

came over into their native Country. He then refusing to resort to the Public Assembly of the Church, soon after sundry began to resort to his Family, where he preached to them on the Lord's day. But this carriage of his, in renouncing the Church upon such an occasion, and with them, all the Churches in the Country, and the<sup>1</sup> spreading his Leaven to sundry that resorted to him; \*this\* gave the Magistrates the more cause to observe the heady unruliness of his spirit, and the incorrigibleness thereof by<sup>2</sup> any Church-way, all the Churches in the Country being then renounced by him. And this was the other occasion which<sup>3</sup> hastened the Sentence of his Banishment upon the former Grounds. If upon these Grounds Mr. Williams be ready, (as he professeth,) not only to be bound, and banished, but also to die in New England; let him remember (what he knows) *Non pœna, sed causa facit Martyrem*; no Martyr of Christ did ever suffer for such a cause."<sup>4</sup>

Thus men of great parts and strong affections, for want of stability in their judgments to discern the truth in matters of controversy, like a vessel that carries too high a sail, are apt to overset in the stream, and ruin those that are embarked with them.

#### CHAP. XXXI.

*The first planting of those parts of New England, on the east and west side of Pascataqua River, called the Province of Maine and New Hampshire, and the parts adjoining. Attempts for a new settlement of those lands by some of the Grand Council of New England, before they surrendered their Charter into the hands of the King.*

How great a sound soever is, or hath been, made about the Province of Maine, and the lands about Pascataqua River, comprehended in sundry Patents and Grants, that were long since said to be jointly and severally made to Sir Ferdinando Gorges and Captain John Mason, the whole history thereof may be comprised in a few words, so far as anything may be found in either of them worthy to be communicated to posterity.

<sup>1</sup> *In* in the MS.—H.

<sup>2</sup> *In* in the MS.—H.

<sup>3</sup> *That* in the MS.—H.

<sup>4</sup> See Cotton's "Bloudy Tenent Washed," (sm. 4to. Lond. 1647,) Pt. 2, pp. 27-30.—H.

The several vicissitudes and changes of government either of them have passed under are already touched upon in the second part of the Narrative of the troubles with the Indians in New England, printed at Boston in the year 1677. At present, therefore, only to insist upon what is most memorable about the first planting thereof, after it came first to be discovered by Captain Smith, and some others employed on that design, about the year 1614 and 1615.

Some merchants and other gentlemen in the west of England, belonging to the cities of Exeter, Bristol, [and] Shrewsbury, and towns of Plymouth, Dorchester, &c., incited no doubt by the fame of the Plantation begun at New Plymouth in the year 1620, having obtained Patents for several parts of the country of New England, from the Grand Council established at Plymouth, (into whose hands that whole country was committed) made some attempt of beginning a Plantation in some place about Pascataqua River, about the year 1623. For being encouraged by the report of divers mariners that came to make fishing voyages upon that coast, as well as by the aforementioned occasion, they sent over that year, one Mr. David Thompson,<sup>1</sup> with Mr. Edward Hilton, and his brother, Mr. William Hilton, who had been fishmongers in London, with some others, that came along with them, furnished with necessaries for carrying on a Plantation there. Possibly others might be sent after them in the years following, 1624 and 1625; some of whom first, in probability, seized on a place called the Little Harbor, on the west side of Pascataqua River, toward, or at, the mouth thereof; the Hiltons, in the mean while, setting up their stages higher up the river, toward the northwest, at or about a place since called Dover. But at that place called the Little Harbor, it is supposed, was the first house set up, that ever was built in those parts; the chimney, and some part of the stone wall, is standing at this day, and certainly was it, which was called then, or soon after, Mason Hall, because to it was annexed three or four thousand acres of land, with

<sup>1</sup> "David Thomson, Gentleman." Robert Gorges's Patent.—x.

intention to erect a Manor, or Lordship there, according to the custom of England ; for by consent of the rest of the undertakers, in some after division, that parcel of land fell to his share ; and it is mentioned as his propriety, in his last will and testament, by the name of Mason Hall. Sir Ferdinando Gorges and Captain John Mason might have a principal hand in carrying on that design, but were not the sole proprietors therein ; there being several other gentlemen, that were concerned therein, and till after the year 1631 there seems to have been not many other buildings considerable erected in any other place about Pascataqua River ; all which is evident by an Indenture, yet extant in the hands of some gentlemen now living at Portsmouth, a town seated down near the mouth of the said river, wherein are these words :

“ This Indenture, made the 3d of November, 1631, between the President and Council of New England on the one part, and Sir Ferdinando Gorges, Captain John Mason, John Cotton, Henry Gardner, George Griffith, Edwin Guy,<sup>1</sup> Thomas Wannerton,<sup>2</sup> Thomas Eyre, and Eliazer Eyre, on the other part, witnesseth,” &c. After which is added, “ forasmuch as the forementioned have, by their agents there, taken great pains and spent much time in discovery of the country, all which hath cost them, (as we are credibly informed,) three thousand pounds and upwards, which hitherto they are wholly out of purse for, upon hope of doing good for time to come to the public, and for other sufficient causes and considerations the said President and Council especially moving, have given, granted, bargained, sold, enfeoffed, and confirmed to Sir Ferdinando Gorges and the rest, an house with all the privileges thereunto belonging, wherein Captain Neal and the Colony with him do, or lately did, reside.” Among other things there is also added “ salt-works, lying and being situate near the harbor of Pascataqua, with all the lands adjoining, that run along five miles westward by the sea-coast, and so to cross over in an angle of three miles breadth towards a Plantation in the hands of Edward Hilton, supposed to be

<sup>1</sup> In Belknap's History of New Hampshire, (Farmer's ed.) p. 10, and in Adams's Portsmouth, p. 17, this name is *Gay*.—H.

<sup>2</sup> See pages 484-5.—H.

about Dover, and so towards Exeter." And for this Grant, by way of acknowledgment, or something of like nature, as is expressed in the Indenture, they were to pay £48 per annum to the President and Council of New England, if demanded. In the same Indenture it is added, that they gave power to Captain Cammocke and Mr. Josselin, as their attornies, to put them into possession thereof, which was surely to be understood by way of anticipation, for it is known, that Captain Cammocke, (who is said to be related to the Earl of Warwick,) and Mr. Josselin were in England, at the time when this Indenture was dated, and neither of them came to New England till about the year 1633.<sup>1</sup> This Indenture of November 3d, 1631, hath no other subscription in the bottom of it, but this,

"Hæc copia debite examinata verbatim inventa est concordare cum originali. Per me notarium infra testatum, sacra regia autoritate admissum atque juratum, Londini commorantem, hoc 11 die Januarii, 1631.

THO: DE WACHE, Notar. Publ."

This Indenture, though without any hand or seal annexed, seems to be of as much force as other instruments of like nature, produced on such like accounts, at the present time. And whereas there is mention in this Indenture of Captain Neal, and the Colony with him, there residing in the said house, it must be understood, that the agents of Sir Ferdinando Gorges and Captain Mason, with the rest, had by their order built an house, and done something also about salt-works, sometime before the year 1630; in which year Captain Neal, with three other gentlemen, came over to Pascataqua, in the bark Warwick.<sup>2</sup> He was said to be sent as Governor for Sir Ferdinando Gorges and the rest, and to superintend their affairs there. Another occasion of their sending over, was said to be searching, or making a more full discovery of, an imaginary Province, supposed to lie up higher into the country, called Laconia. But after three years spent in labor and travel for that end, or other fruitless endeavors, and expense of too much estate,

<sup>1</sup> Cammoock was here in 1632. See Sav. Win. i. 90.—H.

<sup>2</sup> Ibid. 7, 30.—H.

they returned back to England with a "non est inventa Provincia." Nor is there anything memorable recorded as done by him, or his company, during the time of his three years' stay, unless it were a contest between him and Captain Wiggans,<sup>1</sup> employed, in like manner, to begin a Plantation higher up the river, for some of Shrewsbury, who being forbidden by him, the said Neal, to come upon a point of land, that lieth in the midway betwixt Dover and Exeter, Captain Wiggan intended to have defended his right by the sword, but it seems both the litigants had so much wit in their anger as to wave the battle, each accounting himself to have done very manfully in what was threatened; so as in respect, not of what did, but what might have fallen out, the place to this day retains the formidable name of Bloody Point.

But because the Plantations of New England were all raised upon the Grand Charter of New England, given to the Council of Plymouth, as the foundation of them, the reader may take notice of the form of the said Charter, as it is expressed in what follows, with the names of all those honorable persons to whom it was first granted.

The Charter granted to the Grand Council, established at Plymouth, (of which there is often mention in this history) was put into the hands of the "Duke of Lenox, Marquis Buckingham, Marquis Hamilton, Earl of Pembroke, Earl of Arundel, Earl of Bath, Earl of South Hampton, Earl of Salisbury, Earl of Warwick, Viscount Haddington, Lord Zouche, Lord Sheffield, Lord Gorges, Sir Edward Seymour, Sir Robert Mansell, Sir Edward Zouche, Sir Dudley Diggs, Sir Thomas Roe, Sir Ferdinando Gorges, Sir Francis Popham, Sir John Brooks, Sir Thomas Gates, Sir Richard Hawkins, Sir Richard Edgecombe, Sir Allen Apsley, Sir Warwick Heal, Sir Richard Catchmay, Sir John Burchier, Sir Nathaniel Rich, Sir Edward Giles, Sir Giles Mompesson, Sir Thomas Wroth, Knights;—Matthew Sutcliffe, Robert Heath, Henry Burchier, John Drake, Rawley Gilbert, George Chudley, Thomas Hammond, and John

<sup>1</sup> In 1631, says Adams's Portsmouth.—*g.*

Argall, Esqrs., and their Successors, one Body corporate and politic, in Deed and Name, by the [Name of the] Council established at Plymouth, in the County of Devon, for the planting, ruling and governing of New England in America. We do by these Presents, for Us, our Heirs, [and] Successors, really and fully incorporate, erect, ordain, name, constitute, and establish, and that by the same Name of the said Council, they and their Successors forever hereafter be incorporated, named, and called, and shall by the same Name have perpetual Succession. And further, We do hereby for Us, our Heirs and Successors, grant unto the said Council established at Plymouth, that they and their Successors, by the same Name, be and shall be, and shall continue, Persons able [and capable] in the Law from time to time," etc. "And our Will and Pleasure is, that the said forty persons, or the greater Number of them, shall and<sup>1</sup> may, from time to time, and at any time<sup>2</sup> hereafter, at their own Will and Pleasure, according to the Laws, Ordinances, and Orders of or by them, or by the greater Part of them, hereafter, in Manner and form in these Presents mentioned, to be agreed upon, to elect and choose amongst themselves one of the said forty Persons for the Time being, to be President of the §said§ Council, which President, so elected and chosen, We will shall continue and be President of the said Council for so long [a] Time as by the Orders of the said Council, from time to time to be made, as hereafter is mentioned, shall be thought fit, and no longer; unto which President, or in his absence to any such Person as by the Order of the said Council shall be thereunto appointed, We do give authority to give Order for the warning of the said Council, and summoning the Company to their Meeting. And our Will and Pleasure is, that from time to time, when and so often as any of the Council shall happen to decease, or to be removed from being of the said Council, that then, and so often, the Survivors of them the said Council, and no other, or the greater Number of them, who then shall be from time to time left remaining, and who shall or the greater Number of

<sup>1</sup> Or in the MS.—H.

<sup>2</sup> All times in the MS.—H.

which, that shall be assembled at a public Court or Meeting to be held for the said Company, shall elect and choose one or more other Person or Persons to be of the said Council, and which from time to time shall be<sup>1</sup> of the said Council, so that the Number of forty Persons of the said Council may from time to time be supplied," &c.\*

This was rightly called the Grand Charter of New England, for it was the substratum or ground-work of all the following Charters, or Grants, that were given out to all sorts of persons, that were willing to adventure either their persons or estates, to plant or people that new country. And the first Plantation about Pascataqua was begun in that order, as is last mentioned; and those that were most active therein had continual recourse to the persons that were invested with the power of that Charter, to revive and influence their hopes; for some of them obtained six or seven several grants of land between Merrimack River and Kennebeck, although, as some may be ready to think, every subsequent grant made the precedent all void. But notwithstanding the variety of these pretended grants, the planting of that side of the country went but slowly on, during the first seven years: for in the year 1631, when Edward Colcot first came thither, (who was afterwards, for want of a better, for some years together chosen Governor of the Plantations about Dover) there were but three houses (as he affirmed) in all that side of the country adjoining unto Pascataqua River, nor is it said that any were built by Captain Neal; but after his return home for England, Sir Ferdinando Gorges, Captain Mason, and the rest of the adventurers, sent over other agents and supplies, for carrying on their designs. One Mr. Williams was sent over about that time, to take care of the salt-works that were there begun; and other artificers, the chiefest of whom was one Chadbourne,<sup>2</sup> that built the Great House (as it used to be called) at Strawberry Bank, with several others, both planters and traders. This Williams being a prudent man, and of better quality than the rest, was chosen to be their Governor, when, after Captain Neal's

\* See this Charter at length, Hazard i. 103-118.—Ed.

<sup>1</sup> Shall be from time to time in the MS.—H.

<sup>2</sup> Humphrey Chadbourne. Farmer's Belknap, p. 10.—H.

going away, they entered into a combination for the better enabling them to live orderly one by another; for he it was who was Governor in the year 1638, when the troubles happened at Dover between Mr. Larkham and Mr. Knollis;<sup>1</sup> unless he were put into that place by the President and Council of Plymouth, of which nothing is said by any of the inhabitants now left; and the rest of the Plantations did, not long after, enter into a combination among themselves higher up the river, at Dover and Exeter, which makes it more than probable that those did so, who were planted down lower towards the mouth thereof. For in the year 1640, May 25th, it is recorded how "the inhabitants of Strawberry Bank (since called Portsmouth) having, of their free and voluntary minds and good will, given and granted several sums of money for the building and founding of a Parsonage-house, with a Chapel thereunto united, did grant fifty acres of land to be annexed thereunto, as a Glebe-land belonging to the said Parsonage; and all was put into the hands of two men, viz. Thomas Walsford and Henry Sherburne, as Church-wardens, to them and their successors, to be chosen yearly, as feoffees in trust, and to whom were to be joined the Governor and Assistants for the year being; and after their dissolution by the King, two of the ablest of the parish were to be chosen, to order and manage the said Parsonage."

This was subscribed by  
 FRANCIS WILLIAMS, Governor.  
 AMBROSE GIBBONS, Assistant,  
 and eighteen as inhabitants.\*

This Williams did, soon after this, remove out of the country into the Barbadoes, where he died; and Wannernton was employed also as Deputy or Assistant under Williams; who had been a soldier, and better acquainted with using the sword of war than the sword of justice, and accordingly perished by the same sword, as may be mentioned in the year 1644. He kept Pascataqua men under awe divers years.

During these transactions at Strawberry Bank, towards the mouth of the river, Captain Wiggans carried on a distinct interest above, in the higher part of the river, in

<sup>1</sup> These difficulties are placed, by Belknap and Adams, in the year 1640, and by Winthrop, "about" April 1641. See page 362.—H.



behalf of the Shrewsbury men, and others. For having begun a Plantation in that place upon their account in the year 1631, he went back for England the next year, and soon after returned again,<sup>1</sup> with more ample power, and means to promote what was in hand. The Bristol men had in the mean time sold their interest (which was two-thirds) in the said Plantation to the Lord Say, the Lord Brook, one Mr. Willis, and Mr. Whiting,<sup>2</sup> who likewise employed Captain Wiggans to act in their behalf, for the space of seven years next following; the Shrewsbury men still retaining their own share. After the time was expired, the advance not being much, the whole was prized but at £600 and sold at that lay to Captain Wiggans; which he paid at a very easy rate, as some of his neighbors have used to say.

Those that first enterprized this design intended religion as well as civil advantage thereby, and therefore did they send over with Captain Wiggans, Anno 1633, one Mr. Leveridge,<sup>1</sup> an able and worthy minister, with promise of considerable allowance for his better subsistence; but the encouragement proving too small for his maintenance, he removed more southward, towards Plymouth or Long Island.<sup>3</sup> And in his room succeeded one Mr. Burdet, a person of better knowledge and learning than other abilities fit for that sacred function. For not long after he came thither, by the assistance and help of some that entertained a better opinion of him than ever he deserved, he invaded the civil government, and thrusting out Captain Wiggans, placed there by the Lord Say and others, he became the Governor of the place, but was himself also not long after forced to remove, by reason of sundry miscarriages he was charged with, of which there may be occasion to speak more elsewhere.<sup>4</sup>

In the interim of these affairs several persons of good estates, and some account for religion, were, by the interest of the Lords and other gentlemen, induced to transplant themselves thither, so many as sufficed to make a considerable township; and following the example of the Plantations about the Massachusetts, they soon

<sup>1</sup> He arrived at Salem, Oct. 10, 1633, in the James. See Sav. Win. i. 115.—H.      <sup>2</sup> George Willys and William Whiting. Farmer's Belknap, p. 17.—H.      <sup>3</sup> Ibid., p. 18.—H.      <sup>4</sup> Pages 263, 353, 361.—H.

after, *sc.* about the year 1638, attempted to gather themselves into a church estate, and had officers ordained over them for that end. But for want of discretion, if not of something else, in them that were called to that solemn work, they soon after fell into factions and strange confusions, one part taking upon them to excommunicate and punish the other in the church and in the court; an ordinary effect of loose and pragmatic spirits, under any popular government, whether civil or ecclesiastical.

For though they had no power of government granted them by Patent from the King, either mediately or immediately, yet, finding the necessity of civil rule and government to be such, that no affairs could be carried on without something of that nature, they entered at last, *sc.* in the year 1640, into a combination among themselves. The form of which combination is after this tenor, as is left upon record :

Whereas sundry mischiefs and inconveniences have befallen us, and more and greater may, in regard of want of civil government, his gracious Majesty having settled no order for us, to our knowledge :—We, whose names are underwritten, being inhabitants upon the River of Pascataqua, have voluntarily agreed to combine ourselves into a body politic, that we may the more comfortably enjoy the benefit of his Majesty's laws, and do hereby actually engage ourselves to submit to his royal Majesty's laws, together with all such laws as shall be concluded by a major part of the freemen of our society, in case they be not repugnant to the laws of England, and administered in behalf of his Majesty. And this we have mutually promised and engaged to do, and so to continue, till his excellent Majesty shall give other orders concerning us. In witness whereof we have hereunto set our hands, October 22, in the 16th year of the reign of our Sovereign Lord, Charles, by the grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, &c. Subscribed by

THOMAS LARKHAM,  
RICHARD WALDRENE,

WILLIAM WALDRENE,  
with thirty-eight more.<sup>1</sup>

<sup>1</sup> "The names of these thirty-eight cannot be found." Farmer, in Belknap, p. 433.—H.

About the same time, likewise, was there a Plantation begun about the falls of Pascataqua, on the south side of the great bay up that river, called by the first inhabitants Exeter. This was begun by Mr. Wheelwright and others, who on his account were forced to depart out of the Massachusetts not long before, or else voluntarily bore him company. They, in like manner, judged it needful to enter into a combination by themselves, for the better enabling of them to carry on the affairs of their Plantation. Their combination was in this order expressed :

Whereas it hath pleased the Lord to move the heart of our dread Sovereign, Charles, [by the grace of God, King,] &c., to grant license and liberty to sundry of his subjects to plant themselves in the western parts of America :—We, his loyal subjects, brethren<sup>1</sup> of the church in<sup>2</sup> Exeter, situate and lying upon the River Pascataqua, with other inhabitants there, considering with ourselves the holy will of God, and our own necessity, that we should not live without wholesome laws and civil government amongst us, of which we are altogether destitute, do, in the name of Christ, and in the sight of God, combine ourselves together to erect and set up amongst us, such government as shall be, to our best discerning, agreeable to the will of God, professing ourselves subjects of<sup>3</sup> our Sovereign Lord, King Charles, according to the liberties of our English Colony of Massachusetts, and binding [of] ourselves solemnly by the grace and help of Christ, and in his name and fear, to submit ourselves to such [godly and] Christian laws as are established in the realm of England, to our best knowledge, and to all other such laws which shall, upon good grounds, be made and enacted among us according to God, that we may live quietly and peaceably together in all godliness and honesty. Mo. 8. D. 4. 1639.

Subscribed by

JOHN WHEELWRIGHT,  
WILLIAM WENTWORTH,  
GEORGE WALTON,  
with thirty-two more.<sup>a</sup>

<sup>1</sup> *Members* in the MS.—H.    <sup>2</sup> *Of* in the MS.—H.    <sup>3</sup> *To* in the MS.—H.

As for the Province of Maine, on the north-east side of the River of Pascataqua, there were several attempts for the planting of divers places therein by Plymouth men, who had gotten Patents from the Great Council of Plymouth for that end; amongst whom was one Mr. Trelanney,<sup>1</sup> whose interest, at the last, fell into the hands of Mr. Winter.<sup>2</sup> Several others also claimed an interest in some of those parts, under the countenance of the Earl of Warwick; viz. Captain Cammocke, Mr. Gaines,<sup>3</sup> and others, who began to plant about a neck of land, then called Black Point. About the same time came over one Mr. Josselin, with intent to settle about Newichawanicke, upon the account of Captain John Mason, who, upon the division of the interest which he had with Sir Ferdinando Gorges, had that place assigned unto him. But upon the death of Captain Mason, (who was the gentleman that employed him, and having none to succeed him, who was capable to carry on those designs,) he removed himself to Black Point, upon some agreement with Sir Ferdinando Gorges, into whose hands at the last fell all those places, fit for plantations in that part of the country; who obtained a confirmation thereof by a Royal Charter, granted to him and his heirs, under the great seal of England, bearing date Anno 1639. After which confirmation he granted Patents to several gentlemen to hold of him, in fee, as Grand Proprietor; viz. to Captain Bonitham,<sup>4</sup> about the River Saco; to Captain Champernoon,<sup>4</sup> and his cousin Gorges,<sup>5</sup> about Agamenticus; employing Mr. Vines as his agent for the most part, for the managing of the Plantation, which he kept in his own hands.<sup>6</sup>

The gentleman who purchased the Plough Patent, procured also a part of the Province of Maine to the westward of Kennebeck, who employed one Mr. Cleves to carry on his interest in those parts, so long as it was counted worth the looking after. But, in fine, the inhabitants of all these Plantations at Pascataqua, and in the Province of Maine, having wearied themselves with endless contentions and strifes, and having tried all conclusions of government, both by Patent and combination,

<sup>1</sup> Robert Trelawny. See pp. 149, 381.—H.  
Maine Hist. Coll. i. 19, 21, et seq.—H.

<sup>2</sup> John Winter. See

<sup>3</sup> Capt. Richard Bonython.—H.

<sup>4</sup> Capt. Francis Champernoon.—H.

<sup>5</sup> Thomas Gorges.—H.

and finding neither sufficient, in any tolerable degree of comfortable order, to maintain and support the grandeur of authority, like those mentioned in the prophet, they took hold of the skirt of the Massachusetts, expecting that under their wings they might find an healing of their breaches, which, in some measure, the more sober part of the inhabitants were willing to think they had obtained; but of late time they have met with some changes, whether for the better or the worse, future time will best discover.

But as for the Plantation begun on the west side of Pascataqua River, immediately after the decease of Captain Mason, none appearing to keep things in good order, or that had power to call the agents and servants to an account, therefore they shared the land and stock that were taken into, and left in, their possession, among themselves, for the arrears of wages, or on some such like accounts, until Mrs. Anne Mason, sole executrix of Captain John Mason her husband, sent over her husband's kinsman, one Mr. Joseph Mason,<sup>1</sup> to look after her interest there; who, finding little encouragement to proceed further therein, returned soon after himself to those that sent him, with the sad report of the ruins of a fair estate, that had been laid out upon an unprofitable design, which all the rest of the partners had experience of, as well as those that remained of the rest of that gentleman's family. There were other attempts by him, which failed in like manner, for want of means to carry them on, or for want of faithful agents; for some who are yet surviving, do affirm that Captain Mason did, in the year 1634, send over agents to set up a saw-mill about Newichawanuck,<sup>2</sup> upon an agreement betwixt himself and Sir Ferdinando Gorges, who had both of them taken a Patent together for the land between Merrimack River and Sagadahock, bearing date November 17, 1629.<sup>3</sup> And by mutual agreement afterwards, Captian Mason was to have that part of the Province of Maine allotted to him as his share of the division. Much other estate was sent over by him, which by ill management came to little.

<sup>1</sup> In 1652.—H.

<sup>2</sup> See Farmer's Belknap, pp. 428-31, 15.—H.

<sup>3</sup> See page 616.—H.

It hath been affirmed likewise by Mr. Josselin, who first came over into New England on Captain Mason's account, that there was the same agreement made betwixt Mr. Matthew Cradock and Captain John Mason, that the bounds of the Massachusetts should reach to three miles to the northward of Merrimack, and the remainder of the land betwixt that line and Pascataqua River should be left for Captain Mason's Patent; which it hath been credibly affirmed that he consented unto.<sup>1</sup> But he dying in the latter end of the year 1635, all that he had done before came to little or nothing. Neither had he opportunity to send over the seventy families, which some to this day affirm he engaged to do, and which is judged very probable he did; because by his last will and testament he gave about a thousand<sup>2</sup> acres of land to the town of Lynn, in Norfolk, where himself was born, upon condition that they should send over a certain number of families within a time prefixed; but his death happening so soon after gave a supersedeas to all such promises and purposes of his; and his successors not attempting to carry on the designs which he had begun, the whole tract of land, included within those grants of his, was soon after possessed by his servants and others, as was said before, as a kind of "vacuum domicilium;" which is the true estate of those places, challenged at present by his successor.

Of all the persons who were concerned in the business of New England, or whose names were inserted in the Grand Council thereof, Sir Ferdinando Gorges and Captain John Mason were the more active, and probably had the greatest interest therein. Possibly they might, one or both of them, bear some office in an about that Council, either as Secretary or Treasurer.<sup>3</sup> But having spent much time and cost, and taken a great deal of pains, and perceiving nothing like to come to perfection, and fearing that they should ere long be forced to resign up their Grand Charter into the hands of the King,<sup>4</sup> they adventured upon a new project in the latter end of the year 1634, and beginning of the year 1635, which was to have pro-

<sup>1</sup> Hutchinson, Coll. Papers, pp. 3, 423.—H.      <sup>2</sup> Two thousand. See Farmer's Belknap, p. 15.—H.      <sup>3</sup> Belknap says that Gorges was President, and Mason Secretary, of the Council of Plymouth. In April, 1635, Mason's name appears, as Vice-President of the Council. See Hazard, i. 390.—H.      <sup>4</sup> See pp. 88-9.—H.

cured a General Governor for the whole country for New England, to be forthwith sent over, and to reduce the whole country into twelve provinces, from St Croix to the Lord Baltimore's Province in Virginia; and because the Massachusetts Patent stood in their way, (which Province was then well peopled and planted) they endeavored to get that Patent revoked, and that all might be reduced to a new form of government, under one General Governor. For in June, 1635, it was certified by letters from the Lord Say, and by the report of divers passengers, that such petitions were put up to the King, and to the Lords of the Council, the copies of which were sent then over. They were put up under the hands of the Duke of Lenox, Marquis Hamilton, the Earl of Arundel, Earl of Carlile, Earl of Sterling, the Lord Gorges, Sir Ferdinando Gorges, and Captain John Mason, though it was probably conceived that it was the project of Sir Ferdinando Gorges himself only.

That to the Lords was after this manner.

"MAY IT PLEASE YOUR LORDSHIPS,

Whereas it pleased your Lordships to give order to Sir Ferdinando Gorges, to confer with such as were chiefly interested in the Plantations of New England to resolve whether they would resign wholly to his Majesty the Patent<sup>1</sup> of New England, and to leave to his Majesty and his Council the sole managing of the public affairs, with reservation of every man's right formally granted, or whether they would stand to the said Patent, and prosecute the business amongst themselves, and to have the said Patent renewed, with the reformation, or addition, of such things as should be found expedient: "

Then it followed, "We whose names are here underwritten, being interested in the business, do humbly submit to his Majesty's pleasure to do therewith as he pleaseth.

"But withal we humbly desire, that upon our resignation of our said Patent, his Majesty being ||to dispose|| of the whole country, severally, and immediately from himself, those divisions upon the seacoast, that are here-under

|| disposes ||

<sup>1</sup> See Gorges's America, Part 2, p. 44; the "Act of Surrender" is in Hazard, i. 393-4, and the "Reasons moving thereto," *ibid.* 390-2.—H.

designed, may be instantly confirmed, and bestowed, by new grants from his Majesty unto us, to be holden of his Majesty, paying the fifth part, &c., and with the privilege of the said Patent, and such further royalties, as the Lord Baltimore hath in his Patent for the country of Maryland, saving only that we should submit ourselves to the General Governor, now presently to be established by his Majesty for the whole country, and after his decease, or other determination of his office, that then from the Lords of his Province there may be an election of three by lot, which said three persons, so elected, shall be presented to the King, that out of that number one may be chosen by his Majesty, to succeed in the place of the General Governor; who shall in person, or by his sufficient Deputy, reside in the country during the space of three years only, and so from three years to three years, another Governor to be chosen successively and the old Governor to be left out of the lot of choice."

The several divisions of the twelve provinces next followed after. The first was from St. Croix to Pemaquid. The second, from Pemaquid to Sagadahock. The third contained the land between the Rivers Androscoggin<sup>1</sup> and Kennibeck. The fourth, along the sea coast from Sagadahock to Pascataqua. The fifth, from Pascataqua to Naumkeek. The sixth, from Naumkeek round the sea coast by Cape Cod to Narrhaganset. The seventh, from Narrhaganset to the half way bound betwixt that and Connecticut River, and so fifty miles up into the country. The eighth, from the half-way bound to Connecticut River, and so fifty miles up into the country. The ninth, from Connecticut River along the sea coast to Hudson's River, and so up thirty miles, &c. The tenth, from the thirty miles end, to cross up forty miles eastward. The eleventh, from the west side of Hudson's River, thirty miles up the country towards the 40th degree, where New England beginneth. The twelfth, from the end of the thirty miles up the said River northward, thirty miles further, and from thence to cross into the land forty miles.

<sup>1</sup> *Ambross Coggin* in the MS.—R.



And out of every one of ||these|| Provinces was five thousand acres to be granted to certain persons there named, in lieu of some former grants made to each of them in those divisions which they were now to surrender, and to hold each man his five thousand acres in fee of the Lord of the Province; and the Lord of every one of these twelve Provinces was to send the same year ten men with the General Governor, well provided.

To all which it is added, in the last place :

“It is humbly desired that your Lordships would be pleased to order these things following.

“1. That the Patent for the Plantation of the Massachusetts Bay may be revoked, and that all those who have any other grants within any of these Provinces, whether they have planted or not, upon any part of the same, yet they shall enjoy their lands, laying down their *jura regalia*, if they had any, and paying some reasonable acknowledgment as freeholders to the Lord of the Province, of whom they are now to take new grants of their said lands; and in case any of their lands shall be found having exorbitant bounds, to have been unlawfully obtained, they shall be reduced to a lesser proportion, as may be fit for the grantor, who is undertaker at the direction of Sir Ferdinando Gorges; and if the grantee shall be any ways refractory, and refuse to surrender, and hold anew of the said Lord of the Province, that then your Lordships would take order, by such course as law will permit, to make void the same.

“2. that every river, that parts two Provinces, shall equally belong, half way over, to that Province it lies contiguous to.

“3. That the islands upon the sea coast, or within the river of any Province, being not here named, shall belong to the Province they lie nearest unto.

“4. That there is offered to your Lordship’s considerations, the building of a City for the seat of the Governor; unto which City forty thousand acres of land may be allotted, besides the divisions above-mentioned. And that every one that is to have any of these Provinces,

shall be at the charge of sending over with the Governor ten men, towards the building of the said City; wherein every such Adventurer shall not only have his share of the trade and buildings, but also shall have all other fruit of the ten men's labor, sent as aforesaid.

"Moreover there is humbly dedicated to the foundation of a Church in the said City, and maintenance of clergymen to serve in the said Church, ten thousand acres of land, near adjoining to the said City."

Certainly, at the first venting of this project, the author did not know, at least not consider, that fifty thousand acres of unimproved land in New England was not at that time worth £50; and therefore would have done but little, as to the building of cities, and endowing of churches. And at this day there is not much of the land in the country, unless in the midst of two or three trading towns, is worth little more than hath been expended in the breaking of it up and fencing of it in.

But to go on. The petition of the aforesaid Lords, &c., to the King's Majesty was after this form.

"MAY IT PLEASE YOUR MOST SACRED MAJESTY.

It is humbly desired by the Duke of Lenox, &c., ancient Patentees and Adventurers in the Plantation of New England, that forasmuch as they are now presently to join in the surrender to your Majesty of the Grand Patent of their Corporation, that your Royal Majesty will be graciously inclined to give order to your Attorney-General, to draw several Patents of such parcels of land, as by their mutual consent have been allotted to them; and to have the same Patents prepared fit for your Majesty's royal signature, with such titles, privileges, [and] immunities, as have been heretofore granted, either to them or to any other, by your Majesty, or by your late royal father, King James, of blessed memory, with reservations of appeal to the Governor or Lieutenant of the territories, in cases reasonable; that they, knowing their own interest, may be the better able to plant and govern them to your Majesty's honor, their particular profits, and their people's civil government and faithful obedience to the laws of your sacred Majesty. April 6, 1635."

In order to the carrying on of some such design as seems to be intended in the forementioned petitions, there is a copy of some such agreement concerning one of the forementioned Provinces, which the forenamed persons promised to grant to Captain John Mason, which seems to be drawn up not long before, about that, which runs after this tenor.

Forasmuch as by a mutual agreement, we whose names are subscribed, Patentees or Adventurers, and of the Council of New England, are to join in the surrender to his Majesty of the Great Charter of that country, which was granted to us in the 18th year of the reign of King James, of blessed memory; in whose presence, Feb. 3, 1624,<sup>1</sup> lots were drawn for settling of divers and sundry divisions of lands on the sea coasts of the said country, upon most of us, who hitherto have never been confirmed in the lands so allotted:

And to the intent that every one of us, according to equity, and in some reasonable manner, answerable to his adventures, or other interest, may enjoy a proportion of the lands of the said country, to be immediately holden of his Majesty: We therefore do condescend, and agree, that all the part of the seacoast of the country aforesaid, shall belong to Captain John Mason, to begin at the middle of Naumkeek River, and from thence to proceed eastward along the seacoast to Cape Anne, and round about the same into Pascataqua Harbor, and so forward up the River of Newichawanock, and to the furthest head of the said river, and from thence north-westward, till sixty miles be finished from the first entrance of Pascataqua Harbor. Also from Naumkeek through the harbor and river thereof, up into the land west sixty miles; from which period to cross over land to the sixty miles end, accounted from Pascataqua, through Newichawanock River, and into the said land northwest as aforesaid; and hereunto is to belong the south half of the Isle of Shoals, and ten thousand acres of land on the southeast part of Sagadahock, at the mouth or entrance thereof. Saving and reserving out of this Division, to

<sup>1</sup> The MS. says 1634; but this is a slip of the pen. It was probably Feb. 3, 1624-5. James I. died April 8, 1625.—H.

every one that hath any lawful grant of lands, or Plantation lawfully settled in the same, the freeholding and enjoying of his right, with the liberties thereunto appertaining, laying down his *jura regalia*, if he have any, to the Proprietor of his Division, wherein his land lies, and paying some small acknowledgment, for that he is now to hold his said land anew of the Proprietor of his Division."

LENOX,  
HAMILTON,  
ARUNDEL & SURREY,  
CARLILE,

STARLING,  
EDWARD GORGES,  
FERD. GORGES.

Concordat cum originali, facta collatione per me,  
THOMAS MAYDWEL, Notar. Publicum.

It is not known that many of the rest obtained such like grants, as that late described, from the Grand Council before they surrendered, which, it is said, was done in June, 1635,<sup>1</sup> and Captain Mason deceasing before that year was expired, he never obtained a confirmation of it from the King, as Sir Ferdinando Gorges did of the Province of Maine, in the year 1639.<sup>2</sup> And whether such an act of consent of the Grand Council, being not confirmed, can invalidate the actual possession of others, that entered upon the land as void of all grant and possession, especially if their possessions were in like manner granted by the Grand Council, and were confirmed by any preceding grant from his Royal Majesty, is not hard to determine.

By these steps and degrees was the first planting of the lands about Pascataqua carried on; nor was the right and title of any of the present inhabitants ever particularly and expressly questioned, or any kind of rent demanded of them, till the year 1679, by Mr. Mason, or any in his name before; the validity of whose pretensions is at this present time under debate, the issue of which will ere long be made known.

Some gentlemen in England not long before, or about the time, when the Grand Charter of New England was surrendered up into the hands of the King, had prepared a ship of considerable bigness, which should have been

<sup>1</sup> June 7, 1635. See page 89.—H.

<sup>2</sup> April 3d. See the Grant in Hazard, i. 442-55.—H.

employed in bringing over the General Governor, and to have been kept there as a man of war; but the design succeeded very ill, for the ship, in the launching, turned on one side and broke her back, which caused them to lay aside their purpose, as was mentioned before, Chap. xxvii. And not long after one of the gentlemen, that was known to be one of the greatest adversaries to the affairs of the Massachusetts, fell sick, and died soon after. In his sickness he sent for the minister, and bewailed his enmity against them, and promised, if he recovered, to be as great a friend to New England as ever he had been an enemy before. But his fatal hour being come, his purposes of that nature were cut off; which should instruct all to do the good they intend, while their time lasteth, for there is no work nor device in the grave, whither they are going.<sup>1</sup> The passage foregoing was certified by letters from my Lord Say and others, to the Governor of New England, about the year 1635.<sup>2</sup>

## CHAP. XXXII.

*The general affairs of the Massachusetts, from the year 1636 to the year 1641.*

THINGS had hitherto been very successfully carried on in the Massachusetts; and in the entrance of the year 1636, the 25th of May, Mr. Henry Vane, that arrived there with sundry other gentlemen in the year 1635,<sup>3</sup> was chosen Governor of the Massachusetts Colony, at which time also Mr. Winthrop was chosen Deputy Governor, and Mr. Roger Harlakenden,<sup>4</sup> that came along in the same ship with Mr. Vane, the year before, was chosen an Assistant.

There was then as great hopes of the continuance of the peace and prosperity of the Plantation, as ever before, or rather greater. But ||ofttimes|| a bright morning is followed with a dark and obscure evening. Many sad and threatening storms of trouble were observed falling upon that country, before this lustre was half run out, some of which were mingled with showers of blood; although

|| often ||

<sup>1</sup> The individual referred to is John Mason. See Sav. Win. i. 187; ii. 19.—H.

<sup>2</sup> Ibid. i. 161.—H.

<sup>3</sup> See page 177.—H.