands & seales to all these aboue Menshoned Artickles Made ye 10 Day of August 1682 as aboue may & shall haue their free Liberty & Licence Ether them ore fom of them or ye Mager part of them
att publick Meeting Appoynted for that purpose to make Choyce of take in or Incuridge any Responblabell Credable or Benyfshall man or men of Craftsmen Merchants or y^e Like without any Denial hendrance or Moleftation & ffor y^e Manifesftation & Confirmation of all & Euer of y^e Aboue specified Artickles wee haue all Joynly & feueraly hearpunto Subscribed our Hands & Seales y^e Day & yeare ffirst Aboue Righten Regny Regis Carilus Secundus

As Attest. Vpon a fFurther Consideration beeore Signed & Sealed it is Intended that Every person & persouns y^e now doe or at any time or times heareafther fhall Manneur & Settell y^e Aboue faid towne & townshippe must & fhall Enjoy all & euerly parte & persfill of faid towne & townshippe to fay y^e wholl Premisses & bounds thereof to bee free Lands to bee Enjoyed by vs & to vs to our heires ffor Euer without any hendrance disturbance or Moleftation in any wise whatfoeuer by any person or persoons Except it shoule bee Inuaded by a forrin nafhun & Deferted
by all ye Inhabitation as aboue shall bee & now is Confirmed as p' our hands & Scales.

Wt
JOHN ALYEN
THOMAS GENT.
CHRISTOPHER DYER.
THOMAS MENER
ROBERT SCOTT
his R marke
WILLIAM LOWERING
JOHN WHIT
his -I marke.
DANIEL GENTT
his -(- marke

WILL WILLCUTT
JOHN BROWNE
his B. marke
JOHN DIER
his -I marke
CALEB RAY
ELIZABETH PHYPHS
hir marke
DAVID RANSFORD
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

Wm SHORT Cl: Sfs.

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

WILLIAM LOUERIDGE
THOMAS GENT,
BATH ANDERSON
CHRISTO DYE Constable
These three men are now Sworn at New Dartmouth this 16th Day of September 1684. Before me

Giles Goddard Just in quo

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A Letter From Capt Brockhols to Justice Josline att Pemaquid, New Yorke
August 24th 1682.

[Ordered Warrants &c xxxii.]

Sir

In Answer to yo's of the 17th: July I am Glad to heare of the Settlement of yo' Partes which must be Encouraged and is Left to your Mannagement with the advise of the Commander and those in Place According to the Regulacions and Orders given by the Governo', which still Remaine in Force and must be Attended and Observed accordingly The number of Persons you menc'n will add much to the strength and trade of the Country which Shall Endeavour to Supporte the Proper plans for Settle'm. You are best Acquainted with Therefore Left to you
as Aforesaid to Order the Laying out what wrote by Castine is of noe Imporfe you Knowinge the Extent of his Royall Highness Limits which must be Maintained according to his Pontent

Have nothing of news butt Dayly Expected from England all well here my Regards to yous selfe and Wife is the only needfull att present from

Sir

Yo' Affectionate friend

A. B.

Commiffion for Settling the Duke of York's Title.

[New-York Colonial MSS. xxxiv.]

Coll Tho. Dongan Lieut Govr and Vice Admirall under his Royall Highness of New Yorke & Dependencies 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 Mr Richard Pattishall Mr Alex Waldrop Mr Thomas
Gyles or any three of you to be Commissioners for the settling his Royall Highness's territorys between the River Kenebeck and St. Croix Giving you full power and authority to act as commissioners and to consult make rules and orders for the good and wealfare of the said places and Government and to call to question and punisht all offenders according to law and practice and all persons whom it may concern 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 Riuier, and Being a subject true to our Souaigne lord the King and hearing the Ingans threatening the Einglish

This deponent faith that he hard the Ingans say one that is counted a Captaine
amonge them he said, that his hart would neuer be well tell he had killd some of the Einglish 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 they 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 faith not only the Ingans are going to Canada and say they will be Back againe in aprill infuing the Date here of

Given on oath before me

Laurence Denny
Justes of Pease
Date February 22, 1683.

John Hornibroke aged 30 yeres or thare about.

This deponent faith that it is a generall faing among the Ingens that they will haue wars againe and furder faith that thare was four Ingans lay at his house and one of the Ingans said that he would Stab a English man with his knife and Run away when he had dun and furder faith that a Ingan said that the hachet hung ouer our heads and he did not know how sone 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 houses and make them Slaves as they ware Before and furder faith

As far as I understand by John Hornibroke that the aboue said 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 Chefe of them is gon to Canada all Ready to fetch guns and amanition and they faid that they would make the greatest armie that ever yet among them.

Laurence Denny
Justes of the peace

The Depo席hon of John Voanny & Will Bacon ye one Agged 55 yeares & ye other 35 Dito

Testifieth & Saith,
That ye said partyes setting forth one purpose in ye beehalfe of ye Rest of ther neigbors & with their vrgent Request & Desier to search out ye truth of ye Ingen newes ye was going Amongst vs. Wee did take our Viage from Kemybecke to Casco bay wheare wee did Repear to Mr James Andrews house to learn how Affears went their & ye said Andrews did willingly Informe vs that one Indion which did Comenly Repear to his house & Mr Walter Cendalles for Releefe did
say if ye said Andrews & Cendall would not disclose his name that then hee would disclose what hee knew Conserning ye Indons Against ye English & After thay had promised hee told them that ye Indones was Minded to Rise in Rebellyon againe & Cutt off ye English but how sone hee could not yett tell but when thay did & hee see their Resalution hee would send them or bring them a burch Rine as though hee had brought them a Leter & further faith not

Y e same deponent further faith y'. did Informe them that thay had fallen one a fortnight agone had thay not disagree in their Judgment which did all that time prevent their Absolute Intentions & further faith not

Tacken before me this 28 day of february 1683

P: Jno Allyen Jus of Peace
65

The Deposition of John Molton Aged 50 yeares or their abouts testifeth & Saith,

That hee being Cutting of wood in his feld y' goodwife Cutery called to him & said that shold luke to himselfe for their was an Indeon would do him a mischief & ye said Molton Luked about & saw an Indeon Coming threw said Cuteryes field over to said Molton without speaking one word but came to said Molton with his knife in his hand and profered to stab f² John Molton wth ye fame twice, & then said Molton defended himselfe with his Axe & threatining ye said Indon to Cut out his braynes with ye Same & when ye said Indeion see that, hee Departed ffrom ye said John Molton & went towards Mr Samuell Boles his house & further faith not.

Taken upon oath before mee
February ye² 28 Day 1684

Pr Jno Allyene Jus of Pease
A Letter from Capt’ Brockholls to Mr.
Ffrancis Skinner att Pemaquid

[General Entries xxxii. 55.]

New Yorke May 10th: 1683.

Mr. Ffrancis Skinner

Sr.

Am Sorry the Loosnesse and Carelesnesse of your Command gives Opportunity for Strangers to take notice of your Extravigancies and Debaucheries 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 Regulacions for Settlement being alsoe Informed that you have Suffered People to settle alone in Remote Places Contrary thereto Expoleing themselves to the fury of the Heathen which may Prove of ill Consequence as hath been already Experience to all in those Partes, Expect a better observance 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 Regulation for Settlement &c by Mr. Pattishall Shortly Intended your way I shall Send Commission for another in the Place of Mr. Joylyne Deceased who seere is much wanted, I am,

Your affectionate friend
A. B.

A Letter from Capt. Brockholls to Justice Lawrence Dennis &c

[General Entries xxxiii. 56.]

New Yorke May 10th 1683:

Mr. Lawrence Dennis.

Sir.

Yours of the ninth of Aprill Received by which am troubled to heare Such Looseness and Extravigancy att Pemaquid and Remiseness in the Officer or Commander there not to observe the former Orders and Regulation for Settlements being noe wayes altered but Continued & Confirmed All Care possible hath been and is taken of that parte of the Governm' 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'h Shall Allwayes write to Pemmaquid and that none settle in Remote partes alone but in Townships according to former Orders and Regula-
cōns shall Likewise Commisionate another in the Place of Mr Joslyne Decefed and hope all paste Errors will bee Rectified by your future Good Comporte the news of which will be most acceptable to,

Sr

Your Affectionate friend,

A : B :
A Commission to Mr. John Allen of Shepgutt to be Justice of the Peace for Pemmaquid and Dependencyes.

[General Entries xxxiii. 57.]

Anthony Brockholls Esq. Commander in Cheife and the Councell 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 Royll High's wee Doe hereby in his Ma.ies name Constitute 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 perions whom it may Concerne are Strictly Charged & Required to give you Due Respect and Obedience accordingly. This Commissiion to be of force 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.ies Reigne &c.

A: B:
Petition from the Inhabitants of Pamaquid.

[New-York Colonial MSS. xxxi.]

(Endorsed: —“A Petición of the Inhabittants of Pemaquid. Sept 6. th
Dfered untill the Govern’ 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 Gouernor Generall of all his Royall High’s Territories in America and Vice Admirall of the Seas &c and Councell.

The Humble Petición of the poor Inhabitants of the toune of Pemaquyd &c.

Humbly Sheweth.

That when the most part of the inha bitants 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’ predecessor Sr: Ed mund Andros, and Confirmed by Cap’ Brockholls; did give grant and Confirme
to this Towne 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 under very great Penalties as the Records here make appear. And Likewise your hono' was pleased in your Articles sent by Capt. Sharp to Order us here to build Laft Spring one Block- hous at Merrimeting; which according to Order is there Ready to be raised; as will appear by some of your Peticöners who can informe further; and for securing Laft Spring of his Royall High' Revenue wee sent up one vessell about twenty four tunns well manned to trade having entered and paid Duties which does amount to more then all the Rest of this Country; except Pemaquid townse as your Collectors books will make appeare. But since your poor peticöners Vnderstands that Capt. Sharp hath Receiued a Letter from your Hono' to forbear settting up of the house untill your Hono' further advice otherways it could haue bin finished.

Therefore your humble poor peticöners doth humbly beg and Defire your hono'
that our former Liberties granted to us Concerning tradeing with the Indians may be confirmed and stricr Charge giuen that noe other Person nor Inhabitant Shall trade Except they doe come and build here which will be a strenghening to the garrison of this place and for promoting his Royall High's Interest to Order that wee send up a Vessell up Kenebeck riuier untill your hono'r se caus to haue the blocke hous RAised being willing to pay Custome & taxes according to orders which wee hope will be Considerable this fall in that Place other ways it will be imbaselled and wee disabled from makeing our Liues Comforable; Likeways to grant your poor Peticóners an order how wee shall behaue towards the french in your Jurisdiction to the Eastward for the trade that way is Considerable and will promote your hono'rs interest. And your poor Peticóners shall euer Pray &c.

[The Signatures to the above have been cut off by some person unknown, probably for the autographs.]
Counsel Minutes v. 1st.

At fort James in New Yorke September 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 freetholders of Pemaquid & Dependences to meet & Chose one Representative

* * * *

Commission of Thomas Sharpe as Commander at Pemaquid

[New-York Colonial MSS, xxxiv.]

By the Governr

I Do hereby constitute and appoint you Ensigne Thomas Sharp to be Commander att Pemaquid and parts Eastward vnder the Govorment of his Royall Highness you are therefore to take Care that the militia in the Severall places be well armed duly exercised and kept in good order and discipline and the officers and
soldiers thereof are required to obey you as their Commander and yo'felfe to obey such orders and direccōns as you shall from time to time receive from me or other yo' Superiour Officers according to the rules and discipline of warr and the trust reposèd in You. Given under my Hand and Seale at flort James the 10th day of Nov' 1683.

Commission of Alexander Woodrop as Sub-Collector and Receiver.

By the Govern'r

I do hereby Constitute and appoint you Mr' Alex' Woodrop to be Sub Coll' and Receiver of the publiq Revenue of the Customes & Excysè due to his Royall Highness in Pemaquid and its Dependencies on all Comodityes Customable and all liquors according to an act of the Gen'd Assembly published the 31st day of Octo' last of which you are to keep due account and make returns of said receipts in Specie from time to time to me or my order and all persons concerned are re-
quired to conforme themselves accordingly upon the penaltyes as in the saide act is specified this my Comitcion 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 fort James in New York November ye 22d 1683.

Present the Governor
Capt A Brockholls
Mr Ffr Fflypsie
I Spragge Mr Steph V Cortland
Mr Lucas Santer

The following Instructions & Orders were Considered.

Instructions for ye Settlement of Pemaquid

That no coasting Vessel 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 fishing 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 fitt &
tipple to excessive drinking, or unseas-
onable hours to hinder the saide boates
Crew upon such penalty as by you shall
be thought fitte

It shall not be lawfull for any masters
of vessells to fell or dispose of to any
Crew besides their own any liquor of what
kind soever on penalty or forfeitury 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 & have been to sea together
to make a faire that if at any time by
any of the Crews obstinacy or Idlenes
or any other means (ficknessie only ex-
cepted) that the Crew be so hindered of
makeing her faire the penalty & forfeiture for each faire be considered & fo proportionable for a longer time that the Said party shall absent himself to the Hinder-ance of the Vessell going to sea.

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

It shall not be lawfull for any Vessell or Vessells that do not belong to this Goverm'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 fa-mily on such penalty & forfeiture as shall be thought fitt by you.

It Shall not be lawfull for the fisher-men at Socatahock after the proclamation of this order to build any more howses on that part of the Island that the Stages are of, but what they shall be on that part to the Southward where they have begun
to build & what howses are on the Island
where the stages are of must be Removed
within the space of 2 years likewise all
salt howses or Warehowses that Stand in
the way of the flake to be removed to
a Convenient place on penalty as you
think fit

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

That all persons whatever shall be for-
bidd to trade wth the Indians Saue only
two howses one at Merrymeeting & the
other at Pemaquid

That all Vessells out of any Goverment
if they com to trade or fishe 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
have so Cleared & then proceed to trade
or fishe as licenfe or permitt may be granted
on penalty

That no Vessell or boates Crew shall
break bulk or dispose of any fishe till the
firft of June on penalty
That the fishermen may have an assurance of these plantations about Socada-hock & 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 Comander of Pemaquid shall by the advice of the Comrs or any two of them Seaze any Vessell that offends contrary to the aforesaid 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 Commissioners to read prayers & the holy Scriptures

Ordered that no Vessell or boate or Can noe whatsoever shall trade nor go into any Harbo' or River between the Rivers Kenebeck & St Croix but what shall enter & Clear firft at Pemaquid, except they are forced by stress of weather, upon forfeiture of both Vessell, & goods, & that no one whatsoever as he will answer it at his peril shall take a permit or lycence to trade there from John Nellifon at Boston or any other person whatsoever, except such as are appointed & Commissioned 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 shall have lands for themselves & their heirs without paying any Quitt-rents except a small acknowledgment of one shilling for an Hundred Acres p' Ann, & that they shall not be lyable to be arrested for any debts for the space of seven Years excepting such debts as they shall contract by occasion of their going thither, or whilst 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 Vessells.

And all Vessells or fishing boates not belonging to Pemaquid or the Government of his Royall Highness are to pay as followeth:

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

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Petition from the Inhabitants of Pemaquid.

[New-York Colonial MSS. xxxii.]

To the Honorable Coll Thomas Dongan Left. Gouvern & Vice Admirall under his Royell Highness of New Yorke Dependences in America and to his Honorable Counsell now Sitting att New Yorke.

The humble Petition of the inhabitants of the Extreme partes of his Riall Hines Territory Betwene the River Kenybeke and St Croix.

Humbly Sheweth.

Wear as your Petitioner Came to vnderstand by Seuerall Commination and in struction
for the Settlement of the aforesaid parties that your Honours' Hath intended Good for these parties and all ways will we believe Conferre the same which Giveth vs Greate bounties to seck your Honours' protection and redress from many burdens, and oppressions that are Layed upon vs by the want of Lawes being Lefte to the will and pleasure of the Military order by which menes the Gouernment bee Coms to vs allto Gether Arbytary which soe to bee is Repugnant to the Lawes of England and his Majesty's Regall authority as alfo a great Reflection one your Honours' authority Being fully ashored of our Deliverance from the same By your Honours' After seurill yeares suffering By ouer Great Distant from New Yorke where we are all ways to have oure Releefe in such and the Lice Cases =

P'mis the Boody of Lawes of New Yorke and the adjacent partes of his Ryall Hines territory hath not these partes in it Thare fore humbly Request that wee may bee A member of that Boody --

2ν—Thare has ben but one . . . . appointed for these partes which all
Cases Com before and if Injustis Don any man under correction bee it spooken to the Loos of his Estate or Dammeige to his parson this Law Appointes noe Appeall for vs which priueliges is a Lowed of By your Honr and Counfell at New Yorke and there fore hope your Honr will provide som way for our Relee.

3: It hath Binne the praktsis of the Commander of Pemaquid to apprehend by force of armes the kings Justis of the peace and threten other Justis of the Peace with Putting in Irons and keepinge in the fort a prisonne severall dayes with other Grand abusses and Villifying Lang and for noe Reson only following thare Commition Granted to the Said Justis of the peace as alfo thretenige the Desolfitng of Coarts att pleffuer By which meanes the Kings Justifes and Subjects haue bine turned bee sies thare Busnis: Humbly Beging Your Honr Relee in the same.

4: Whare as you Honer haue Sent formly Artickles in tittled Instruction for the settlement of Pemaquid which signifie to your petitionor that your Honrs haue thoughts of Good for the Inhabittance
of these partes if a Right understanding whare as the ffurstie Instrucktion Declar-rith that noe vessell shall trad one the Cofte as bumboates from Harber to Harber but such as shall supplye the Gine orall account for 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 for answer to the afore said Instrucftion the perrsons that haue supplied the ffishery haue all-ways fate such Grate prises one thare Goods that it hath for many Years Im-poverished yo poore petitiones butt of Late hath by the Refons of Supplyes att a Cheaper Rate and not Confrarne with the Supply of boates made vs to make a more comfortable living then heare to fore Likewayes wee tache bouldnes to acquainute yo Hono with a Conffiderable quantidy of planters Settled and are a Coming to Settill in his Riall highnes teritory in the Esterne partes if in corrig-ment from Yo honer which wee Dispare not of Desiring yo honer to take it into
yo" pieous Consideration how these affore said planters shall bee supplyed Being absolutely Commanded that the supplyes shall Dispose of noe goods but in the harbors where fishery is and to now other but the boats crue which affore said in strucktion wee humbly Confeue were Given in to yo" Honer by him that had to much fellfe in it and wee freeze a Combination with other suppliers to the Impourishing of Your poore petitiners as heare to freeze which in fringment of trade hath neuer Ben as wee humbly Confeue to his Majesty subiack humbly Desiring Yo" honer to Reliue vs in the same ---

5. thLy Whare as the ninth Instrucktion that the fisher 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 yeaeres which will bee the Runing of the proprieters of ye same but wee humbly Confeue and fartingly knowe that his Majesty by act of parlyment haue mad proclaymation that all Ilands and plases conuenient for fishery all tho any person or perssons propriety shall Bee
Improued for that End; as aliso S` Edmond Androus Conferming of the same:
wee ferare you` Honers in feramation haue ben fer a person fermerly Claiming a
Right thare vnto all tho pretended which parson cane bee noe other parson then
Mr Richard Pattishall which wee haue Grounds to ferare Doth not Defighne
Good to this partes wee Humbly Request you` honner to Reliue you` poore petyfenors
in this matter.

6thly. Ware as in the thirteenth artickell
that all vessels shall enter at Pemaquid
and att noe other place which wee humbly
Confieu will bee Very Detrimentall to
a Considerabell quantity of fisher men
and planters by Refon of the Great Dis-
tance of Pemaquid and the Depenes and
Difficulty of the bay of Pemaquid has
Detained feuerall vessills many Days som
times Weeckes which has exproed the
fisheery and planters to Great Wontes as
aliso a Great Dammige to thare Imploe
ouer Humble Request to Yr Honer is that
you wold grante vs two plases more of
Entries and Clering the one at Nu Darth-
mouth in Ships Gutt riuier whare ar
Considerable inhabittance and many more Coming and promising a Considerable trad of shiping for maste and Lumber and all for an office or some parson at Sacadyhocke in Kenybec Riuere appointed for Entring and Clearing

7thly Ware as the Eighteenth instruction Doth Requier noe settllment in those partes under the number of Twenty flamelyes which wee accknolige a very great prudence of Your Honner wee humbly Conseue if your Honer Doth but parser tenn flamelyes it may much more Con Duce to the Settlling of those partes for tenn flamelyes can be found to Settll at the firste a towne ship when twenty Cannot be procure but when tenn settled som small towne it hath all times by Experience incurged more to Come wee humbly Request your honner to Grant the Same

8thly Wee farther take Boulldnes to acquainte your Honner of a very Considerable Charge that the towne of Nu Darthmouth is Ships Gutt Riuere and Sacadyhocke in Kenybeck Riuere in Erickting of a forte at Each place for Security
of the in habbitance against the Hethin by Reson of thretting Languge proseding from them and to bee found consultation for 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 for them and to strong wee humbly Requeste yo'r honer to provide some better security for after time.

all those aforesmentioned artickells wee ar fully persuaded yo'r honner has a better vnderstanding of then wee ar Capable to infforme; not Doutering as yo'r honner has allready Desighend Good for these partes will Grant vnto yo'r pore petiænsors all the aforesaid artickells wee shall Euer pray

[NO ALLEYEN] [ELIHU GUNNISON]
[CHRISTOPHER RYER]
[TOMAS GENT]
[WILLIAM LOWERING]
[ROBERT COOK]
[FFRANCIS JOHNSON]
[AFTE NELE]
[THO SERGANT]
[GOURY GRAY]
[J.OHN LANG]
[ELIUS TRUCKE]
[JOHN SELLMAN]
Richd. Pateshall Informeth Against Mr. John Kelson Meas' in Boston.

[New-York Colonial MSS. xxxi.]

Saieth: ye some time in Defemb: Last past being 1683 I Arriued in Boston & met ther with Capt Sharpe that was my passen-enger to Rod: Island. I Asked him whethr he was with: ye Go' Bradstreet a bout ye proclome to Aske Leue for ye feeting, of it, to ye he Answered noe and desired me to goe with him, the which I did the Goue' Answer was ther shoule be caer taken About it After he had met in Counsell:

I alsoe Asked Capt Sharpe whether he had deliuered the Letter to Mr Nol... he said noe, but would doe it After ye procla was vpp, when I vnderstod Mr Kelson, had his Letter I went to his house, to discorre him Conserning ye Esterne p'ts, wher I Aquainted him of ye Hon' Goue' Dongans Resolues to pofes him felse, with his Riall Hines his Rite to Sr: Croys by Letters pattens Granted from his maiest: and he had sent Letters Accord-eeing to Coften, to Come in and pay his
Respect to Pemequide his Answer was Goue Dongan, was mistaken in Coften, for he was Comisnated from ye King of Ffranck, and Likewise from ye Gover of Canadey to Kepp ye Rite and position of those p'ts and that ye said Coften was a Baron, and did Skorne to Come to Capt Sharpe being a men person, and of noe p'ts and could not Discourse such a Gentell, as Coften, further more that ye Said Coften would Lose, his Life Rather, and that it would be an Ill dayes workes for Goue Dongan to vse Au. of Hostility towards, him, for if he did ye English in these p'ts would sone be Cut of, and ye places Left in Ashes. I Tolde him that could not be for ye Ffrentch were but flue, he Answered that these and all ye Indians were Engaged to him in these p'ts I Answered that all ye Indians from Pemiquid westwards waer obedient to Goue Dongan, which waer two to one for ye Estwards. He Answered he knew, to ye Contrary I Anfd that then Goue Dongan had ye Mohocks, and Senicaes consisting of at Left 3 M. men to Send upon these

¹ Three thousand.
Indeans in ther one ould quarell when he plesed

His Answere was he beleued ye Gou'r was mistaken in that two, for he was fhuer ye Ffrench Gou'o: kept Jesuits: in ye Mohockes Castells and further moer ye ffrrench Gou:o: had Lately sent for ye Mohokes vpon some misdemer and Executed Eyght or Nine that ye Mohokes Brought in them felues Alsoe that ye Kenebecke Indeans were Stout fellows and feared not ye 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 giucing any provocation to the Indians, & would use all the faire ways to preferue peace

Governor Cranfield said that those the province of Mayne had drawn themselues into Garrisons
Mr. Dudley replied it was don by any order from Boston

Governor Cranfield said there much difference between unnecessary fear, & many repeated threats & menaces from the Indians & their drawing away ye ir wives

Governor 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.

Governor Cranfield proposed that an allowance should be made with 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 Maquaife

Governor Cranfield desired that one might be appointed from N. York Boston, the province of Mayne & other Colonies to treat about it, to adiuft the expences with would be due to the Maques
Governor Dongan said he was against any thing that might show the least suspicion of the Indians, & give them jealoufie.

Agreed upon by Cranfield Governor of the province of Hampshire, Mr Joseph Dudley & Mr Shrimpton & Governor Dongan with the Council that if upon the arrivall of Mr Cranfield into the province of Hampshire, Mr Dudley & Mr Shrimpton at Boston they heare of any Acts of Hostility committted by the Indians they forthwith give notice the Governor of New York who will send som on purpose to them to Consult what is fitt to be don in it, & to adjust the payments that shall be due to the Maquafe for their assistance in case they are employed & further to advise & Consider whatsoever shall be necessary for the preservation of his Majesty's Subjects.

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Extrait of a letter from Gov Dongan to the Council of the Province of Hampshire

[Council Minutes v. 68.]

Apr 11. 1684.

We giue you many thanks for ye kindnesse towards this Governm' th'o we haue
no reason on o't parts to apprehend a warre w'th the Indians; with whom we have but lately renewed a friendship, & haue letters from Pemaquid which mention nothing of any likelyhood of a warre amongst them, the copy of w'ch & some other papers are in the hands of ye Governo'r.

[Council Minutes v. 72.]

At a Council Apr 21st 1684

Pr'ent the Governo'r
Mr S. V. Cortlandt
Mr L Santer J Spragge

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

A petition from Mr Alleyn for ye same referred untill the Governo'r go to Pemaquid & both given back to Mr Giles Goddard.
Petition of Inhabitants of New Dartmouth

[New-York Colonial MSS. xxxiv.]


Humbly Sheweth;

That Whereas your Honours Humble Petition: Obtained a Graunt of a Tract of Land to settle it as a Township about two years past, from the Worshippfull Henry Joflynn Esq'r Justice in Quo: Deceased and by virtue of an Order Derived to him from Sr: Edmond Androfs, Then Govr: haue Graunted the aforesd Inhabitantes To be bounded as follow. Viz: On ye South to ye Sea, On ye North to ye Country, On ye East wth: ye River,
knoune by y^e Name of Damaras Cotte, as also w^th: 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 Batef mans Gutt, Into y^e: Sea South & by West, and also Vward from Batemans Gutt, Into y^e Country to y^e Great falles, and from thence to great Montiocage 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 Joelyn Esq': Whereas yo': Petition^s Come to vnder stand from yo': Hono^s: hand That all y^e: Inhabitants shall haue their Title of Land Confirmed vnto them in Townshipps, Wee have hearetore p^sented yo': Hono': w^th: a Platt of y^e afore^d: Toune Bounds as also from Vnder y^e Surveyo^n: hands, Their Sirveying & Laying out of ^d: Township according as y^e Law p^vides Wee Humbly befeichg yo': Honour to Graunt & Confirmbe vnto y^e: now Inhabitants of said Towne all y^e Lands w^th: Rivers & Riviletts, Islands, & Iletts, Harbours, & Bayes, w^th: in y^e: afores^d:
Bounds Vnto yo, & humble Pettition: & heires, according to ye Charter of East Grinoidge, Only Excepting 1st. a hundred acres if Demanded p. anum Vnto his Roy: Highnesse p. acknowledgment: wch: if Graunted & Confirmed by yo Honon: & Councell, will much Encourage not Onely ye Inhabitants ye are now heare, but others ye are Comeing if our Lands were Confirmed Vnto vs, Severall of our Inhabitants are Drawne of already, and others Intend Except they Can have a speedy Confirmation of their Lands made to them

Therefore wee Desire That yo Honour would be pleased to take it into yo serious Consideracion That a Pattent may be Graunted Vnto vs for our Townshipp. That wee ye: are heare & others ye: would Come & settle amongst vs may be Encouraged.

Wee doe allso further p'sume & make bould to acquaint yo Honour ye wee are Disturbed by People ye: Come heare to Clame Lands by form: & p'tended writes; Cap: Elisha Hutchinson of Boston
hath been in these Parts, & gives out several Threttennings ye he will Come & take away our Land whereto our Towne stands & severall others Doe Thretten Likewise & say That they have more wright to Shew Then wee have to our Lands, Therefore wee desire ye': yo': Honoe: will Consider Vs That Wee may haue assurance, of our Lands, and ye: no such pretenders or old Morgages ye were made before the wars wth ye: heathens may be preceded ago: us: if they should it would Damnifie & utterly breake vp our Towne: Cap': Hutchison faith ye: he must have Vs become his Tennants or otherwise wee shall not Live heare.

And alfo when our Representative Mr. Gyles, Godward went Laft; Mr. John Allen without ye knowledge of Mr. Godward or Vs sent Privety a Petition vnto yo: Honoe; it being halfe as will appeare wee never knew any thing of it vntill Mr. Godwards Returne Mr. Allen haveing given vp all his former wright & title which he pretends he had to the neck of Land ye: Towne Stands vpon and Elfe
wheare, vnder hand & seale to vs and willingly tooke a Lott Equall to yᵉ Reft, as he pretended to Encourage vs to settle yᵉ Place, as will more fully appeare by yᵉ articles.

Wee Prefume ffurther to aquaint yoᵉ: Honoᵉ: That wee have heare amongst vs one Capᵉ Nicholas Manning Capᵉ: of a Company That is very Troublesome, and Doth much Obraide & Disturbe vs in our buifenesse, Townes Men & Overseers That are Legually Chosen by yᵉ 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 pleafe, wch makes Partyes & Divisions amongst vs, To our great Trouble, wch: if not p'vented, wee feare will growe worse, wee Desireing yoᵉ: yoᵉ: Honour will take all matters into Confereracôn for to graunct vnto vs yoᵉ Poore & humble Pettitiones a Confirmacon of our Lands That wee doe now Enjoy, and allſo yᵉ yoᵉ Honour would be pleased for to sette or nominate yᵉ Name of our Toune ac-
cording to yo' Pleasure, and what Else yo': Honour shall see fitting and wee shall Euer Pray &c:

ROBERT R FOOT (?)
THOMAS GENT
WILLIAM LOVERING
his Mark
CALEB RAY — — —

THOMAS GYLES Justice of peace
ELIHU GUNNISON Justice of peace
RICHARD PAIN Staff maker
and Purfar for his Magestys vie
in England
JAMES COOKE Mariner

[April 21, 1684.]

Commision of Nicholas Manning as Captain 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' Nicholas Manning to be Cap' of a foott Company of the militia for the County of Cornwall These are therefo're to will and require you to take into your charge and comand the said Company as Cap'. accordingly, and Due ly to Exercise the said officers, and soldiers 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' and you Likewise to observe and follow, such orders and directions as you shall from time to time Receive 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 conceive of you Gyles Godard I have 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 such orders as you shall from
time to time Receiue from your said Cap:\nor other your superior Officers and all
Inferior officers and Souldiers of the said
Company are to obey you as their Leiut:
according to the Discipline of Warre this
Commission to Continue During my Will
and Pleasure only; Given under my hand
and Seale the 28: Day of Aprill 1684.

Passed the Office THO: DONGAN
J: SPRAGG Sec\.

A Commission to Caleb Raye for En-
signe after the same forme Mutatis Mutandis.

Commission 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\: I doe hereby
Constituite authorize and appointe you
John Allyen, John Dolling, Lawrence
Denni,Thomas Giles, Alexander Woldrop,
Thomas Sharp, Richard Pattishall Esquires
to bee Justices of the Peace for the County
of Cornwall and Commissioners for the
settling his Royall Highnesse Territory between the River Kenebeck and St. Croix. Giving You full power and authority to act as Justices of the Peace, for the Good and Wellfare of the Government and due administration of Justice, and to Consult and make Rules and orders, for the Weale and benefit of his Royall Highness' Territories between the River Kinebeck and St Croix and to Call to question and punish all offenders according to Law, and all Persons whom it May Concern are strictly Charged and Required to give you due Respect and obedience accordingly; this Commission is to be of force during my Will and Pleasure, only Given under my hand and seal at Fort James this 28th Day of April 1684.

Passed the Office Tho: Dongan.

J. Spragge Secr
At a Council held at Fort James
July the 9th 1684.

*       *       *

The petition of the Inhabitants of Pemaquid referred until the Governor 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 Raised 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 Raised at theire 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't.

Fortt James the 8th day of September 1684.

By the Governor.
Whereas there are Severall Quitt Rents standing out and in arrears to his Royall Highness at Pemaquid Due and Payable since the agreement made by the late Governor S' Edmond Andros's Knight &c. These are therefore in his Royall Highness name to authorize Empower and appointe you Allexerandr Wardrop to aske demand and Receive all such quitt Rents as are due and Payable to his Royall Highness 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 aforesaid quitt Rents vntill the 26th of August 1684.
Commission granted to John Buttery to be Capt. of Foott belonging to New Towne and Sackadahock. Date the 22d day of October 1684.

Commission Granted to Gyles Godard Esq' to be Capt. of a Foott Company belonging to the Towne of New Dartmouth in the County of Cornwall. Date the 22d of October 1684.

Commision of Gyles Godard as Surveyor.

Thomas Dongan Lieu'y and Governor &c. Whereas by the Severall Petticoats 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' to be Surveyor of the said County and to Lay out any Tract or Parcell of Land not Exceding the quantity of one hundred acres for Each Person and alsoe to Survey all Towne Shippe not already Surveyed not any ways 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 22d day of October 1684.

Passed the Office, Tho: Dongan
J. Spragge Sec."
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 dispsofed off to any others. Given under my hand at Fortt James in New York:

Tho: Dongan

By the Governor.

Whereas James Graham of the city of New Yorke Merchant hath desired my Liberty and Lycence to Take up and Enjoye one thousand acres of Land sciuatuat 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
famc 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: 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 Pat-tent Provided the same be not appropria-ted 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: hath desired my Liberty and Lycence to take up and En-joye 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 Pleased the Right Honble: Coll Tho Dongan his Majestyes Governor of New Yorke & to Commissionate and Empower Cap't John Palmer of the City of New Yorke Esq: by grant or Deed in writeing vnder his hand and seale of the Prouince to Give Grant Ratifie and Confrme to all and Every 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 tracts and tracts Parcell and Parcells 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 Genl to doe and Execute all act and acts thing and things in Pemaquid in the County of Cornwall during the time that Captn 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: Sprague Secr.

Commission of Capt John Palmer
[New-York Colonial MSS. xxxii.]

By the Governor in Council.
Having Received information that there be Seuerall disorders and Confusions amongst the Inhabitants of Pemaquid I have therefore thought it conveniente to send you Captn John Palmer thither of whose great Prudence abilityes, and Intelligences I am Very well assured.
And for the better Establishing Settling and quietting of his Majesty's subjects in those Parts, in their Estates and Possessions I doe hereby give you full Power and authority to treate with the said Inhabitants for Takeing out Patents and Paying the quitt rents.

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

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

And forasmuch as very Little Revenue hath accrued to his Majesty from Pemaquid by the Dutyes of Excise and Customs you are therefore hereby Empowered to Sett and Lett to farme the aforesaid Excise & Customs as advantagiously as
you Possibly can, for the augmenting of his Majestyes Reuene.

And Lastly you have hereby full Power and authority not only to aet in the aforesaid Perticulars but in any other concerne or thing what shall be most meet and convenient for his Majestyes Interest.

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

Tho. Dongan

Commission of Justices of the Peace for Cornwall County.

[New-York Colonial MSS. xxxii.]  
Cornwall SS.

Greeting. Know yee That wee haue assigned yo" & Every of yo" Joyntly &
severally our Justices to Keep our peace within our County of Cornwall in o[r] Plantation & Collony of New York Aforefd And to keep & Cause to be Kept all those laws & Statutes made & Established for ye good of ye peace & for ye Conseruacion of the Same & for ye quiet Rule & Gouernment of our people within o[r] Sd County in all & Singular their Articles according to ye force forme & Effect thereof, Ant to Correct & Punish all offenders agi: the forme of ye Laws & Statutes or either of them in ye County aforefd as according to ye forme of ye 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 concerninge their bodies or of burning their houses to find sufficient sureties for ye 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.

Alfoe wee assigne yo[u] & Every three or more of yo[u] whereof any one of yo[u],
yo\textsuperscript{e} y\textsuperscript{e} afores\textsuperscript{d} Tho: Sharpe, Richard Pat-
tif\textsuperscript{h}all Tho: Giles, & Nie\textsuperscript{o} Manning wee
will to be one our Justices to Enquire by
the Oaths of good & Lawfull men of y\textsuperscript{e}
County afores\textsuperscript{d} by whom y\textsuperscript{e} truth of the
thing may be the better Knowne for all
manner of Larceny Petty Larcenay Tres-
pass\textsuperscript{s} & Extortions whate\textsuperscript{v}er & of all
& sing\textsuperscript{u}lar other mis\textsuperscript{d}eeds Crymes & Of-
fences of the which y\textsuperscript{e} Justices of our
peace may or aught Lawfully to Enquire
by whome\textsuperscript{v}er & how\textsuperscript{v}ever in y\textsuperscript{e} County
afores\textsuperscript{d} done or perpetrated or w\textsuperscript{h}ere-
after there shall happen to be done or
Accompt\textsuperscript{d} where the punishment thereof
by the Laws of the f\textsuperscript{d} Collony doth not
Extend to taking away of Life limb or
member. & al\textsuperscript{soe} of all those who there
doe lye in waite to wound or Kill our
people or that hereafter shall doe presume
to lye in Waite And al\textsuperscript{soe} of all p\textsuperscript{f}ons
that shall & doe use & fell by fal\textsuperscript{s}e weights
or mea\textsuperscript{f}ures. And also of whatsoever
Sherrifs Brayliffs Marshalls Constables
Goalers & other officers who in the Exe-
cution of their offices ab\textsuperscript{t} the p\textsuperscript{m}isses or
either of them haue behaued themselfes
undutfully or hereafter shall presume to behaue himselfe undutifully or are remisfe or negligent or hereafter shall doe happen to be in ye County aforesaid & of all & singular Articles & Circumstances & other things whatsoever by whomsoever & howsoever in ye County aforesaid done or perpetrated or which hereafter there howsoever shall happen to be done or attempted concerning the full truth of ye premises or any of them & to Inspect whatsoever Indictment aforesaid before you or any of you taken or to be taken, or before others late Justices of ye peace in ye County aforesaid done or taken & not yet Ended And to Continue proceede thereupon agist all & singular persons aforesaid Indicted or whom before you hereafter shall happen to be Indicted untill they are taken Deliver up themselves or be Outlawed. And to heare and determine all & singular ye Larcenys Petty Larcenys Trespaftes Extortions Indictment aforesaid & all & singular ye premises according to ye Law of ye said Colony as in Cases of this nature is used or ought to be done, And to Correct & punish the Offenders & every of them for
their offences by fines & amercements, or otherwise as according to ye Laws of ye 1st Collony is used or ought to be done.

And alsoe we Affigne ye & every three or more of ye whereof any one of ye the afored Tho Sharpe Richard Patishall Tho: Giles & Nice Manning. Wee will to be one of our Justices to heare try & determine by the oaths of twelue good and Lawfull men of ye County afored all Causes & Cases there brought & Commenced before ye as well accôns Cases & Causes Civill between Party & party as Criminall of which ye Justices of ye Peace in their Sessions by the Laws of ye 1st Collony may & ought to heare try & determine & in such manner & forme as by the 1st Law is prescribed & Directed.

Provided always that if upon the Determinacon of any of ye pimisses or Case of Difficulty shall happen to come before ye or any three or more of ye that then ye doe not proced to giue Judgm in upon (unlesse in ye p'rence of one of our Justices of 1st Court of Oyer & Terminer within our 1st Collony) And therefore wee Command ye & Every of ye that ye
Diligently Attend ab' the Keeping of ye Peace Laws & all & singular other ye p'misses and that at certaine days & places which by o'r Leiu't & Governor of o'r f'd Plantation & Collony of N Yorke for that purpose shall be appointed yo' make Inquiry of ye p'misses & all & singular ye p'misses heare & determine & to doe & accomplish those things thereupon in forme aforef'd to be done w'ch appertaines to Justice according to ye Lawes & Custumes of our f'd Collony suaying to us our fines & Amerciam't & other things to us thereupon belonging.

Also we command by Vertue of these presents our Sheriffe of our f'd County of Cornwall that at Certaine dayes and places (which shall be appointed & made Knowne unto him as aforef'd) he Cause to come before yo' or any three or more of yo' as in said such & soe many good & Lawfull men of his Baylwick by whom ye truth in ye p'misses may be the better knowne & Inquired off. In Testimony whereof we have Caused ye seale of o'r f'd Collony to be hereunto Affixed. Wittnesse Jno Palmer Esq of ye Councell in o'r f'd Col-
lony & Commission for ye settling of our Affairs & Appointing of Justices of ye Peace in ye 1st County the Eighth day of Septemb in ye second yeare of our Reigne Annoq Dom. 1686.

The Oath of a Justice of the Peace.

Ye shall swear that as Justices of the peace in ye County of Cornwall in all articles in the kings Commission to yo directed yo shall doe equall right to ye poore & to ye Rich after yo Cuning Witt & power, & after ye Laws of ye Collony thereof made. And yo shall not bee of Counsell of any Quarrell hanging before yo & that yo hold yo Sessions after the forme of Law thereof made & att times & places appointed. And the fines & Amerciaments that shall happen to be made & all forfeitures wch shall fall before yo yo shall Cause to be Entered without any Concealem or Imbezelling & truly gieue them to his Maties Deputy Collector and receiver in ye 1st County for the time being or send them to his Maties Collector & receiver Generall att New Yorke or to his Maties Court of Exchequer there Ye
shall not Lett for Gift or other Cause but well & truly you shall doe yo' office of Justice of ye peace in that behalf & that you take nothing for yo' office of Justice of the Peace to be done but yo' fees accustomed & Lymitted by Law. And ye shall not direct or cause to be directed any warrant by you to be mad to ye partyes but you shall direct them to ye Sherriffe of ye 1st County or other the Kings officers or Ministers or other Indifferent persons to doe Execucion thereof.

Soe help you God &c

Instructions for Capt Nicholas Manning
Sub-Collector Surveyor and Searcher of his Mātie's Customs and Excise due & payable in ye County of Cornwall & Receiver of his Mātie's Quitrents & other revenues arising within ye 1st County.

[New-York Colonial MSS. xxxii.]
they make Just & true Entryes and that Immediately upon their Arriull both of Vessell & Goods.

2dly You shall keep a true & perfect account of all monyes by you receued on goods in Lieue thereof for his Ma'ties Cus-tomes & Excise.

Enter ye Names of all vessells & the Names of ye Masters in a Distinct booke by you to be kept for that purpose

3dly. You shall not p'mitt any ship or Vessell whatsoeuer directly or Indirecly to Load nor Unload any goods wares or Merchandize untill ye 1st Ship or Vessell hath first made her due Entry inward or outward

4thly. You shall appoint certaine Con-vienent place or places at which & noe other goods may be Shipped or Landed & that at Seasonable times between sun rificing & sun setting in ye day time & in p'sence of an officer

5thly You shall from time to time du-ring your being in 1st office Returne to ye Governo'r or his Ma'ties Collector & Re-ceiuer Generall for the time being att New Yorke a true & Just account of what
yo" haue receuied & Collected & of yo' Proceeding in yo' f'd Office once euery fix months att ye furtherest

6thly. You are to Collect & receive his Maties Customs & Excise in ye County of Cornwall aforef'd according to an act of Establisht therefor made by the Gen'rall Assembly & published the 31. Octobe-ber 1683.

7thly. You are to goe into ye house & Cellar of any p'son or p'sons whatsoeuer where ye suspecht there is any wine or other Liquors & ord'r the f'd Liquors to be Gauged Causing them to pay for all Rum soe found in ye Cellar & they who shall fell 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" shall see Cause to prevent all fraud & Im-bezellment of his Ma'tes Revenu.

8thly. You are not to suffer any Vessell whatsoever to goe into or up Kenebeque River or any parte thereof untill they haue first made their Entry with yo" at Jamestown & payed his Ma'tes Dews & if any shall prsume to doe ye Contrary yo"
are to Caufe both vessell & Goods to be
Seized & proceeded agft by Law as directed
for defrauding his Maietie 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.

9thly You are to take Care that ye for-
mer Ordre made Relateing to ye fishery
be duly observed & that what Ordred to
be payed by all strange vessells & Shallops
Coming to make their voyages in thefe
parts be by yo[u] duly Collected for his
Maietie ufe of wch account to be likewise
giuen as afore directed.

10thly. You are not to suffer any p'fon
or p'fons to sell any sorte of Liquors by
retaille in any part or place within ye 1d
County but such as fhall obtaine Lycence
from yo'felfe & fhall pay such fume of
mony for ye Same as yo[u] fhall think fitt
to agree for & not Leffe than 12s for
Each Lycence g'ted and of ye Monys on
that behalfe receiued yo[u] are to Render a
p'ticular ac't to ye Gov'r as opportunity
p'fents.
11thly You are to Collect & receive ye Quitt rents due & payable from ye Severall persons for ye Lands they hold within ye 1st County according to a List of Patents granted Left with yo' in ye Speties therein mencioned & 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 ye Gouerno' or his Ma'ties Receiuer Generall att New Yorke for ye time being once every 6 months att furthereft.

12thly. In Case any p'son Licenced to sell Liquors by Retaile desire ye fame you mayarme the Excise of their Draught to them for one yeare for such sume of money as yo' shall think fitt to Agree for haueing regard to ye greatnesse of their Draught.

13thly. You are to write to ye Gouerno' or his Ma'ties Collecter or Receiuer Generall att New Yorke for ye time being of all passages Concerning the Excise, Customes Quitt rents & other his Ma'ties Reueneue to ye End that suitable Ord's may be from time to time sent yo' for regulateing ye fame.
14thly. for your Better Governm' in Collecting of ye Customes & Excise aforef'd yo' haue herewith a Breviar of ye Act of Generall Assembly Establishing ye'se fame And these Direccions yo' are to follow & obserue untill further Ord's.
Dated att Jamestown in ye County of Cornwall the 17th day of 7th in ye second yeare of his Majes Reigne Annoq Dom 1686

Confirmation of Roswick or Arrowick Island to John West

[Patents vi. 30.]

Thomas Dongan Cap't: Gen'l: Governo': in Chiefe and Vice Admirall in and over the Province of New Yorke and Territoryes Depending thereon in America under his most Sacred Majesty James the Second by the Grace of God of England, Scotland, France and Ireland King Defender of the faith &c To all whom these presents shall Come Sendeth Greeting Whereas John Palmer Esq' by Virtue of the Commiccon and authority unto him
by me Given by a Certaine Grant under his hand writing the seal 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 1st. 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 City 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 Arrowhick Island according to the furthest Bounds limitts and extents thereof as the same is Encompassed by Water together wth: all and singular the Messuages Tenements Edifices Buildings, Trees, Timber Woods underwoods ffields ffeddings Pastures Moores Marshes Swamps Meadows Ponds Pooles Lakes Streams Rivers Runns Rivoletts Waters and Water Courses fishing 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: and appurtennces whatsoever to the said Tract or Parcell of Land or Island and Premisses belonging or to or with them or any of them in any wise appurteineing Alwayes 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 Sr: Edmund Andros Knight late Governour of this Province unto Mr 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 Premisses 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 mencioned and Reserved as in and by the said Grant Relacion y'unto being had may more fully and att Large Appeare.
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Now Know yee that by virtue of the Commission and authority unto me Given by his most Sacred Majesty our now Soverigne Lord James the second aforesaid & Power in me Being and Residing for and in Consideracion of the Rents and Services herein after mencioned and Resolved I have GivenGranted Ratified Released and Confirmed and by these Presents Doe Give Grant Rattifice Release and Confrme unto the said John West his Heires and Assignes for ever all that the above recited Tract or Parcell of Land or Island and Premisses with all and Singular the Hereditams and appurtenances thereunto belonging or appertaineing in as full and ample manner as the same is mencioned to be Granted unto him by the said John Palmer Except what in the said Grant is Particulary Excepted and Referred to have and to hold the said Tract or Parcell of Land or Island and Premisses with their and every of their Appurtenances Except before Excepted unto the said John West his Heires and Assignes to the Sole and only Proper use benefitt and behoofe of him the said
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 socage 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 Please your Excellency.

The Attorney Generall hath Perused this Patent and finds nothing Contained therein Prejudicall to his Majies Interest.

J. Graham.

Exam'd 9thember 30th 1686.

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

Present His Excellency the Governour.
   Major Antho: Brockholls.
   Mr Fredrick Filipson.
   Mr Steph V. Courtland.
   Mr John Spragge
   Major Gervis Baxter.

This Patent was approved off

J. Swinton  Clk Councill.

Royal Order for the Surrender of Pemaquid to Massachussets

[Doeds 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 caufe to be delivered our said fort & Country of Pemaquid with the Greate Gunns¹ ammunicón & stores of warr together with all other vtensills & appurtenances belonging to the said fort into the hands of our trusty & welbeloved Sr' Edmund Andross 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 receive the same and for soe doing this shall be your warr².

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

By his Mat'tes 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 Sfort James Wednesday
y° 28th of March 1688

* * * * *

Resolved that an address to his Maj:ic be
Drawn up giving his Maj:ic an account
that this Government has bin much Dimi-
nished by taking 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 yet the
Charges very great.

That Conneticut in his Maj:ies Pattent
from Chares y° 2d is added to Boston by
y° Contrivance of the Governo: of it &
the Clerke of the Collony & unknown
to y° Major parte of y° Collony

That y° French warr has Stopt y° beaver
trade so y° without some speedy help this
place will be Ruined.
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\textit{Notices of Indian Hostilities}

\[\text{[New-York Colonial MSS. xxxvii.]}\]

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

\begin{quote}
* * * * *
\end{quote}

Wee have intelligence that the Eastward Indians & some French have made an assault vpon ye garisons in and neere the Towne of Wells and have killed about six persons therabout. They drove their Cattell together & killed them before their faces.

\begin{quote}
* * * * *
\end{quote}
Notice of Capture of Pemaquid by French and Indians

[Council Minutes vii. 213.]

At a Council held at his Maties fort in New Yorke the 23rd of August 1696.

* * * * *

His Excell did Communicate intelligence from Boston that the two French Shipps that took the Newport Galley with the assistance of the Indians have taken Pemaquid fort & that it is reported by one of the Captains that Count Frontenac has orders to take Albany & Schenectady with intelligence of a great Squadron of Ships lately seen upon the coast of Jamaica.

* * * * *
Dispatch granted to the Barke Elizabeth Alizander Woodrop Master bound for Pemaquid November: ye 29th: 83.

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

Dispatch granted to the Sloope Blossum Stephen Heacock Commander for Pemaquid May the 22d 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 Sloope Lewis Francis Bassett Commander for Pemaquid & New found Land [Sept 4 (?) 1685.]