

commission. But as for the Commission from the King, they received only a copy of it; the Commission itself staid at the seal, for want of paying the fees by them that procured it.

In the latter end of the summer,¹ 1637, Mr. Vane returned for England, and the Lord Ley,² (son of the Earl of Marlborough, who came the same year to see the country,³) in his company. He had great respect shown him at his departure, by several volleys of shot from the footsoldiers, that accompanied him to the boat, which he deserved as a gentleman of good deportment; the Governor also, then being at the Court at New-Town, yet left order with the captains for his honorable dismissal.

CHAP. XXXVI.

Troublesome occurrences in New England, in the years 1637, 1638. Their Patent undermined by some in England; demanded by the Lords of the Committee for Foreign Plantations; the answer of the Massachusetts.

ON the 26th of June, 1637, arrived two great ships from London, with whom came Mr. Eaton and Mr. Hopkins,³ merchants of London, men of fair estates and of great esteem for religion, and wisdom in other⁴ affairs, with the reverend and famous Mr. Davenport,⁵ and other ministers and people of good note: who the next year removed out of this jurisdiction, to plant beyond Connecticut, being much taken with an opinion of the fruitfulness of the place, and with the remoteness from the Massachusetts; hoping thereby to be out of the reach of a General Governor, which at that time was much spoken of. It was at first feared to prove a great weakening to the Massachusetts Colony; but since, they have taken notice of a special providence of God therein. All possible means had been used to accommodate them there; Newberry offered them their whole town, and the Court any place that was free; but they desired a greater breadth than there could be afforded. But

¹ In August.—H.
229, 232, 234 —H.

² He arrived at Boston, June 26th. Sav. Win. i.
³ Theophilus Eaton and Edward Hopkins.—H.

⁴ First written *outward*.—H.

⁵ Rev. John Davenport.—H.

their removal to the southward was looked upon, afterward, as advantageous, both for possessing those parts which lay open for an enemy, and for strengthening their friends at Connecticut, and for making room for others who were daily expected out of England. It was accounted that twenty ships arrived there in the year 1638, who brought about three thousand passengers with them,¹ who might the more easily, some of them, be accommodated about the Bay, when others were so far removed before.

The coming in of these ships was the more joyfully received, because many this year were afraid of a stop, in England, to the coming of any ships at all, by reason of the complaints made against them in the year 1632,* forementioned, and about this time renewed, especially by Mr. Burdet,² of Pascataqua; a copy of whose letter to the Archbishop was found in his study, to this effect; — that he delayed to go || into || England, that he might fully inform himself of the state of the place as to allegiance, for it was not new discipline that was aimed at, but sovereignty; and that it was accounted perjury and treason in their General Court to speak of appeals to the King. By the first ships that came this year, a letter came from the Archbishop to the said Burdet, rendering him thanks for the care of his Majesty's service, and that they would take a time for the redress of such disorders, as he informed them of; but, by reason of much business that now lay upon them, they could not, at this time, accomplish his desire. This letter to Burdet was, by some strange Providence, shown to the Governor of the Massachusetts, as was a copy of his letter to the Archbishop, whereby his designs were discovered.

For, it seems, complaints were still carried on against New England, so as in the year 1635,³ a Commission was granted to several Lords to regulate the Plantation of New England: a copy of which here follows, together with the copy of the Order of the Lords Commissioners for sending over the Patent, with Mr. Winthrop's answer thereunto.

| to |

* 1632 or 1633. See page 151—154.—Ed.

¹ This shows Mr. Savage to have mistaken in supposing Hubbard "to have been afraid to number either the ships or the passengers" which came over this year. — See Sav. Win. i. 268.—H.

² Rev. George Burdet.—H.

³ A mistake; it should be 1634.—H.

A copy of the Commission for regulating Plantations.

CHARLES, BY THE GRACE OF GOD, OF ENGLAND, SCOTLAND, FRANCE, AND IRELAND, KING, DEFENDER OF THE FAITH, &c.

To the right reverend Father in God, our right trusty and well beloved Counsellor, William, by divine Providence, Archbishop of Canterbury, Primate and Metropolitan of all England; to our right trusty and well beloved Counsellor, Thomas Lord Coventry, Lord Keeper of || our || Great Seal of England; to our right reverend Father in God, our right trusty and well beloved Counsellor, Richard, by divine Providence, Archbishop of York, Primate and Metropolitan of England; [to the reverend Father in God, our right trusty and well beloved Counsellor, William, Bishop of London;] to our right trusty and well beloved Cousins and Counsellors, Richard, Earl of Portland, and High Treasurer of England; Henry, Earl of Manchester, Keeper of || our || Privy Seal; Thomas, Earl of Arundel and Surry, Earl Marshal of England; Edward, Earl of Dorset, Chamberlain to our most dear consort, the Queen; and to our trusty and well beloved Counsellors, Francis Lord Cottington, Chancellor^a and Under-Treasurer of our Exchequer, [and Master of our Court of Wards and Liveries;] Thomas Edmonds, Knight, Treasurer of our Household; [Henry Vane, Knight, Comptroller of our Household;] John Cooke, Knight, one of our principal Secretaries of State, and Francis Windebank, [Knight,] another of our principal Secretaries of State: Greeting.

Whereas divers of the subjects of us, and our late dear Father, King James, of famous memory, late of England King, by virtue of our royal authority, granted not only to enlarge the territories of our empire, but more especially to propagate the Gospel of our Lord Jesus Christ, having, with exceeding industry and charge, deduced great numbers of the people of England into sundry Colonies, in several places of the world, either altogether desert and unpeopled, or enjoyed by savage and barbarous nations, void of all manner of knowledge of Almighty God: We, being graciously pleased to provide for the ease and tranquillity of the said subjects, and reposing assured confidence in your fidelity, wisdom, justice, and providence, do constitute you, our said Archbishop of Canterbury, &c., or any five or more of you, our Commissioners^b; and to you, or to any five or more of you, do commit and give power of protection and government, as well over the said English Colonies already planted, as over all such other Colonies, which by any of our people of England hereafter shall be de-

|| the || || the ||

^a Chamberlain in the MS.—H.

^b Counsellors in the MS.—H.

duced into any other like parts whatsoever, and power to make laws, ordinances, and constitutions, concerning either the state public of the said Colonies, or [the] utility of private persons, and their lands, goods, debts, and succession, within the precincts of the same, and for ordering and directing of them in their demeanors towards foreign Princes, and their people; and likewise towards us and our subjects, within any foreign parts whatsoever, and during their voyages to and from the same; and for relief and support of the clergy, and the rule and cure of the souls of our people living in those parts, and for consigning of convenient maintenance unto them by tithes, oblations, and other profits accruing, according to your good discretion, [in all civil affairs, and] with the advice of two or three bishops, whom you shall think fit to call unto your consultations, touching the distribution of such maintenance unto the clergy, and all other matters ecclesiastical; and to inflict punishment upon all offenders or violators of the constitutions and ordinances, either by imprisonment or other restraint, or by loss of life or member, according as the quality of the offence shall require; with power also, (our royal assent being thereunto first had and obtained,) to remove all Governors and Presidents of the said Colonies, (upon just cause appearing,) from their several places, and to appoint others in their stead, and also to require and take account of them, touching their office and government; and whom you shall find delinquents you shall punish, either by depriving them of their several places and provinces, over which they are appointed, or by pecuniary mulcts and penalties, or otherwise, according to the magnitude¹ of the offence; and power also to ordain temporal judges and civil magistrates, to determine of civil causes, with such powers, [and] in such a form, as to you, or any five or more of you, shall seem expedient; and also to ordain judges, magistrates, and officers, for and concerning causes² ecclesiastical, with such power and in such form, as to you, or any five or more of you, bishops suffragan,

¹ *Qualities* in the MS.—H.

² *Courts* in the MS.—H.

with the advice of the Archbishop of Canterbury for the time being, shall seem meet; and power to constitute and ordain tribunals and courts of justice, both ecclesiastical and civil, and to establish the forms of judicature, and manner of process in, and appeal from, the said courts, in all cases and matters, as well criminal as civil, both personal, real, and mixt, and touching the jurisdiction¹ pertaining to any courts of justice, ecclesiastical and civil, to judge thereof and determine. Provided, nevertheless, the said laws, ordinances, and constitutions, shall not be put in execution until our royal assent, expressed under our sign, at least, be first thereunto had and obtained; the which our royal assent so obtained, together with the said laws, ordinances, and constitutions, being published and proclaimed in the Provinces in which they are to be executed, the said laws, ordinances, and constitutions, from thenceforth, shall be in force as law, and we do hereby will and command all persons whom it shall concern, inviolably to keep and observe the same. Notwithstanding it may and shall be lawful to you, and every five and more of you, with our royal assent, the said laws, ordinances, and constitutions, (though so published and proclaimed as aforesaid,) to alter, revoke, and repeal, and other new laws, &c., in form aforesaid, from time to time to make and publish as aforesaid, and to new and growing evils and perils to apply new remedies, in such manner, and so often, as unto you shall appear to be necessary and expedient.

KNOW YE moreover, that we do constitute you, the said Archbishop of Canterbury, &c., and every five or more of you, our Commissioners,² according to your good discretions, to hear and determine all complaints, at the instance and suit of the party grieved, whether it be against the Colonies themselves, or any Governor or officer of the same, or whether complaint touching wrongs exhibited or depending, either between the whole bodies of the Colonies, or any private member thereof, and to summon the parties before you, and they, or their pro-

¹ *Determination* in the MS.—H.

² *Committees* in the MS.—H.

curators or agents, being on both sides heard, finally to determine thereof according to justice; giving, moreover, and granting to you, and any five or more of you, that if you shall find any officer or Governor of the said Colonies injuriously usurping upon the authority, power, or possessions of any other, or unjustly wronging another, or withdrawing from our allegiance, or disobeying our commands, that then it shall be lawful, (upon advice with ourself first had,) for the causes aforesaid, or upon any other just reason, to remand, and cause the offender to return, to England, or to any other place, according as in your good discretions you shall think just and necessary.

And we do furthermore give unto you, or any five or more of you, [special power and authority to cause all] Letters Patents, and other writings, whatsoever, granted for, or concerning, the planting of any Colonies, in any countries, provinces, islands, or territories whatsoever, beyond the seas [to be brought before you;] and if, upon view thereof, the same shall appear to you, or any five or more of you, to have been surreptitiously and unduly obtained, or that any privileges or liberties therein granted be hurtful or prejudicial to us, our crown, or prerogative royal, or to any foreign princes, to cause the same, according to the laws and customs of our realm of England, to be revoked, and to do all other things which shall be necessary for the wholesome government and protection of the said Colonies, and of our people therein abiding.

Wherefore, we command you, that you diligently intend the premises, at such times and places which yourselves for that purpose shall appoint, charging also, and firmly commanding, all and singular, [the] Presidents of Provinces within the aforesaid Colonies now planted, or to be planted, and all and every the said Colonies themselves, and all other persons whom it doth concern, that they attend you in the premises, and be obedient to your commands touching the same, so often, [and according as,] they shall be thereunto required, at their peril. In witness whereof, we [have] caused these our Letters to

be made Patent. Witness ourself at Westminster, [the] 28th day of April, in the tenth year of our reign.¹²

A copy of a Letter, sent by the appointment of the Lords of the Council to Mr. Winthrop, for the Patent of this Plantation to be sent to them.

At Whitehall, April 4th, 1639.

PRESENT.

Lord Archbishop of Canterbury,	Earl of Holland,
Lord Keeper,	Lord Cottington,
Lord Treasurer,	Mr. Treasurer,
Lord Privy Seal,	Mr. Comptroller,
Earl Marshal,	Mr. Secretary Cooke,
Earl of Dorset,	Mr. Secretary Windebank.

This day the Lords Commissioners for Foreign Plantations, taking into consideration that the petitions and complaints of his Majesty's subjects, planters and traders in New England, grow more frequent than heretofore, for want of a settled and orderly government in those parts, and calling to mind that they had formerly given order, about two or three years since, to Mr. Craddock, a member of the Plantation, to cause the grant, or Letters-patent, for that Plantation, (alleged by him to be there remaining in the hands of Mr. Winthrop,) to be sent over hither; and that, notwithstanding the same, the said Letters-patent were not, as yet, brought over: and their Lordships being now informed by Mr. Attorney General, that a Quo Warranto³ had been by him brought, according to former order, against the said Patent, and [that] the same was proceeded to judgment against so many as had appeared, and that they which had not appeared were outlawed:

Their Lordships, well approving of Mr. Attorney's care and proceeding therein, did now resolve and order that Mr. Meawtes, Clerk of the Council, attendant upon the said Commissioners for Foreign Plantations, should, in a letter from himself to Mr. Winthrop, inclose and convey this Order unto him. And their Lordships

¹ See page 273; Sav. Win. i. 143; Holmes, i. 224.—H.

² See page 279.—H.

hereby, in his Majesty's name, and according to his express will and pleasure, strictly require and enjoin the said Winthrop, or any other in whose power or custody the said Letters-patents are, that they fail not to transmit the said Patent hither by the return of the ship in which the order is conveyed to them; it being resolved that, in case of any further neglect or contempt by them shewed therein, their Lordships will cause a strict course to be taken against them, and will move his Majesty to re-assume into his hands the whole Plantation.¹

TO THE RIGHT HONORABLE, THE LORDS COMMISSIONERS FOR FOREIGN PLANTATIONS.

The humble Petition of the Massachusetts, in New England, in the General Court there assembled, the 6th day of September, in the fourteenth year of the reign of our Sovereign Lord, King Charles.

Whereas it hath pleased your Lordships, by Order of the 4th of April last, to require our Patent to be sent unto you, we do here humbly and sincerely profess, that we are ready to yield all due obedience to our Sovereign Lord the King's Majesty, and to your Lordships under him, and in this mind we left our native country, and according thereunto hath been our practice ever since; so as we are much grieved that your Lordships should call in our Patent, there being no cause known to us for that purpose; our government being settled according to his Majesty's grant, and we not answerable for any defect in other Plantations. This is that which his Majesty's subjects do believe and profess, and therefore we are all humble suitors to your Lordships, that you would be pleased to take into further consideration our condition, and to afford unto us the liberties of subjects, that we may know what is laid to our charge, and have leave and time to answer for ourselves before we be condemned as a people unworthy of his Majesty's favor or protection. As for the Quo Warranto mentioned in the said Order, we do assure your Lordships, that we were never called to make answer to it, and if we had [been,] we doubt not but we have a sufficient plea to put in.

¹ See page 273; Sav. Win. i. 269, 274.—x.

It is not unknown to your Lordships that we came into these remote parts with his Majesty's license and encouragement, under his Great Seal of England, and, in the confidence we had of the great assurance of his favor, we have transported our families and estates, and here have we built and planted, to the great enlargement and securing of his Majesty's dominions in these parts; so as if our Patent should be now taken from us, we should be looked at as runagates and outlaws, and shall be enforced, either to remove to some other place, or to return to our native country again, either of which will put us to insuperable extremities; and these evils, (among others,) will necessarily follow:

1. Many thousand souls will be exposed to ruin, being laid open to the injuries of all men.

2. If we be forced to desert the place, the rest of the Plantations about us, (being too weak to subsist alone,) will, for the most part, dissolve and go along with us, and then will this whole country fall into the hands of French or Dutch, who would speedily embrace such an opportunity.

3. If we should lose all our labor and cost, and be deprived of those liberties which his Majesty hath granted us, and nothing laid to our charge, nor any failing to be found in us in point of allegiance, (which all our countrymen do take notice of, and we justify our faithfulness in this behalf,) it will discourage all men, hereafter, from the like undertakings upon confidence of his Majesty's royal grant.

4. Lastly, if our Patent be taken from us, (whereby we suppose we may claim interest in his Majesty's favor and protection,) the common people here will conceive that his Majesty hath cast them off, and that hereby they are freed from their allegiance and subjection, and thereupon will be ready to confederate themselves under a new government, for their necessary safety and subsistence, which will be of dangerous example unto other Plantations, and perilous to ourselves, of incurring his Majesty's displeasure, which we would by all means avoid. Upon these considerations we are bold

to renew our humble supplication to your Lordships that we may be suffered to live here in this wilderness, and that this poor Plantation, which hath found more favor with God than many other, may not find less favor from your Lordships, that our liberties should be restrained, when others are enlarged; that the door should be kept shut || unto || us, while it stands open to all other Plantations; that men of ability should be debarred from us, while they have encouragement to other Colonies. We do not question your Lordship's proceedings, we only desire to open our griefs where the remedy is to be expected. If in any thing we have offended his Majesty and your Lordships, we humbly prostrate ourselves at the footstool of supreme authority.

Let us be made the objects of his Majesty's clemency, and not cut off in our first appeal from all hope of favor. Thus, with our earnest prayers unto the King of Kings for long life and prosperity to his sacred Majesty, and his royal family, and for all honor and welfare to your Lordships, we humbly take leave.

This is a true copy, compared with the original on file, as attests

EDWARD RAWSON, Secretary.¹

The Lords Commissioners, to whom the letter above written from Mr. Winthrop was directed, either rested satisfied in what was therein alleged, and so made no further demand of returning the Patent; or otherwise, which some think more probable, concernments of an higher nature intervening in that juncture of time, gave a supersedeas to that design and intendment. For this business, upon some consideration or other, had been in hand ever since the year 1634; though it had been overlooked, by the interposition, possibly, of matters of greater moment to this year, 1638, when the foresaid letter was sent over to the Governor of the Massachusetts. For it seems that in, or near, the year 1635, upon the petition of Sir Ferdinando Gorges, Captain Mason, and others, the whole matter came to be examined before his Majesty and the Privy Council, at which time his Majesty was pleased to give command, that the Great Council

|| upon ||

¹ See Sav. Win. i. 298-9, 305.—R.

of New England, commonly called the Council of Plymouth, should give an account by what authority, and by whose procurement, those of the Massachusetts were sent over. The said Council pleaded ignorance of the matter, which yet is not to be understood of all of them, for Sir Ferdinando Gorges's history, printed Anno 1658, (and himself was one of that number,) makes mention how himself was instrumental to procure a liberty for settling a colony in New England, within the limits of the said Council of Plymouth, and that the Earl of Warwick wrote to himself to condescend thereunto; and thereupon, as he adds, he gave his approbation, and that the King was pleased to enlarge the grant of the said Council, and confirmed the same by the Great Seal.¹ However, upon complaint afterwards of disturbance like to follow, it was ordered, by the King's command, that none should go over thither without license, because of divers sects and schisms that were said to be amongst them; on which account some were not backward to suggest a doubt that they might shake off the royal jurisdiction, as they had done the ecclesiastical government.

Things proceeding after this sort, the motion that was made by some, for the Council of Plymouth to resign up their Grand Charter, did the sooner take place; so as, on the 25th of April, 1635, a Declaration² was put forth by the said Council for the surrender of their Charter, which was actually done, as it bears date on the 7th day of June, 1635, as is affirmed in a book, published in Sir Ferdinando Gorges's name.³ Immediately thereupon a Quo Warranto was brought by Sir John Banks, the Attorney General, against the Governor, Deputy Governor, and Assistants of the Corporation of the Massachusetts; whereof about fourteen appearing, and disclaiming the Charter, judgment was given for the King, that the liberties and franchises of the said Corporation of the Massachusetts should be seized into the King's hands.⁴

Thereupon it is said, that afterwards, sc. May 3d, 1637, his Majesty did, in Council, order, that the Attorney

¹ Gorges's America, Part 2, pp. 40-1.—H.

² See it in Hazard, i.

390-2.—H.

³ Gorges, Part 2, pp. 42-4; see page 89.—H.

⁴ See Hutchinson, i. 85; Coll. Papers, pp. 101-4.—H.

General be required to call for the said Patent of the Massachusetts; and accordingly a letter was sent by Mr. || Meautis || in the name of the Lords of the Council, as is above expressed. But nothing more was done therein during the former King's reign; and his Majesty now reigning, since his coronation, confirmed the Charter of the Massachusetts anew, in one of his letters.¹

CHAP. XXXVII.

Ecclesiastical affairs in the Massachusetts, from the year 1636 to 1641.

THE affairs of the church in this next lustre of years were carried on after the same manner, and in the same method and order, as in the former, but not with the same quietness and peace; nor could it be said, that there was no voice of axe or hammer in their temple work, in this space of time. The enemy was sowing tares in God's field, and therefore it was to be feared some of the servants were asleep; of which themselves were not insensible, after they were awakened by the great troubles that were occasioned thereby. Yet notwithstanding, there were many churches gathered, and ministers ordained in them, many differences composed and healed; and, at the last, error being suppressed, the churches were again established in truth and peace.

The first attempt of gathering any church in the year 1636, was at Dorchester, on the first of April; when, the former pastor and most of the old church being removed to Connecticut, Mr. Richard Mather, with several christians that came along with him out of Lancashire, having settled their habitations there, and intending to begin a new church, desired the approbation of the magistrates and of the neighboring churches, (whose ministers and messengers used to be always present on such occasions,) and were at this time there assembled for that end. When Mr. Mather, their intended teacher, and the rest of them designed for that work, had made confession of their faith, they proceeded to give an account

[Meawtes]

See the letter, dated June 28, 1682, in Hutchinson's Collection of Papers, pp. 377-80.—H.