

NOTES.

MAR 25
1848

α 5 AND

Page 8, note a. Sebastian Cabot was born at Bristol, England, in 1467. His father, John Cabot, was a Venetian, and is said to have been "a man perfectly skilled in all the sciences requisite to form an accomplished mariner." Ample notices of father and son may be found in Belknap's American Biography, (8vo. Boston, 1794 & 1798,) i. 149-58, and in that invaluable work, "Biographie Universelle, Ancienne et Moderne."

α 6 AND

Page 9, note a. Jacques Cartier, or Quartier, was a native of St. Malo, a seaport in the Department of Ille-and-Vilaine, France. See Belknap, i. 159-84; *Biographie Universelle*.

α 9 AND

Page 10, note a. This word has been substituted for *beseamers* in the former edition on two considerations; first, because I do not believe that *beseamers* was the correct reading of the MS.; and even if it were, I should be inclined to consider it a blunder of the transcriber; for it must be remembered that we have not the *original* manuscript of Hubbard, but only a copy. In the second place, we have the testimony of Brereton and Archer, who accompanied Gosnold on this voyage, and of Captain John Smith, as to the persons who were presumed to have visited the New England coast.

BISCAYNEAS
BISHING-C

Brereton, in his account of Gosnold's voyage, (Mass. Hist. Coll. xxviii. 85) says: "And standing fair along by the shore, about twelve of the clock the same day, we came to an anchor, where eight Indians in a Basque-Shallop with mast and sail, an iron grapple, and a kettle of copper, came boldly aboard us. It seemed by some words and signs they made, that some Basques or of St. John de Luz have fished or traded in this place, being in the latitude of 43 degrees."

Gabriel Archer, in his relation of this same voyage, (Mass. Hist. Coll. xxviii. 73) says: "From the said rock came towards us a Biscay shallop with sail and oars, having eight persons in it, whom we supposed at first to be Christians distressed. But approaching us nearer, we perceived them to be savages. One that seemed to be their commander wore a waistcoat of black work, a pair of breeches, cloth stockings, shoes, hat and band, one or two more had also a few things made by some Christians; these with a piece of chalk described the coast thereabouts, and could name Placentia of the Newfoundland; they spoke divers Christian words, and seemed to understand much more than we, for want of language, could comprehend."

In Captain John Smith's General History of Virginia, New England, &c., (fol. Lond. 1632.) there is "A briefe Relation" of Gosnold's voyage, wherein we read as follows. "Comming to an Anchor, 8 Indians in a Baske Shallop, with mast and sayle came boldly aboard us. It seemed

by their signes and such things as they had, some *Biskiners* had fished there: being about the latitude of 43."

Les Basques, or French Biscay, is a district of France included in the Department of the Lower Pyrenees. The inhabitants, called Basques, use a dialect, supposed to be a variety of the Celtic, and resembling that of the Spanish Biscayans.

St. Jean de Luz is a seaport of France, situated on the Bay of Biscay, ten miles southwest of Bayonne.

Page 11, note a. "July ends, the bark goes homeward laden with Sassafras, and arrives safe. August 8th or 9th, the ship sets sail, and arrives at King Road again October 2d." *Purchas, in Prince's New England Chronology*, (8vo. Boston, 1826,) p. 102.

Page 13, note a. This passage was copied by Hubbard from Smith's General History of Virginia, New England, &c., and advantage has been taken of that circumstance to supply the deficiencies of the text.

Page 13, note b. Here the MS., in its present state, begins, the word "famous" being the first word of the first line of what is numbered as the ninth page. Eight folio pages then are lost, probably beyond recovery; and of these eight, six have disappeared since the History was first printed in 1815! See page vi., note.

Page 15, note a. "By the treaty of peace concluded at Breda July 31, 1667, between England and Holland, New Netherlands were confirmed to the English." *Holmes's American Annals*, (2d ed., 8vo. Cambridge, 1829,) i. 346.

Page 15, note b. This name was probably given in honor of Sir Thomas and Sir Robert Mansel, sons of Sir Edward Mansel, of Margam in Glamorganshire, Chamberlain of Chester. Sir Thomas is mentioned by Smith, (General History of Virginia, p. 135,) as an "Adventurer for Virginia;" he died Dec. 20, 1631. Sir Robert, also an Adventurer for Virginia, was one of those to whom King James granted the Great Patent for New England. He was Vice-Admiral of the Fleet under James I., was continued in the office by Charles I., and lived to a good old age, "much esteemed for his great integrity, personal courage, and experience in maritime affairs." See page 217; *Burke's Extinct and Dormant Baronetcies* (2d ed., 8vo. Lond. 1841,) p. 339; *Campbell's Lives of the Admirals*, (8vo. Lond. 1812,) ii. 205-17.

Page 15, note c. Nothing satisfactory has resulted from the attempt to identify this "learned civilian," and conjectures are hazardous nowadays.

Page 17, note a. "Charles River is navigable to the bridge leading to Brookline, for vessels of ninety tons, and for lighters to Watertown." Thus wrote Dr. Holmes¹ in the year 1800, cautiously measuring the navigableness of the stream by his own observation and the past experience of others. But it is now a matter of every day occurrence for vessels averaging 125 tons,² (by measurement,) and drawing from fourteen to fifteen feet of water, to pass up the river as far as Brighton Village, two miles above "the bridge leading to Brookline."

In September, 1847, arrived at the College Wharf³ the Barque Medora,

HARRIS

¹ History of Cambridge, (8vo. Bost. 1801,) p. 2.

² Be it remembered that this is the average tonnage, by measurement, of these vessels which ascend the river to Brighton Village; but they vary in size from 80 to 170 tons.

³ Situated about fifty rods east of Dr. Holmes's "bridge leading to Brookline," now known as Brighton bridge.

of Portland, with a cargo of about 300 tons (weight) of Red-Ash Stove Coal, from Philadelphia. As this is said to have been the first three-masted vessel ever seen at this distance up the river, it has been deemed advisable to preserve, in this connection, the following statistics with relation thereto, in the hope that they may be of interest to the future historian.

BARQUE MEDORA.

Builder, Samuel Knight, of Westbrook.
 Owners, Samuel Knight and J. E. Milekin.
 Master, John Knight.
 Tonnage by measurement, 220 tons.
 Burthen, 350 "
 Age, 4 months.
 Value of Cargo, . . about \$1,300.00
 " " Freight, 725.31

The following is a statement of the "amount of business" on the river for the year 1847.

9,000,000 feet of long lumber,
 8,000,000 " " short "
 100,000 tons " granite,
 9,000 " " coal,
 1,200 " " hay,
 450 " " plaster,
 13,000 cedar posts,
 3,000 cords of wood,
 8,000 casks of lime,
 600 " " cement,

(Amount \$ 370,000)

received in 358 vessels, giving employment to three hundred men, and support to nine hundred persons.¹

Page 24, note a. John Gerard, an eminent botanist, was a native of Namptwich, or Nantwich, in Cheshire, England. He died in 1607, aged 62. *Lempriere's Universal Biography*, (*Lord's ed.*, 8vo. New York, 1825.)

Page 24, note b. Thomas Johnson, a native of Selby, in the West Riding of Yorkshire, was brought up to the business of an apothecary in London. By his unwearied assiduity he became the best herbalist of his age in England. He was a Lieutenant-Colonel in the royal garrison of Basing-House, in Hampshire, where he died in September, 1644, in consequence of a wound in the shoulder received on the 14th of that month. He was created Bachelor of Physic, by the University of Oxford, Jan. 31, 1642, and received a Doctorate May 9, 1643. *Wood's Fasti Oxonienses*, (*Bliss's ed.*, 4to. Lond. 1815 & 1820,) ii. 34, 67.

Page 26, note a. The usual spelling of this name is Ahithophel. See 2 Samuel, xv. 12, 31; xvi. 20, 21, 23; xvii. 1, 6, 7, 14, 15, 21, 23.

Page 26, note b. As "Mr. Mede's opinion" is probably but little, if at all, known to the students of American history, it is here given in full, as contained in a correspondence with the celebrated Dr. Twiss, published in "The Works of The Pious and Profoundly-Learned Joseph Mede, B. D.

¹ I cannot close this note without expressing my obligations to Mr. William T. Richardson, the gentlemanly superintendent of the College Wharf, to whose kindness I am indebted for most of the particulars above given.

Sometime Fellow of *Christ's Colledge in Cambridge*," (fol. Lond. 1672,) pp. 798-800, 809.

In "Dr. Twisse his Fourth Letter to Mr. Mede," dated "Newbury, March 2, 1634," is the following passage.

"Now, I beseech you, let me know what your opinion is of our English Plantations in the New World. Heretofore I have wondered in my thoughts at the Providence of God concerning that world, not discovered till this old world of ours is almost at an end; and then no footsteps found of the knowledge of the true God, much less of Christ. And then considering our English Plantations of late, and the opinion of many grave Divines concerning the Gospel's fleeting Westward; sometimes I have had such thoughts, Why may not that be the place of New Jerusalem? But you have handsomely and fully clear'd me from such odd conceits. But what? I pray, shall our English there degenerate and joyn themselves with Gog and Magog? We have heard lately divers ways, that our people there have no hope of the Conversion of the Natives. And the very week after I received your last Letter, I saw a Letter written from New England, discoursing of an impossibility of subsisting there; and seems to prefer the confession of God's Truth in any condition here in old England, rather than run over to enjoy their liberty there; yea, and that the Gospel is like to be more dear in New England than in Old: and lastly, unless they be exceeding careful, and God wonderfully merciful, they are like to lose that life and zeal for God and his Truth in New England which they enjoyed in Old; as whereof they have already woful experience, and many there feel it to their smart. W. Twisse."

Mede's reply "touching the first Gentile Inhabitants, and the late Christian Plantations, in America," is as follows.

"Sir,

Concerning our Plantation in the American World, I wish them as well as any body; though I differ from them far, both in other things, and in the grounds they go upon. And though there be but little hope of the general Conversion of those Natives in any considerable part of that Continent; yet I suppose it may be a work pleasing to Almighty God and our Blessed Saviour, to affront the Devil with the sound of the Gospel and Cross of Christ in those places where he had thought to have reigned securely and out of the dinne thereof; and though we make no Christians there, yet to bring some thither to disturb and vex him, where he reigned without check.

For that I may reveal my conceit further, though perhaps I cannot prove it, yet I think thus;

That those Countries were first inhabited since our Saviour and his Apostles' times, and not before; yea, perhaps, some ages after; there being no signs or footsteps found amongst them, or any Monuments of older habitation, as there is with us.

That the Devil, being impatient of the sound of the Gospel and Cross of Christ in every part of this old world, so that he could in no place be quiet for it, and foreseeing that he was like at length to lose all here, bethought himself to provide him of a seed over which he might reign securely; and in a place, *ubi nec Pelopidarum facta neque nomen auditret*.

That accordingly he drew a Colony out of some of those barbarous Nations dwelling upon the Northern Ocean, (whither the sound of Christ had not yet come) and promising them by some Oracle to shew them a Country far better than their own, (which he might soon do) pleasant, large, where never man yet inhabited, he conducted them over those desert Lands and Islands (which are many in that sea) by the way of the North into America; which none would ever have gone, had they not first been assured there was a passage that way into a more desirable Country. Namely, as when the world apostatized from the Worship of the true God, God called Abram out of Chaldee into the Land of Canaan, of him

to raise him a Seed to preserve a light unto his Name : So the Devil, when he saw the world apostatizing from him, laid the foundations of a new Kingdom, by deducting this Colony from the North into America, where since they have increased into an innumerable multitude. And where did the Devil ever reign more absolutely and without controll, since mankind fell first under his clutches? And here it is to be noted, that the story of the Mexican Kingdom (which was not founded above 400 years before ours came thither) relates out of their own memorials and traditions that they came to that place from the North; whence their God Vitzliliputzli led them, going in an Ark before them: and after divers years travel and many stations (like enough after some generations) they came to the place which the Sign he had given them at their first setting forth pointed out, where they were to finish their travels, build themselves a City, and their God a Temple; which is the place where Mexico was built. Now if the Devil were God's ape in this; why might he not be so likewise in bringing the first Colony of men into that world out of ours? namely, by Oracle, as God did Abraham out of Chaldee, whereto I before resembled it.

But see the hand of Divine Providence. When the off-spring of these Runnagates from the sound of Christ's Gospel had now replenisht that other world, and began to flourish in those two Kingdoms of Peru and Mexico, Christ our Lord sends his Mastives the Spaniards to hunt them out and worry them: Which they did in so hideous a manner, as the like thereunto scarce ever was done since the Sons of Noah came out of the Ark. What an affront to the Devil was this, where he had thought to have reigned securely, and been forever concealed from the knowledge of the followers of Christ?

Yet the Devil perhaps is less grieved for the loss of his servants by the destroying of them, than he would be to lose them by the saving of them; by which latter way I doubt the Spaniards have despoiled him but of a few. What then if Christ our Lord will give him his second affront with better Christians, which may be more grievous to him than the former? And if Christ shall set him up a light in this manner, to dazle and torment the Devil at his own home, I will hope they shall not so far degenerate (not all of them) as to come in that Army of Gog and Magog against the Kingdom of Christ, but be translated thither before the Devil be loosed, if not presently after his tying up. And whence should those Nations get notice of the glorious happiness of our world, if not by some Christians that had lived among them?

Thus have I told you out my fancy of the Inhabitants of that world: which though it be built upon mere conjectures, and not upon firm grounds; yet may have so much use as to shew a possibility of answering such scruples as are wont to run in men's heads concerning them; which consideration is not always to be despised.

JOSEPH MEDE."

Dated at

"Christ's Colledge,
March 23, 1634."

In "Dr. Twisse's Fifth Letter to Mr. Mede," (dated "Newbury, April 6, 1635" he says: "As for the peopling of the new world, I find more in this Letter of yours than formerly I have been acquainted with. Your conceit thereabouts, if I have any judgment, is grave and ponderous; and the particular you touch upon, of Satan's wisdom imitating the wisdom of God, doth affect me with admiration. And for matter of fact, the grounds you go upon, for ought I see, are as good as the world can afford. Call that which you write *Fancies*, as your modesty suggests; I cannot but entertain them as sage conceits."

Page 32, note a. The MS. originally read thus, *on the south side of the country, viz. between that river and Narragansett, [at] the bottom, &c.*

Page 35, note a. For accounts of the Indians in New England see Wood's *New England's Prospect*, Part ii; Hutchinson's *History of Massachusetts*, (8vo. Salem, 1795,) i. 404-23; Young's *Chronicles of Plymouth and Massachusetts*; Drake's *Book of the Indians*; and Lewis's *History of Lynn*, (2d ed., 8vo. Bost. 1844,) pp. 45 et seq.

Page 36, note a. On Tuesday, Aug. 12, 1606, Capt. Henry Challons sailed from Plymouth, in the *Richard*, a ship of 55 tons, or thereabouts, with twenty-nine Englishmen and "two of the five savages (whose names were Mannido and Assacomoit) which were brought into England the year before, out of the North parts of Virginia, from our goodly River by him thrice discovered," to make a farther discovery of the coasts of North Virginia, and to leave as many men as they could spare in the country; "being victualled for eleven or twelve months, at the charge of the Honorable Sir John Popham, Knight, Lord Chief Justice of England, Sir Ferdinando Gorges, Knight, Captain of the Fort of Plymouth, together with divers other worshipful Knights, Gentlemen, and Merchants, of the West Country," who composed the Plymouth Company. On his passage from the West India Islands toward the American coast, when about one hundred and eighty leagues from Porto Rico, ("having had a very great storm of Wind and Rain continuing fifty-six hours and more,") on the 10th of November, Challons fell in with a Spanish fleet of eight sail, coming from Havana, was taken prisoner, and carried into Spain, "where the ship and goods were confiscate, the voyage overthrown, and both the Natives lost."

Shortly after Challons's departure another ship, with farther supplies, was despatched from Bristol by the Chief Justice, under the command of Thomas Hanham and Martin Prinne, but not finding Challons, they made "a perfect discovery of all those rivers and harbors," and returned to England, bringing with them, says Gorges, "the most exact discovery of that coast that ever came to my hands; which wrought such an impression in the Lord Chief Justice and his associates," and encouraged them to such a degree, that "every man was willing to join in the charge for the sending over a competent number of people to lay the ground of a hopeful plantation."

Accordingly, on the 31st of May, 1607, Capt. George Popham, Capt. Raleigh Gilbert, and others, sailed from Plymouth, with two¹ ships, the *Gift*, and the *Mary and John*, two natives, (viz. Skitwarres and Dehanda,) and an hundred landmen. On the 11th of August they fell in with the island of Monhegan, and proceeding southward, "they chose the place of their Plantation at the mouth of Sagadahoc," now Kennebec, "River, in a westerly peninsula." After a sermon had been preached, and their Laws and Patent read, a fortification was erected, to which was given the name of Fort St. George.

On the 15th of December the ships in which the colonists had crossed the Atlantic, set sail for England, leaving behind them forty-five men, who alone, out of a hundred, had the courage to brave the severity of the winter and the scarcity of provisions.

Leaving these vessels to pursue their course, let us turn our attention for one moment to England. On the 10th of June, 1607, died the venerable Chief Justice, Sir John Popham, at the age of 76 years. The Council of New England, in their Brief Relation, thus notice this event: "In the mean while it pleased God to take from us this worthy member, the Lord Chief Justice, whose sudden death did so astonish the hearts of the most part of the Adventurers, as some grew cold, and some did wholly abandon the business. Yet Sir Francis Popham, his son, certain of his private

¹ Gorges says *three* ships, evidently misled by the compound name of the "*Mary and John*." He also says that they "arrived at their rendezvous the 8th of August."

friends, and other of us, omitted not *the next year* to join in sending forth a new supply, which was accordingly performed."

The ships having now arrived¹ from Sagadehock were fitted out with all necessary supplies for the infant Colony, and sent back again; and "some small time after" another was despatched on the like errand; "but," say the Council in their Vindication, "the ships arriving there, did not only bring uncomfortable news of the death of the Lord Chief Justice, together with the death of Sir John Gilbert, the elder brother unto Captain Rawley Gilbert, who at that time was President of that Council; but found that the old Captain Popham was also dead;"² who was the only man (indeed) that died there that winter, wherein they endured the greater extremities; for that, in the depth thereof, their lodgings and stores were burnt, and they thereby wondrously distressed.

"This calamity and evil news, together with the resolution that Captain Gilbert was forced to take for his own return, (in that he was to succeed his brother in the inheritance of his lands in England,) made the whole company to resolve upon nothing but their return with the ships; and for that present to leave the country again, having in the time of their abode there (notwithstanding the coldness of the season, and the small help they had) built a pretty Bark of their own, which served them to good purpose, as easing them in their returning."

"And thus," says Prince, "this Plantation begins and ends in one year." But after this, continues the same diligent Chronicler, "Sir Francis Popham sends Captain Williams divers times to this coast, for trade and fishing only; and Sir F. Gorges also sends Vines, with a ship to fish, trade, and discover, for some years together, and hires men to stay the winter, wherein the plague raged among the Indians, which I suppose is the winter 1616, 17."

Purchas's Pilgrims, (fol. Lond. 1625,) iv. 1832-4, 1837; *Gorges's America Painted to the Life*, (sm. 4to. Lond. 1659,) Part 2, pp. 4-6, 8-10; *The President and Council's Brief Relation of the Discovery and Plantation of New England*, (sm. 4to. Lond. 1622,) pp. 8-10; *Smith's General History of Virginia, New England, &c.*, pp. 203-4; *Purchas's Pilgrimage*, (fol. Lond. 1617,) p. 939; *Prince*, pp. 113-14, 116, 117-18, 119; *Holmes*, i. 125, 130-1, 132; *Maine Hist. Coll.* II. 23-4, 27-31.

Page 37, note a. For an interesting account of Sir John Popham see Wood's *Athenæ Oxon.*, ii. 20-2.

Page 37, note b. There seems to be some confusion in the accounts of

¹ Gorges says that they "brought with them the success of what had past in that employment, which so soon as it came to the Lord Chief Justice hands, he gave out order to the Council for sending them back with supplies necessary." Here is a most unaccountable mistake, which has been followed by Prince in his *Annals*; how could the Chief Justice have given orders about the supplies, when he died June 10, 1607, just after the departure of the colonists, and these ships, as Gorges himself states, did not leave Sagadehock until Dec. 15, 1607!

Sir John Popham was buried in the south aisle of the church at Wellington, in Somersetshire, in a magnificent tomb, over which is an arched canopy, bearing upon its west side the following inscription, which is here given entire, that there may be no doubt as to the correctness of the above statement.

"Sir John Popham, Knighte, Lord Chief Justice of England; and of the honourable privie counsel to Queen Elizabeth, and after to King James; died the 10th of June 1607, aged 76, and is here interred."

Collinson's History of Somerset, (4to. Bath, 1791,) ii. 483. See also Wood's *Athenæ Oxonienses*, (*Bias's* ed. 4to., Lond. 1813-20,) ii. 20; *Beaton's Political Index*, (3d. ed., 8vo. Lond. 1806,) ii. 291; *Maine Hist. Coll.* II. 77.

² He died Feb. 5, 1608. "He was well stricken in years," says Gorges, "before he went, and had long been an infirm man; howsoever, heartened by hopes, willing he was to die in acting something that might be serviceable to God, and honorable to his country."

the Indians carried to England by Capts. Weymouth, Harlow, and Hunt, in the years 1605, 1611, and 1614. See *Prince*, pp. 109, 126, 132; *Young's Chronicles of Plymouth*, (8vo. Bost. 1844,) pp. 186, 190, 215; *Drake's Book of the Indians*, (8vo. Bost. 1845,) ii. pp. 5-11.

Page 38, note a. He sailed from the Downs on the 3d of March, with two ships, and forty-five men and boys, "at the charge of Capt. Marmaduke Roydon, Capt. George Langam, Mr. John Buley, and Mr. William Skelton," and arrived at Monahigan April 30th. *Prince*, p. 131; *Smith*, p. 204.

"Mr John Buley" is, perhaps, the "Capt. Burleigh, captain of Yarmouth Castle," mentioned by Winthrop as visiting him on Tuesday, April 6, 1630, "a grave, comely gentleman, and of great age — an old sea captain in Queen Elizabeth's time." See *Winthrop's New England*, (*Savage's ed.*, 8vo. Bost. 1825 & 1826.) i. 4; also *Young's Chronicles of Massachusetts*, (8vo. Bost. 1846,) p. 220.

Page 40, note a. *French pirate* has been substituted for *small pirate* on the authority of the President and Council's "Relation," from which this account of Smith's voyage appears to have been copied.

Page 46, note a. The MS. originally read, by the blunder of the transcriber, *to goe one and the publicke good*. The second and third words are evident mistakes for *yr own*. Some one has cancelled the *e* in *one*, and substituted *for* for *and*. It has been deemed advisable to restore what was, in all probability, the original and correct reading.

Page 46, note b. The MS. reads, *as is best to their own benefit and the end for which they came*. *For which* was first written from whence.

Page 46, note c. Thus correctly written in the first place; some later hand has half altered it to *into consideration*, and so it was printed in the former edition.

Page 46, note d. *And so they do now return unto*. These words are not in the MS. The cause of the omission is obvious. In copying from Bradford's or Morton's MS., the eye caught, at the end of the sentence, the word *unto*, which occurs in each member, and the transcriber, supposing it to be the word which he had just transferred, went on from that point. This kind of omission is what is called *homoioteleuton*.

Page 46, note e. This letter has been revised and corrected by means of an accurate copy in *Young's Chronicles of Plymouth*, pp. 58-9.

Page 47, note a. For this letter, as well as for the rest of the correspondence of the Pilgrims with the Virginia Company and their agents in England, see *Young's Chronicles of Plymouth*, pp. 59-74.

Page 47, note b. "However, the Patent being carried by one of their messengers to Leyden, for the people to consider, with several proposals for their transmigration, made by Mr. Thomas Weston, of London, merchant, and other friends and merchants as should either go or adventure with them, they are requested to prepare with speed for the voyage.

1620. Upon receiving these, they first keep a day of solemn prayer, Mr. Robinson preaching a very suitable sermon from 1 Sam. XXII. 3, 4, strengthening them against their fears, and encouraging them in their resolutions; and then conclude how many and who should prepare to go first, for all that were willing could not get ready quickly. The greater number being to stay require their pastor to tarry with them; their elder, Mr. Brewster, to go with the other; those who go first to be an absolute church of themselves, as well as those that stay, with this proviso, that as any

go over or return, they shall be reputed as members, without further dismission or testimonial; and those who tarry, to follow the rest as soon as they can." *Bradford, in Prince, pp. 155-6.*

Page 47, note c. "Mr. Weston coming to Leyden the people agree with him on articles both for shipping and money to assist in their transportation; then send Mr. Carver and Cushman to England, to receive the money, and provide for the voyage, Mr. Cushman at London, Mr. Carver at Southampton.—There was also one Mr. Martin chosen in England to join with Mr. Carver and Cushman; he came from Billerica, in Essex, from which country came several others, as also from London and other places to go with them." *Bradford, in Prince, p. 156.*

Page 48, note a. On the 23d of July, 1620, King James gave a warrant to Sir Thomas Coventry, his Solicitor-General, to prepare a "Patent of Incorporation" for the "Adventurers of the Northern Colonie in Virginia, between the degrees of 40 and 48." This warrant may be seen in Gorges's America, Part 2, p. 21; the Patent, dated at Westminster, Nov. 3, 1620, is in Hazard's State Papers, (4to, Philadelphia, 1792 & 1794.) i. 103-18.

"New England," says Smith, (General History of Virginia; New England, &c., p. 206,) "is that part of America in the Ocean Sea, opposite to Nova Albion in the South Sea, discovered by the most memorahle Sir Francis Drake in his Voyage about the world, in regard whereof this is stiled New England, being in the same latitude."

"That part we call New England is betwixt the degrees of fortie one and fortie five, but that part this Discourse speaketh of stretcheth but from Penobscot to Cape Cod." *Ibid. p. 208.*

In the summer of 1614 Smith "ranged the Coast in a small Boat," and took "a Draught" of it "from point to point, Ile to Ile, and Harbor to Harbor, with the Soundings, Sands, Rocks, and Land-markes, and called it New England." *Ibid. pp. 204, 205, 207; see pages 84 and 217.*

Page 51, note a. For a consideration of this charge against Jones, see Young's Chronicles of Plymouth, p. 102; and Russell's Guide to Plymouth, (12mo. Bost. 1846,) pp. 42-4.

Page 51, note b. "The time being come that they must depart, they were accompanied with the most of their brethren out of the city unto a town sundry miles off, called Delft-Haven, where the ship lay ready to receive them. So they left that goodly and pleasant city, which had been their resting-place near twelve years. But they knew they were PILGRIMS, and looked not much on those things, but lifted up their eyes to Heaven, their dearest country, and quieted their spirits. When they came to the place, they found the ship and all things ready; and such of their friends as could not come with them, followed after them; and sundry also came from Amsterdam to see them shipped, and to take their leave of them. The next day, the wind being fair, they went on board, and their friends with them; when truly doleful was the sight of that sad and mournful parting; to see what sighs and sobs, and prayers did sound amongst them; what tears did gush from every eye, and pithy speeches pierced each other's heart; that sundry of the Dutch strangers, that stood on the quay as spectators, could not refrain from tears. Yet comfortable and sweet it was to see such lively and true expressions of dear and unfeigned love. But the tide, which stays for no man, calling them away, that were thus loth to depart, their reverend pastor, falling down on his knees, and they all with him, with watery cheeks commended them, with most fervent prayers, to the Lord and his blessing: and then, with mutual embraces and many tears, they took their leaves of one another, which proved to be their last leave to many of them."

Bradford, in Young's Chronicles of Plymouth, pp. 87-8.

Page 53, note a. Robinson's parting letter may be found, with some variations, in Bradford's History of Plymouth Colony, (contained in Young's Chronicles of Plymouth,) in Bradford and Winslow's Journal, (commonly called "Mourt's Relation,") and in Morton's New England's Memorial. The letter is here printed from the first edition (sm. 4to. Cambridge, 1669,) of Morton.

Loving Christian Friends,

I do heartily and in the Lord salute you, as being those with whom I am present in my best affections, and most earnest longings after you, though I be constrained for a while to be bodily absent from you: I say constrained; God knowing how willingly, and much rather than otherwise, I would have born my part with you in this first bruot, were I not by strong necessity held back for the present. Make account of me in the mean time as a man divided in myself, with great pain, and as (natural bonds set aside) having my better part with you. And although I doubt not but in your godly wisdoms you both foresee and resolve upon that which concerneth your present state and condition, both severally and jointly, yet have I thought it but my duty to add some further spur of provocation unto them who run already; if not because you need it, yet because I owe it in love and duty.

And first, as we are daily to renew our repentance with our God; especially for our sins known, and generally for our unknown trespasses, so doth the Lord call us in a singular manner, upon occasions of such difficulty and danger as lieth upon you, to a both narrow search, and careful reformation of your ways in his sight; lest he, calling to remembrance our sins forgotten by us, or unrepented of, take advantage against us, and in judgment leave us to be swallowed up in one danger or other: whereas, on the contrary, sin being taken away by earnest repentance, and the pardon thereof from the Lord sealed up to a man's conscience by his Spirit, great shall be his security and peace in all dangers, sweet his comforts in all distresses, with happy deliverance from all evil, whether in life or death.

Now next after this heavenly peace with God and our own consciences, we are carefully to provide for peace with all men, what in us lieth, especially with our associates; and for that, watchfulness must be had, that we neither at all in ourselves do give, no, nor easily take offence, being given by others. Woe be to the world for offences, for although it be necessary, considering the malice of Satan and man's corruption, that offences come, yet woe unto the man, or woman either, by whom the offence cometh, saith Christ, Matth. xviii. 7. And if offences in the unseasonable use of things, in themselves indifferent, be more to be feared than death itself, as the Apostle teacheth, 1 Cor. ix. 15, how much more in things simply evil, in which neither honor of God nor love of man is thought worthy to be regarded?

Neither yet is it sufficient that we keep ourselves, by the grace of God, from giving of offence, except withall we be armed against the taking of them when they are given by others: for how imperfect and lame is the work of grace in that person, who wants charity to cover a multitude of offences, as the Scripture speaks. Neither are you to be exhorted to this grace only upon the common grounds of Christianity, which are, that persons ready to take offence either want charity to cover offences, or wisdom duly to weigh human frailties, or, lastly, are gross though close hypocrites, as Christ our Lord teacheth, Mat. vii. 1, 2, 3, as indeed, in my own experience, few or none have been found which sooner give offence, than such as easily take it; neither have they ever proved sound and profitable members in societies, who have nourished this touchy humor. But, besides these, there are divers motives provoking you, above others, to great care and conscience this way; as first, there are many of you strangers, as to the persons, so to the infirmities, one of another, and so stand in need of more watchfulness this way, lest, when such things fall out in men and women as you expected not, you be inordinately

affected with them ; which doth require at your hands much wisdom and charity for the covering and preventing of incident offences that way. And lastly, your intended course of civil community will minister continual occasion of offence, and will be as fuel for that fire, except you diligently quench it with brotherly forbearance ; and if taking of offence causelessly or easily at men's doings be so carefully to be avoided, how much more heed is to be taken that we take not offence at God himself ; which yet we certainly do, so oft as we do murmur at his providence in our crosses, or bear impatiently such afflictions as wherewith he is pleased to visit us. Store up therefore patience against the evil day ; without which we take offence at the Lord himself in his holy and just works.

A fourth thing there is carefully to be provided for, viz. that with your common employments you join common affections, truly bent upon the general good ; avoiding, as a deadly plague of your both common and special comforts, all retiredness of mind for proper advantage, and all singularly affected every manner of way : Let every man repress in himself, and the whole body in each person, as so many rebels against the common good, all private respects of men's selves, not sorting with the general convenience. And as men are careful not to have a new house shaken with any violence before it be well settled, and the parts firmly knit, so be you, I beseech you, brethren, much more careful that the house of God (which you are, and are to be) be not shaken with unnecessary novelties, or other oppositions, at the first settling thereof.

Lastly, whereas you are to become a body politic, using amongst yourselves civil government, and are not furnished with persons of special eminency above the rest, to be chosen by you into office of government, let your wisdom and godliness appear, not only in choosing such persons as do entirely love, and will promote, the common good, but also in yielding unto them all due honor and obedience in their lawful administrations, not beholding in them the ordinariness of their persons, but God's ordinance for your good : not being like the foolish multitude, who more honor the gay coat than either the virtuous mind of the man, or the glorious ordinance of the Lord. But you know better things, and that the image of the Lord's power and authority, which the magistrate beareth, is honorable, in how mean persons soever ; and this duty you may the more willingly, and ought the more conscionably to perform, because you are (at least for the present) to have them for your ordinary governors which yourselves shall make choice of for that work.

Sundry other things of importance I could put you in mind of, and of those before-mentioned in more words ; but I will not so far wrong your godly minds as to think you heedless of these things, there being also divers amongst you so well able both to admonish themselves and others of what concerneth them. These few things, therefore, and the same in few words, I do earnestly commend unto your care and conscience, joining therewith my daily and incessant prayers unto the Lord, that He who hath made the heavens, and the earth, and sea, and all rivers of waters, and whose providence is over all his works, especially over all his dear children, for good, would so guide and guard you in your ways, as inwardly by his Spirit, so outwardly by the hand of his power, as that both you, and we also, for and with you, may have after-matter of praising his name all the days of your and our lives. Fare you well in Him in whom you trust, and in whom I rest

An unfeigned well-willer of your
Happy success in this hopefull voyage.

JOHN ROBINSON.

Page 53, note b. This is a mistake ; Bradford and Winslow's Journal says, " upon the 9th of November, by break of the day, we espied land, which we deemed to be Cape Cod, and so afterward it proved. And thus we made our course south-southwest, purposing to go to a river ten leagues

to the south of the Cape. But at night the wind being contrary, we returned round again for the bay of Cape Cod; and upon the 11th of November we came to an anchor in the bay.

This day, before we came to harbor, it was thought good that we should combine together in one body," &c., &c. See the next note; *Young's Chronicles of Plymouth*, pp. 117-18, 126; *Morton's Memorial*, (*Davis's ed.*, *Sec. Bost.* 1826,) pp. 33-4, 37; *Prince*, p. 162.

Page 53, note c. The celebrated compact is as follows.

In the name of God, Amen. We, whose Names are underwritten, the Loyal Subjects of our dread Sovereign Lord, King James, by the grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c., having undertaken, for the glory of God, and advancement of the Christian faith, and the honor of our King and country, a voyage to plant the first Colony in the northern parts of Virginia, do, by these Presents, solemnly and mutually, in the presence of God and one another, covenant and combine ourselves together into a civil body politic, for our better ordering and preservation, and furtherance of the ends aforesaid; and by virtue hereof to enact, constitute, and frame such just and equal laws, ordinances, acts, constitutions, and officers, from time to time, as shall be thought most meet and convenient for the general good of the Colony; unto which we promise all due submission and obedience. In witness whereof we have hereunto subscribed our Names, at Cape Cod, the 11th of November, in the year of the reign of our Sovereign Lord, King James, of England, France, and Ireland the eighteenth, and of Scotland the fifty-fourth, Anno Dom. 1620.

John Carver,	Edward Tilly,	Degory Priest,
William Bradford,	John Tilly,	Thomas Williams,
Edward Winslow,	Francis Cook,	Gilbert Winslow,
William Brewster,	Thomas Rogers,	Edward Margeson,
Isaac Allerton,	Thomas Tinker,	Peter Brown,
Miles Standish,	John Ridgdale,	Richard Britterige,
John Alden,	Edward Fuller,	George Soule,
Samuel Fuller,	John Turner,	Richard Clark,
Christopher Martin,	Francis Eaton,	Richard Gardiner,
William Mullins,	James Chilton,	John Allerton,
William White,	John Craxton,	Thomas English,
Richard Warren,	John Billington,	Edward Dotey,
John Howland,	Moses Fletcher,	Edward Leister.
Stephen Hopkins,	John Goodman,	

See *Davis's Morton*, pp. 37-9; *Bradford and Winslow*, in *Young's Chronicles of Plymouth*, pp. 121-2; *Prince*, pp. 171-2; *N. E. Historical and Genealogical Register*, I. 47-53.

Page 53, note d. "With every man his musket, sword, and corslet, under the conduct of Captain Miles Standish; unto whom was adjoined, for counsel and advice, William Bradford, Stephen Hopkins, and Edward Tilley." They started on this their first expedition, Wednesday, Nov. 15th, and returned on the 17th. See an account of their adventures in *Young's Chronicles of Plymouth*, pp. 125-37.

Page 55, note a. This word is *barnes* in the MS., which accounts, perhaps, for the ludicrous reading of the former edition. For an account of the "Indian Barns" see *Young's Chronicles of Plymouth*, p. 133, and the authorities there cited.

Page 56, note a. They had returned from their second expedition on Dec. 1st. Wednesday, Dec. 6th, they set out "on a third discovery. The names of those that went on this discovery were, Mr. John Carver, Mr. William Bradford, Mr. Edward Winslow, Captain Miles Standish,

Mr. John Howland, Mr. Richard Warren, Mr. Stephen Hopkins, Mr. Edward Tilly, Mr. John Tilly, Mr. Clark, Mr. Coppin, John Allerton, Thomas English, Edward Doten, (Dotey,) with the Master Gunner of the ship, and three of the common seamen." They returned from this excursion on Dec. 13th, and on Friday, the 15th, sailed for the place which they had discovered. See *Prince*, pp. 163-4, 165-7; *Bradford and Winslow*, in *Young*, pp. 138-48, 149-63; *Davis's Morton*, pp. 41-9.

Page 60, note a. This treaty was made on the 22d of March, 1620-1, and, says Belknap, (*Amer. Biog.*, Art. CARVER, ii. 214,) "was kept with fidelity as long as Massasoit lived." The instrument, which is omitted in Hubbard's MS., is here supplied from Morton; some slight variations will be apparent on a comparison with the copy preserved in Bradford and Winslow's Journal.

1. That neither he, nor any of his, should injure or do hurt to any of their people.
2. That if any of his did any hurt to any of theirs, he should send the offender, that they might punish him.
3. That if anything were taken away from any of theirs, he should cause it to be restored; and they should do the like to his.
4. That if any did unjustly war against him, they would aid him; and if any did war against them, he should aid them.
5. That he should send to his neighbour confederates, to certify them of this, that they might not wrong them, but might be likewise comprised in these Conditions of Peace.
6. That when his men came to them upon any occasion, they should leave their arms behind them.
7. Lastly, that so doing, their Sovereign Lord King James would esteem him as his friend and ally.

See *Davis's Morton*, pp. 53-5; *Bradford and Winslow*, in *Young*, pp. 190-4; *Prince*, pp. 186-8.

Page 61, note a. This instrument has been compared with, and corrected by, the copy preserved in Morton's Memorial. See *Davis's Morton*, p. 67; *Young*, p. 232; *Prince*, p. 196; *Drake's Book of the Indians*, ii. p. 30.

Page 66, note a. "April 5. We despatch the ship with Captain Jones, who this day sails from New Plymouth, and May 6 arrives in England." See *Bradford and Winslow*, in *Young*, p. 199; *Davis's Morton*, pp. 67-8; *Prince*, p. 189.

Page 69, note a. This ship was the *Fortune*. The names of twenty-nine of her passengers may be found in *Young*, p. 235. She sailed for England again, December 13th. See *Prince*, pp. 198-9; *Davis's Morton*, pp. 73-4, 377-8.

Page 72, note a. The seven men, last mentioned, arrived at Plymouth towards the end of May, 1622, in "a shallop that belonged to a fishing ship, called the Sparrow," in the employ of Messrs. Weston and Beauchamp. The "sixty young men" reached Plymouth "in the end of June, or beginning of July," in the ships *Charity* and *Swan*. The *Charity*, "being the bigger ship," sailed for Virginia. See *Winslow*, in *Young*, pp. 292-3, 296-7; *Davis's Morton*, pp. 78-80; *Prince*, pp. 202-4.

Page 73, note a. "Mr. John Huddleston," *Bradford*, in *Prince*, p. 202; "Hudston," *Davis's Morton*, pp. 80-1, where may be found the letter.

Page 74, note a. The drought, fast, and thanksgiving all took place in the year 1623, not 1622. See *Winslow*, in *Young*, pp. 347-50; *Prince*, p. 218; *Davis's Morton*, pp. 82, 98.

Page 75, note a. This word has been substituted for *to* in the MS., on the following considerations. Bradford, in *Prince*, p. 205, states that the Discovery, Captain Jones commander, touched at Plymouth in the end of August, "on her way from Virginia, homeward," and adds, "in this ship comes Mr. John Porey, who had been Secretary in Virginia, and is going home in her; who, after his departure, sends the Governor a letter of thanks, and after his return to England does this poor Plantation much credit among those of no mean rank."

Porey having obtained the place of Secretary through the interest of the Earl of Warwick, sailed for Virginia in company with Sir George Yeardeley, who had been appointed Governor-General of the Colony. They reached the place of their destination April 18, 1619, and Porey was one of those whom Sir George, "to begin his government, added to be of his Council." His Commission as Secretary expired at the same time with Yeardeley's, in November, 1621. "He had given the Company little satisfaction in that office, but had been plainly detected, although a sworn officer, of betraying the proceedings and secretly conveying the proofs, against Captain [Samuel] Argall, to the Earl of Warwick. And as he was besides known to be a professed tool and instrument to that faction, the Company was at no loss or hesitation about renewing his Commission."

"The observations of Master John Pory, Secretarie of Virginia, in his travels," are preserved by Smith, *General History of Virginia*, pp. 141-3. The postscript of his letter to Gov. Bradford is in *Morton*, p. 84. See *Smith*, p. 126; *Stith's History of Virginia*, (8vo. Williamsburg, 1747,) pp. 157-8, 190.

Page 78, note a. Prat reached Plymouth on the 24th of March, and Standish sailed for "the Massachusetts" the next day, March 25, 1623. See *Winslow*, in *Young*, pp. 327-45; *Davis's Morton*, pp. 87-92.

Page 78, note b. "In the bottom of the bay between Pascataquak and Merrimack river." Bradford, in *Prince*, p. 216; and also *Morton*, p. 92.

Page 82, note a. See *page 273, note a.* Here should follow the account of the drought, &c., which Hubbard, following Morton, has placed in the preceding year, 1623. See *page 74, note a.*

Page 92, note b. Mr. Savage, (*Winthrop*, i. 25,) remarks, "Hubbard unvaryingly, except on *page 82*, gives his name *Peirse*. So the Probate Record spells it, and so by himself, as I have seen, was it written." The exception "on *page 82*" henceforth has no existence, as any one may assure himself by glancing at the MS., if he is inclined to doubt the accuracy of the present reading.

Page 83, note a. This was the Little James "a fine new vessel of forty-four tons, (Mr. Bridges master,) which the Company had built to stay in the country." Bradford, in *Prince*, p. 220; see, also, *Winslow*, in *Young*, pp. 351-3; *Morton*, pp. 100-2, 378-80.

Page 86, note a. Bradford, in *Prince*, pp. 221-2, says that Gorges "pitches on the same place Mr. Weston's people had forsaken." His Patent is in Gorges's *America*, Part 2, pp. 34-7.

Page 88, note a. The passage within inverted commas is thus designated in the MS. It may be found, with some variations, in Gorges's *America*, Part 2, p. 40.

X	1623	DFC	LICENCE	
	1624	.	PATENT	SOLD
	1627	to	NEC	" SOLD
	1628	to	MBC	" SALEM
	1629	"	CHARTER	

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Page 98, note a. Thus originally written in the MS. The word was subsequently partially erased, and *where* he written above; an alteration occasioned, perhaps, by the knowledge of the fact that Allerton went again to England in June, 1627. This faithful agent crossed the Atlantic no less than six times in as many years, in the service of the Colony. These voyages were as follows:

1st. In the fall of 1626; returns to Plymouth in the spring of 1627. See Prince, pp. 239, 242; Mass. Hist. Coll. III. 46, 47-8.

2d. In June, 1627; returns in the spring of 1628. Prince, pp. 245-6, (compared with Mass. Hist. Coll. III. 49) 246-7.

3d. In the summer or autumn of 1628; returns in November. Prince p. 252; Cradock's Letter to Endicott, in Young's Chronicles of Mass., p. 139.

4th. In the spring of 1629; returns in August. Prince, pp. 261, 265.

5th. In the fall of 1629; returns in March, 1629-30. Prince, pp. 265, 274.

6th. In August, 1630, in the Lion, with Captain Peirse; returns in June, 1631. Savage's Winthrop, i. 373, 57; Prince, p. 313; Dudley's Letter to the Countess of Lincoln, in Young's Chronicles of Mass., p. 333.

Allerton was discharged from his agency in July, 1631, "for acting contrary to [his] instructions." Prince, p. 358.

For notices of Allerton, see Savage's Winthrop; Davis's Morton, pp. 391-4; Young's Chronicles of Plymouth and Mass.; Bacon's Letter, in Mass. Hist. Coll. XXVII. 243-9, with Judge Davis's "Addenda" thereto, *ibid.* 301-4; and Bradford's Letter Book, in Mass. Hist. Coll. II.

Page 99, note a. "Though Governor Bradford, and from him Mr. Morton, place the whole story under 1627, yet Governor Bradford says this part of it happened in the beginning of winter 1628." Prince, p. 241, note.

Page 100, note a. In Mass. Hist. Coll. III. 51-6, may be found Bradford's minutes of this correspondence with the Dutch.

Prince, p. 242, after mentioning the first letter received from "Fort Amsterdam," (dated "March 9, 1627, N. S.") remarks, in a note, "Mr. Morton saying that De Razier not long after comes to Plymouth, thence Mr. Hubbard mistakes in thinking he comes this year; whereas it is plain from Governor Bradford that he comes not hither till the year succeeding." Prince, for a wonder, is in error, and Hubbard correct. De Razier *did* come to Plymouth in 1627, as is evident from the following passage in a letter of Gov. Bradford to the Governor and Council of New Netherlands, dated "Plymouth, Oct. 1, Anno 1627."

"Right Honourable and Worthy Lords, &c. We understand by your agent, Mr. Isaac Razier, who is at this present with us, (and hath demeaned himself to your Honours' and his own credit) of your honourable and respective good intentions towards us, which we humbly acknowledge with all thankfulness," &c. &c. Mass. Hist. Coll. III. 55.

• Page 109, note a. Prince, (Annals, p. 249,) says "Mr. Hubbard and others wrongly place Mr. Endicot's voyage after the grant of the royal charter, whereas he came above eight months before." Hubbard's language is not, to be sure, very precise, but it does not seem to imply what Prince supposes. After stating that the Patentees of the Council for New England "did at the last resolve, with one joint consent, to petition the King's Majesty to confirm" to them and their associates "by a new grant or Patent, the tract of land forementioned," Hubbard adds, "which was accordingly obtained." These last four words, taken in connexion with what follows, are the foundation of Prince's criticism; but to me they appear to be thrown in by way of parenthesis, referring to a subsequent occurrence—a very common practice with our author; and the words *soon after*, beginning the next paragraph, have no reference whatever to the time of obtaining the Charter, but refer to the resolution of the Patentees to apply for a confirmation of their grant. Looking at it in this light, there is no anachronism in Hubbard's statement; and that such is the proper view to be taken of it will appear from a glance at pages 110, 114-15.

Page 111, note a. This Chapter, "the most original and valuable part of Hubbard's History," has been inserted by Dr. Young in his *Chronicles of Mass.*, pp. 17-35, to which the reader is referred for numerous and valuable notes, and a notice of the Ipswich Historian.

Page 123, note a. "Mr. Hubbard mistakes in placing this on May 13," says Prince, p. 260. The subject was first agitated at a Court of Assistants, on the 18th of May, and a committee was appointed to meet the next day "to advise and conclude of this business," which they did; and at a meeting on the 21st the arrangement made by the committee was confirmed, and it was resolved "that the Secretary draw out at large the Order made concerning the allotment," and a committee was appointed "to meet and resolve of" this with other Orders, "and to affix the Company's Seal thereunto." In pursuance of this resolution the committee met on the 22d, when "the Orders for the dividing and allotment of land were read, advised on, corrected, and concluded on, appointed to be fairly engrossed, and to be sealed with the common seal of the Company, and sent over upon the ships now ready to depart for New England."

See the *Records of the Company, in Young's Chronicles of Mass.*, pp. 73-6, 77-8, 197-200.

Page 124, note a. The following is a complete list of the Assistants chosen at this time.

Sir Richard Saltonstall,	Mr. Thomas Sharpe,
Mr. Isaac Johnson,	Mr. John Revell,
Mr. Thomas Dudley,	Mr. Matthew Craddock,
Mr. John Endicott,	Mr. Thomas Goff,
Mr. Increase Nowell,	Mr. Samuel Aldersey,
Mr. William Vassall,	Mr. John Venn,
Mr. William Pinchon,	Mr. Nathaniel Wright,
Mr. Samuel Sharpe,	Mr. Theophilus Eaton,
Mr. Edward Rossiter,	Mr. Thomas Adams.

From *Young's Chronicles of Mass.*, p. 106.

Page 124, note b. A slight mistake. Thomas Sharpe was chosen Assistant Oct. 20, 1629; Roger Ludlow, chosen and sworn, in place of Samuel Sharpe, Feb. 10, 1630. Janson, William Coddington, and Bradstreet were chosen in place of Wright, Eaton, and Goffe, March 18, 1630; Janson was sworn the same day; Bradstreet and Coddington, together with T. Sharpe, on March 23d. See *Young's Chronicles of Mass.*, pp. 106, 123-4, 125-6.

Page 128, note a. This unparalleled Address forms the first article in the Appendix to Hutchinson's first volume. It also finds a place in *Young's Chronicles of Mass.*, pp. 293-8, with which version that of Hubbard has been carefully compared.

From this place to page 536 we shall travel in goodly company — no other than that of the Father of the Massachusetts Colony — for, as says his learned editor, "from the time when Winthrop comes to his aid, he (Hubbard) generously relies on him." Fortunate indeed was the Ipswich historian to find such a guide, and very far should we be from blaming him for making so good a use of the materials which chance had thrown in his way.

Page 138, note a. So also in Prince. In *Savage's Winthrop* this relation is put under Dec. 29th. Dudley says "Upon the 5th day (of January) came letters to us from Plymouth, advertising us of this sad accident following. About a fortnight before, there went from us in a shallop to Plymouth," &c. "A fortnight before" Jan. 5th would be Dec. 22d, which

would seem to be the correct date. See Prince, p. 326; and compare Savage's Winthrop, i. 39-40, with Dudley's Letter, in Young's Chronicles of Mass., pp. 327-9.

Page 142, note a. This individual is described in Prince, p. 362, as "one Jo. P.," and in Savage's Winthrop, i. 62, as "John P——." Can it be the "John Peverly" mentioned as one of the servants sent over by Mason to his Province of New Hampshire?

Richmond's Island, says Prince, was "a part of a tract of land granted to Mr. Trelane, a Plymouth merchant (in England) where he had settled a place for fishing, built a ship there, and improved many servants for fishing and planting." But the "History of Portland" says, "Bagnal occupied the island without any title; but within two months after his death, a grant was made by the Council of Plymouth, bearing date December 1, 1631, to Robert Trelawny and Moses Goodyear, merchants, of Plymouth, in England, of the tract lying between Cammock's patent and the bay and river of Casco, and extending northwards into the main lands so far as the limits and bounds of the lands granted to the said Capt. Thomas Cammock, do and ought to extend towards the north," which included this (Richmond's) island and all of the present town of Cape-Elizabeth." *N. E. Hist. and Gen. Register*, ii. 39; *Adams's Annals of Portsmouth*, (8vo. *Portsm.* 1825,) p. 18; *Maine Hist. Coll.* i. 19, 21; *Folsom's History of Saco and Biddeford*, (12mo. *Saco*, 1830,) p. 29.

Page 152, note a. Hubbard took this letter from Morton; but Prince has preserved a copy of it in his Annals, pp. 430-1, with this note appended; "I have taken all this exactly as wrote in Governor Bradford's manuscript. By which it seems that by Mr. Tr'r is meant Mr. Treasurer Weston, and not Trevers, as printed in Mr. Morton." (See *Davis's Morton*, pp. 165-8.) Hubbard's version has been carefully compared with, and corrected by, that of Prince.

Page 170, note a. In Winthrop, under Jan. 20, 1633-4, is found the following entry: "Hall and the two others, who went to Connecticut November 3, came now home, having lost themselves and endured much misery." From this it would seem that Hall made a second expedition to Connecticut, as he accompanied Oldham in September, 1633. See *Savage's Winthrop*, i. 111, 123.

Page 180, note a. Winthrop and Wilson sailed for England Nov. 2, 1634, and arrived home again Oct. 6, (Holmes says, Oct. 8,) 1635. See *Savage's Winthrop*, i. 384, 147, 153, 169-70, 172-3.

Page 188, note a. And so Hutchinson, and Emerson, (History of the First Church in Boston, 8vo. Bost. 1812,) both copying from Hubbard; but Winthrop says Oct. 10th.

Page 194, note a. Davenport "and another minister" arrived June 26, 1637. (*Sav. Win.* i. 227-8.) Cobbet was probably the other minister, though Trumbull (History of Connecticut, 8vo. New Haven, 1818, i. 95,) says that it was Samuel Eaton.

Page 220, note a. The "eighteen inhabitants" were as follows:

William Jones,	Henry Taler,
Renald Fernald,	John Jones,
John Crowther,	William Berry,
Anthony Bracket,	John Pickerin,
Michael Chatterton,	John Billing,
John Wall,	John Wotten,

Robert Pudington,
Henry Sherburne,
John Landen,

Nickolas Row,
Matthew Coe,
William Palmer.

From Belknap's History of New Hampshire, (Farmer's ed., 8vo. Dover, 1831,) p. 28.

Following this Grant, in the MS., is a complete obliteration of three or four lines.

Page 223, note a. This "Exeter Combination" has been compared with, and corrected by, the copy obtained from the Exeter Town Records by Farmer, and printed in his edition of Belknap's New Hampshire, p. 432. The signatures to the document are as follows:

John Wheelright,
Augustine Storer,
Thomas Wright,
William Wentworth,
Henry Elkins,
George Walton,
Samuel Walker,
Thomas Petit,
Henry Roby,
William Winborne,
Thomas Crawley,
Christopher Helme,
Darby Field,
Robert Read,
Edward Rishworth,
Francis Matthews,
Godfrey Dearborne,
William Wardhall,

Robert Smith,
Ralph Hall,
Robert Seward,
Richard Bulgar,
Christopher Lawson,
George Barlow,
Richard Morris,
Nicholas Needham,
Thomas Wilson,
George Rawbone,
William Cole,
James Wall,
Thomas Leavit,
Edmund Littlefield,
John Cramme,
Philemon Purmo[n]t,
Thomas Wardhall.

Page 224, note a. "Gaines is a blunder of Hubbard's; there was no such patentee in our Province, nor any planter of that name. I cannot account for the blunder, nor even conjecture who it should be. We have Gorges, Gard, (Roger,) and Guy, (John,) in our annals, and these are the nearest approach to the name as given by Hubbard; but neither of them had anything to do with the Black Point Grant." *William Willis, Esq., MS. letter.* Williamson, the historian of Maine, has transferred Hubbard's "blunder" to his pages, (i. 236, 266,) without comment.

Page 224, note b. Cammock's Grant, dated Nov. 1, 1631, was from the Council of Plymouth. It comprised fifteen hundred acres, extending from the Spurwink to Black Point River, and back one mile from the sea, including Stratton's Islands. Possession of this Grant was given, by Capt. Walter Neale, May 23, 1633. The Patent was confirmed by Gorges in 1640, and in the same year Cammock gave a deed of it to Henry Josselyn, to take effect after the death of himself and wife. He died in the West Indies, in 1613, and Josselyn gained immediate possession by marrying his widow, Margaret. *See Maine Hist. Coll. i. 18-19, 41; Williamson's History of Maine, (8vo. Hallowell, 1839,) i. 236; Folsom's Saco and Biddeford, p. 29.*

Feb. 12, 1629, (O. S.) the "Council for the affairs of New England," (not Gorges) granted to "Thomas Lewis, Gent., and Capt. Richard Bonython," &c., "all that part of the main land in New England between the Cape or Bay commonly called Cape Elizabeth, and the Cape or Bay commonly called Cape Porpoise," &c. &c. Possession was given, June 28, 1631, by "Edw. Hilton, Gent.," to Thomas Lewis, in the presence of Thomas Wozzin, James Parker, Henry Watts, and George Vaughan. (*See the Patent in Folsom's Saco and Biddeford, pp. 315-17.*) This grant may have been confirmed by Gorges in 1640, or thereabouts, and it is to this confirmation that Hubbard may refer.

March 4, 1642, Sir Ferdinando Gorges granted to his "cousin" Thomas Gorges, in consideration of his "love and services," five thousand acres of land on the river (Gunguitt, in the south part of the town of Wells, in the County of York. Possession given in presence of Roger Garde, &c. *William Willis, Esq., MS. letter.*

It has been suggested that Champernoon "was one of the patentees of two grants, of twelve thousand acres each, on the Agamenticus, referred to by Gorges in his Narrative," and that he "was probably interested in the one (i. e. grant) west of the river." The date of this Grant has been a matter of some dispute. Notwithstanding what is said in Maine Hist. Coll. II. 49-50, note, I am inclined to think, with Dr. Belknap and Mr. Folsom, that the grant was made, and the settlement begun, by Capt. William Gorges, Lieut. Col. Norton, and others, in, or about, the year 1623; such, at least, is my opinion, until some proof to the contrary is produced, having more weight than the affirmation of Edward Godfrey, in 1654, that he was "the first that ever bylt or settled ther" at York, having been "24 years an inhabitant of this place." Godfrey's assertion that he had been for "above 32 years an adventurer on that design" agrees very well with the proposed date (1623) of the grant of the "Plantation upon the river of Agomentico," and seems to prove as much on this side of the question as his "24 years" do on the other. See *Gorges's America, Part 1, pp. 24-5, Part 2, pp. 39-40, 12; Prince, p. 119; Belknap's American Biography, i. 354-6, 377-8; Folsom's Saco and Biddeford, pp. 22-5.*

Page 233, note a. Harlakenden, with his wife, and sister Mabel, came in the Defence, of London, Thomas Bostock master, in company with Shepard, Wilson, Jones, and others, and arrived at Boston, Oct. 3, 1635. He died at Cambridge, of the Small-pox, Nov. 17, 1638, aged 27, "and left a sweet memorial behind him of his piety and virtue." See *Mass. Hist. Coll. xxviii. 268, 314-15. Young's Chronicles of Mass., pp. 543, 544; Savage's Winthrop, i. 169-70, 277-8; Johnson's History of New England, (sm. 4to. Lond. 1654,) pp. 72-3.*

Page 262, note a. This young man was descended of an illustrious family in Wiltshire. His grandfather, Sir James Ley, the sixth son of Henry Ley, Esq., of Treffont Ewias,¹ Wilts., having attained great eminence at the bar, was made Chief Justice of the Court of King's Bench, in Ireland, in 1604, and in England in 1620; was appointed Lord High Treasurer, and created Baron Ley, in 1622; was made Earl of Marlborough on the accession of Charles I., and soon after received the appointment of President of the Council. He died March 14, 1629-9, and was succeeded by his eldest son, Sir Henry Ley, of Westbury, in Wilts., who was General of the King's Artillery in 1643. He married Mary, daughter of Sir Arthur Capel, Knt., by whom he had an only son, Sir James Ley, the "Lord Ley" of Winthrop and Hubbard, whose visit to New England has invested his name with sufficient interest to excuse this brief notice.

On the 26th of June, 1637, two ships from London entered the harbor of Boston, bringing Theophilus Eaton, and his son-in-law, Edward Hopkins, — "men of fair estates and of great esteem for religion, and wisdom in other affairs," both of them destined to become "pillars" of sister Colonies, and "great men of this poor Israel," — with the "reverend and famous" John Davenport, "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

¹ In Wood's *Athenæ* it is *Teffont-Ewias*; in Walpole's *Royal and Noble Authors*, *Tesfont Ewias*; in Collins's *Peerage*, *Tesfront-Ewias*; in Lord's *Lempriere, Jessent*. I have not been able to ascertain which is the true name of the place.

to be out of the reach of a General Governor, which at that time was much spoken of."

But in one of these ships, the *Hector*, came a passenger of a different class, a youth — "about nineteen years of age" — of noble blood, the son and heir of the Earl of Marlborough, impelled by curiosity to behold, with his own eyes, the men who had left their native land to find freedom in the wilds of the Western Continent. The serious deportment of the young stranger, and his manners, singularly modest and unassuming for one so young, immediately won the esteem of the sober Puritans; Winthrop, the illustrious Father of the Colony, records that he "showed much wisdom and moderation in his lowly and familiar carriage, especially in the ship, where he was much disrespected and unworthily used by the master, one Ferne, and some of the passengers; yet he bare it meekly and silently."

"When he came on shore," says the same venerable chronicler, "the Governor was from home, and he took up his lodging at the common inn. When the Governor returned, he presently came to his house. The Governor offered him lodging, &c., but he refused, saying that he came not to be troublesome to any, and the house where he was was so well governed that he could be as private there as elsewhere."

The differences between the "straitest sect" of the Massachusetts Colonists and the adherents of Mrs. Hutchinson were now at their height, and the next notice of Lord Ley occurs in a little anecdote which curiously enough illustrates the feelings of the two parties toward each other. On a certain day in July, Governor Winthrop prepared an entertainment in honor of the young nobleman, and among the invited guests was Sir Henry Vane. But Mr. Vane "not only refused to come, (alleging by letter that his conscience withheld him,) but also, at the same hour, he went over to Nottle's Island to dine with Mr. Maverick, and carried the Lord Ley with him!"

Not long after this, Ley, "being told that one Ewre had spoken treason against the King, sent for the party, one Brooks, and inquiring of him, he told him that Ewre had said, about twelve months before, that, if the King did send any authority hither against our Patent, he would be the first should resist him. This coming to the Governor's knowledge, he sent for the parties, and bound them over to the General Court," which was to meet at New-town, in August. "When they came there Brooks brought his wife to witness with him; but her testimony agreed not with his; also three others (whom he had told it unto) reported it otherwise. So at length they all agreed, and set it under their hands, that Ewre said that, if there came any authority out of England contrary to the Patent, he would withstand it. Now, because here was no mention of the King, and because he never informed any of the magistrates of it, and for that it was evident that he bare malice to the said Ewre, we saw no cause," says Winthrop, "to take any other of the parties informing, nor any offence which deserved punishment; seeing it is lawful to resist any authority, which was to overthrow the lawful authority of the King's grant; and so the Governor did openly declare, in the Court, as justifiable by the laws of England."

The indirect rebuke of Ley's conduct contained in this decision is perhaps indebted for some part of its severity to the worthy Governor's recollections of the slight put upon him in the affair of the dinner-party; however that may be, it is hardly probable that the young Lord was benefited by the reproof, for he left Boston, in company with Vane, on the 3d of August, before the Governor returned from the Court, and proceeded to Long Island, where they took passage for England. At their departure from Boston "those of Mr. Vane's party were gathered together, and did accompany him to the boat, and many to the ship; and the men, being in their arms, gave him divers volleys of shot, and five pieces of ordnance,

1 Winthrop himself.

and he had five more at the Castle," the Governor having left orders with the Commandant for their "honorable dismissal."

On the decease of his father, Sir James became the third Earl of Marlborough. The fortune which had descended to him was but small, and instead of attempting to maintain a style which must have involved him in ruin, with a strength of mind the more remarkable because of such rare occurrence, he "brought down his mind to his fortune, and lived very retired," applying himself to the study of mathematics and navigation. The same spirit of adventure which had formerly conducted him to the shores of New England, induced him to seek distinction as a naval commander. He made several long voyages, became eminent as a practical mathematician and navigator, and was finally constituted Lord Admiral of all his Majesty's ships at Dartmouth and the parts adjacent.

In the year 1662 occurred the marriage of Charles II., of England, to Catherine of Braganza. "Nearly all the courts of Europe had struggled for the honor of giving a wife to this dissolute, heartless man. Charles held himself at auction, and Portugal became the highest bidder, offering, with the Princess Catherine, Tangiers, Bombay, the advantages of a free trade, and half a million sterling." This offer was accepted, and Lord Sandwich was despatched with a small fleet to take possession of Tangiers, and bring home the bride and the money; while the Earl of Marlborough, who was at this time employed in the American Plantations, received orders to proceed to Bombay, and take possession thereof in the name of his Sovereign.

Returning from this mission, he arrived on the coast of England not long before the 3d of June, 1665. On that day a terrible battle was fought off Lowestoffe between the English fleet, commanded by the Duke of York, and the Dutch fleet under the command of Admiral Opdam. "The Dutch lost Opdam, who was blown up with his ship and crew, three other Admirals, an immense number of men, and eighteen ships;" the loss of the English was comparatively inconsiderable, but among their killed were Admirals Sampson and Lawson, the Earls of Falmouth, Muskerry, and Portland, who served as volunteers on board the Duke's ship; and the Earl of Marlborough, who, "commanding that huge ship called the Old James in that great fight, was there slain by a cannon-bullet."

His remains were conveyed to Westminster, on the 14th of July, there "to be buried, several Lords of the Council carrying him, and with the herald in some state."

I cannot better conclude this imperfect sketch than in the words of the Earl of Clarendon, who, after relating the particulars of the battle, thus proceeds to pay a tribute to the memory of the gallant Marlborough.

"The Earl of Marlborough," says the noble historian, "who had the command of one of the best ships, and had great experience at sea, having made many long voyages at sea, and being now newly returned from the East Indies, whither the King had sent him with a squadron of ships, to receive the Island of Bombayne from Portugal, was in this battle likewise slain. He was a man of wonderful parts in all kinds of learning, which he took more delight in than his title; and having no great estate descended to him, he brought down his mind to his fortune, and lived very retired, but with more reputation than any fortune could have given him."

The Earl died a bachelor, and his titles reverted to his uncle, Sir William Ley, (third and only surviving son of Chief Justice Ley,) at whose decease, in 1679, without children, the honors became extinct.

See *Burke's Extinct and Dormant Baronetcies*, pp. 313-14; *Wood's Athens Oxon.*, ii. 441-3; *Fasts*, i. 193; *Granger's Biographical History of England*, (4to. Lond. 1769,) i. 264-9; *Smyth's Law Officers of Ireland*, (12mo. Lond. 1839,) pp. 26, 88, 214, 215; *Beaton's Political Index*, i. 92, 93, 255, 333, ii. 291; *Dugdale's Origines Juridicales*, (fol. Lond. 1671,) An. 1620; *Rymer's Fœdera*, Tom. XVIII., (fol. Lond. 1726), p. 625; *Wal-*

pole's Royal and Noble Authors, (8vo. Lond. 1806,) ii. 217-19; *Clarendon's History of the Rebellion*, (8vo. Oxford, 1826.) i. 84-5, 87, iv. 129, 632; *Collins's Peerage*, (8vo. Lond. 1612,) ix. 456-7; *Pecck's Desiderata Curiosa*, (fol. Lond. 1732 & 1735,) Lib. XIV. p. 13; *Fisher's Companion and Key to the History of England*, (8vo. Lond. 1832,) pp. 592, 603; *Lord's Lempiere*; *Savage's Winthrop*, i. 227-31, 232, 234-5; *Life of Edward Earl of Clarendon, written by himself*, (fol. Oxford, 1759,) p. 266; *Campbell's Lives of the Admirals*, ii. 341; *Pictorial History of England*, (New York ed.,) Book VIII. pp. 667, 677; *Wade's British History Chronologically Arranged*, (2d. ed., 8vo. Lond. 1843,) pp. 223-4, 225-6; *Memoirs of Peypys*, (2d. ed., 8vo. Lond. 1828,) ii. 40, 274, 277.

Page 269, note a. A copy of this Commission, in Latin, is contained in Pownall's Administration of the British Colonies, (5th ed., 8vo. Lond. 1774.) ii. 155-63, and, from Pownall, in Hazard's State Papers, i. 344-7. Hutchinson (History of Mass., i. 440-2,) took it from Hubbard; and Hubbard undoubtedly copied it from Plymouth Church Records, wherein it was recorded at length by Secretary Morton.¹ The printed originals, then, are contained in Pownall and Hubbard; for, notwithstanding a diligent search in the various collections of State Papers, I have been unable to ferret out another copy of this curious document.

On a comparison of Hubbard's version with that of Pownall, the translation was found to be far from accurate, and the attempt has been made, in some few instances, to improve it, by additions (which are enclosed in brackets) and corrections.

But this collation of the two versions disclosed other more important discrepancies, which have resulted in the additions (in brackets) to that portion of Hubbard's text which recites the names of those to whom the Commission is addressed.

Hubbard and Hutchinson give us the names of the Archbishops of Canterbury and York, Lord Coventry, the Earls of Portland, Manchester, Arundel and Surrey, and Dorset, Lord Cottington, Sir Thomas Edmonds, Sir John Coke, and Sir Francis Windebank, eleven in all, as those to whom the care of the Colonies was entrusted; and they have been followed, as to the number, by Bradford,² Williamson,³ and the compiler of the History of the British Dominions in North America.⁴

Pownall and Hazard give the names of twelve dignitaries of Church and State — viz. the Archbishops of Canterbury and York, Lord Coventry, the Bishop of London, the Earls of Manchester, Arundel and Surrey, and Dorset, Lord Cottington, Sir Thomas Edmonds, Sir Henry Vane, Sir John Coke, and Sir Francis Windebank — as those to whom the Commission was addressed; and they have been followed, as respects the number, by Holmes⁵ and Martin.⁶

Winthrop, who undoubtedly saw the "copy of the Commission" which "came over" to New England in September, 1634, says⁷ that it was "granted to the two Archbishops and ten others of the council;" and John Cotton,⁸ citing Plymouth Church Records, gives the names thus; the Archbishops of Canterbury and York, Lord Coventry, the Earls of Portland, Manchester, Arundel and Surrey, and Dorset, Lord Cottington, Edmonds, Vane, Coke, and Windebank. Chalmers,⁹ Grahame,¹⁰ Marshall,¹¹ and

¹ "That after ages," as he says, "may improve it as an experiment of God's goodness in preventing its taking effect, which had it done, this poor church at Plymouth (with the other churches of New England) had been destroyed." See *Mass. Hist. Coll.* iv. 119-20.

² History of Massachusetts, from 1620 to 1820, (8vo. Bost. 1835,) p. 33.

³ History of Maine, i. 258-9.

⁴ 4to. Lond. 1773, pp. 101-2.

⁵ Annals, i. 224.

⁶ History of North Carolina, (8vo. New Orleans, 1829,) i. 98.

⁷ History of New England, i. 143.

⁸ Account of the Church in Plymouth, in *Mass. Hist. Coll.* iv. 119.

⁹ Political Annals of the United Colonies, (4to. Lond. 1780,) pp. 153-9; and History of the Revolt of the Colonies, (8vo. Bost. 1845,) i. 55.

¹⁰ History of the United States, (8vo. Bost. 1845,) i. 256.

¹¹ History of the Colonies, (8vo. Philad. 1824,) pp. 91-2.

Minot¹ state it to have been given to "the great officers of State and some of the nobility," while Bancroft,² Pitkui,³ and Sandford⁴ merely inform us that there *was* such a Commission.

On comparing Pownall and Hubbard we find that the former gives two names—those of Vane and the Bishop of London—which do not appear in Hubbard, while Hubbard presents us with the Earl of Portland, whose name is not found in Pownall's copy of the Commission.

The omission in Hubbard's MS. of the names of two of the Commissioners would not be at all surprising; so that we might feel perfectly safe in seating the Bishop of London and Sir H. Vane at the Board, were it not that we should then have *thirteen* Commissioners. We will, therefore, be content with the addition of Vane, Comptroller of the King's Household, for which we have the authority of Morton, in the Plymouth Church Records, and also of the Order sent by the Lords Commissioners, in December, 1634, to the Lord Warden of the Cinque Ports, signed as follows:

" Arch B. B.	Cottington
Keeper	Mr. Treasurer
Treasurer	<i>Mr. Controwler</i>
Privie Seal	Se. Cooke
Arundell	Se. Windebanke." ⁵
Dorset	

If we now compare the two versions, after having added Vane to Hubbard's list, we shall find that the only important difference, in this part of the document, lies in the following passages of each:

Hubbard.	Pownall.
"to our right trusty and well-beloved Cousins and Counsellors, Richard, Earl of Portland, and High Treasurer of England," &c. &c.	"Necnon reverendo in Christo patri & per dilecto & perquam fideli Consiliario nostro, <i>Willielmo Episcopo London. summo thesaurario nostro Anglie,</i> " etc. etc.

From the above passage of Pownall it has been inferred that William, Bishop of London, was High Treasurer at the time when this Commission was issued; but this was not the case. William Juxon, Dean of Worcester, was sworn Clerk of his Majesty's Closet, July 10, 1632.⁶ In 1633 he was elected Bishop of Hereford, but before consecration was translated to London, and it was not until 1636⁷ that, at the solicitation of Archbishop Laud, he was appointed Lord High Treasurer of

¹ History of Massachusetts, (8vo. Bost. 1798 & 1803.) i. 37.

United States, (8vo. Bost. 1844.) i. 407.

² Political and Civil History of the United States, (8vo. New Haven, 1828,) i. 37.

³ Hazard, i. 37.

⁴ History of the United States, (8vo. Philad. 1819,) p. 37.

⁵ Hazard, i. 343.

⁶ "1632, July 10. Tuesday. Doctor Juxon, then Dean of Worcester, at my suit sworn Clerk of his Majesties Closet; that I might have one that I might trust near his Majesty, if I grow weak or infirm." *Archbishop Laud's Diary, in the History of his Troubles and Trial*, p. 47.

⁷ "1635-6, March 6. Sunday. William Juxon, Lord Bishop of London, made Lord High Treasurer of England. No Church man had it since Henry 7. time. I pray God bless him to carry it so, that the Church may have honour, and the King and the State service and contentment by it. And now, if the Church will not hold up themselves, under God, I can do no more." *Ibid.* p. 53.

"Pro Willielmo Episcopo London. Rex, nono Die Martii, concessit Willielmo Episcopo Loudon Officium Thesaurarii Saeculari durante beneplacito.

Per Regem."

Rymer's Fœdera, Tom. xix., (fol. Lond. 1732,) Anno 1635-6, p. 766.

England.¹ Hence it is evident, that if he was a member of the Board of Commissioners at all, he took his seat, not as an Officer of State, but as Bishop of London.

But, it will be asked, who *was* High Treasurer in 1634? I answer, Richard Lord Weston, (created Earl of Portland, Feb. 17, 1632-3.) who was raised to this office July 15, 1628,² and retained it until his death, March 12, 1634-5.³

On the concurrent testimony, then, of Pownall, Morton, (in Plymouth Church Records,) and the Order of December, 1634, Vane has been added to the number of Commissioners given by Hubbard. The Bishop of London has also been added, on the authority of Pownall alone; although the writer of this note is obliged to confess that he doubts very much whether the good Bishop was one of the Commissioners at *this time*, inasmuch as (1) his name is not recorded by Morton; (2) neither does it appear among the subscribers to the Order of Dec. 1634; (3) Winthrop explicitly states that the number of Commissioners was twelve; and (4) the association of Juxon's name, in Pownall, with the office of High Treasurer, renders it highly probable that this clause was inserted (in the copy of the Commission from which Pownall printed) *after the death of the Earl of Portland, and the appointment of Juxon to the place which that nobleman had filled.* Nevertheless, as this is merely conjecture, the editor has not considered himself authorized to reject the Bishop, and has therefore inserted his name as above stated.

With the addition of Vane and Juxon the list of Commissioners is as follows:—

Sept. 19.	Impeached of high treason, Dec. 15.
1633.	William Laud, Archbishop of Canterbury, ⁴ 1640.
Oct. 30.	Died in office, Jan. 14.
1625.	Thomas Lord Coventry, Lord Keeper of the Great Seal, ⁵ 1639-40.

¹ The worthy prelate resigned the Treasurer's Staff, May 17, 1641, and went into retirement. September 20, 1660, he was translated from London to Canterbury, and died June 4, 1663, aged 81. See *Wood's Athenæ Oxon.*, iv. 818-21; *Granger's History of England*, i. 347, 383; *Clarendon's History of the Rebellion*, i. 162, 175, 370; *History of the Troubles and Tryal of William Laud*, (fol. Lond. 1695,) p. 525; *Fuller's Worthies of England*, (Nuttall's ed., 8vo. Lond. 1840,) iii. 249-50; *Whitelock's Memorials*, (fol. Lond. 1732,) p. 46; *Peck's Desiderata Curiosa*, Lib. xiv. p. 36; *Neal's History of the Puritans*, (Toulmin's ed., 8vo. Portsmouth, Newburyport, and Boston, 1816-17,) ii. 301-2, iv. 434; *Beatson's Political Index*, i. 159, 195, 207, 333; *Fisher's Companion and Key*, pp. 696, 720, 731; *Chalmers's Biographical Dictionary*, (8vo. Lond. 1812-17;) *Pepys*, ii. 60, 54.

² "1623, July 15. Tuesday, St. Swithin. The Lord Weston was made Lord Treasurer." *Laud's Diary*, as above, p. 43.

"Pro Richardo Domino Weston.

Rex, decimo quinto Die Julii, concessit Richardo Domino Weston Officium The-saurarii Scaccarii durante beneplacito.

Per Regem."

Rymer, Tom. xix., Anno 1628, p. 39.

³ "1634-5, March 14. Saturday. I was named one of the Commissioners for the Exchequer, upon the death of Richard Lord Weston, Lord High Treasurer of England." *Laud's Diary*, p. 51. The other Commissioners were Henry, Earl of Manchester, Lord Privy Seal, Francis Lord Cottington, Chancellor of the Exchequer, and Sir John Coke and Sir Francis Windebank, Knts., Principal Secretaries of State. *Beatson*, i. 95, 97, 333; *Granger*, i. 347, 370; *Clarendon*, i. 84-96, 173; *Fuller's Worthies*, i. 511; *Peck*, Lib. xiv. p. 16; *Collins's Peerage*, ix. 401; *Fisher*, pp. 638, 685.

⁴ *Laud's Diary*, pp. 49, 60; *Clarendon*, i. 156, 158-62, 309, et seq.; *Wood's Athenæ*, iii. 117-44, iv. 802-3; *Granger*, i. 381-2; *Chalmers*; *Beatson*, i. 159, 205; *Fisher*, pp. 596, 731.

⁵ *Laud's Diary*, p. 24; *Athenæ*, ii. 650-2; *Clarendon*, i. 80-4, 231; *Walpole's Royal and Noble Authors*, ii. 310-15; *Fuller's Worthies*, iii. 365-6; *Granger*, i. 430; *Peck's Desiderata Curiosa*, Lib. xiv. p. 18; *Collins*, iii. 746-8; *Burke's Peerage and Baronetage*, (7th ed., 8vo. Lond. 1842,) pp. 245-6; *Chalmers*; *Beatson*, i. 323; *Fisher*, p. 528.

- Feb. 28. 1631-2. Richard Neile, Archbishop of York,¹ Died in office, Oct. 31. 1640.
- July 16. 1628. Richard Lord Weston, Earl of Portland, Lord High Treasurer, 1634-5. Died in office, March 12. [Treasurer, 1634-5.
- July 4. 1628. Henry Montague, Earl of Manchester, Lord Privy Seal,² 1642. Died in office, Nov. 7. Translated to Canterbury, Sept. 20.
- Sept. 1633. William Juxon, Bishop of London, 1660.
- Aug. 29. 1621. Thomas Howard, Earl of Arundel and Surrey, Earl [Marshal,³ 1646. Died in office, Oct. 4.
1624. Edward Sackville, Earl of Dorset, Chamberlain to the King, Became Lord Chamberlain to the King, Chamberlain to the [Queen,⁴ 1642. Resigned, May,
- Apr. 18. 1629. } Chancellor and Under Treasurer of the Exchequer, 1641. Succeeded by Lord Say, May 17. Master of the Court of Wards and Liveries, 1641.
- March 25. } Francis Lord Cottington,⁵ }
1634. }
- Jan. 19. 1617-18. Sir Thomas Edmonds, Treasurer of the King's Household,⁶ 1639. Died in office, Sept. 20.
1628. Sir Henry Vane, Senr., Comptroller of the King's Household,⁷ 1639. Appointed Treasurer of the Household, Sept.

¹ The date of Neile's election as Archbishop of York is here given, from Dugdale's *Monasticon Anglicanum*, (fol. Lond. 1817-30,) Vol. vi. Part iii. p. 1173; see Wood's *Fasti*, i. 237-8; Fuller, ii. 421; Beatson, i. 227, 237; Peck, *Lib. i.* p. 30; Fisher, pp. 747, 753.

² Rymer, xix. 37; Collins, ii. 49, 51-5; Fuller, ii. 513-14; Walpole, ii. 327-34; Clarendon, i. 96-8; Peck, *Lib. xiv.* p. 19; Granger, i. 220, 267, 348; Beatson, i. 353; Burke, pp. 660-1; Fisher, p. 601.

³ Rymer, Tom. xvii., (fol. Lond. 1727,) pp. 321-2; Burke, p. 748; Granger, i. 348-50; Beatson, i. 364; Fisher, p. 489. The Earl of Arundel's appointment as Earl Marshal was for life. He left England in February, 1641-2, never to return, and died at Padua, in Italy, in the 55th year of his age. *Memoirs of Evelyn*, (2d ed., 4to. Lond. 1819,) i. 495; Clarendon, i. 98-100; Collins, i. 112-25.

⁴ Walpole, iii. 45-8, where it is stated that Edward Sackville "succeeded his brother Richard in the Earldom of Dorset, 1624; and was made Lord-Chamberlain to the Consort of Charles the First." Laud writes in his *Diary*, Anno 1624, "March 28, Easterday. Richard Earl of Dorset died, being well and merry in the Parliament House on Wednesday the 24." On the authority of these two statements the editor has ventured to place the Earl of Dorset's appointment as Chamberlain to the Queen in the year 1624. Laud's *Diary*, p. 11; *Athenæ*, iii. 312-18; Collins, ii. 149, 151-64; Clarendon, i. 104, 106-9; Beatson, i. 421; Peck, *Lib. xiv.* p. 25; Burke, p. 319; Granger, i. 356-7; Fisher, p. 542.

⁵ Rymer, xix. 133, 605; Clarendon, i. 174, 370, 371, 405, 460, 534, ii. 93; Collins, ix. 431; Whitelock, pp. 41, 46; Granger, i. 347-8; *Athenæ*, iii. 547; Collins's *State Papers of the Sydneys*, (fol. Lond. 1746,) ii. 361; Fuller, iii. 329; Burke's *Extinct and Dormant Baronetcies*, p. 136; May's *History of the Long Parliament*, (fol. Lond. 1647,) Book i. p. 119; Beatson, i. 333; Fisher, p. 528.

⁶ *Birch's English Negotiations*, (8vo. Lond. 1749,) pp. xi-xvi, 405; *Biographia Britannica*, (fol. Lond. 1778-93); *Athenæ*, ii. 323; Chalmers; Prince's *Worthies of Devon*, (4to. Lond. 1810,) pp. 361-3; Peck, *Lib. xiv.* p. 18; Beatson, i. 436.

⁷ Collins, iv. 505-18; *Biographia Britannica*, (fol. Lond. 1747-66); Clarendon, i. 216, 566-8; Chalmers; Granger, i. 421-2; Beatson, i. 439; Rymer, Tom. xx., (fol. Lond. 1735,) p. 382.

Nov. 9.	Sir John Coke, ¹	} Principal Secretaries of State.	Succeeded by Sir H. Vane, Feb. 6.
1625.			1639-40.
June 15.	Sir Francis Windebank, ²	} Accused in the House of Commons, and fled to France,	Dec. 4
1632.			1640.

This Commission is dated "at Westminster, the 29th day of April," (according to Hubbard, but Pownall says *decimo die Aprilis*.) "in the tenth year of our reign," i. e. the reign of Charles I. One would think that this date was plain enough; and yet, strange as it may appear, Chalmers,³ Grahame, Hubbard,⁴ Hutchinson,⁵ Marshall, Martin, Minor, Sandford, and Williamson, would have us believe that the Commission was granted in 1635. Unfortunately they have not given us their authority for this date; but as Charles I. began to reign about 12 o'clock, at noon, of March 27, 1625,⁶ they must necessarily go upon the supposition that "the tenth year of our reign" is a mistake, and that it should be "the eleventh year of our reign." That this supposition is erroneous is proved by the following extract from Governor Winthrop's Journal.⁷

"1634, Sept. 18. At this Court were £600 raised towards fortifications and other charges, which were the more hastened because the Griffin and another ship now arriving, with about two hundred passengers, and one hundred cattle, (Mr. Lothrop and Mr. Simmes, two godly ministers, coming in the same ship,) there came over a copy of the Commission granted to the two Archbishops and ten others of the Council, to regulate all Plantations," &c. &c.

The Order sent in December, 1634, to the Lord Warden of the Cinque Ports, also furnishes conclusive evidence that the all-important Commission issued in the year 1634.⁸

⁹Page 273, note a. In 1640 and 1641, "the Parliament of England setting upon a general reformation (says Winthrop) both of church and state, the Earl of Stafford being beheaded, and the Archbishop¹⁰ (our great enemy) and many others of the great officers and judges, bishops and others, imprisoned and called to account, this caused all men to stay in England, in expectation of a new world;" persecution ceased, and the Colonists "had rest." From the time of Thomas Morton's transportation to England, (in the Handmaid, of London,) "in the end of December,"

¹ Rymer, xviii., 226, 632, xx. 392; Biog. Brit.; Fuller, i. 371; Clarendon, i. 113-14, 216, 222; Granger, i. 421; Beatson, i. 400; Collins, iv. 513.

² "1632, June 15. Mr. Francis Windebancke, my old friend, was sworn Secretary of State; which place I obtained for him of my Gracious Master King Charles." Laud's Diary, p. 47; see Rymer, xix. 433; Beatson, i. 400; Clarendon, i. 264, 310-14, 371, 529; Wood's Fasti, i. 290-1; "Speeches and Passages of the Great and Happy Parliament, from Nov. 3, 1640 to June 1641," (sm. 4to. Lond. 1641.) pp. 174, 393-7; Coke's Detection of the Court and State of England, (16mo. Lond. 1697.) p. 274; Whitelock, p. 39; Rushworth's Historical Collections, Third Part, (fol. Lond. 1692,) pp. 74, 83, 91; Nelson's Collection, (fol. Lond. 1682-3,) pp. 521, 563, 649-51, 652-3, 861. By this last author Windebank's flight is placed on Dec. 4th, 1640; and May (Hist. Long Parliament, Book i. p. 84,) says, "upon the fourth of December [1640] newes was brought to the House, that Secretary Windebanke, with Master Read, his chiefe Clarke, was fled; and soon after notice was given that he arrived in France, where he long continued."

³ Both in his Political Annals, and the History of the Revolt of the Colonies.

⁴ On page 263.

⁵ History of Mass., i. 84.

⁶ Laud's Diary, p. 15.

⁷ Savage's Winthrop, i. 143. ⁸ In the "History of the British Dominions in North America" the Commission is said to have been granted in 1638!

⁹ The reference, in the text, to this note has been accidentally omitted; it should have been placed at the end of Chap. xxxvi. ¹⁰ Laud.

1630,¹ efforts were continually making to deprive them of their privileges. These attempts were, in brief, as follows:

1. In 1632, which miscarried, the only result being an Order of Council, dated Jan. 19, 1632-3, for the encouragement of the Colony. *See pp. 145-6, 150-2, 153-4.*

2. 1633-4, Feb. 21. An Order of Council was issued to stop divers ships bound to New England, and requiring Cradock to produce the Letters-Patents. *See pp. 152-3, 154, 428-30.*

3. 1634, April 28. A special Commission was given to Archbishop Laud, and others, for the regulation and government of Plantations. [A copy of this Commission reached Boston in September, 1634.] *See pp. 263-8; Savage's Winthrop, i. 143.*

4. 1634, May 1. A Commission for a General Governor of New England passed the Privy Seal. *See pp. 189, 423.**

5. 1634, December. An Order was sent by the Lords Commissioners to the Lord Warden of the Cinque Ports, and other Haven Towns, "for the stopping of promiscuous and disorderly departing out of the realm" to America. *See Hazard's State Papers, i. 347-8.*

6. 1635, April. Petitions were presented to the King, and to the Lords of the Council, respecting the division and government of New England. *See pp. 226-30.*

7. 1635. A Conclusion of the Lords Commissioners for the government of New England. *See Hazard, i. 347.*

[Scarcely had the Great Patent of Nov. 3, 1620, passed the Seals, says Gorges, when "certain of the Company of Virginia took exceptions thereat, as conceiving it tended much to their prejudice, in that they were debarred the intermeddling within our limits, who had formerly excluded us from having to do with theirs. Hereupon several complaints were made to the King and Lords of the Privy Council, who, after many deliberate hearings, and large debate on both sides, saw no cause wherefore we should not enjoy what the King had granted us, as well as they what the King had granted them. But that could not satisfy, for I was plainly told that, howsoever I had sped before the Lords, I should hear more of it the next Parliament."

¹ See Prince, pp. 314-15; *Savage's Winthrop, i. 84-5*; Dudley's Letter to the Countess of Lincoln, in *Young's Chronicles of Mass.*, pp. 821-2.

² After a careful comparison of dates, I am inclined to think that it was in the fall of this year, and not in 1635, that Winslow was sent to England, as the joint agent of Plymouth and Massachusetts, to answer the complaints against the Colonies. In July, 1634, Bradford and Winslow, with Mr. Smith, the minister at Plymouth, had a conference at Boston, with Winthrop, Cotton, and Wilson, on the subject of Hocking's death; at the conclusion of which, "the Governor (Dudley) and Mr. Winthrop wrote their letters into England to mediate their peace, and sent them by Mr. Winslow."

Rev. John Wilson, the pastor of the church at Boston, went to England this year, with the hope of inducing his wife to return with him to New England; he sailed Nov. 2, 1634, and it is most probable that Winslow was one of the "friends" who accompanied him. Indeed, if we recollect that Winslow, during this embassy, "was carried to the Fleet, and lay there seventeen weeks or thereabouts before he could get to be released," and yet that he was at Boston in the autumn of 1635, the time allowed for his absence from New England will not appear too long. *See pp. 179, 662; Savage's Winthrop, i. 136-7, 147, 153, 172, 382, 384; Bradford, in Hutchinson, ii. 904-10; Davis's Morton, pp. 178-9; Bellknapp's American Biography, ii. 301-4; Cotton's Account of the Church in Plymouth, in Mass. Hist. Coll. iv. 120.**

* This note was written long before the appearance of an article in the *Genealogical Register* for July, 1848, in which are some remarks on this voyage of Winslow, from which I extract the following paragraph, inasmuch as it shows the conjecture, hazarded above, as to the true date of Winslow's voyage, to be correct.

"Prince has the following manuscript note in his copy of the Memorial against Morton's allusion to Winslow's voyage, under date 1635: 'Governor Bradford says it was last year, and that he returns at the end of this.' *New England Historical and Genealogical Register, ii. 342*

Accordingly, on the assembling of Parliament, in January, 1620-1, the Patent lately granted to the Plymouth Company, ("which, with a monstrous improvidence, excluded English subjects from that freedom of fishing on the American coasts which the people of other nations freely enjoyed,") was inspected by the Committee of Grievances, and condemned as a monopoly; and Gorges was summoned to appear at the bar of the House of Commons to answer the objections against it. Three several times did he attend the House, the third time supported by learned counsel, and defended the Patent with great ability and address; but in vain, for when the Public Grievances of the Kingdom were presented to the King, at the head of the list stood the Patent of New England. And here the matter ended for the present; for "the justness of my cause," says Gorges, "being truly apprehended by the King, from which I understood he was not to be drawn to overthrow the Corporation he so much approved of in his own judgment, I was wished not to omit the prosecution thereof." James suddenly dissolved the Parliament by proclamation, on the 6th of January, 1621-2, and committed to the Tower and other prisons the principal of those "liberal speakers, who in their speeches seemed to trench farther on his Royal Prerogative than stood with his safety and honor to give way unto."

The numerous complaints made to the Plymouth Council of the disorders among the fishermen and others, who, encouraged by the recent proceedings in the House of Commons, not only frequented the coasts of their territory without license, carrying on a profitable traffic in fish and peltry, but, while there, "brought a reproach upon the nation by their lewdness and wickedness among the savages, teaching their people drunkenness, with other beastly demeanors," induced an application to King James for relief, which was afforded in the shape of a Proclamation, dated at Theobalds, Nov. 6, 1622, prohibiting "interloping and disorderly trading to New England in America."

To enforce obedience to this edict, it was determined by the Council to send over some one to act as their Lieutenant or Deputy. Captain Robert Gorges, the son of Sir Ferdinando, "being newly come out of the Venetian War," was appointed to this office,¹ with a Commission as General Governor of New England, and "full power to him and his assistants, or any three of them, whereof himself to be one, to do what they should think good in all cases, capital, criminal, and civil." The Council, for his assistance in the government, was to consist of Captain Francis West, Christopher Levett, Esq., and the Governor of Plymouth for the time being, with such others as he should see fit to select.

Captain West, who had also a separate Commission as Admiral of New England, arrived at Plymouth towards the end of June, 1623; Gorges, accompanied by the Rev. William Morell, an Episcopalian clergyman, to whom was committed the "superintendency over the churches," reached the same place, "with sundry passengers and families," about the middle of September. The General Governor, having furnished Governor Bradford with copies of his Commission and instructions, proceeded to call Weston to account for sundry abuses laid to his charge. This matter having been settled by the mediation of the Governor of Plymouth, Gorges sailed to the eastward. At Thompson's Plantation, at the mouth of the Piscataqua, he was met by Levett, who had just arrived from England. Here the Governor, in the presence of three other members of his Council, read his Commission, and administered to Levett the oath of office.

¹ A grant of three hundred square miles (being "all that part of the main land in New England, commonly called Messachusick, situate upon the northeast side of the Bay called or known by the name of Messachuset") was made to Robert Gorges at this time, probably as an inducement to act as the Council's Lieutenant in the country. See the *Patent in Gorges's America*, Part 2, pp. 34-7.

Captain Gorges remained in the country until the spring of 1624, when, disappointed of his expected supplies, and "not finding the state of things to answer his quality," he returned to England.

In 1624 the Grant to the Plymouth Council was again attacked, again condemned by the Committee of Grievances, and again defended by Gorges. It was "resolved," by the House of Commons, "that, notwithstanding the clause in the Patent, dated 3^d Nov. 18^o Jac. that no subject of England shall visit the coast, upon pain of forfeiture of ship and goods, that the clause of forfeiture, being only by Patent, and not by Act of Parliament, is void; that the House thinketh fit the fishermen of England shall have fishing there, with all the incidents necessary, of drying nets, and salting, and packing," and that they "may take necessary wood and timber for their ships' and boats' use in fishing there;" that, "for the clause that none shall visit with fishing upon the sea-coast, this [is] to make a monopoly upon the sea, which [is] wont to be free—a monopoly attempted of the wind and the sun, by the sole packing and drying of fish."

As one of the great resources of the Council was taken away by these resolves of the House of Commons, the Patentees determined to divide the country among themselves, intending that each individual should obtain from the King a confirmation of the portion of territory which should fall to his share. Accordingly, on the 3d of February, 1624-5, in the presence of King James, they "had their portions assigned unto them by lot, with his Highness's approbation, upon the sea-coast,¹ from east to west, some eighty and one hundred leagues long."²

On the 1st of June, 1621, the President and Council of New England had granted to John Pierce and his associates, in trust for the Plymouth Adventurers, a Patent for a certain quantity of land in New England, "in any place or places not inhabited or settled by any English, or by order of the Council made choice of." This Patent was soon after superseded by

¹ In the document from which this passage is cited, the expression is *south coast*, which, I think, is a mistake of the copyist, and have therefore preferred to substitute the word used by Gorges in reciting the same occurrence.

² The only memorial of this division is a map published by Purchas, in the fourth volume of his "Pilgrimes," in 1625. On this map are represented "Newfoundlande," "New Scotlande," "New France," and the coast of "New England," on a very reduced scale, as far as a point about forty-five leagues west of Cape Cod. On the coast of New England, between the River St. Croix (which is called the "Twede" on the map) and the western bound, appear the following names:

E: of Arüdel S: Fer: Gorges E: of Carlile	} Between the Rivers Twede (St. Croix) and Penobscot; a distance, according to the scale of the map, of about forty-five leagues.
Lo: Keeper S: Wil Belasis S: Ro: Mansell	} Between the Penobscot and Sagadahock (Kennebec) Rivers; about twenty-five leagues.
E: of Holdernes E of Pembrock Lo: Sheffield S: He: Spelman S: Will: Apeley Cap: Loue D: of Buckingham E: of Warwick D: of Richmond Mr. Jenigs Dr. Sutcliffe	} Between the Sagadahock and Charles; about forty leagues.
Lo: Gorges Sr: Sam: Argall Dr: Bar: Gooch	} Between Charles River and the western bound.

The Penobscot and Charles Rivers, although given on the map, are not named. No names appear on the coast north of the Twede. *Purchas's Pilgrims*, iv. 1625.

another, surreptitiously obtained from the Council by Pierce, for his own benefit; which was assigned by him, after his misfortunes, to the Adventurers. On the 13th of January, 1629-30, the Council, "in consideration that William Bradford and his associates have for these nine years lived in New England, and have there inhabited and planted a town called by the name of New Plymouth, and have increased their plantation to near three hundred people," granted to them "all that part of New England aforesaid towards Conahasset Rivulet towards the north and Naragansets River towards the south," &c. &c.

On the 19th of March, 1627-8, the Corporation conveyed to Sir Henry Roswell, and others, all that part of New England at the bottom of the Massachusetts Bay, lying within the space of three miles north of Merrimack River and three miles south of Charles River.¹ This grant was confirmed by King Charles I., at the solicitation of Viscount Dorchester,² March 4, 1628-9.

These grants to the Plymouth and Massachusetts Colonists involved the Council in difficulties with the "high-church-party." Certain persons having been banished from the Massachusetts Colony for refusing their assent to "new laws and new conceits of matter of religion, and forms of ecclesiastical and temporal orders and government," complained thereof to the Council, "that had no sufficient means to redress, or give satisfaction to, the persons aggrieved." They then petitioned the King, and were referred by him to the Lords of the Privy Council, who summoned the Council of New England "to give account by what authority, or by whose means, these people (of the Massachusetts Bay) were sent over;" but they "easily made it appear" that they "had no share in the evils committed, and wholly disclaimed the having any hand therein, humbly referring to their Lordships to do what might best sort with their wisdoms;— who found matters in so desperate a case, as that they saw a necessity for his Majesty to take the whole business into his own hands, if otherwise the Council could not undertake to rectify what was brought to ruin."

Disheartened by the continual persecutions to which it had been subjected, and despairing of any better fortune for the future, the Council at length resolved to surrender its charter into the hands of the King; and accordingly, "at a meeting at the Earl of Carlisle's Chamber at Whitehall," April 25, 1635, it put forth "A Declaration for the resignation of the Great Charter, and the reasons moving thereto." On the 1st of May was presented to the King "The humble Petition of Edward Lord Gorges, President of the Council of New England, in the name of himself and divers Lords and others of the said Council," that his Majesty "would be graciously pleased to give order to Mr. Attorney General to draw Patents for Confirmation, for such parcels of land as by mutual consent have formerly been allotted to them;" and on the 7th day of June the Council executed a formal Act of Surrender of their Charter, "with all and every the liberties, licences, powers, priviledges, and authorities therein and thereby given and granted."

See pages 80-2, 84-9, 100, 103-9, 217-19, 226-33, 271-2, 618;

¹ Chalmers (Political Annals, pp. 147-8,) gives "A copy of the docquet of the Grant to Sir Henry Roswell and others," and observes that "it evinces that what was so strongly asserted, during the reign of Charles II., to prove that the Charter was surreptitiously obtained, is unjust." For an instance of this assertion see Robert Mason's Petition, in Farmer's Belknap, p. 441.

² Dudley Lord Carlton, Baron of Imbercourt, was created Viscount Dorchester, July 25, 1628, was soon after appointed one of the Principal Secretaries of State, and died Feb 15, 1631-2, aged 59. *Beaton*, i. 93, 95, 400; *Granger*, i. 262-3; *Collins's Peerage*, ix. 463; *Walpole's Royal and Noble Authors*, ii. 262-71; *Clarendon's History of the Rebellion*, i. 113-15; *Fisher's Companion and Key*, pp. 515, 541.

Gorges's America, Part 2, pp. 22-33, 40-5; Chalmers's Political Annals, pp. 83, 90-1, 93-5, 100-2, 103-4, 298, 299-300; Laud's Diary, p. 4; Wade's British History, pp. 171-2; Pictorial History of England, Book VII. pp. 78-85; Peters's General History of Connecticut, (8vo. Lond. 1781,) pp. 1-3; Hazard, i. 103-18, 151-2, 299-304, 390-4; Prince, pp. 198, 217-18, 221-2, 223-4, 268-70; Davis's Morton, pp. 73, 95-8, 104-6, 108-9, 361-3; Maine Hist. Coll. II. 40-1, 43-7, 77, 79-80; Bradford and Winslow, in Young's Chronicles of Plymouth, pp. 114-15; Hutchinson's Collection of Papers, (8vo. Bost. 1789,) pp. 1-23; Mason's Petition, in Farmer's Belknap, p. 441-2.]*

8. 1635, June. In Trinity Term, immediately upon the surrender of the "Great Charter," the Attorney-General, Sir John Banks, filed an Information in the Court of King's Bench against the Massachusetts Company. June 17th, a Quo Warranto issued, directed to the Sheriffs of London, against the Governor, Deputy-Governor, and Assistants of the said Company, fourteen of whom appearing, at different times, judgment was given for the King, "that the liberties, priviledges, and franchises should be taken and seised into the King's hands," and Cradock "be convicted of the usurpation charged in the Information, and taken to answer to the King for the said usurpation." Those of the Patentees who did not appear "stood outlawed and noe judgment entred up against them." [But, in the opinion of the Crown-Lawyers, Jones and Winnington, (who were called upon, in 1678, to decide as to the validity of the Massachusetts Patent,) "the Quo Warranto was neither so brought, nor the judgment thereupon so given, as could cause a dissolution of the Charter."] See pages 268, 269, 272; *Mass. Hist. Coll. XVIII. 97; Chalmers's Political Annals, pp. 405, 439; Mason's Petition, in Farmer's Belknap, p. 442.*

9. 1636. A warrant sent to the Lord Admiral to stop "unconformable ministers" from going beyond sea. See *Hazard, i. 420.*

10. 1637, April 30. A Proclamation against the disorderly transportation of his Majesty's subjects to America. *Hazard, i. 421.*

11. 1637. A Commission, from the Commissioners for Plantations, to divers of the magistrates in New England, "to govern all the people till further order." [A copy of this Commission reached Boston June 3, 1637; "but the Commission itself staid at the Seal for want of paying the fees."] *Savage's Winthrop, i. 225-6, 231.*

12. 1637, May 3. An Order of the King in Council, that the Attorney-General be required to call for the Massachusetts Patent. See pages 272-3; *Mason's Petition, in Farmer's Belknap, p. 442; Hutchinson, i. 85.*

13. 1637, July 23. Upon complaints of disorders in New England, the King makes known "his royal pleasure for establishing a general government there, declaring Sir Ferdinando Gorges to be Governor-General of the whole country, and requiring all persons to give their obedience accordingly." [The wars and troubles in Scotland and England prevented this measure from being carried into effect.] *Mason's Petition, in Farmer's Belknap, p. 442; Chalmers, p. 162; also Belknap's American Biography, i. 385.*

14. 1638, April 4. An Order passed by the Lords Commissioners requiring the Massachusetts Patent to be sent to them. See pages 268-9.

15. 1638, April 6. An Order of Council for a Proclamation to prohibit the transportation of passengers to New England without license. *Hazard, i. 433-4.*

16. 1638, May 1. Order of the Privy Council "for the stay of eight ships now in the River of Thames, prepared to go for New England." *Hazard, i. 422.*

17. 1638, May 1. A Proclamation to restrain the transporting of passengers and provisions to New England without license. *Hazard, i. 434.*

18. 1638, Aug 19. The warrant sent to the Lord Admiral in 1636 is repeated. *Hazard, i. 420; Rushworth's Historical Collections, Second Part, (fol. Lond. 1680,) p. 721.*

Page 276, note a. See the proceedings against John Smyth, Richard Sylvester, Ambrose Marten, and Thomas Makepeace, "for disturbing the publick peace," &c., in *Savage's Winthrop*, i. 289.

Page 276, note b. Rev. Richard Bernard, Rector of Batcombe, in Somerset, died in 1641. About the year 1636 he sent over two books "in writing," one addressed to the magistrates, and the other "to his much esteemed and reverend brethren, the pastors and teachers, and his beloved the Christian believers as well without as within the congregations of Christ Jesus in New England," containing arguments against the manner in which the New England churches were gathered, &c. Whether these books were ever printed is not known. See *Savage's Winthrop*, i. 275, 289; *Mass. Hist. Coll.* ix. 16.

Page 276, note c. Rev. George Phillips, "the first pastor of the church of Watertown, a godly man, specially gifted, and very peaceful in his place," survived this connection for the period of five years, and died July 1, 1644, "much lamented of his own people and others."¹

There is very great confusion among writers as to the place of Mr. Phillips's settlement before he came to this country. Hubbard states, on page 133, that he "had been minister of *Bocksted*, in *Essex*," and on page 142, speaks of him as "an able and faithful minister of the Gospel at *Bocksted*, near *Groton*, in *Suffolk*."

Mather² tells us that, "devoting himself to the work of the ministry, his employment befel him at *Boxford*, in *Essex*," and he is followed by Allen, Eliot, and Blake, in their Biographical Dictionaries, by Rev. James Bradford, in his Centennial Address at Rowley,³ and by Thompson, in his History of Long Island.⁴

Prince,⁵ referring to the statements of Hubbard and Mather, says, "*Boxford* heing in *Suffolk*, and *Boxsted* in *Essex*, and both near *Groton*, I suppose that *Boxford* in Dr. C. Mather is a mistake of the printer."

Dr. Francis⁶ informs us that Phillips "was settled in the ministry at *Boxsted*, *Suffolk*," (in which he is followed by Rev. S. Sewall,⁷) and adds, in a note, (after citing Prince, as above,) that "Prince, in correcting Mather about the town, has himself fallen into an error about the county, for *Boxsted* is in *Suffolk*."

Now, as it happens, Prince is correct, and the Doctor nevertheless is, in one respect, *not wrong*. There is a *Boxsted* in the Hundred of Lexden, County of Essex, about six miles south of Groton, in Suffolk; and there is also a *Boxted* in the Hundred of Babergh, County of Suffolk, about thirteen miles west from Groton, in Suffolk.⁸

It is not very probable that Hubbard (who must have had some reason for settling Phillips "near Groton, in Suffolk,") would have called *Boxted* in *Suffolk*, "near Groton;" especially when *Boxsted*, in *Essex*, is so much nearer; the Counties of Essex and Suffolk being only separated by the river Stour. We may, therefore, set *Boxted*, in Suffolk, aside, and consider the claims of *Boxsted*, in Essex, and *Boxford*, (which place Mather has erroneously located in *Essex*, when it is) in the Hundred of Babergh, County of Suffolk, one mile south of Groton.

Dr. Holmes⁹ and Dr. Young¹⁰ agree in fixing Mr. Phillips at *Boxsted*,

¹ *Savage's Winthrop*, ii. 171.

² *Magnalia*, (fol. Lond. 1702.) Book III. p. 82.

³ Printed with Gage's History of Rowley, (12mo. Bost. 1840.) p. 16.

⁴ 2d ed., 8vo. New York, 1843, ii. 489.

⁵ *Annals*, p. 375.

⁶ *History of Watertown*, (8vo. Cambridge, 1830,) p. 34.

⁷ Brief Survey of the Congregational Churches and Ministers in Middlesex County in Am. Qu. Register, xi. 53.

⁸ See Carlisle's Topographical Dictionary; Cary's Atlas; Bowen and Kitchen's English Atlas.

⁹ *Annals*, i. 276.

¹⁰ *Chronicles of Mass.*, p. 299.

in *Essex*; and these, with Hubbard and Prince, seem to be the only authorities for that position.

As for Boxford, in Suffolk, Dr. Samuel Fuller, the physician at Plymouth, in a letter to Governor Bradford, dated at Charlestown, June 28, 1630, says, "here is come over, with these gentlemen, one Mr. Phillips, a *Suffolk man*."¹ This is unquestionable authority as to the *County*; but the phrase "a Suffolk man," may apply either to *Boxted* or *Boxford*. The probabilities are in favor of the latter, inasmuch as Boxted is distant thirteen miles from Groton, Boxford only one mile, and therefore much more likely to be called "near Groton."

Rev. Samuel Phillips, eldest son of Rev. George Phillips, was ordained minister at Rowley, in June, 1651, and died April 22, 1696. From Rowley was set off another town, which was incorporated Aug. 12, 1685, by the name of *Boxford*. Now whence this name, if not in honor of Rev. Samuel Phillips, whose birthplace was, according to Farmer, Boxford, in England?

From a consideration of these particulars — Dr. Fuller's declaration that Phillips was "a Suffolk man," which settles the question as to the *County*; the inference to be drawn from Hubbard's statement, bungling as it is, when applied to the comparative distances of Boxted and Boxford from Groton, greatly to the advantage of the claims of the latter place; the partial testimony of Mather, and the reputed birth-place of Rev. Samuel Phillips, taken in connection with the name given to a part of Rowley, — it seems to be proved, satisfactorily, that the scene of Rev. George Phillips's ministerial labors was Boxford, in the Hundred of Babergh, County of Suffolk, one mile south of Groton, the residence of John Winthrop, the illustrious Father of the Massachusetts Colony.²

Page 304, note a. At the close of Chap. XL., in the MS., is written "Chap. XL.," and then comes the following note: —

"The next preceed^t Chap. was numbered XXXIX. by mistake; it ought to have been XL. & then there would have been no appearance of an omission here."

Immediately below is written :

"The memo. above was inserted by Rev. Dr. Belknap.

J. McKean, 1814."

Page 323, note a. By a blunder of the transcriber, *Dead Hills* in the MS., ingeniously rendered *Dead Hills* in the former edition. New Haven was called "The Red Hills," "Red Mount," or "Red Rock," by the Dutch, probably because of the appearance of the "East and West Rocks" near the place. See *Hazard's State Papers*, ii. 55, 68, 69; *Barber's History and Antiquities of New Haven*, (12mo. New Haven, 1831,) p. 25, and *Connecticut Historical Collections*, (8vo. New Haven, 1846,) p. 134.

Page 366, note a. Hubbard has fallen into a strange mistake with regard to this letter; for this is *not* the letter with an account of which he begins his paragraph, p. 365, but *another*, written after Wheelwright's visit to the Bay, while the former was, as Hubbard himself states, an application for leave to make that visit. Compare *Savage's Winthrop*, ii. 120, with ii. 162.

¹ Mass. Hist. Coll. iii. 74.

² After having fully made up his own mind as to the settlement of Mr. Phillips, the writer of the above was most agreeably surprised to find that the same conclusion had been arrived at by no less an authority than John Farmer, who deliberately affirms, in *Am. Qu. Register*, VIII. 340, that he "had been the minister of Boxford, a small place adjoining Groton, in the County of Suffolk, both places being in the Hundred of Baber, which is situated on the river Stour, separating it from the County of Essex."

Page 371, note a. "There being no ship which was to return right for England, they went to Newfoundland," (leaving Boston on Aug. 3d) accompanied by John Winthrop, Jr., and thence sailed for England. Peter and Welde were dismissed from their agency in 1646, and requested to return home, but they preferred to remain in England. Peter was executed for high treason, Oct. 16, 1680, aged 61. Welde was settled in the ministry at Gateshead, in the bishopric of Durham, and was one of those ejected from their livings in 1662. Hibbins returned home in September, 1642, and "made a public declaration to the church in Boston of all the good providences of the Lord towards him in his voyage to and fro," &c. See *Savage's Winthrop*, ii. 25, 31, 76; *Hutchinson*, i. 95, 140; *Young's Chronicles of Mass.*, pp. 134-5, 511.

Page 371, note b. Jean Funck, (*Latin* Funccius) a Lutheran clergyman, was born at Werden, near Nuremberg, in 1518. Having married a daughter of Osiander, he felt himself obliged to defend the doctrines of his father-in-law, and in consequence of the enmity excited against him on this account he was forced to take refuge in Prussia, where Duke Albert made him Almoner. But having been convicted of seditious practices, he was beheaded at Königsberg, Oct. 28, 1566. A few moments before his execution he composed a distich, in which he begs others to take warning by his example. *Biographie Universelle*.

Page 372, note a. On the "14th of the 4th month," (which Belknap calls April 14th, but which I take to be June 14th,) 1641, an instrument was subscribed, in the presence of the General Court, by George Wyllis, Robert Saltonstall, William Whiting, Edward Holyoke, and Thomas Makepeace, "for themselves and in the name of the rest of the Patentees," by which they submitted themselves and their possessions to the jurisdiction of Massachusetts; "whereupon a commission was granted to Mr. Bradstreet, and Mr. Simonds, with two or three of Pascataquack, to call a Court there, and assemble the people to take their submission;" and, by an Order of Court, Oct. 9, (Belknap says 8th) 1641, certain commissioners were empowered to appoint magistrates, &c., "to govern the people till further order." See *Savage's Winthrop*, ii. 28, 38, 42; *Hutchinson*, i. 98-9, 105-6; *Farmer's Belknap*, pp. 30-1.

Page 451, note a. No man can peruse the narrative of Miantonimo's capture and death without feelings of indignation such as words have no power to express. How shall we excuse the conduct of the "Commissioners of the United Colonies," who, after having formally declared that they had no "sufficient ground to put him to death," lent themselves to such a foul deed? Uncas would not have put his rival to death — his "Savage soul doubted whether he ought to take away the life of a great King, who had fallen into his hands by misfortune; and, to resolve this doubt, he applied to the Christian Commissioners," at Boston, in September, 1643. And what was their conclusion? Why, "five of the most judicious elders" being sent for to give their advice, "they all agreed that he ought to be put to death," stating, as a reason for this most merciful decision, "that Uncas cannot be safe while Myantenomo lives, but that, either by secret treachery or open force, his life will be still in danger." But, like so many Pilates, they thought to wash their own hands of the murder, and therefore agreed that Miantonimo should be delivered to Uncas, and that "he should put him to death so soon as he came within his own jurisdiction, and that two English should go along with him to see the execution, and that if any Indians should invade him for it, they would send men to defend him. If Uncas should refuse to do it, then Miantonimo should be sent in a pinnace to Boston, there to be kept untill further consideration." We are told that Uncas "readily undertook the execution, and taking

Miantonimo along with him, in the way between Hartford and Windsor, Uncas's brother, following after Miantonimo, clave his head with an hatchet, some English being present. And that the Indians might know that the English *did approve of it*, they sent twelve or fourteen musketeers home with Uncas to abide a time with him for his defence, if need should be."

"This," says Governor Hopkins, "was the end of Myantonomo, the most potent Indian prince the people of New England had ever any concern with; and this was the reward he received for assisting them seven years before, in their war with the Pequots. Surely a Rhode Island man may be permitted to mourn his unhappy fate, and drop a tear on the ashes of Myantonomo, who, with his uncle Conanicus, were the best friends and greatest benefactors the Colony ever had: they kindly received, fed, and protected the first settlers of it, when they were in distress, and were strangers and exiles, and all mankind else were their enemies; and by this kindness to them, drew upon themselves the resentment of the neighboring Colonies, and hastened the untimely end of the young King."

See *Savage's Winthrop*, ii. 131-3, 134; *Hopkins's Historical Account of Providence*, in *Mass. Hist. Coll.* xix. 202; *Hazard*, ii. 9, 11-13; *Holmes*, i. 272; *Davis's Morton*, pp. 232-4; *Drake's Book of the Indians*, ii. pp. 58-67.

Page 452, note a. On the 12th of the preceding October, Gov. Winthrop received a present from "Miantunnomoh's brother called Pesecus, a young man about 20, viz. an otter coat and girdle of wampom, and some other wampom, in all worth about 15 pounds." The present was accompanied by proffers of friendship, and a request that the English "would not aid Onkus against him, whom he intended to make war upon in revenge of his brother's death." The Governor declined receiving the present unless the Narraganset Sachem would make peace with Uncas. The emissaries of the Chieftain made answer "that they had no instructions about the matter, but would return back and acquaint their Sachem with it, and return again, and desired to leave their present with our Governor in the mean time, which he agreed unto." (*Savage's Winthrop*, ii. 141.)

This present was subsequently made the subject of a formal embassy on the part of the English. See the "Instructions for Captain Harding, Mr. Welborne, and Benedict Arnold, sent by the Commissioners of the United Colonies to Piscus," &c. &c., dated Aug. 18, (or 19,) 1645, in *Hazard's State Papers*, ii. 36-7; and the report of their proceedings, *ibid.* 38.

Page 453, note a. The return of the messengers mentioned on page 459, taken in connexion with the letter of Mr. Williams mentioned on page 461, induced the Commissioners of the United Colonies to declare war. It was determined that three hundred men should be raised, of which force Massachusetts should furnish one hundred and ninety, Plymouth forty, Connecticut forty, and New Haven thirty. Forty men were immediately despatched from Massachusetts, under the command of Lieutenant Humphrey Atherton and Sergeant John Davis, "with four horses, and two of Cutchamakin's Indians for their guides, to Mohegan, and to stay there untill Captain Mason should come to them," it being their duty to secure Uncas's fort.

The forces to be sent from Connecticut and New Haven were ordered to join Lieut. Atherton at Mohegan, "by the 28th of August at furthest, and then Captain Mason to have chief command of all those companies untill they should meet with the rest of the forces in the Narrohiggansets or Nyantick Country."

The remainder of the Massachusetts force, and that from Plymouth, were ordered to rendezvous at Rehoboth.

Major Edward Gibbons was appointed Commander-in-Chief of all the

forces,¹ and Capt. Miles Standish, Capt. John Mason, Capt. John Leveret, Lieut. Robert Seeley, ("or such others as shall have chief command of the forces coming from New Haven,") Lieut. Humphrey Atherton, "and the rest of the Lieutenants" under his command, were constituted and appointed his Council of War, whereof he (Gibbons) to be President, and to have a casting voice.

Such were the formidable preparations of the English. No wonder that the sons of the forest were terrified into submission, when they beheld the whole military force of the United Colonies arrayed against them, and called to mind the fate of the Pequots! No wonder that "their hearts failed them," and they would fain "sue for peace"!

See *Hazard's State Papers*, ii. 29-36; *Davis's Morton*, pp. 232-4; *Drake's Book of the Indians*, ii. pp. 91-5; *Hutchinson*, i. 131-2.

Page 458, note a. See the "Instructions for Thomas Stanton and Nathaniel Willet, sent by the Commissioners for the United Colonies of New England to Pessicus, Canonicus, and other the Sachems of the Narrohiggansetts Indians, and Uncus, Sagamore of the Mohegan Indians," given at Hartford, Sept. 5, 1644.

Uncas and the Narraganset deputies appeared before the Commissioners, at Hartford, when, after "a full hearing," judgment was pronounced in favor of Uncas. The Commissioners drew up and signed, Sept. 19, 1644, their "Conclusions" on the subject.

The Narraganset deputies set their marks to an agreement "that there should be no war begun by any of the Narrohiggansetts or Nayantick Indians with the Mohegan Sachem or his men till after the next planting time: and that after that, before they begin war, or use any hostility towards them, they will give thirty days warning thereof to the Government of the Massachusetts or Connecticut." This instrument bears date Sept. 18, 1644.

See *Hazard*, ii. 14-16, 25-7; *Drake's Book of the Indians*, ii. pp. 89-90.

Page 467, note a. Winthrop tells us, that the *mean person* was a *taylor*, and Williamson informs us that Roger Garde is the individual referred to.

On the 10th of April, 1641, Sir Ferdinando Gorges, "for the better encouragement of all the present Planters and Inhabitants of Acomenticus, and of all such other person and persons as shall att any time hereafter be minded to settle and inhabit within the limitts of the saide Towne," granted them a Charter of Incorporation as a "bodie politique, by the name of the Maior, Aldermen, &c., of the Towne of Acomenticus within the Province of Maine." By the Charter he appointed his "well-beloved Cosya Thomas Gorges, of the Province of Maine aforesaid, gentleman, to be first and next Maior of Acomenticus aforesaid, and Edward Godfrey, gentleman, *Roger Garde*, George Puddington, Bartholomew Barnett, Edward Johnson, Arthur Bragington, Henry Simson, and John Rogers, to be the first eight Aldermen; whereof the said Edward Godfrey shal be a Justice of the Peace for the first yeare, (which is to be accompted from Witsontide next after the coming over of this present graunt into the Province of Maine.) and the said Roger Gard shal be the first Recorder there, and he shal alsoe execute the office of Towne Clarke of the Corporacon, by himselfe or his sufficient Deputie."

By a new Charter, dated March 1, 1641-2, Gorges erected the town into a city, to which he gave the name of Gorgeana, with a Mayor, to be chosen annually on the 25th of March, twelve Aldermen, twenty-four Common Council-men, a Recorder, and a Town-Clerk. He directs that "the Deputie Governor of the Province shall appoint the first Maior for the yeare to

¹ His Commission and Instructions bear date Aug. 19, 1645. See them in *Hazard*, ii. 33-6.

come, who shall enter into his office upon the five and twentieth day of March nexte ensueinge the date hereof; and that the said Deputie Governour shall likewise for this yeare appointe the persons that shal bee the Aldermen; and that the major parte of the Freeholders shall electe such as shall bee of the Common Councell there from tyme to tyme forever; and twoe of the said Aldermen shall be Justices within the Corporacon, whose shall be chosen for this yeare alsoe by my said Deputie Governour."

Edward Godfrey was appointed Mayor, by the Deputy Governor, in conformity with the directions in the Charter, and he was succeeded, in 1643, by Roger Gard.

Thomas Gorges returned to England in the summer of 1643.

See *Savage's Winthrop*, ii. 100, 210; *Williamson's Maine*, i. 287, 289-90, 295, 675, 676, 677; *the Charters of Agamenticus and Gorgeana*, in *Hazard*, i. 470-4, 480-6; *Sullivan's History of the District of Maine*, (8vo. *Bost.* 1795,) pp. 237-8; *Maine Hist. Coll.* i. 18, 51; *Folsom's Saco and Biddeford*, pp. 44-5; *Hutchinson*, i. 163; *Collections of the American Statistical Association*, i. 79-80; *Gorges's letter to Gov. Winthrop*, June 28, 1643, in *Collection of Papers*, p. 114.

Page 509, note a. The signatures in full, as given by Winthrop, are:

Warwick, Gov'r. and Admiral,	Arthur Heselrige,
Bas. Denbigh,	Miles Corbet,
Edw. Manchester,	Fr. Allen,
Wm. Say and Seale,	Wm. Purefoy,
Fr. Dana,	Geo. Fenwick,
Wm. Waller,	Cor. Holland.

Savage's Winthrop, ii. 320.

*Page 510, note a. The "etc." means:

Arth. Heselrige,	Rich. Salway,
John Rolle,	Miles Corbet,
Hen. Mildmay,	Geo. Snelling.
Wm. Purefoy,	

Savage's Winthrop, ii. 319.

Page 525, note a. John Pratt, according to Winthrop, "was above sixty years old, an experienced surgeon, who had lived in New England many years, and was of the first church at Cambridge in Mr. Hooker's time, and had good practice, and wanted nothing" but contentment. In 1629 he made an agreement with the Massachusetts Company, in London, to come over as "a surgeon for the Plantation," on a fixed salary. On Nov. 3d, 1635, "at the Court of Assistants, John Pratt of Newtown was questioned about the letter he wrote into England, wherein he affirmed divers things, which were untrue and of ill report, for the state of the country, as that here was nothing but rocks, and sands, and salt marshes, &c. He desired respite for his answer to the next morning; then he gave it in in writing, in which, by making his own interpretation of some passages, and acknowledging his error in others, he gave satisfaction. This was delivered in under his own hand, and the hands of Mr. Hooker and some other of the ministers, and satisfaction acknowledged under the hands of the magistrates."

The acceptance of Pratt's "Apology," equivocal as it was, can only be attributed to the intercession of Peter Bulkley, John Wilson, and Thomas Hooker, and their request that the Court would "pass over without further question" those expressions in his letter "which may seem hardly to suit with his interpretations." The document may be found in *Mass. Hist. Coll.* xvii. 126-9. Pratt removed with his pastor to Connecticut, and was a deputy to the first General Assembly, at Hartford, in April, 1639.

See *Young's Chronicles of Mass.*, pp. 59, 108; *Savage's Winthrop*, i. 173, ii. 239; *Hutchinson's Collection of Papers*, pp. 106-7; *Trumbull's Connecticut*, i. 103; *Hinman's Catalogue of the Puritan Settlers of Connecticut*, (Svo. Hartford, 1846,) p. 66.

Page 581, note a. "From the restoration," says Hutchinson,¹ "until the vacating the Charter the Colony never stood well in England; the principal persons, both in Church and State, were never without fearful expectations of being deprived of their privileges." And these fears were not without foundation. Scarcely was Charles II. seated upon the throne of his ancestors, when he was besieged by a host of complainants against the Massachusetts Colony. A petition was presented by "several merchants, complaining of great hardships" which they had sustained, "whereby they had been endamaged many thousand pounds."² Dr. Child, and others of "the sometyms fyned and imprisoned petitioners,"³ in behalf "of themselves and many thousands who groaned under oppression," supplicated protection, and prayed that a General Governor might be sent over. The Quakers appeared, "with evidences of their sufferings and torture, and of the persecution of others, even unto death, on the score of conscience only." Robert Mason seized the favorable moment to urge his claims to New Hampshire;⁴ while Ferdinand Gorges, stimulated to exertion by his zealous partisan Edward Godfrey,⁵ was loud in his complaints against the encroachments of Massachusetts upon his territories. Some asserted that many of the Colonists were deprived of the liberties and privileges granted to them by their Charters, while others told of "differences and disputes touching the bounds of the several jurisdictions."⁶

¹ History of Mass., i. 210.

² From Leverett's letter to Governor Endicott and the General Court, taken in connection with an article in the Instructions subsequently sent by the Court to their agent, and an order of the "Committee appointed" in 1661 "for the dispatch of Agents to England," it may be inferred that these "merchants" were members of "The Company of Undertakers for the Iron Works" at Lynn. The order of the Committee is as follows:

"7 January, 1661, (i. e. 1661-2.) It is ordered that the Secretary doe forthwith transcribe the records of the Court referring to the proceedings of the Court concerning Gorton and his company, Roade Island, the Ironworks, the Quakers, Piscataqua, Dr. Child and his company, Mr. Hieldersbam, the Lords' letters about appeales, Reasons Politicall for these Plantations, two copies of the Patent, Petition to the King, and such other as he shall see needfull to give a right understanding of the grounds of the Court's proceedings about the same."

See *Hutchinson's Collection of Papers*, pp. 323, 330, 347; *Lewis's Lynn*, pp. 120-2, 123, 124-5, 126-9, 130, 131, 132-3, 138, 139, 148-9, 164, 159, 167; *Savage's Winthrop*, ii. 213-14, 355, 356; and pages 374-5.

³ See pages 600, 512-18.

⁴ See page 612, note a.

⁵ Edward Godfrey had been Governor of the western part of Maine from 1649 to 1652, when he, with great reluctance, submitted to Massachusetts, and although he took the oath of freeman, and was appointed a Commissioner under the new government, he still retained his hostility to its measures. In 1658 he went to England, where he laid his complaints before Richard Cromwell. But his projects were, at that time, disconcerted by a petition from "several of the inhabitants of York, Kittery, Sacoe, Wells, and Cape Porpus," praying that they might remain under the government of Massachusetts. See pp. 542-3; *Sullivan's Maine*, pp. 319-20, 349-54; *Williamson*, i. 325-7, 677-8; *Hazard's State Papers*, i. 664-70; *Hutch. Coll. Papers*, pp. 314-16, 317, 322; *Maine Hist. Coll.* 1. 54-5, 57, 296-300; and page 613, note a.

⁶ See Leverett's letter, dated Sept. 13, 1660, in *Hutch. Coll. Papers*, pp. 322-4; also King Charles's letter of Oct. 21, 1681, to the Massachusetts Colony, in *Chalmers's Political Annals*, pp. 443-9; the preamble to the Commission of 1664, with the accompanying letter of the King to Mass.; *Hutchinson*, ii. 11; *Coll. Papers*, p. 347.

Meantime Massachusetts — “constant to its old maxims of a free State, dependent on none but God” — seems to have been in no haste to present herself before the Sovereign, or to solicit the royal favor. The news of the restoration was received in Boston on the 27th of July, 1660, by the same vessel in which Goffe and Whalley, two of the regicides, had taken passage. But “no advices,” as we are told, “were received from authority, the King was not proclaimed in the Colony, nor was any alteration made in the forms of their public acts and proceedings.” At the sessions of the Court in October a motion was made for an Address to the King, but it was deferred, on account of the reported disturbances in England. At last, by a ship which arrived November 30th, the Colonists learned that “all matters were fully settled,” and they were also informed, by letters from Leverett and others, of the numerous complaints which had been lodged against them. The Governor and Assistants immediately met, and summoned the General Court, which convened on the 19th of December, when Addresses to the King and Parliament were agreed upon and prepared, as also Instructions for their agent “Captain John Leverett, or, in his absence, Richard Saltonstall and Henry Ashurst, Esqrs.”¹ The Address was graciously received by the Sovereign, and an answer returned, bearing date Feb. 15, 1660-1, which, with a royal mandate,² dated March 5th, for the apprehension of Goffe and Whalley, was received in May following.³

At the sessions of the Court in this month (May) a committee of twelve was appointed, to meet immediately after the adjournment of the Court, “to consider and debate such matter or thing of public concernment, touching our Patent, laws, privileges, and duty to his Majesty, as they in their wisdom shall judge most expedient, and draw up the result of their apprehensions, and present the same to the next session, for consideration and approbation, that so (if the will of God be) we may speak and act the same thing, becoming prudent, honest, conscientious, and faithful men.” Accordingly, at a special session, on the 10th of June, the committee presented a Declaration of the Rights and Duties of the Colony by Charter, which was approved by the Court.⁴

By Leverett's letter of April 12, 1661, information was received that, although the Address to his Majesty came seasonably, and had a gracious answer, yet complaints and claims multiplied against them. A “Council for the Colonies,” invested with powers of general superintendence, had been established in December, 1660. The King had been informed of the proceedings of a Society, which assembled every Saturday, at Coopers' Hall, in order to promote the interests of the Colony, “and, with them, the good old cause of enmity to regal power;” and in May, 1661, he had constituted the great officers of State “a Committee touching the settlement of New England.” It was asserted by some, who were in Boston when Goffe and Whalley arrived there, that they had not only found an asylum there, but “were openly treated and caressed by the chief officers

¹ We wish you, says the General Court to its agent, “to interest as many gentlemen of worth in Parliament, or that are neere his Majestie, as possibly you may, to owne and favour our cause, and to heget in them a good opinion of us and our proceedings; to gett speedy and true information of his Majesties sense of our petition and of the government and people here, together with the like of the Parliament; to use your utmost endeavours for the renewing that Ordinance that freed us from customs; and to give us as full intelligence as may be, by the first opportunity, of all matters that concerne what you conceive necessary to be done for our advantage.” *Hutch. Coll. Papers*, pp. 329-31.

² See the document in *Mass. Hist. Coll.* xxvii. 123.

³ Stuyvesant, in *Albany Records*, cited by Bancroft, *Hist. United States*, ii. 50; Hutchinson, i. 193-5, 199; pages 557-62.

⁴ See Hutchinson, i. 196-7; and the “Declaration,” *ibid.* 455-7, and also in Hazard, ii. 590-2.

of government;" that his Majesty's commands for their apprehension "were neither executed, nor, to the best of the deponent's remembrance, published, nor any proclamation or order, by their own authority, issued out for it; otherwise it had been almost impossible for the murderers to escape as they did."¹ It was well known that the King had not been proclaimed in the Colony, and it was insinuated that, if they durst, they would cast off their allegiance and subjection to his Majesty. Alarmed by this intelligence the Governor called the General Court together on the 7th of August, when it was determined to proclaim the King, (which was accordingly done the next day,²) and to send another Address to England.³

¹ Secretary Rawson's letter of July 4, 1661, to Governor Leet, in *Hutch. Coll. Papers*, pp. 338-41; Chalmers's *Political Annals*, pp. 172, 243-4; *History of the Revolt of the Colonies*, i. 99-100; Hutchinson, i. 193; Lord Say and Sele's letter of July 10, 1661, *ibid.* 202-3; John Crown's deposition, in Chalmers, pp. 263-4; the King's letter of Oct. 21, 1661, *ibid.*, p. 444. Whalley and Goffe arrived at Boston July 27, 1660, having left London before the King was proclaimed. They immediately took up their residence in Cambridge. In November the Act of Indemnity was brought over, and when it appeared that they were not excepted, some of the principal persons in the government became alarmed. The Governor summoned a Court of Assistants, Feb. 22d, to consult about securing the unhappy fugitives; but the Court did not agree to it. They left Cambridge Feb. 26th, and reached New Haven March 7th, 1661. A few days after their removal a hue-and-cry was brought by the way of Barbadoes, and the Governor and Assistants issued a warrant, March 8th, to secure them. In May the royal mandate for their apprehension was received, and Thomas Kellond and Thomas Kirke, two young merchants from England, were despatched in pursuit of them; they left Boston May 7th, and having gone through the Colonies as far as the Dutch settlements, returned to Boston the latter part of the month, and reported to the Governor that their efforts to seize "the murderers" had been fruitless. On the 10th of June following the Declaration of Rights and Duties was presented to the Court, one clause of which was as follows:

"We further judge, that the warrant and letter from the King's Majesty for the apprehending of Colonell Whalley and Colonell Goffe ought to be diligently and faithfully executed by the authority of this Court."

On the 19th of June the General Court, being upon the point of adjournment, voted that "if in this vacancy any opportunity present to write for England, the Governour is desired by the first conveyance to certify his Majesty or the Secretaries of State, what himselfe and the Council have acted touching searching for Colonell Whalley and Colonell Goffe in the prosecution of his Majesty's warrant." On the 4th of July the Council granted to Kellond and Kirke two hundred and fifty acres of land each, "as a small recompense for their paynes in goinge to Connecticut, New Haven, and Moshatoes for searchinge after Col. Whalley and Goffe;" and the same day Secretary Rawson, by order of the Council, signified to Governor Leet, of New Haven, "that the non-attendance with diligence to execute the Kings Majestys warrant for the apprehending of Colonell Whalley and Goffe will much hazard the present state of these Colonies; and that, in their understanding, there remains no way to expiate the offence, and preserve themselves from the danger and hazard, but by apprehending the said persons, who were known to be in that Colony; and on Sept. 5th the Commissioners of the United Colonies published a manifesto, wherein they "advise and forwarne all persons whatsoever within our respective jurisdictions that may have any knowledge or information where the said Whalley and Goffe are, that they forthwith make knowne the same to some of the Governours next residing; and in the meane time doe their utmost endeavors for their apprehending and securing, as they will answare the contrary at their perill."

Beffriended by Governor Leet, Rev. Mr. Davenport, and a few others, Goffe and Whalley effectually eluded discovery. The magistrates of Massachusetts supposed that they had left the country; and there can be no doubt that, if they could have taken them, they would have sent them prisoners to England, in accordance with the King's commands.

Hutchinson, i. 197-201; Trumbull's *Connecticut*, i. 242-7; Stiles's *History of three of the Judges of Charles I.*, (12mo. Hartford, 1794,); *the Report of Kellond and Kirke to Governor Endicott*, in *Hutch. Coll. Papers*, pp. 334-8; Rawson's Letter of July 4, 1661, *ibid.*, pp. 339-41; Hazard, ii. 451, and also *Hutch. Coll. Papers*, pp. 344-5; *Mass. Hist. Coll.* xviii. 67-8, xxvii. 123-8.

² Hazard, ii. 593. Immediately upon the news of the Restoration Rhode Island, anxious to obtain a Charter, hastened to proclaim Charles II., and to confirm the as-

³ See Rawson's letter; Hutchinson, i. 199-201; *Coll. Papers*, pp. 341-4, and Hazard, ii. 593-6; Endicott's letter, in *Mass. Hist. Coll.* xxi. 51-3; and pages 675-6.

In the autumn was received the King's letter of Sept. 9th, concerning the punishment of the Quakers, commanding them "to forbear to proceed any farther therein, but forthwith send the said persons over into England." The letter was read at a Court held Nov. 27, 1661, and, in obedience to his Majesty's commands, it was ordered "that the execution of the laws in force against Quakers, as such, so far as they respect corporal punishment or death, be suspended until this Court take further order." Soon after came orders "to send persons to England to answer these various accusations" which were made against the Colony. The Governor summoned the Court, which met on the 31st of December, and named Simon Bradstreet and Rev. John Norton their agents to England; and a committee was appointed to make arrangements for their departure. "After much agitation and opposition" the preparations were at length completed, and the agents sailed from Boston on the 10th or 11th of February, 1661-2, furnished with a commission and instructions, an Address to the King, and letters to Lord Say and Sele, the Earls of Clarendou and Manchester, and others who were known to be friendly to the Colony. "Their reception," says Hutchinson, "was much more favorable than was expected, their stay short, returning the next fall with the King's most gracious letter" of June 28, 1662.¹

The royal missive was read in the General Court, at Boston, October 8, 1662, and we are assured that portions of it "cheered the hearts of the country." But we are, at the same time, informed that "there were some things hard to comply with; and although it was ordered to be published, yet it was with this caution, that 'inasmuch as the letter hath influence upon the churches as well as civil state, all manner of actings in relation thereto shall be suspended until the next General Court, that so all persons concerned may have time and opportunity to consider of what is necessary to be done in order to his Majesty's pleasure therein.'" The letter was

thority of her "trusty and well-beloved friend and agent, Mr. John Clarke," who still remained in England, whither he had accompanied Roger Williams in 1651. In her "humble address" to the monarch she declares "that it is much on their hearts (if they may be permitted) to hold forth a lively experiment, that a most flourishing civil State may stand, and best be maintained, with a full liberty in religious concerns; and that true piety, rightly grounded upon Gospel principles, will give the best and greatest security to sovereignty, and will lay in the hearts of men the strongest obligations to true loyalty." A Charter was granted to her prayers, July 8, 1663, by which "all and every person and persons may, at all times hereafter, freely and fully have and enjoy his and their own judgments and consciences, in matters of religious concerns, they behaving themselves peaceably and quietly, and not using this liberty to licentiousness and profaneness, nor to the civil injury or outward disturbance of others." *Chalmers*, p. 274; *Bancroft*, ii. 51, 61-5; *R. I. Hist. Coll.* iii. 62-3, iv. 99, 100, 161, 211, 263; *Clarke's Commission*, *ibid.* iv. 239-40, and *Mass. Hist. Coll.* xvii. 90-1; *Charter*, *R. I. Hist. Coll.* iv. 241-61, and *Hazard*, ii. 612-23.

Connecticut avowed her allegiance to King Charles in March, 1660-1, New Haven proclaimed him on the 21st of August, and the former Colony, desirous of a Patent, took measures for the despatch of the younger Winthrop to England. Furnished with an address to the King, and a letter to the venerable Lord Say and Sele, her accomplished agent—"the darling of New England"—found no difficulty in obtaining a Charter "as amply privileged as was ever enjoy'd perhaps by any people under the cope of Heaven." By this Charter, dated April 20, 1662, New Haven was incorporated with Connecticut, and Long Island became subject, for a time, to her laws. *Chalmers*, p. 292; *Trumbull*, i. 239-40, 248, 511-15; *Mather's Magnalia*, Book I. p. 24; *Charter*, *Hazard*, ii. 597-605.

Charles II. was proclaimed at Plymouth, June 5, 1661. *Hazard*, ii. 590.

¹ See pages 571-4, 576-7; *Chalmers*, p. 253; Hutchinson, i. 201-2; Danforth Papers, in *Mass. Hist. Coll.* xviii. 52-5. The person authorized by the King to bring over his Mandamus concerning the Quakers, was "one Samuel Shattock, who, being an inhabitant of New England, was banished on pain of death if ever he returned thither." *Sewel's History of the Quakers*, (fol. Lond. 1725.) pp. 272-4. The Mandamus is in Sewel, pp. 272-3, *Hazard*, ii. 595-6, and Baylies's Memoir of Plymouth Colony, (8vo. Bost. 1830,) Part II. p. 52; the proceedings of the Mass. General Court on the receipt thereof may be found in *Hazard*, ii. 598.

referred to the consideration of a Committee, and liberty was given to any of the elders, freemen, or other inhabitants to "send in their thoughts" on the subject.¹

Meantime the complaints against the Colony increased. It had been asserted that Whalley and Goffe were at the head of an army; that the Confederacy of 1643 was a "war combination, made by the four Colonies when they had a design to throw off their dependence on England, and for that purpose." It was in vain that Lord Say and Sele—now tottering beneath the weight of years and disease²—appeared at the Council-board in their defence; in vain that he declared their accusers to be rogues—that they belied the country—that "he knew New England men were of another principle." Addresses had been received "from the great men and natives of those countries, in which they complain of breach of faith, and acts of violence and injustice which they had been forced to undergoe."³ The requisitions of his Majesty's letter had been but partially complied with, and the answer of the General Court thereto was very far from giving satisfaction. In January, 1662-3, the "Council for Colonies" represented to Charles that "New England hath in those late times of general disorder strayed into many enormities, by which it appeared that the government there have purposely withdrawn all manner of correspondence, as if they intended to suspend their absolute obedience to his Majesty's authority," and advised that a "conciliatory letter" should be written to the Colonists. At last, for the effectual redress of these grievances, and as a manifestation of his "fatherly affection" toward his subjects in the several Colonies of New England, Charles, in April, 1663, declared it to be his intention to "preserve the Charter of the Colony, but to send Commissioners thither to see how it was observed."⁴ This measure was not carried into effect until April 25,⁵ 1664, when a Commission was issued, empowering Col. Richard Nichols, Sir Robert Carr, George Cartwright, and Samuel Maverick, "to hear and determine all complaints and appeals, in all causes and matters, as well military as criminal and civil," within New England, and to "proceed in all things for the providing for and settling the peace and security of the country." They were secretly instructed "to give no time for those secret jealousies to grow, which are natural to the place, nor for the like infusions to be transmitted from hence, [England,] where many people are who wish not success to your employment;" to obtain the repeal of such ordinances as had been passed, during the usurpation, contrary to the royal authority; to procure an exact observance of the Charters; to acquire the nomination of the Governor and the command of the militia; but, at the same time, to encourage no faction; to countenance no change inconsistent with their ancient usages, unless first moved in the Assembly; to solicit no present profit, which was deemed unseasonable; to propose no measure that could be considered an invasion of liberty of conscience;

¹ Danforth Papers, in Mass. Hist. Coll. xviii. 55; Hutchinson, i. 203-5.

² William Fiennes, Viscount Say and Sele, the firm friend of New England, died April 14, 1662, aged 77 years. See his letter of Dec. 11, 1661, to Gov. Winthrop, in Trumbull, i. 515; Collins's Peerage, vii. 22; Wood's Athenæ, iii. 546-50; Walpole's Royal and Noble Authors, iii. 69-71.

³ In April, 1662, the Narragansett Sachems sent an address to Charles II., "in which they remembered an address of the same nature made some eighteen years before," viz. April 19, 1644, when Pessicus and Canonicus made a formal submission to Charles I. Charles's letter of Oct. 21, 1681; the preamble to the Commission of 1664, with the accompanying letter of the King to Mass.; Mass. Hist. Coll. xvii. 99, 105; Potter's Early History of Narragansett, in R. I. Hist. Coll. iii. 43, 62; Gordon's "Simplicity's Defence," *ibid.* ii. 152-60.

⁴ The Privy Council, according to Chalmers, referred it to the Duke of York, "to consider of fit men" to be sent as Commissioners.

⁵ Smith, (History of New York, p. 25.) Thompson, and Trumbull, say April 26th; Williamson (History of Maine, i. 409,) says April 16th; and Minot, (History of Mass. i. 43,) April 5th.

moreover, out of regard to the "prejudices" of the Colonists, the chaplain of the Commission was directed not to use the surplice.¹

Armed with these instructions, and furnished with letters to the several Colonies, the Commissioners took their departure. Meanwhile vague rumors had reached New England, of an armed force destined for her ports; and on the 28th of May, the General Court being assembled at Boston, information was given them "that they might suddenly expect the arrival of some of his Majesty's ships, with Commissioners to visit his Majesty's Colonies in these parts of America." Upon this intelligence precautionary measures were at once adopted. The Captain of the Castle was ordered to give immediate notice of the approach of the fleet to the Governor and Deputy; two gentlemen ("whose habitations are in Boston,") were appointed to wait on the Commissioners upon their arrival, and to request that the officers and soldiers should not be allowed to come on shore, save in small parties, and without arms. The Patent, with a duplicate, was committed, for safe keeping, to the care of four members of the Court,² who were directed "to dispose of them as might be most safe for the country." Finally, a day was set apart for fasting and prayer, "to implore the mercy of God to them under their many distractions and troubles, according as they should stand in need."³

After a boisterous passage, Colonel Nichols and George Cartwright, Esq., arrived at Boston, in the ship *Guernsey*, on Saturday, the 23d of July, "about five or six of the clock at night." The rest of the fleet, having been driven to the eastward, arrived at Piscataqua, about the same time, with Sir Robert Carr and Samuel Maverick, Commissioners, and John Archdale, the agent of Ferdinando Gorges. Nichols and Cartwright requested that the Council might be called together without delay. It accordingly assembled on the 26th, when the Commissioners produced their Commission, with the King's letter of April 23d to the Colony, and that portion of their Instructions which related to "the reducing of the Dutch at the Manhattoes," and requested assistance for the conquest of New Netherlands, which was comprised in the recent Grant to the Duke of York.⁴ On the 27th Nichols and Cartwright made a formal request, in writing, "that the government of Boston would pass an act to furnish them with armed men, who should begin their march to the Manhattans on the 20th of August ensuing, and promised that, if they could get other

¹ See Temple's letter of March 4, 1662-3, in *Mass. Hist. Coll.* xxvii. 127; letter of Commissioners to Gov. Prince, of Plymouth, *ibid.* v. 192; the King's letters of April 23, 1664, and Oct. 21, 1661, to Mass.; the answer of the General Court to his Majesty's letter of June 28, 1662, dated Nov. 25, 1662, in *Danforth Papers*, 47-9; Chalmers's *History of the Revolt, &c.*, i. 112-13; *Political Annals*, pp. 386, 432; copies of the Commission may be found in *Hutchinson*, i. 459-60, and *Hazard*, ii. 638-9, *Trumbull's Connecticut*, i. 522-3, and *Thompson's Long Island*, i. 119-20.

² Richard Bellingham, John Leverett, Thomas Clark, and Edward Johnson.

³ Chalmers's *Revolt, &c.*, i. 113; *Hutchinson*, i. 210-11; *Smith's History of New York*, (4to. Lond. 1757,) p. 11; *Danforth Papers*, in *Mass. Hist. Coll.* xviii. 92.

⁴ See the Duke of York's Patent, dated March 12, 1664-5, for "all that part of New England, beginning at a certaine place, called or knowne by the name of St. Croix, next adjoining to New Scotland, in America, and from thence extending along the seacoast unto a certaine place called Petuaquino, or Penquid, and so up the River thereof to y^e furthest head of the same, as it tendeth northward, and extending from thence to the River of Kenebeque, and so upward by the shortest course to y^e River Canada northward; and also all that Island or Islands, commonly called by the severall name or names of Matawacks or Long Island, abutting upon the maine land betwene the two Rivers Connecticut and Hudson, together also with the said River called Hudsons, and all the land from the west side of Connecticut to the east side of Delaware Bay; and also all those severall Islands called or known by the name of Martins Vinyards and Nantukes, otherwise Nantuckett, with all the Lands, Islands, Soyles," &c., "to the severall Islands, Lands, and premises belonging and appurtaining," &c. &c., in *Thompson's Long Island*, ii. 308-11.

assistance, they would give them an account of it." The Council replied that they would cause the General Court to assemble on the 3d of August, and lay the request before them. With this answer the Commissioners, says Thomas Danforth, "manifested themselves not well satisfied, and informed the Governor and Council that there was yet many more things, which they had in charge from his Majesty to signify to them, which work they would attend at their return from the Manhattoes; and commended to the Court that, in the mean time, they would further consider of his Majesty's letter to this Colony, June 28, 1662, and give a more satisfactory answer to his Majesty concerning the same than formerly."¹

On the 29th of July a letter was sent from Boston, by the Commissioners, to Governor Winthrop, of Connecticut, informing him that the ships had arrived in safety, and were only waiting for a fair wind to sail for the New Netherlands, and requesting him to meet them at the west end of Long Island.²

Nichols, whom the Duke of York had appointed³ his Deputy Governor within the territories lately granted to him by his royal brother, soon proceeded to Manhattan, without waiting for aid from Massachusetts. His force consisted of four frigates and three hundred men. He entered the harbor of New York, Aug. 19th, and on the 20th summoned Stuyvesant, the Dutch Governor, to surrender, and published a Proclamation to the inhabitants of Long Island. Here he was joined by Governor Winthrop, and several other gentlemen, from Connecticut. Governor Winthrop wrote a letter to the Dutch Governor and Council, recommending the surrender of the City. Stuyvesant refused. Officers were immediately sent to obtain volunteers on Long Island, and orders were given to Capt. Hugh Hide, who commanded the squadron, to proceed to the reduction of the fort. These preparations, with the solicitations of those about him, induced Stuyvesant, on the 26th, to agree to a surrender, and on the 27th of August Articles of Capitulation were signed by the English and Dutch Commissioners,⁴ which, having received the assent of Colonel Nichols,

¹ Chalmers's Political Annals, pp. 573-4; Smith's History of New York p. 12; Danforth Papers, in Mass. Hist. Coll. xviii. 92-3; Hutchinson, i. 211; Josselyn's Voyages to New England, (2d ed., 16mo. 1675,) p. 272; Maine Hist. Coll. I. 109; Hazard, ii. 639-40.

² "The King himself and the Lord Chancellor told Mr. Winthrop of Connecticut, and Mr. Clarke, of Rhode Island, and several others, now in these countries, that he intended shortly to send over Commissioners, and to many of these we brought letters, either from the King or the Lord Chancellor." *The Commissioners to the Mass. General Court, May 2, 1666.* According to Smith, Col. Nichols arrived first at Cape Cod, from whence he despatched "a letter to Mr. Winthrop, the Governor of Connecticut, requesting his assistance," and then proceeded to Boston, stopping at Nantasket on his way. *Smith's New York*, pp. 11-12; *Danforth Papers, in Mass. Hist. Coll. xviii. 56.*

³ By an instrument dated at Whitehall, April 2, 1664. *Thompson*, i. 119.

⁴ See the Articles in Smith, and in *Thompson*, ii. 316-18. They were subscribed by Sir Robert Carr and George Cartwright, two of the royal Commissioners, Gov. John Winthrop and Samuel Wyllys, of Connecticut, and Thomas Clark and John Pyncheon, "Commissioners from the General Court of the Massachusetts Bay, who," says Smith, "but a little before, brought an aid from that Province." The same author also informs us that "in two days after the surrender the Boston aid was dismissed, with the thanks of the Commissioners to the General Court." Hutchinson and Judge Davis tell us that "Thomas Clark and John Pyncheon, as Commissioners from Massachusetts, and Thomas Willet, from Plymouth, attended the King's Commissioners to Manhadoes," and Hutchinson says that troops "were raised" in Massachusetts, "but the place surrendering on Articles, no orders were given for them to march." Thomas Danforth says that "although there was no order given by the Commissioners for the soldiers, thus listed, to march from Boston, yet on this expedition there was expended out of the publick treasury of this Colony, for the encouragement of the soldiers listed, their maintenance until discharged, and for their provisions and ammunition, &c., together with payments made to such as were sent with their ships to pilot them into

were ratified two days after by the Governor, and the fort and town of New Amsterdam surrendered to the English. Sept. 24th, Fort Orange surrendered to Cartwright, and Oct. 1st, the Dutch and Swedes on Delaware River and Bay capitulated to Sir Robert Carr.¹

Meantime the Massachusetts General Court assembled on the 3d of August. The King's Commission, &c., having been read, it was first resolved "to bear faith and true allegiance to his Majesty, and adhere to their Patent, so dearly obtained, and so long enjoyed by undoubted right in the sight of God and men;" and then it was determined to raise a number of men, not exceeding two hundred, at the charge of the Colony, for his Majesty's service against the Dutch. Officers were appointed and commissioned, and orders were given to the Treasurer to disburse the necessary sums of money; "all which being thus agreed upon, the Court despatched away two gentlemen," Thomas Clark and John Pynchon, "as their messengers to the Commissioners, by that time supposed to be arrived near to, or before, the Manhattoes, to inform them of the Court's proceedings as to their supply." The men were raised, but, in consequence of the capitulation of the Dutch, were never called upon to march.²

The Court now proceeded to the consideration of his Majesty's letter of June 28, 1662, the reply to which, says the King,³ "did not answer our expectations, nor the professions made by your messengers," and made some change in the law relating to the admission of freemen. On the 10th of September an Order was published, prohibiting complaints to the Commissioners. These gentlemen had not chosen to impart to the Massachusetts government their instructions relative to the Colonies. This conduct gave offence, and, "with some words and carriages, distasteful to the people, falling from some of them, and, in particular, Mr. Samuel Maverick, on his first arrival in Piscataqua River, menacing the constable of Portsmouth, while he was in the exercise of his office, occasioned in the hearts and minds of the people a deep sense of the sad events threatening this Colony, in case the Commissioners should improve their power in such a manner as they feared they would; on whose general solicitude for the preserving of their enjoyments, according to their present constitution, granted to this Colony by his Majesty's royal Charter under the Great Seal of England, the General Court, consisting of Governor, Deputy Governor, Magistrates, and deputies of the several towns, resolved immediately to make their addresses to his Majesty," which was accordingly done, Oct. 25, 1664.⁴ Letters of entreaty were also sent to Robert Boyle and the Earls of Clarendon and Manchester.⁵

Mr. Whiting, of Connecticut, who happened to be in Boston when the Commissioners arrived from England, hastened back to give information of their extraordinary powers, as evidenced in their conduct previous to their departure for New Netherlands, and to communicate the apprehensions which were entertained by Massachusetts. The alarm became uni-

that harbour." Not being able to determine whether or not the Massachusetts forces proceeded to "Manhadoes," the reader is left to form his own opinion on the subject. See page 577; *Smith's New York*, pp. 19, 22; *Hutchinson*, i. 212; *Davis's Morton*, p. 311; *Danforth Papers*, in *Mass. Hist. Coll.* xviii. 94.

¹ *Hutchinson*, i. 211, 212; *Chalmers*, pp. 573-4; *History of the Revolt*, i. 116-18; *Smith*, pp. 12-23; *Thompson*, i. 121-6, ii. 313-16; *Trumbull's Connecticut*, i. 267; *Holmes's Annals*, i. 334-5.

² *Danforth Papers*, in *Mass. Hist. Coll.* xviii. 93-4; *Hutchinson*, i. 212.

³ Letter of April 23, 1664, in *Hazard*, ii. 634-7.

⁴ See the Address in *Hutchinson*, i. 460-4. The authorities are, *Hutchinson*, i. 212-13, *Danforth Papers*, in *Hist. Coll.* xviii. 94-5; *Hutch. Coll. Papers*, p. 422.

⁵ The letter to Boyle, dated Oct. 19, 1664, is in *Hutch. Coll. Papers*, pp. 388-9. The letter to Clarendon was dated Nov. 7th. See *Boyle's reply*, *Mass. Hist. Coll.* xviii. 49; *Clarendon's reply*, *Hutchinson*, i. 464, 465.

versal. It was said that a yearly revenue of £5000 was to be raised in Massachusetts for the King, "whereupon," say the Commissioners, "Major Hawthorne made a seditious speech at the head of his Company," and Endicott — whose life was fast drawing to a close — addressed the people "at their meeting-house in Boston." Such was the report which was carried to Connecticut. New Haven, as we have seen, had been included in Charles's Charter to this Colony, but had persisted in refusing to acknowledge that Charter, and had maintained her independence until the present time. She was now urged to incorporate herself with Connecticut without delay. On the 1st of September the Commissioners of the United Colonies met at Hartford; the case was laid before them, and a speedy union of the two Colonies recommended, as absolutely necessary, not only for the safety of New Haven, but for the welfare of the whole Confederacy.¹

Connecticut had much to fear from the visit of the Commissioners. The Duke of York's Patent, as has been mentioned, included Long Island, which had been claimed by Connecticut. The Duke and Duchess of Hamilton had petitioned the King to restore to them a tract "of sixty miles square, on the eastern side of Connecticut River," which had been granted to their father, James Marquis Hamilton, in 1635, and his Majesty had, on May 6, 1664, referred the case to the determination of the Commissioners whom he had appointed "to settle the affairs of New England."² Moreover the boundaries between the Colony and her neighbors were unsettled and in dispute; and it was said that Massachusetts had encroached upon her northern and eastern limits. Thus beset on every side, Connecticut saw, or fancied she saw, the necessity of conciliating the royal emissaries, and thus obtaining the favor of the King. The Assembly, therefore, on the 13th of October, ordered a present of five hundred bushels of corn to be made to the King's Commissioners; committees were appointed to settle the boundaries between Connecticut and the Duke of York's Grant,³ Massachusetts, and Rhode Island;⁴ and a deputation was

¹ Trumbull, i. 262-66, 269-71, 515-21; Hutch. Coll. Papers, p. 417; Danforth Papers, in Mass. Hist. Coll. xviii. 56-7, 60; Hazard, ii. 496-8. At this same meeting of the Commissioners was presented and read a letter from his Majesty, dated June 20, 1663, and directed "to the Governor and Assistants of the Massachusetts, Plymouth, New Haven, and Connecticut Colonies," in answer to a petition from the proprietors of the Narragansett Country, in which the King commands that the said proprietors "be permitted peaceably to improve their Colonie and Plantation," and recommends them to the "neighborly kindness and protection" of the Colonies abovementioned. Hereupon the Commissioners write "to the Governor and Councill of Providence Plantations," saying "we desire you, and, in obedience unto the pursuance of his Majesties order, shall expect, that some effectual course be by you attended, that may for the future reclaime your people from such injurious and disturbing carriage, as they have formerly to frequently used." Hazard, ii. 498-9; Mass. Hist. Coll. v. 230, 241-2.

² See pages 217, 309-10; Trumbull, i. 272, 524-5.

³ The gentlemen appointed "to accompany John Winthrop, Esq." (who, it seems from this, had returned to Connecticut after the capitulation of the Dutch) "to New Yorke," were Matthew Allyn, Senr., Nathan Gould, James Richards, and Fitz-John Winthrop; and I have no evidence that these gentlemen were the "several magistrates and principal gentlemen of Connecticut" who joined Nichols before New Amsterdam, as rashly stated in the note on page 577. The Articles of Capitulation were signed by Gov. Winthrop and Wyllys alone, from Connecticut. See Trumbull, i. 247, 272, 273 526-6; Thompson's Long Island, i. 125, 126-7, ii. 315.

⁴ When the inhabitants of Rhode Island applied to Charles II. for a Charter, they petitioned that it might include the Narragansett Country. This caused a dispute between Clark and Winthrop, the agents of Rhode Island and Connecticut; for the Charter just granted to the latter Colony included all that part of New England "bounded on the east by the Narragansett River, commonly called Narragansett Bay, and from the said Narragansett Bay on the east to the South Sea on the west," thus taking in a great part of Rhode Island. Upon Clark's complaint of this encroach-

sent to New Haven, with instructions "to require the inhabitants, in his Majesty's name, to submit to the government established by his Majesty's gracious grant."¹

In consequence of these proceedings, and the decision of his Majesty's Commissioners, at New York, Nov. 30, 1664, relative to the boundaries of Connecticut, a General Court met at New Haven December 13th, when it was resolved that, "in loyalty to the King's Majesty, when an authentic copy of the determination of his Majesty's Commissioners is published, to be recorded with us, if thereby it shall appear to our committee that we are, by his Majesty's authority, now put under Connecticut Patent, we shall submit, by a necessity brought upon us by the means of Connecticut aforesaid; but with a *salvo jure* of our former rights and claims, as a people who have not yet been heard in point of plea."²

The Dutch being reduced, Carr, Cartwright, and Maverick returned to Boston, leaving Colonel Nichols at New York, and on the 15th of February, 1664-5, met the Governor and magistrates at the Governor's house, when they made known their intention to go to Plymouth on the next day, and requested that orders might be given for all the inhabitants to assemble the next Election-day, and that persons might be appointed to go with them to show them the bounds of the Patent. The latter proposition was readily acceded to, but to the former objections were made, to which Cartwright replied, "that the motion was so reasonable, that he that would not attend it was a traitor," and the Commissioners sent letters about the country, in their own name, desiring the people to assemble.³

Proceeding to Plymouth the Commissioners presented to the General Court of the Colony, on the 22d of February, the King's letter of April 23, 1664, and a paper of "Propositions."⁴ They "had but one plaint to them, which was, that the Governor [Thomas Prince] would not let a man enjoy a farm of four miles square, which he had bought of an Indian; the com-

ment the Connecticut Charter "was called in again, and it had never been returned, but upon a report that the agents, Mr. Winthrop and Mr. Clarke, were agreed by mediation of friends." The question of difference "concerning the right meaning of certain bounds set down in a Patent lately granted to the Colony of Connecticut," was left for settlement to five referees, mutually nominated and chosen by the two agents, who came to a decision, which was solemnly ratified by Winthrop and Clark on the 17th of April, 1663. Upon this agreement the Connecticut Patent was restored, and a Charter granted to Rhode Island, which recites the agreement, and confirms to the Colony "all that part of New England containing the Narragansett Bay, and countries and parts adjacent, bounded on the west, or westerly, to the middle or channel of a river called and known by the name of Pawcatuck, alias Pawcawtuck, River, and extending towards the east, or eastwardly, to the most westwardly line of Plymouth Colony, and bounded on the south by the Ocean, and, in particular, the lands belonging to the towns of Providence, Pawtuxet, Warwick, Misquammacock, alias Pawcawtuck, and the rest upon the main land, together with Rhode Island, Block Island, and all the rest of the islands and banks in the Narragansett Bay, and bordering upon the coast of the tract aforesaid, (Fisher's Island only excepted,) any grant or clause in a late Grant to the Governor and Company of Connecticut Colony to the contrary thereof in anywise notwithstanding; the aforesaid Pawcatuck River having been yielded, after much debate, for the fixed and certain bounds between these said Colonies, by the agents thereof." *Brinley's Account, in Mass. Hist. Coll. v. 218; Roger Williams's letter, in R. I. Hist. Coll. III. 162; Hazard, II. 604; R. I. Hist. Coll. IV. 267-8, 269; the Decision of the Referees, ibid. III. 200-1, and Mass. Hist. Coll. v. 243-9.*

¹ Trumbull, i. 272-3.

² *Ibid.* 273-4, 625-30; Smith's New York, p. 26; Thompson's Long Island, i. 126-7.

³ Danforth Papers, in Mass. Hist. Coll. xviii. 96-6; Hutchinson, i. 213-14.

⁴ The answers to these Propositions (which, with the Propositions themselves, may be found in Davis's Morton, pp. 417-19, and in Hutchinson, i. 214-15.) were not finally drawn up until the 4th of May, when the General Court ordered "Mr. Constant Southworth, treasurer, to present these to his Majesty's Commissioners, at Boston, with all convenient speed."

plaint soon submitted to the Governor, when he understood the unreasonableness by it." The Colonists "shewed their Charter, and gave a copy of it to the Commissioners, and told them they were so poure they could not renew it." The Commissioners offered to have it renewed at their own expense, "if they would let his Majesty choose one of three (whose names themselves should send to the King) to be their Governor," every third or fifth year; but the Assembly, upon due consideration, "with many thanks to the Commissioners, and great protestations of their loyalty to the King, chose to be as they were."¹

The Commissioners next proceeded to Rhode Island, accompanied by Governor Prince and Major Josiah Winslow. Being met by Roger Williams and others, as Commissioners on the part of Rhode Island, they settled the disputed boundary between that Colony and Plymouth, and "appointed the water, lying next to the Narhiganset Island, (the naturall bounds of each Colony) to be their bounds, untill his Majestyes pleasure be farther known." This business being concluded, Prince and Winslow returned home. On the 4th of March the Commissioners drew up their "Proposals" to be presented to the General Assembly of the Colony, when it should meet in May. They received the petition of Gorton, Hulden, Wickes, and Greene, "in the behalf of themselves and others of the towne of Warwick," telling how they had been "evilly intreated by divers of their countrymen, more especially by them of the Massachusetts," and praying for redress and satisfaction. On the 13th of the same month they wrote a letter to the Governor and Council of Massachusetts, requesting that a map of the "limits of their jurisdiction" might be prepared. This letter was enclosed in one to Governor Prince, of Plymouth, in which they say, "Thursday next [March 17, 1664-5.] we intend for Narraganset, and so on to Connecticut."²

Arrived in the Narragansett Country, they received petitions from the Sachems, "complaining of many acts of violence and injustice which the Massachusetts had done to them." Two of the Sachems surrendered "themselves, people, and country into his royall Majestyes protection, before his Commissioners, and delivered to them that very deed made in 1644, which had been carefully kept by Mr. Gorton," as also presents for the King and Queen of England. Hereupon the Commissioners, by an instrument³ dated at Petaquammetuck, or Peteqomscoit, March 20, 1664-5, ordered that the Narragansett and Nyantic countries, as far as Paweatuck River on the west, should be henceforth called the King's Province, and that no person, of any Colony whatsoever, presume to exercise any jurisdiction within the said Province, without license from them, his Majesty's Commissioners. They adjudged Captain Atherton's purchase to be void, and ordered all the inhabitants within the "King's Province" to remove by the end of the ensuing September, if, before that time, the Indian Sachems should pay three hundred fathoms of "Peag" to any one of the "pretended purchasers." On this same day they issued Commissions to Roger Williams,

¹ The King's letter to Plymouth is in Davis's Morton, pp. 312-14, and Baylies's Memoir, Part II, pp. 65-7. See Morton, pp. 310-12; the Narrative of the Commissioners, in Hutchinson's Collection of Papers, pp. 416-17.

² Roger Williams's letters, in R. I. Hist. Coll. III. 162, 164; the Commissioners' Narrative, in Hutch. Coll. Papers, pp. 414-15; Danforth Papers, in Mass. Hist. Coll. XVIII. 59; letter of the Commissioners to Gov. Prince, *ibid.* v. 192-3. The Proposals of the Commissioners were laid before the Assembly, by the Governor, in May, 1665. They are printed, with the answers of the Assembly, their Addresses to the King and Chancellor Clarendon, and their Reasons, "why the King's Province should remain to the Colony," and "for settling the Eastern line according to the Charter," in Mass. Hist. Coll. XVII. 94-109. Gorton's Petition, dated at Warwick, March 4, 1664-5, may be found in R. I. Hist. Coll. II. 231-3, and also in Mass. Hist. Coll. XVIII. 63-70; and the answer of the Mass. General Court thereto, dated May 20, 1665, in R. I. Hist. Coll. II. 233-45.

³ See it in R. I. Hist. Coll. III. 179-81.

Benedict Arnold, and twelve others, constituting them Justices of the Peace throughout the Province, "to govern it until his Majesty's pleasure be farther known." On the 21st they sent a declaration to Amos Richardson,¹ of Boston, one of the proprietors of the Quidneset and Namcook Purchases, and to Captain Prentice and Roger Plaisted. They sent a messenger to Connecticut, with the King's letter² of April 23, 1664, and a letter from themselves, requesting "that they might have something in writing to return to the King, concerning the grant of sixty miles square, on the eastern side of Connecticut River, to James Marquis of Hamilton, and to know in what particulars it was desired that they should be solicitors to his Majesty for the advantage of the Colony." They granted a protection to John Porter, Jun., "an high offender against God, his Majesty's authority, laws, and the peace of his good subjects here, who, breaking prison, made his escape out of the hands of justice;" and issued a warrant for the seizure of the cattle on the farm of Capt. Daniel Gookin (in the "King's Province") "which were supposed to be Whalves or Goughs." Proceeding to Southerntown,³ the Commissioners there held their Courts. Crossing the Pawcatuck, they visited New-London. Here, on the 27th of March, they published an Order⁴ "that the heirs or assigns of Mr. Haynes be suffered to enjoy the lands" at Pawcatuck, granted to Mr. Haynes by the General Court of Connecticut in 1652 and 1653-4, "until such time as his Majesty's pleasure be further known concerning the same." Retracing their steps, they visited Warwick. Here they heard the complaints of some of the proprietors of Misquamicut, (now Westery,) and on the 4th of April issued an Order⁵ for their protection, at the same time declaring "all gifts or grants of any lands lying on the eastern side of Pawcatuck River, and a north line drawn to the Massachusetts, from the midst of the ford near to Thomas Shaw's house, and in the King's Province, made by his Majesty's Colony of the Massachusetts, to any person whatsoever, or by *that usurped authority called the United Colonies*," to be void, and commanding "all such as are therein concerned to remove themselves and their goods from the said lands before the nine and twentieth day of September next" ensuing. On the 8th the Commissioners published a declaration,⁶ that the Commission issued by them on the 20th of March preceding, to Williams and others, should continue in force only until the 3d of May, "and that then and thenceforward the Governor and Deputy Governor, and all the Assistants for the time being, of his Majesty's Colony of Rhode Island, shall be, and exercise the authority of, Justices of the Peace in the King's Province, and do whatever they think best for the peace and safety of the said Province; and, in matters of greater consequence, any seven of them, whereof the Governor or Deputy Governor shall be one, shall be a Court to determine any business." A dispute having arisen between King Philip and the Plymouth Indians on the one side, and the Narragansetts on the other, "a great assembly" convened at Warwick for the determination of the difficulty, when Philip's whole territory was challenged by the Narragansett Sachems. Roger Williams being summoned by the Commissioners to testify in the case, "declared such transactions between old Canonicus and Ousamaquin that the Commissioners were satisfied, and confirmed unto the ungrateful monster [Philip] his country," declaring "that the King had not given them any Commission to alter the Indians' laws and customs, which they observed amongst themselves."⁷

¹ See R. I. Hist. Coll. III. 269, 272, 274; Hazard, II. 447.

² It is in Trumbull, I. 522-4.

³ See R. I. Hist. Coll. III. 267-7, 269.

⁴ See it in R. I. Hist. Coll. III. 268.

⁵ See it in Mass. Hist. Coll. XVII. 91-2, and also in R. I. Hist. Coll. III. 262, IV. 262-3.

⁶ It is in Mass. Hist. Coll. XVII. 92-3, and also in R. I. Hist. Coll. III. 181-3, IV. 262-4.

⁷ The authorities are, Hutchinson, I. 239; Commissioners' Narrative, in Coll. Pa-

Leaving the Colony of Rhode Island and Providence Plantations, which "returned humble thanks to his Majesty for sending Commissioners, and made great demonstration of loyalty and obedience," the Commissioners now visited Hartford, where they met the General Assembly of Connecticut on, or about, the 20th of April, which "returned humble thanks to his Majesty for his gracious letters, and for sending Commissioners to them, and made great promises of their loyalty and obedience; and they did submit to have appeals made to his Majesties Commissioners, who did hear and determine some differences among them."¹ The Commissioners laid their Propositions before the Assembly, and received their answer. They also received Connecticut's reply to the claim and petition of the Duke and Duchess of Hamilton, but came to no determination with respect to this troublesome claim.² The Commissioners seem to have been pleased with their reception in this Colony, and with the willingness shown to "amend anything that hath been done derogatory to his Majestyes honour, if there be any such thing, so soone as they shall come to the knowledge of it."³

The Commissioners now turned their faces toward Massachusetts, "and came privately and separately to Boston the latter end of April, and so prevented, designedly as was supposed, that respect which was intended to have been shewn them at their arrival." On the 2d of May, the day before the Election, the Commissioners, having been joined by Colonel Nichols, from New York, delivered five papers to the Deputy-Governor (for the Governor, Endicott, had gone to his final account ere the return of the royal emissaries) and some of the magistrates. As soon as the Election was over, viz. May 4th, these papers were submitted to the Court, and the Commissioners were requested to communicate all his Majesty's requisitions; but this was refused. On the 5th the Court returned its answer to the five papers. The Commissioners replied, exhibited further instructions, and mentioned the case of John Porter, Jun., saying that they "dared not refuse to examine it, but would leave it to the choice of the Court whether it should be heard at Providence, in Rhode Island, or at Boston, either at that time, or after their return from the Eastward, where they were going." On the 8th they desired that "they should cause justice to be done to Thomas Dean," and asked for a copy of the Colony Laws, that they might examine them. On the 9th the Court sent word to the Commissioners, that they apprehended their Patent to be greatly infringed by the protection granted to John Porter, upon which the Commissioners, on the 10th, proposed a conference on the subject.⁴

On the 16th, Carr, Cartwright, and Maverick issued an Order, whereby leave was granted to "Hermon Garret, alias Wequash Cook, to remove with his family near Wequapauock, or Tismatuck, in the King's Province

pers, pp. 412-16, 429; Commissioners' declaration of April 8, 1665; Danforth Papers, in Mass. Hist. Coll. xviii. 96; the Answer of Connecticut, March 28, 1665, to the Hamilton Claim, in Trumbull, i. 530, 532; Mass. General Court's Proclamation, May 24, 1665, in Hutchinson, i. 226; Trumbull, i. 314-15; Brinley's Brief Account, in Mass. Hist. Coll. v. 218; King Charles's letter of Feb. 12, 1678-9, to Rhode Island, *ibid.* 221-2; History of the Narragansett Country, *ibid.* xxi. 217, 219-20; Roger Williams's letters, in R. I. Hist. Coll. iii. 159, 164, 165.

¹ This is the language of the Commissioners in their Narrative. And yet Chalmers (Political Annals, p. 296,) says that Connecticut "received the royal Commissioners with a studied indifference, but with a fixed resolution to deride their authority, and to disobey their commands!"

² See Trumbull, i. 276, 316, 530-2; Chalmers, pp. 288, 296-7, 299-301.

³ Commissioners' Narrative, in Hutch. Coll. pp. 412-13; Trumbull, i. 276-8, 315, 316.

⁴ Hutchinson, i. 215-20; Danforth Papers, in Mass. Hist. Coll. xviii. 55-64.

of y^e Narraganset Country, whereof y^e said Hermon Garret is one of the Sachems."¹

Meanwhile the Court having answered several instructions, relating to Whalley and Goffe, the Act of Navigation, Thomas Dean, the Oath of Allegiance, &c., on the 18th the Commissioners, coming into Court, declared, that they were sorry to find, by the Court's answer, that they put a greater value upon their own conceptions than upon the wisdom of his Majesty and Council, and that they would reduce all to this question, "do you acknowledge his Majesty's Commission?"²

Letters had now been received from Secretary Morrice,³ the Earl of Clarendon,⁴ and Robert Boyle.⁵ The Secretary, in answer to the Address of the General Court, says, "his Majesty hath commanded me to let you know that he is not pleased with this petition, and looks upon it as the contrivance of a few persons who have had too long authority;" and again, "since his Majesty hath too much reason to suspect that Mr. Endicott is not a person well affected to his Majesties person or his government, his Majesty will take it very well if, at the next election, any other person of good reputation be chosen in the place, and that he may no longer exercise that charge."⁶ "We were all amazed," writes Clarendon, "to find that you demand a revocation of the Commission and Commissioners, without laying the least matter to their charge of crimes or exorbitances—I know not what you meane by saying the Commissioners have power to exercise government there altogether inconsistent with your Charter and privileges." "I could not but wonder," says Boyle, "and add to the number of those that cannot think it becomes his Majesty to recal Commissioners, sent so far, with no other instructions than those, before they have time to do any part of the good intended you by themselves, and before they are accused of having done any one harmful thing, even in your private letters."

On the 19th of May the Court, in answer to the question proposed by the Commissioners on the 18th, declare that they "see not the grounds" of the question, and "have only pleaded his Majesty's royal Charter." The Commissioners replied, on the 20th, that they had "most just grounds to insist upon the former question," and demanded a "positive answer" thereto; and on the 22d the Court declared that it was beyond their line to declare their sense "of the power, intent, or purpose" of his Majesty's Commission—that it was enough for them to acquaint the Commissioners with their conception of the powers granted to them by Charter. Hereupon the Commissioners, on the 23d, announced their determination "to sit on the morrow, at nine of the clock in the morning, at the house of Captain Thomas Breedon, to hear and determine the cause of Mr. Thomas Deane and others, p^ls., against the Governor and Company and Joshua Scottow, merchant, def^s., for injustice done Mr. Deane and others, when the Charles of Oleron came into this port." At the same time a summons was sent to Scottow, commanding him to appear at the hour and place appointed. The Court remonstrated against this procedure; but the

¹ R. I. Hist. Coll. iii. 182; Danforth Papers, 96.

² *Ibid.* 64-75; Mass. Hist. Coll. xxvii. 127; Hutchinson, i. 220-4.

³ See Morrice's letter, dated Feb. 25, 1664-5, in Hutch. Coll. Papers, pp. 390-2.

⁴ It is in Hutchinson, i. 464-5, bearing date March 15, 1664-5.

⁵ Boyle's letter, dated March 17, 1664-5, is among the Danforth Papers, in Mass. Hist. Coll. xviii. 49-51.

⁶ "Before these letters came to hand," says Mr. Assistant Danforth, "the King of Heaven summoned the before-named John Endicott, Esq., Governor of the Massachusetts Colony, to appear before him, he dying March 15, 1664-5, having served the Lord and his people faithfully in the government of this Colony 36 years, and was Governor during the said time 16 years, 44. 49. 51. 52. 53. 55. until 65." *Ibid.* 52.

Commissioners persisted. The hour for the trial had arrived, when the sound of a trumpet was heard, and the voice of the crier, proclaiming to all the people of the Colony, in the name of the King, and by the authority of the Charter, that the Court, in observance of their duty to God and to his Majesty, and to the trust committed unto them by his Majesty's good subjects, cannot consent unto, or give their approbation to, the proceedings of the Commissioners, nor countenance any who shall be their abettors. The Commissioners, astonished at this proceeding, write to the Court, "since you will needs misconstrue all these letters and endeavors, we shall not lose more of our labors upon you, but refer it to his Majesty's wisdom, who is of power enough to make himself to be obeyed in all his dominions." At the same time they laid before the Court the results of their examination of the "Laws and Liberties of the Province." The Court, on the same day, (May 24th) sent to the Commissioners a map of their territories.¹

On the 25th the Court, "accounting it their duty, according to their poor ability, to acknowledge their humble thanks to his Majesty for the many and continued expressions of his tender care and fatherly respect to this his Colony, do order, that in the best commodity that may be procured in this his Colony, meet for transportation and accommodation of his Majesty's navy, unto the value of £500, the whole charge be forthwith prepared and sent by the first opportunity, and the Deputy Governor, [Francis Willoughby.] the Major-General, [John Leverett,] Captain Thomas Clarke, Captain [George] Corwin, Mr. [Hezekiah] Usher, Captain [William] Davis, Mr. [John] Hull, and Captain [Thomas] Lake, are nominated a committee to procure the said commodity, and to take order for the transportation thereof, whose engagements shall be discharged by the Treasurer out of the next country rate; and Mr. William Browne is joined to the abovenamed committee; and the major part of this committee is enabled to act, as is above expressed."²

On the 26th the Court, resolved to take Deane's case into their own hands, acquainted the Commissioners with their determination, and issued a summons to Deane, and also to Thomas Kellond, &c., to appear before them the next day, at 9 o'clock, A. M. The Commissioners replied as follows: "after your interruption of our intentions to have proceeded in the case of Mr. Thomas Deane, eum sociis, according to his Majesty's Commission and particular instructions therein, which we must conclude to be a violation of his Majesty's authority to us committed, we could not have imagined that you would have assumed to yourselves the hearing of the same case; we do, therefore, in his Majesty's name, declare to the General Court that it is contrary to his Majesty's will and pleasure that the cause should be examined by any other Court or persons than ourselves, who are, by his Majesty's Commission, the sole judges thereof, and have already taken the matter into consideration."³

On this same day Cartwright addressed the following letter to Samuel Gorton:—

Mr. Gorton.

These gentlemen of Boston would make us believe, that they verily think that the King hath given them so much power in their Charter to do unjustly, that he reserved none for himself to call them to an account for doing so. In short, they refuse to let us hear complaints against them; so that, at present, we can do nothing in your behalf. But I hope shortly

¹ Hutchinson, i. 224-9; Danforth Papers, in Mass. Hist. Coll. xviii. 75-83.

² *Ibid.* 90-1.

³ Danforth Papers, in Mass. Hist. Coll. xviii. 88-92; Hutchinson, i. 229-34; Narrative of the Commissioners, in Hutchinson's Collection of Papers, pp. 417-22.

to go for England, where (if God bless me thither) I shall truly represent your sufferings and your loyalty.

Your assured friend,

Boston, 26 May, 1665.

Geo. Cartwright.¹

Thus terminated the operations of the Commissioners at Boston. Colonel Nichols returned to his government at New York, while the others went to Maine and New-Hampshire. Their proceedings in these Provinces will be related elsewhere. "It cannot be denied," says Hutchinson, "that the Commission was a stretch of power, superseding, in many respects, the authority and powers granted by the Charter; and there appears in the conduct of the General Court upon this occasion, not an obstinate, perverse spirit, but a modest, steady adherence to what they imagined, at least, to be their just rights and privileges." The submission to the proceedings of the Commissioners, says the General Court in its Declaration, is, as we apprehend, "inconsistent with the maintenance of the laws and authority here, so long enjoyed and orderly established under the warrant of his Majesty's royal Charter."—"The Lord will be with his people," writes John Davenport from New Haven—"their claiming power to sit as a Court for Appeals, was a manifest laying of a groundwork to undermine your whole government established by your Charter. If you had consented thereunto you had plucked downe, with your owne hands, that house which wisdom had built for you and your posterity. — Let a collection of your grievances occasioned by the coming over of these Commissioners, and by their actings, in one place and another — let, I say, all instances of their illegal and injurious proceedings throughout the country, be fully collected and clearly proved, and speedily transmitted and represented to the King, the Lord Chancellor, &c., by your next Address, and therein let them fully and plainly understand that the whole country are much aggrieved at these doings, and humbly desire to be resettled in their former state, according to their Charter, and that they may be freed from those new encroachments."²

Some of the Orders which had been published in the Narragansett Country, by Carr, Cartwright, and Maverick, were subsequently reversed, upon the complaint, it is said, of Colonel Nichols, whose concurrence the King's Commission made necessary to the validity of every act of his associates. The Order of March 20, 1664-5, was countermanded by an Order of the 15th of September, 1665, under the hands of Nicholls, Carr, and Maverick, declaring that "the inhabitants of the King's Province of Nanhigansett shall remain in quiet and full and peaceable possession of all their lands and houses and appurtenances, until his Majesty's pleasure be further known, any Order before made or granted to the contrary notwithstanding."³

The Commissioners, having visited New Hampshire and Maine, returned to Boston in the latter part of the year. The court complained that their proceedings at the Eastward tended to the disturbance of the public peace, and proposed a conference; but were answered, by Carr, that the King's pardon for past offences was conditional, and that those who had opposed them must expect the punishment which had befallen so many of those concerned in the late rebellion in England.⁴

Cartwright now sailed for England, with Mr. Benjamin Gillam, and was taken by the Dutch, from whom he experienced "pretty harsh and

¹ This letter is preserved by Chalmers, in his *Political Annals*, pp. 196-7.

² Davenport's letter of June 24, 1665, to Leverett, in *Hutch. Coll. Papers*, pp. 392-6.

³ See *Mass. Hist. Coll.* xxi. 320-1, and *R. I. Hist. Coll.* iii. 181.

⁴ *Williamson's Maine*, i. 426; *Hutchinson*, i. 228-9.

course usage." He at length arrived in England, though with some difficulty, and, fortunately for Massachusetts, with the loss of all his papers.¹

By a letter² of Feb. 22, 1665-6, the King recommended an expedition against the French in Canada. Colonel Nichols, being informed of this, wrote to Massachusetts on the 6th of July, 1666, that there was a favorable opportunity to take the French by surprise, and urged them to unite their forces with those of Connecticut in an enterprise which was attended with such fair prospects of success.³ The King's letter was communicated to the Council, July 17, 1666, and, upon consultation with Sir Thomas Temple, Governor of Nova Scotia, and Mr. Winthrop, Governor of Connecticut, it was concluded "that it is not feasible, as well in respect of the difficulty (if not impossibility) of a land-march over the rocky mountains and howling deserts about four hundred miles, as the strength of the French there, according to report." Several privateers were, nevertheless, fitted out and commissioned, which served to annoy the enemy, by hovering on their coasts.

On the 6th of September Samuel Maverick, the most obnoxious of the Commissioners, appeared in Boston, and delivered to the Governor and magistrates "a writing, without direction or seal, which he saith is a copy of a signification from his Majesty of his pleasure concerning this Colony of the Massachusetts; *the certainty whereof seems not to be so clear as former expresses from his Majesty have usually been.*" Notwithstanding the suspicions — openly avowed — as to the authenticity of the document, the Governor deemed it advisable to summon the Court for the consideration of the "writing," which was, in truth, the King's letter of April 10, 1666, in which his Majesty declares that he has received full information from his Commissioners of their reception and treatment, and that it is very evident that the people of Massachusetts believe that he "hath no jurisdiction over them"; therefore he thinks fit to recall his Commissioners, that he may receive from them "a more particular account of the state and condition of those Plantations;" and he orders the Governor and Council forthwith to make choice of "five or four persons, whereof Mr. Bellingham and Major Hathorn are to be two, (both which his Majesty commands upon their allegiance to attend) to attend upon his Majesty," who will then, in person, hear "all the allegations, suggestions, or pretences to right or favor which can be made on the behalf of the Colony." His Majesty also commands that all decisions made by his Commissioners shall remain in force until further orders.⁴ A special Court convened Sept. 11th, and agreed to spend the forenoon of the next day in prayer. Accordingly, the forenoon of the 12th was spent in hearing prayers from Wilson, Mather, Symmes, Whiting, Cobbet, and Mitchel. The next day, after Lecture, "the Court met, and the elders were present; and some debate [was] had, concerning the duty to his Majesty in reference to his signification." On the 14th the Court assembled, when petitions were presented from Boston, Salem, Ipswich, and Newbury, urging a compliance with the King's demands.⁵ After a prolonged debate, obedience to his Majesty's requisitions was refused. "We have given our reasons" — thus replied the General Court, in their letter of Sept. 17th, to Secretary Morrice — "why we could not submit to the Commissioners and their

¹ See pages 685-6; Davis's Morton, p. 315; Josselyn, p. 274; Hutchinson, i. 229-30.

² In Danforth Papers, Mass. Hist. Coll. xviii. 102.

³ See Nichols's letter, in Hutch. Coll. Papers, pp. 407-8.

⁴ The letter is in Hutchinson, i. 466-7. Letters of the same date, but of far different tenor, sent to Plymouth and Connecticut, may be found in Hutchinson, i. 466-6, and Trumbull, i. 636-7.

⁵ See Hutchinson, i. 232, note; Mass. Hist. Coll. xxi. 69-60; Danforth Papers, ibid. xviii. 103-7; Hutch. Coll. pp. 611-13.

mandates, the last year, which we understand lie before his Majesty, to the substance whereof we have not to add; and, therefore, can't expect that the ablest persons among us could be in a capacity to declare our case more fully."¹ "I fear," exclaims the moderate Bradstreet, when the genuineness of the King's letter is called in question, "I fear we take not a right course for our safety — it is clear that this signification is from his Majesty." Major Denison declares his dissent from the Court's letter, and desires that it may be recorded.²

On the 10th of October the Court again met, "according to adjournment in May last. — Many express themselves very sensible of our condition, several earnest for sending, and some against sending. The Court agreed to send his Majesty two large masts, aboard Captain Peirce, thirty-four yards long, and agreed to levy £1000 for the payment of what is needful at present." This measure met with opposition, but the masts were at last sent.³ Provisions were also sent to the English fleet in the West Indies; and a liberal contribution was made throughout the country, for the relief of the sufferers by the great fire in London.⁴

On the 10th of November Bellingham received a letter from the Commissioners, written at New York, Nov. 3, 1666, in which they sharply reprove the government for its insinuations concerning the letter of April 10th, its refusal to obey his Majesty's commands, and its treatment of those persons, "eminent for loyalty and estate," who had presented the petitions, already mentioned, "so full of duty to his Majesty, of respect to the General Court, and tending to the peace and welfare of the whole Colony." The Governor ordered Secretary Rawson, on the 13th, to inform Mr. Maverick, the bearer of the Commissioners' letter, "that the General Court being dissolved sundry dayes since, their returne to the honorable Sir William Morrice is dispatched by the ships gone for England in the last month."⁵

On the 20th of this month Nichols and Carr published a Protest, at Fort James, in New York, directed "to all his Majesty's subjects," in favor of Hermon Garret, and against certain persons who had disturbed him in his possessions.⁶

On January 22, 1666-7, Governor Leverett sent a summons to Sir Robert Carr, who, having visited Delaware, had come to Boston to take passage for England, requiring him to appear, with his servant, James Deane, before him, at his house, on the 23d inst., between nine and ten o'clock in the morning, to answer for "royatous and abusive carrying to Richard Bennet, one of the Constables of this towne, on Saturday last, in the evening, at the house of John Vyal, vintner."⁷

What was the result of this summons we are unable to state. Carr soon sailed for England, where his life was brought to a close ere he had much time to trouble the Colony by his representations.⁸

¹ See the General Court's answer to the King's letters of Feb. 22d, and April 10th, 1666, in Danforth Papers, 108-9.

² Ibid. 98-101, 108, 109; Hutchinson, i. 232.

³ Pepys writes in his Diary, under Dec. 3, 1666, "there is the very good news come of four New England ships come home safe to Falmouth, with masts for the King; which is a blessing mighty unexpected, and without which (if for nothing else) we must have failed the next year. But God be praised for thus much good fortune, and send us the continuance of his favor in other things!" *Memoirs of Pepys*, iii. 100-1; *Danforth Papers*, 110-11.

⁴ Hutchinson, i. 235-6.

⁵ See the Commissioners' letter in Hutch. Coll. Papers, pp. 409-10, and Bellingham's reply, *ibid.*, p. 410.

⁶ See the Protest, in R. I. Hist. Coll. iii. 182-3.

⁷ The summons is in Hutch. Coll. p. 411.

⁸ According to Morton and Josselyn, Sir Robert Carr "arrived at Bristol, and died there June 1, 1667, the next day after he came ashore." I find mention made of a Sir

And what did England's Monarch say to the resistance which his Commissioners had encountered in the Massachusetts Colony? Perhaps he whispered the tale of his subjects' refractoriness in the ears of one of his mistresses. He certainly *did* nothing until the year 1671, when he constituted a new Council for Plantations. At the first meeting of this Board, on the 26th of May,—“at the Earl of Bristol's house, in Queen Street, Lincoln's Inn Fields,”—“there were great debates in what style to write to New England,” which appeared to them to be “very independent as to their regard to Old England or his Majesty.” The King himself commended the subject to their attention, because “the condition of that Colony—rich and strong as they now were—was such that they were able to contest with all other Plantations about them, and there was fear of their breaking from all dependence on this nation.” Some of the Council “were for sending them a menacing letter, which those who better understood the peevish and touchy humor of that Colony, were utterly against.” On the 6th of June was laid before the Council “a most exact and ample information of the best expedients as to New England, on which there was a long debate, but at length it was concluded that, if any, it should be only a conciliating paper at first, or civil letter,” till better information was received of the state of affairs, it being reported that “they were a people almost upon the very brink of renouncing any dependence on the Crown.” Cartwright, one of the Commissioners in 1664, appeared before the Board on the 31st inst., and gave “a considerable relation” of New England; and it was resolved that, “in the first place, a letter of amnesty should be dispatched.” Accordingly, at a meeting on the 4th of July, a letter was prepared and “agreed to be sent to New England.” It was subsequently (August 3d) debated whether to send a Deputy to New England, “requiring them of the Massachusetts to restore such to their limits and respective possessions as had petitioned the Council; this to be the open Commission only, but in truth with secret instructions to inform the Council of the condition of those Colonies, and whether they were of such power as to be able to resist his Majesty, and declare for themselves as independent of the Crown,” as was reported, “which of late years made them refractory.” One Colonel Middleton, who “was able to give some information of the state of New England,” assured the Council that “they might be curbed by a few of his Majesty's first rate frigates, to spoil their trade with the Islands.” It was finally determined “to advise his Majesty to send Commissioners with a formal Commission for adjusting boundaries, &c., with some other instructions.” No Commissioners were sent, however, and we find the Council yet deliberating, Feb. 12, 1671-2, “on some fit person to go as Commissioner to inspect their actions in New England, and from time to time report how that people stood affected.”¹

In September of this year the Council for Plantations was constituted a Council for Trade and Foreign Plantations. This Board appointed a committee “to examine the laws of his Majesty's several Plantations and Colonies in the West Indies;”² and with this preliminary step appear to have terminated, for the present, at least, their measures with regard to New England. In 1674 the petitions of Gorges and Mason were renewed.³ It was rumored that Massachusetts had made peace with the Dutch,⁴ that she defrauded the King of his customs, by carrying tobacco from Virginia to

Robert Carr, of Sleaford, in Lincolnshire, who died Aug. 14, 1667. This may very probably be the obnoxious Commissioner. See *Davis's Morton*, p. 315; *Joselyn*, p. 275; *Burke's Extinct and Dormant Baronacies*, p. 103.

¹ *Memoirs of Evelyn*, i. 435, 436, 438-41, 447, 457.

² *Ibid.* 459.

³ King Charles's letter of Oct. 21, 1681, in *Chalmers's Political Annals*, p. 446.

⁴ John Collins's letter to Gov. Leverett, April 10, 1674, in *Hutch. Coll. Papers*, p. 443.

France, Holland, &c. ;¹ and she was advised of "a great design on foot for the regulation of New England," and that there was "no man to speak a word" in her favor.² She was counselled by a faithful friend to buy up Gorges's claim, about which there was "much discourse and complaint," lest it should, "in the future, prove prejudicial."³ Robert Boyle was solicited by the Colony to answer the "misrepresentations that had been made of their affections and actions." Boyle did what he could, but represented that it would be much more for the advantage of the Colony "to send or appoint some competent person, to solicit and manage their concerns on all emergent occasions."⁴

Gorges and Mason, tired of their hitherto fruitless efforts to obtain the respective territories which they claimed, readily listened to a proposition to dispose of their claims to the King, who wished to unite Maine and New Hampshire, and thus form a Province which should be a principality worthy of his favorite son, the Duke of Monmouth.⁵ But this project was by no means agreeable to Massachusetts. He who had been selected as the Duke's Governor, in the contemplated Province, was "dealt withall" by a friend to the Colony, "and such discouragements laid before him, and the ridiculousness of hoping for such a revenue, as was proposed, of £5000 a year, or more, to the Duke, that I think," writes Collins to Leverett, "it is laid aside."⁶ Major Thomson was authorized by Leverett to open a negotiation with Ferdinando Gorges, and to offer him £500 for "his pretensions" to Maine, provided that he should "take off all after claims and claimers against the Colony of the Massachusetts, or others, upon the place."⁷ Thomson returned answer, Feb. 16, 1674-5, that Gorges was "now in the clouds," and that his expectations far exceeded the offer made by Massachusetts.⁸

The complaints against New England had, for some time, been neglected. The gay Monarch was entirely devoted to pleasure, and the Parliament had been occupied in devising some means for the payment of his vast debts. The King caused great discontent by proroguing Parliament on the 11th of February, 1673-4. Sad "jangling" took place in Scotland, "betwixt the Duke of Lauderdale and the nobility." "Dangers of Papists and Popery" were pressed. Dissensions at home, and distractions abroad, had, as yet, left the English Government no time "to mind such minute things" as the regulation of a few Colonies, situated at such a distance from the mother country.⁹ Meantime New England—inhabited by "a people whose frugality, industry, and temperance, and the happiness of whose laws and institutions, promise to them long life, with a wonderful increase of people, riches, and power,"—prospered by this neglect. She monopolized the carrying-trade of the western Plantations, and her magistrates claimed to be "his Majesty's Vice-Admirals in those seas." Her trade, says one who visited the country in 1673, "is very great to all parts;" she "hath become a magazine of all commodities. Ships daily arrive there from Holland, France, Spain, &c., bringing with them the productions of these countries." To Maryland, Virginia, and Jamaica she exported beef and pork, flour and bread-stuffs. To Barbadoes, Nevis, and St. Christopher she sent horses, pipe-staves, and houses ready framed; to Spain, Portugal, Madeira, and the Canaries, fish and timber; masts and yards for ships, to Guinea, Madagascar,

¹ Collins's letter, in Hutch. Coll. p. 444; Robert Thomson's letters of Aug. 3, 1674, and Feb. 16, 1674-5, to Leverett, *ibid.*, pp. 462-3, 470-1, and Leverett's letter, Sept. 29, 1674, to Thomson, *ibid.*, pp. 468-9.

² John Knowles to Leverett, Apr. 16, 1674, *ibid.*, p. 447.

³ Thomson to Leverett, Apr. 27, 1674, *ibid.*, p. 449.

⁴ See Boyle's letter, in July, 1674, *ibid.*, pp. 450-1.

⁵ Collins's letter of July 23, 1674, *ibid.*, p. 451; Chalmers, *Annals*, pp. 397, 484, 486, *History of the Revolt*, i. 138-9.

⁶ Collins's letter of July 23, 1674.

⁷ Leverett's letter, Aug. 24, 1674, to Thomson, Hutch. Coll. pp. 466-7.

⁸ Thomson's letter, *ibid.*, p. 470.

⁹ Collins's letters of Apr. 10th, and July 28th, 1674, *ibid.*, pp. 444, 451-2; Wade's *British History*, p. 232.

and Syria; fir and oak plank, masts and yards, furs, train oil, and peltry, to England. The Acts of Navigation were disregarded, "all nations having free liberty to come into their ports, and vend their commodities, without any restraint." This freedom of commerce, while it enriched the country, provoked the envy of the merchants and manufacturers of the parent state; and in the beginning of the year 1675 they laid their complaints before the Sovereign, representing that the widely-extended traffic of New England "would not only ruin the trade of this kingdom, but would leave no sort of dependence from that country to this." Complaints from such a quarter are seldom without effect. They were solemnly heard by the Committee of Foreign Plantations, and it was resolved that proper persons ought to be appointed to administer the oaths to the Colonial Governors, obliging them to see that the laws of trade were executed, to receive the duties, &c. &c.¹

The scheme for the sale of Maine and New Hampshire having been laid aside—not from any disinclination on the part of the Monarch, but from his poverty—Gorges and Mason again petitioned for the restoration of their property. Governor Leverett received information that "many complaints" were made against the Colony; that it was proposed to send "a Commissioner thither, and it was determined to do it with some force;" and that though, by reason of "more weighty affairs and want of money," this project might be delayed, yet that the Colony would certainly receive "a letter from his Majesty, to order some account of these things to be given him; and I fear," writes Collins, "that which is aimed at is to call your Patent to a strict account, upon what terms you hold it. You would do well," he proceeds, "to be in a preparation for it, especially to make good your title to that part of your Government. Here is none able to speak for you; we want instructions; papers that we had formerly, the late dreadful fire either consumed, or removes have quite lost. My Lord Privy seal, Lord Anglesey, takes it ill that he hath not been addressed to. I think, if you wrote an obliging letter to him, and transmit your pleas to him, as well as others that may wait upon him, you will do well."² In accordance, probably, with this suggestion, Leverett subsequently wrote to the Earl of Anglesey, telling him "that the Colony was too poor to employ agents, and had no meet instruments."³

On the 24th of November a Proclamation was issued, prohibiting the importation of any of the commodities of Europe into the Plantations, which were not laden in England; and for putting the laws relating to the Plantation trade in execution.⁴ In 1676 letters were written to the Colonial Governors, commanding them to enforce strict obedience to the Acts of Trade, and commissions were sent, empowering proper persons to administer the requisite oaths. To New England—"the most prejudicial Plantation to the Kingdom of England"⁵—it was determined to send a special messenger. The complaints of Gorges and Mason had been examined, and the King wrote to Massachusetts to send over agents, who should appear before him in six months after the receipt of his letter, fully empowered to defend her proceedings; declaring, at the same time, that unless agents were sent, as ordered, he was resolved to give judgment against the General Court, even in its absence, "that he may be no longer tired with the complaints of his

¹ See Sir Josiah Child's "New Discourse of Trade," (5th ed., 16mo. Glasgow, 1751.) pp. 160-3; the Relation of Capt. Cleyborne, of the Garland Frigate, in Chalmers's Political Annals, pp. 433-4; Randolph's Narrative, in Hutch. Coll. Papers, pp. 494-6; Chalmers's Political Annals, p. 401, and History of the Revolt, i. 128-9.

² Collins's letter of March 19, 1674-5, Hutch. Coll. pp. 472-3; Chalmers, Annals, p. 486, History of the Revolt, i. 139; Farmer's Belknap, pp. 85-6.

³ Chalmers's Political Annals, p. 395.

⁴ Wade's British History, p. 233; Mass. Hist. Coll. xxvii. 136-7. This Proclamation was not received in Massachusetts until October, 1680. Randolph's "Articles," in Hutch. Coll. p. 526.

⁵ In the opinion of Sir Josiah Child, New Discourse of Trade, p. 135.

subjects, but may do them justice." Even the distresses of the Colony during the Indian War were made the subject of complaint in England. It was reported that divisions existed; that there had been a lack of prudence and foresight; that they were "poor and yet proud"—too proud to apply to the King for aid—and thus, it was said, by the obstinacy and penuriousness of those who were at the head of affairs, was a fine country in danger of being lost to the Crown.¹

The person selected to bear the King's commands to Massachusetts was Edward Randolph, a kinsman of Mason, "a man of great address and penetration." Furnished with the King's letter of March, 1675-6, and copies of the petitions of Mason and Gorges, and with instructions from the Lords of Trade to enquire minutely into the state of the country, of its government and laws,² Randolph sailed from the Downs on the 30th of March, 1675-6, and arrived at Boston on the 10th of June. He immediately waited upon Governor Leverett, who informed him that the Council was to meet in the afternoon, and that he should be sent for, as he was at the appointed time. His Majesty's letters, with the petitions, were read in the messenger's hearing, and he was dismissed with the answer "that they should consider of those things." On the 15th he was again sent for, and was informed by the Governor that an answer had been prepared to his Majesty's letter, which was "to accompany his own particular answer to a letter he had received from Mr. Secretary Williamson" by the same vessel in which Randolph had arrived. He was asked if he had anything further to communicate, and upon his replying in the negative, he was told that he was regarded as Mason's agent, and might withdraw. On the 23d inst., Randolph presented a memorial to the Governor and Council, reminding them of the King's commands, that agents should be sent to England, and desiring that a General Court might be convened, as "much more proper for dispatch of matters of so great and weighty concern," in order that he might receive "their deliberate and solemn answer" to his Majesty's letters. But he received no other answer than that, when he was ready to sail for England, he should have a copy of the letter which had been sent to the Sovereign.³

Randolph now ("about the beginning of July") visited New Hampshire. Returning, after a short absence, to Massachusetts, he next waited upon Josiah Winslow, the Governor of Plymouth Colony, whom he speaks of as "a gentleman of loyal principles," one who "hath showed himself a person of great courage and conduct in the management of the Indian war, which makes him to be feared and not loved by his neighbors the Bostoners," and says that, "in his discourse he expressed his great dislike of the carriage of the magistrates of Boston to his Majesty's royal person and his subjects under their government."

"During my stay at Boston," says Randolph, "I found the generality of the people complaining of the arbitrary government and oppression of their magistrates, and do hope your Majesty will be pleased to free them from this bondage by establishing your own royal authority among them, and govern them according to your Majesty's laws; and many of the better sort did entreat me to represent this their condition to your Majesty, not daring publicly to express their desires or complaint by petition, because of the severity and arbitrary proceeding of their rulers."⁴

On the 20th of July Randolph went to the Governor, and informed him that he was ready to return to England, whereupon the Governor gave him a duplicate of the letter which the Council had sent to the King, and he

¹ Chalmers, *Revolt*, i. 129, *Annals*, pp. 395, 402, 446; Hutchinson, i. 279, 280-1; the Earl of Anglesey's letter to Leverett, May 16, 1678, *ibid.* 279-80.

² See the "Enquiries" of the Lords of Trade and Plantations, with Randolph's answers thereto, in Hutch. Coll. Papers, pp. 477-603.

³ Chalmers, pp. 395, 403; Farmer's *Belknap*, p. 86; Hutchinson, i. 280; Randolph's Narrative, in Hutch. Coll. pp. 503-7.

⁴ *Ibid.*, 507, 508-10.

took his departure, evidently somewhat nettled that the magistrates had not thought fit to acquaint him with the contents of their answer.¹

On the 9th of August a special Court convened, when the Elders were desired to attend, and to consider of "the most expedient manner of making answer to the complaints of Mr. Gorges and Mr. Mason." It was determined to send agents to appear and make answer to the complaints, and William Stoughton and Peter Bulkley were selected for the purpose. Furnished with the General Court's Answer to the petitions of Mason and Gorges, and "qualified as to their instructions with utmost care and caution," the agents sailed from Boston on the 30th of October, 1678. Soon after their arrival in England, all parties appeared before the Lords of Trade and Plantations and the Lords Chief Justices, subsequently before the Chief Justices alone, and, lastly, before the Privy Council, on the 20th of July, when a final judgment was given, against the claims of Massachusetts.²

But the agents were not yet to be dismissed. Many and great complaints were brought against the administration of the government of the Colony.³ Being examined with regard to the extent of their authority as respected these allegations, the agents said that they had no other power than to defend the Colony against the complaints of Mason and Gorges, and were not authorized to answer any other question than as private men. To this it was replied, "that his Majesty did not think of treating with his own subjects as with strangers, and to expect the formality of powers; but, being determined to do what was right, they might inform their employers that, though he will not destroy their Charter, he had resolved to reduce them to a more palpable dependence on his Crown, in order that they might be of use to him in times of necessity;" and they were ordered to procure an extension of their authority from their Government; but no ampler powers were granted to their request.⁴ They were obliged to appear, several times, both before the King in Council, and the Lords of the Committee of Trade and Foreign Plantations, when it appeared, says the King, in his letter of October 21, 1681, "by the petition of divers considerable merchants, by the reports of the Commissioners of Customs, and by other undeniable testimony, that an unlawful course of trade had, for many years past, been encouraged, and was yet countenanced by the laws and practice of the Government, to the great diminution of our customs in England, violation of divers Acts of Parliament, and great prejudice of our subjects, who, with unequal advantages, contained themselves within the rules which the law directs for the management of trade." Mr. Stoughton, one of the agents, writes to Massachusetts, Dec. 1, 1677, that "the country's not taking notice of these Acts of Navigation, to observe them, hath been the most unhappy neglect that we could have fallen into; for more and more, every day, we find it most certain that, without a fair compliance in that matter, there can be nothing expected but a total breach, and all the storms of displeasure that may be."⁵ To the Lords of Trade the agents "professed their willingness to pay his Majesty's duties within the Plantation, provided they might be allowed to import the necessary commodities of Europe, without entering first in England."⁶ One of the complaints brought against Massachusetts was, that they, "as a mark of sovereignty, coin money."⁷ The agents being questioned on this point, "were made sensible," says the King, "of the great crime the Colony was answerable for, in coining money, for which they therefore besought our royal pardon."⁸

¹ Narrative, Coll. pp. 810-11.

² Hutchinson, i. 281; Farmer's Belknap, i. 87. For the particulars of the adjudication on the claims of Mason and Gorges, see pages 612 and 613., note a.

³ King's letter of Oct. 21, 1681, in Chalmers, p. 446.

⁴ Chalmers, pp. 403-4.

⁵ Hutchinson, i. 288.

⁶ Chalmers, History of the Revolt, &c., i. 130.

⁷ Randolph, in Hutch. Coll. p. 480.

⁸ King's letter of Oct. 21, 1681; Randolph's "Articles," Hutch. Coll. p. 538.

The Committee of Plantations, having received all possible information, both from the agents,¹ and from Randolph, and having entered into a serious consideration of the affairs of New England, in April, 1678, proposed the following queries to the Crown-Lawyers, Jones and Winnington.²

1. Whether the people of the Massachusetts Colony have any legal Charter at all?

2. Whether the Quo Warranto brought against the Colony in 1635³ had not worked the dissolution of such Charter as they had?

3. And, supposing the Charter were originally good, whether the Corporation had not, by maladministration of its powers, forfeited the same, so as to be now at his Majesty's mercy and disposal?

On the first query Jones and Winnington declined giving an opinion, inasmuch as it had already been decided in the affirmative by the two Chief Justices.⁴ To the second they replied in the negative. To the third they answer, that, if the alleged misdemeanors can be proved to be true, and to have been committed since the Act of Oblivion, they do contain sufficient matter to avoid the Patent, but that cannot be otherwise done than by a Quo Warranto.⁵

The Statute Book of the Colony was also submitted to the examination of the Crown-Lawyers, who "marked out" many of its enactments, "as repugnant to the laws of England, and contrary to the power of the Charter," of which the agents promised an amendment.⁶

The Lords of the Committee at length delivered to the agents, to be by them transmitted to the General Court, a list of "those various evils which now produced so much disorder and vexation," for which they demanded an immediate remedy, with the result of their deliberations on the affairs of New England, concluding thus:—"Upon the whole matter their Lordships seem very much to resent that no more notice is taken, in New England, of what was so freely and with so much softness intimated to the agents; and they are so far from advising his Majesty immediately to grant the Colony a pardon, much less the accession of government of the country claimed by Mr. Mason, which the agents had petitioned for, that they are of opinion that this whole matter ought severely to be considered from the very root. For, if fair persuasions will not take place, neither will they take notice of commands that are sent, if nobody be there on the place to give countenance to his Majesty's orders, and truly to represent from that country what obedience is given to them. Agreed that it must be by a Governor, wholly to be supported by his Majesty; and that such a Governor *many of the people there did languish after*. But referred to Mr. Attorney and Solicitor, to consider whether his Majesty is at liberty to do herein as may be required."⁷

The Lords soon after recommended Randolph to Lord Treasurer Danby, as the most proper person for Collector of the Port of Boston. Their choice being approved, a Commission was issued, in May, 1678, constituting him "Collector, Surveyor, and Searcher of his Majesty's Customs, in his Majesty's Colony of New England, (that is to say) Massachusetts, Plymouth, Connecticut, Rhode Island, the Province of Maine, and New Hampshire, and all other his Majesty's Colonies and Islands in New England"; and on the 9th of July following he received his Instructions⁸ from the Commissioners of Customs. But the High Treasurer desiring to know

¹ See in Chalmers, pp. 436-8, extracts from the answers of Stoughton and Bulkeley to the questions proposed to them by the Lords of the Committee, delivered in April, 1678.

² To assist the Crown-Lawyers in forming their opinion, the Lords of Trade sent Randolph "to attend them with several matters of fact."

³ See page 707.

⁴ When the claims of Mason and Gorges were submitted to their examination. See pages 612 and 613, note a.

⁵ Chalmers, pp. 405, 438-40.

⁶ *Ibid.*, p. 447.

⁷ *Ibid.*, pp. 405, 440-1.

⁸ See these Instructions in Mass. Hist. Coll. xxvii. 129-38.

how the expenses of the office were to be defrayed, unless from the Exchequer, the Lords replied, March 10, 1678-9, "We have, upon this occasion, reflected what hath happened in New England since his Majesty's restoration, and do find, not only by the affronts and rejections of those Commissioners which his Majesty sent out in 1665, but by the whole current of their behavior since, that, until his Majesty shall give those his subjects to understand that he is absolutely bent upon a general reformation of the abuses in that government, we cannot hope for any good from the single endeavor of any officer that may be sent, but rather contradiction and disrespect in all that shall be endeavored for his Majesty's service, if they will but call it an infringement of their Charter. Nor can we think how any the charges incident to those employments, could they have any execution, can be otherwise supported than from his Majesty's Exchequer. Wherefore, seeing there is now in preparation such a general state of that Colony, and such expedients to be offered his Majesty, as may bring it to a dependence on his Majesty's authority, equal to that of any other Colony, which we think his Majesty's steady resolution may effect; we, therefore, leave it to your Lordship's consideration, whether it be not best to suspend the departure of any such officer until there be a final resolution taken in this matter."¹

Meantime complaints continued to be made against the Massachusetts Colony. The toleration shewn to Quakers was thought to be one of the sins which had brought upon the country the Indian War, and a law was accordingly passed "that every person found at a Quaker's meeting should be apprehended, and committed to the House of Correction, or else pay £5 in money, as a fine to the country."² The agents wrote to the General Court that this law had lost them many friends.³ The King's letter⁴ of April 27, 1678, having been received, reproving them for a law, passed in the month of October previous, "for the reviving and administering a certain oath of fidelity to the country," the General Court repealed the obnoxious ordinance, and passed an Act requiring all persons above the age of sixteen years to take the oath of allegiance, on pain of fine and imprisonment, "the Governor, Deputy-Governor, and magistrates having first taken the same, without any reservation, in the words sent to them by his Majesty's order."⁵ Several other laws were also made, to remove the grounds of complaint against the Colony. High Treason was made punishable by death; and the King's arms were put up in the Court-house. But the Acts of Trade were not so readily complied with. They were declared "to be an invasion of the rights, liberties, and properties of the subjects of his Majesty in the Colony, they not being represented in Parliament;" it was contended that "the laws of England were bounded within the four seas, and did not reach America; however, as his Majesty had signified his pleasure that those Acts should be observed in the Massachusetts, they had made provision, by a law of the Colony, that they should be strictly attended from time to time, although it greatly discouraged trade and was a great damage to his Majesty's Plantation."⁶

While their agents were in England several Addresses were sent to the King by the General Court. In one of them, dated Oct. 18, 1678, they say, "let your Majesty be pleased to accept from our messengers an account of our ready obedience to your Majesty's command for taking the oath of allegiance in the form prescribed, and our repealing that law, referring to the oath, so ill resented by your Majesty, with some orders Mr. Attorney and Mr. Solicitor excepted against, as our messengers have intimated. What shall be incumbent on us we shall, with all dutifulness, attend, as becomes good Christians and loyal English subjects, and shall glory in giving your Majesty all just satisfaction." And "we humbly supplicate your Majesty

¹ Chalmers, Political Annals, pp. 405-6, 441-2, History of the Revolt, i. 131-2.

² Hutchinson, i. 289-9.

³ Chalmers, Political Annals, p. 406, and History of the Revolt, i. 130.

⁴ See it in Hutchinson's Collection of Papers, pp. 515-16.

⁵ Massachusetts Records, cited by Hutchinson, i. 289-90.

⁶ General Court's letter to the agents, in Hutchinson, i. 290.

that our messengers, having despatched the business entrusted with them by us and commanded to attend by your Majesty, may be at liberty to return, and not be obliged to make answer to such complaints as are made by unquiet spirits, who seek, not your Majesty's, but their own, advantages, and our distresses."

Days of fasting and prayer were repeatedly appointed, to implore the blessing of God upon their endeavors for obtaining favor with the King, and the preservation of their Charter privileges. The 21st of November, 1678, was observed as a Fast throughout Massachusetts, Plymouth, and Connecticut. The General Court, at its session in May, 1679, summoned a Synod of all the churches in Massachusetts. This assembly convened at Boston, Sept. 10, 1679, when two questions were proposed for its consideration, viz. 1. What are the evils that have provoked the Lord to bring his judgments on New England? 2. What is to be done, that so those evils may be reformed? The Result of the Synod, pointing out the prevailing sins of the time, and the necessity of reformation, was presented to the General Court, which, by an Act of Oct. 15, 1679, "commended it unto the serious consideration of all the churches and people in the jurisdiction, enjoining and requiring all persons, in their respective capacities, to a careful and diligent reformation of all those provoking evils mentioned therein, according to the true intent thereof, that so the anger and displeasure of God, many ways manifested, might be averted, and his favor and blessing obtained."

Stoughton and Bulkley having at length obtained leave from the King, in May, 1679, to return home, reached Boston Dec. 23d, accompanied by Randolph, and bringing with them the King's letter of July 24, 1679, expressing his approbation of the "good care and discretion" of the agents, his satisfaction at the "great readiness wherewith our good subjects have lately offered themselves to the taking of the oath of allegiance," and his will that "those that desire to serve God in the way of the Church of England be not thereby made obnoxious or discountenanced from their sharing in the government, much less that they or any other, (not being Papists,) who do not agree in the Congregational Way, be by law subjected to fines or forfeitures, or other incapacities, for the same, which is a severity," says the King, "to be the more wondered at, whereas liberty of conscience was made one principal motive for your first transportation into those parts;" at the same time announcing the appointment of Randolph as Collector, and recommending him to their help and assistance "in all things that may be requisite in the discharge of his trust," and commanding that other agents, duly instructed, be sent over within six months after the receipt of this letter. A day of thanksgiving was kept for the safe return of the agents; but Randolph was received, according to his own account, "more like a spy than one of his Majesty's servants;" he represents his welcome to have been "a paper of scandalous verses," and complains that all persons took the liberty "to abuse him in their discourses."

Although the General Court neglected to comply with the King's commands as respected agents, it was deemed advisable to reply to his Majesty's communication, which was accordingly done on the 21st of May, 1680, and a second letter was despatched on the 19th of June. The King, understanding from these letters "that very few of his directions had been pursued by the General Court, the further consideration of the remaining particulars having been put off upon insufficient pretences, even wholly neglecting the appointment of other agents, which were required to be sent over within six months"

¹ Hutchinson, i. 289. The General Court's Address is in Coll. Papers, pp. 516-18.

² Hutchinson, i. 291-2; Mather's Magnalia, Book V. pp. 85-93.

³ Chalmers, p. 408; Hutchinson, i. 292-3; Randolph's letter of Jan. 29, 1679-80, to Gov. Winslow, of Plymouth, in Mass. Hist. Coll. vi. 92-4; Bancroft, ii. 122. The King's letter is in Hutchinson's Collection of Papers, pp. 519-22.

after the receipt of his letter in 1679, wrote again to the Colony, on the 30th of September, 1680, telling them that he had little expected that the marks of his grace and favor should have found no better acceptance, and commanding them, on their allegiance, seriously to reflect upon his directions, and to send over, within three months after the receipt hereof, such persons or persons as they might see fit to choose, furnished with sufficient instructions to attend the regulation and settlement of their government, and to answer to the claim which Mason had set up to the lands between the Naumkeag and Merrimack Rivers.¹

At the end of this year, 1680, Randolph, "soured by disappointment," returned to England, "to complain of difficulties that had been foreseen, to solicit support in opposition to the principles and practice of a people." He laid before the King his Humble Representation of the Bostoners, in which he vented the full torrent of his spleen against the unlucky Colonists, accusing them of having formed themselves into a Commonwealth, denying appeals to England, and neglecting to take the oath of allegiance; of having protected "the murderers" of his Majesty's father, of coining money, putting his Majesty's subjects to death for religion, imposing an Oath of Fidelity, and violating "all the Acts of Trade and Navigation," whereby his Majesty is "damned in the customs £100,000 yearly, and the Kingdom much more." Having thus discharged his "pent-up wrath," he embarked again for Boston.²

Meantime the Governor, immediately on the receipt of his Majesty's letter, had summoned the General Court, "which being met January 4th," 1680-1, "and his Majesty's letter communicated with all duty and regard, the contents thereof were taken into serious consideration." Instructions were prepared for those who should be chosen agents; and the "whole Book of Laws" was "carefully perused, pursuant to the exceptions made by Mr. Attorney and Solicitor-General." But when they came to the choice of agents, William Stoughton and Samuel Nowell having received the appointment, peremptorily refused to undertake the service, alleging "the danger of the seas" as an excuse, and another letter was sent to England, stating that they "find it no easy matter to prevail with persons, in any degree qualified, to undertake such a voyage at this time;" and that, though several elections had been made, they had not as yet obtained the consent of any; that "the present calamity of others of this country, now slaves in Algier, (and one of them an agent from one of his Majesty's Colonies here) not yet ransomed, does greatly discourage such as live in good credit and condition" from going as agents. And they remark that, "should persons under such a character be taken, we have cause to believe their ransom would be so high as that it would be hard for us to procure it amongst a poor people yet laboring under the burthen of the arrears of our late war with the Indians, and other extraordinary charges not yet defrayed," which "had so far impoverished them, as to make them almost incapable of the expense of such attendance."³

Randolph had returned again to Boston early in the Spring of this year, 1681. His first act was to draw up a protest against the proceedings of the General Court, which, the Notary refusing to enter it, was posted in the Exchange. This was done in the month of April. The Court, by an Order of Oct. 1st, having obliged him to deposit a certain sum of money before they would allow him to "proceed to trial of causes relating to his Majesty's concerns," Randolph hastened back

¹ See Hutchinson, i. 294; the King's letter, of Oct. 21, 1681, in Chalmers, and of Sept. 30, 1680, in Hutch. Coll. Papers, pp. 522-5.

² Chalmers, History of the Revolt, &c., i. 132, Political Annals, pp. 409-10; Hutchinson, i. 297; Randolph's Representation of the Bostoners, in Coll. pp. 525-6.

³ Hutchinson, i. 299-300; the Answers of Dudley and Richards, in Chalmers; General Court's letter, dated June 3, 1681; in Coll. Papers, pp. 528-30.

to England, to complain of their conduct, and of the opposition which he encountered. He arrived in Boston again, Dec. 17th of this same year, bringing with him another Commission as Collector of the Customs, &c., and the King's letter of Oct. 21, 1681, to the Colony. He laid his Commission before the General Court, desiring the aid of their countenance and authority in the execution of his duties. His application was unnoticed. He now posts an advertisement in the Court-house, to acquaint all people that an Office of Customs is erected. This is taken down by the Marshal; whereupon he addresses a letter to the Governor, demanding the final resolution of the Court, whether they will acknowledge his Commission, or not. He receives no satisfaction on this head, and proceeds to discharge the duties of his office; when his Commission is denounced, as an encroachment on the Charter, and an ancient law is revived (to use his own language) "to try me for my life, for acting by his Majesty's Commission before it was allowed of by them."¹

The King's letter of Oct. 21, 1681, is a remarkable document. It details, at some length, the intercourse of the Sovereign with the Colonies of New England, from the restoration until that moment—the complaints against Massachusetts—the measures which had been taken for their redress. It speaks of the Commission granted in 1664, and recites that, "upon a full information, given us by our Commissioners, of their fruitless endeavors to carry on our service within that our Colony, we could not but highly resent the ill-treatment they had met with, and the contempt of our royal authority; and therefore, by our gracious declaration of April, 1666, we thought fit to recal our said Commissioners, and to charge and command you, among other things, to make choice of five or four persons to attend us; but even these, and other our commands, contained in the same declaration, were so little regarded, though a Court were called, and our pleasure duly signified, that, after a solemn debate, it was agreed that no person should be sent unto us, notwithstanding our positive directions therein." It glances at the subsequent proceedings of the Colony, the agency of Stoughton and Bulkley, the neglect to comply with the requisitions of his Majesty's letters, the opposition to Randolph, and thus concludes:—"we once more charge and require you forthwith to send over your agents fully empowered and instructed to attend the regulation of that our government, and to answer the irregularity of your proceedings therein; in default whereof we are fully resolved, in Trinity Term next ensuing, to direct our Attorney-General to bring a Quo Warranto in our Court of King's Bench, whereby our Charter granted unto you, with all the powers thereof, may be legally evicted and made void."²

Delay was no longer safe. The Court assembled in February, 1681-2, his Majesty's letter was read, and it was determined to send agents with all possible despatch. William Stoughton and Joseph Dudley were chosen; the former again refusing to serve, John Richards was appointed in his place. Although it was evident that their Charter was in danger, the agents were charged "not to do, or consent to, anything that should violate or infringe the liberties and privileges granted by Charter, or the government established thereby." With these instructions, and a present of two thousand guineas for his Majesty's private service, they sailed from Boston on the 31st of May. "Necessity, and not duty"—writes Randolph by the same vessel—"hath obliged this Government to send over two agents; they are like to the two Consuls of Rome, Cæsar and Bibulus. Major Dudley, if he finds things resolutely managed, will cringe and bow

¹ Chalmers, p. 410; Farmer's Belknap, p. 92; Hutchinson, i. 297-8, 300, note; Randolph's "Articles," Coll. p. 527; Randolph's MS., in Greenwood's History of King's Chapel, (16mo. Boston, 1833,) p. 13, note.

² See this letter, at length, in Chalmers's Political Annals, pp. 442-9.

to anything. As for Mr. Richards, he is one of the faction, a man of mean extraction; he ought to be kept very safe till all things tending to the quiet and regulation of this Government be perfectly settled.—These agents have certainly one great advantage by my absence, having liberty to say what they please; however, if commanded, I will readily pass the seas to attend at Whitehall, especially if Danforth, Gookin, and Nowell, magistrates, and Cook, Hutchinson, and Fisher, members of their late General Court, and great opposers of the honest Governor and magistrates, be sent for to appear before his Majesty, till which time this country will always be a shame, as well as inconveniency, to the Government at home." That the agents might not have too great advantage by his absence, Randolph—ever busy—forwards to England his "Articles of High Misdemeanor exhibited against a Faction in the General Court, sitting in Boston, Feb. 15, 1681-2," in which he embodies the capital crimes of the Massachusetts Colony.¹

The General Court received news that the King had brought Quo Warrantos against several Charters in England, and that Cranfield had been appointed Governor of New-Hampshire—it continued its session more than a month, "in great perplexity," and at length dissolved, in June, its last act being to appoint a Public Fast, to be observed throughout the Colony, on the 22d of the month. The dissensions "betwixt the old church and the new church" were laid aside, and the members of both unite in supplicating God that he will be pleased "to confound the devices of all who disturb their peace and liberties." Randolph was not for one moment at rest—the grass grew not under his feet, neither did the ink dry in his pen—"a Quo Warranto!"—"a Quo Warranto!"—is the constant burden of his correspondence.—"So long as their Charter remains"—thus he writes—"so long as their Charter remains undisturbed, all his Majesty saith or commands signifies nothing here."—"His Majesty's Quo Warranto against their Charter, and sending for Tho. Danforth, Sam. Nowell, a late factious preacher, and now a magistrate, and Dan. Fisher and Elisha Cooke, deputies, to attend and answer the Articles of High Misdemeanors I have now exhibited against them, will make the whole faction tremble."—"There will be reason, not only to vacate their Charter, but to send over a prudent gentleman to be General Governor"—"nothing will so effectually settle this government on a firm dependence upon the Crown as bringing a Quo Warranto against their Charter"—"I had rather take a voyage to England, if commanded, than to have this matter passed over and hushed up upon bare pretences and promises." And he *was* "commanded," in September, 1682, "to take a voyage to England," inasmuch "as he cannot perform his duty"—this was the language of his masters—"and may be useful here in the regulation of the government."²

Dudley and Richards, upon their arrival in England, found that his Majesty was "greatly provoked" at the long delay of the Colony in sending agents, and that the aspect of their affairs was exceedingly gloomy and threatening. It was to no purpose that they presented the Address of the General Court, "humbly craving the royal pardon for former irregularities, which had been continued through inadvertence, and not through contradiction; promising to hold itself strictly obliged, for the future, to the rules prescribed by the Charter." They were commanded to exhibit their powers and instructions to one of the Secretaries of State. In August, 1682, they laid before the Lords their "Answers to matters charged against the Colony of the Massachusetts Bay," being a full reply to the

¹ See Hutchinson, i. 300-1, 303; Chalmers, *Revolt, &c.*, i. 133; Randolph's letter of May 29, 1682, to the Bishop of London, in *Coll. Papers*, pp. 531-4; and his "Articles," *ibid.*, pp. 526-8.

² Randolph's letter of June 14, 1682, to the Earl of Clarendon, in *Coll. Papers*, pp. 534-8; Hutchinson, i. 301; Randolph's letters of May 29th and July 14th, to the Bishop of London, *Coll. pp.* 531-2, 533-40; Chalmers, *Political Annals*, pp. 411-12, and *History of the Revolt*, i. 132-3.

several letters of the King, exhibiting, at one view, the complaints which had been made against their Government, their answers to those complaints, and the authorities for their statements.¹ But this lengthy defence was of no avail. The powers of the agents were found, upon examination, to fall far short of the expectations and commands of the ministry; and they were accordingly told by Lord Radnor that, unless they speedily procured more extensive powers, a Quo Warranto should be issued. The agents wrote to the Court, representing the case as desperate, and leaving it to them to determine whether it was most advisable to submit to his Majesty's pleasure, or to suffer the Quo Warranto to proceed. And what was the reply of the Court — of the clergy — of the people — at this crisis? — "It is better to die by the hands of others than by our own"! — Addresses were prepared by the General Court; and the agents were instructed to deliver up the deeds of the Province of Maine, if they were required, and provided the surrender would save the Charter, but to yield not a single privilege conferred by that Charter. This message put an end to their duties. On the 26th of July, 1683, an Order of Council was passed, for issuing a Quo Warranto against the Massachusetts Charter, with a declaration from the King, that, "if the Colony, before prosecution, would make full submission and entire resignation to his pleasure, he would regulate their Charter for his service and their good, and with no further alterations than should be necessary for the support of his government there." The agents reached Boston on the 23d of October, and Randolph arrived, with the Quo Warranto, a few days after. He also brought two hundred copies of the proceedings against the Charter of London, for distribution among the people, to shew them that resistance was hopeless. The Governor and Assistants, deeming a defence to be useless, voted, on the 15th of November, "not to contend with his Majesty in a course of law," but that "an humble Address be sent to his Majesty," declaring their resolution "to send agents, by the next opportunity, empowered to receive his Majesty's commands, and, for saving a default for non-appearance upon the return of the writ of Quo Warranto, that some meet person or persons be appointed and empowered, by letter of attorney, to appear and make defence, until our agents may make their appearance and submission." This vote was referred by the magistrates "to the consent of their brethren the deputies," who, after a fortnight's consideration, replied, Nov. 30th, "the deputies consent not, but adhere to their former bills." Not less firm and unyielding were the sturdy yeomanry of New England. The "Bostoneers," who probably but represented the prevailing sentiments of the people at large, have left us the following record of their proceedings on the 21st of January, 1683-4: "At a meeting of the freemen of this town, upon lawful warning, upon reading and publishing his Majesty's declaration, dated 26 July, 1683, relating to the Quo Warranto issued out against the Charter and privileges claimed by the Governor and Company of the Massachusetts Bay in New England, it being put to the vote whether the freemen were minded that the General Court should make a full submission and entire resignation of our Charter, and privileges therein granted, to his Majesty's pleasure, as intimated in the said declaration now read, the question was resolved in the negative, NEMINE CONTRADICENTE." A letter of attorney was forwarded to a friend of the Colony, in England, to appear and answer in its behalf, and Addresses were, at the same time, sent to the King. But it was now too late for entreaty or remonstrance. A Scire Facias was issued from the Court of Chancery on the 16th of April, 1684, and on the 18th of June a conditional judgment was entered up for the King, against the Governor and Company of the Colony, — "that their Letters Patents and the enrollment thereof be cancelled" — subject to an appearance and defence the next term. The pro-

¹ See this document in Chalmers, Annals, pp. 450-51.

cess did not reach Boston until September. A special Court was called, and another Address was sent; but the return-day of the writ had expired; and on the first day of Michaelmas Term, 1684, the former judgment was confirmed, and a copy of it was received by Secretary Rawson on the second of July, 1685.¹

"Thus fell the Charter, which the fleet of Winthrop had brought to the shores of New England, which had been cherished with anxious care through every vicissitude, and on which the fabric of New England liberties had rested!"²

Page 611, note a. This paragraph, in the MS., originally concluded thus: "*But, as is well known since, God took him out of this troublesome world March 16, 1678.*" All that follows, in the text, is in a different hand, and was probably written at a subsequent period. And on page 612, line eleventh, the MS. originally read, "1677, May 27; 1678, May 8; in every of which, since the year 1672, Major Leverett hath been honored with the place of Governor over the Massachusetts Colony." The other words of the sentence are inserted in a different hand.

Whoever made these additions was probably misled by the date of Leverett's death,³ which is according to Old Style, and thus anticipated, by one year, Bradstreet's election as Governor, the true date of which is shown by the following extracts from the Court Records, kindly furnished me by Dr. N. B. Shurtleff, of Boston.

"At a generall Court for Elections held at Boston 8th of May 1678 Jar Leveret Esq was chosen Gou'ne' for y^e yeare ensing & took his oath 9th Inst."

Samuel Symonds was chosen Deputy Governor at the same time. He died in October following, and —

"21 October Symon Bradstreet Esquire was ahsosen Deputy Gou'ne' for this remaying pt of y^e yeare."

"At a generall Court for Elections held at Boston May 28 1679 Symon Bradstreet Esq was chosen Gou'ne' for y^e yeare enseuing and took his oath in Court."

Thomas Danforth was, at the same time, chosen Deputy Governor; and these two gentlemen were continued in their respective offices until the dissolution of the government.

Page 612, note a. } We have seen (page 714) that Robert Mason⁴ and
Page 613, note a. } Ferdinando Gorges⁵ lost no time, at the Restoration, in laying their complaints and claims before Charles II. A petition was presented to the King by Mason, Godfrey, Henry Gardiner, George Griffin, "and sundry other Pattentees of the Provinces of Hampshire and Mayn, and severall other tracts of land in New England," representing that the Massachusetts Colony, "intending to make themselves a free State," had

¹ Hutchinson, i. 302-6; Holmes's Annals, i. 410, 412; Mass. Hist. Coll. xxi. 74-81; Snow's History of Boston, (2d ed., 8vo. Bost. 1838,) pp. 171-2; Chalmers, Annals, pp. 414-18, History of the Revolt, &c., i. 134; Revolution in New England Justified, (8vo. Bost. 1773,) p. 4; Minot's History of Massachusetts, i. 52; Radolph's letter to Dudley, Jan. 9, 1684-5, in Hutch. Coll. Papers, pp. 542-3.

² Bancroft's United States, ii. 127.

³ In Mass. Hist. Coll. xviii. 44, is preserved the "Order of March at the Funeral of Governour Leverett, who died 16 March, 1678, and was buried the first day of the next year, 25 March, 1679." See it also in Whitman's History of the Ancient and Honorable Artillery Company, (2d ed., 8vo. Bost. 1842,) p. 95.

⁴ Robert Tufon, son of Joseph Tufon, and grandson of Capt. John Mason, took the surname of his grandfather.

⁵ Ferdinando Gorges, Esq., of Clewer, Co. Berks., was the son of John Gorges, Esq., of Westminster, Co. Middlesex, and grandson of Sir Ferdinando Gorges, of Ashton Phillips, Co. Somerset.

deprived them of their lands and privileges, seized their cattle, and imposed upon the petitioners an oath of fidelity to their government, "laying great fines upon those that should looke to England for reliefe, to some of the petitioners ruine and their familys utter undoing"; praying that the case may be referred to certain Lords and Gentlemen named in the petition.¹

The King referred the petition, on the 25th of October, 1660, to Sir Geoffrey Palmer, his Attorney-General, who reported, on the 8th of November, that, in his opinion, "Robert Mason hath a good and legall right and title to the lands conveyed by the name of New Hampshire." His Majesty hereupon, by his Order of Nov. 17th, referred the case to the persons mentioned in the petition, who, having heard the claims and complaints of the petitioners, "summoned, by process publicly executed, at the Exchange, on the 21st of January, 1661-2, all persons interested in that business. But none appeared but Capt. John Leveret, who acknowledged that formerly he was commissioned as an agent of the Corporation of Boston, in New England, but that now hee had noe authority to appeare or act on their behalfe." Letters Patent were produced, and witnesses examined; and a report made to the King, on Feb. 15th, by seven of the referees, in which, "not presuming to offer any opinion in a business of soe high importance, wherein the publique interest and government of your Majesty appeares soe much intermixt and concerned with the private interest of the petitioners," they represent that "the Massachusetts, about the year 1652, did enlarge and stretch their lynes above three score miles beyond their known and settled bounds, and have thereby not onely invaded and incroached upon Plantations and inheritances of the petitioners, and other your Majestys subjects, but by menaces and armed forces compelled them to submit to their usurped and arbitrary government," &c. &c., and that, "by reason of the premises, Robert Mason and Edward Godfrey have been damnified in their Plantations and estates to the valew of five thousand pounds, according to the judgment and estimation of severall witnesses, examined in that behalfe; but by what pretence of right or authority the Massachusetts have taken upon them to proceede and act in such manner doth not appeare to us."²

Apprized, as we have seen, (page 715,) of the complaints made against her in England, Massachusetts had, in December, 1660, made her Addresses to the King and Parliament. In the Address to Parliament she says, "our late claiming and exercising jurisdiction over some Plantations to the eastward of us, supposed to be without the limits of our Patent, was upon the petition of sundry the inhabitants there, and after an exact survey of the bounds granted us, not out of desire to extend a dominion, much less to prejudice any man's right, wherein we hope we have not mistaken, yet must and shall willingly, reserving liberty of making our defence, submit to the pleasure of his Majesty and the High Court of Parliament." The answer of the King, on Feb. 15, 1660-1, to the Addresses of the Colony, although "most gracious," was very brief, and did not mention the claims of Gorges and Mason.

The receipt of letters from Fernando Gorges, early in the year 1662, appointing officers in various parts of the Province of Maine, aroused the slumbering energies of his adherents. The standard of opposition to the Government of Massachusetts, raised by Josselyn and Jordan, and supported by Champernoon and Shapleigh, by Neale, Corbin, and Small, at once became the rallying point for the disaffected throughout the District. Josselyn and Shapleigh, when chosen Associates, refused to take the oaths of office. The Massachusetts General Court, at its session in October, appointed Richard Waldron, of Dover, "to repair to York, at the time of the County Court's adjournment, and send for the several persons chosen Commissioners by the said Court, and give them their several oaths to administer justice according

¹ See this petition in Hazard, ii. 574-5.

² Hazard, ii. 576-9; Mason's Petition, in Farmer's Belknap, p. 443.

to law for the year ensuing." A precept was also sent to the people of Maine, requiring them, "in his Majesty's name, to yield faithful and true obedience to the government of this [the Massachusetts] jurisdiction, until his Majesty's pleasure be further known." To Waldron's summons Josselyn and Shapleigh replied,—“We, Henry Josselys and Nicholas Shapleigh, Commissioners of the Province of Maine under the authority of Ferdinando Gorges, Esq., Lord Proprietor of said Province, do protest against the acts and order of the General Court of Massachusetts, exhibited by Captain Waldron.” The excitement was intense. Bradstreet and Norton, sent to England by Massachusetts to answer the complaints brought against her, at an audience before the Privy Council, “being charged for usurping the government of the Province” of Maine, had solemnly declared “that those whom they represented did not claim any title in, or interest to, the said Province; but did only govern the same until orders were sent over for the government thereof.” This declaration was known to Gorges's adherents, and was industriously circulated by them, with reports that “they do daily expect Mr. Maverick, with four other commissioners, in two great frigates, and other such like stories,” which “put to a great stand” all those who were well-affected towards the Massachusetts Government; and although some ventured to suggest that “*the ships were not yet built*,” in which the Commissioners were to take passage, others, less confident, and perplexed by the bold demeanor of the opposition, expressed their fears lest the Bay Colony “do deal double” with them. Gorges's adherents well knew how to take advantage of these misgivings. They issued warrants, in his Majesty's name, as Commissioners for the Lord Proprietor, countermanning the orders of the Massachusetts General Court, and appointed a meeting to be held at Saco, on the 25th of November, “to see what strength they can gather, and to establish their interest.”¹

Informed by a letter from George Cleeves, written from Falmouth, Nov. 24th, that “Mr. Josselyn doth trumpet abroad that there are many discontented in Boston and to the westward about the King's letter” of June 28, 1669, to the Massachusetts Colony, (which, it may be remarked, took no notice of the claims and complaints of Gorges and Mason,) and that there existed in the Province “a spirit that fain would raise a faction if not timely prevented,” the General Court, early the next year, 1663, sent a mandatory address commanding the inhabitants to choose their officers as usual, to yield due obedience to the laws, and to discharge their duties, whether official or civil, with fidelity; and the Massachusetts Assistants, who were deputed to hold the Yorkshire Court, were instructed “to punish every one pretending to possess or exercise adverse civil authority, unless he could show it derived immediately from the King.” To this Court the town of Falmouth and Scarborough sent attorneys, formally to declare their adhesion to the Government. But symptoms of disaffection were prevalent, and the Court saw the necessity of vigorous measures. Captain Francis Raynes resigned his military office; and the Grand Jury found bills of indictment against many of the opposition. They presented Champernoon, Jordan, Josselyn, and Shapleigh, “for acting against the authority they were under, and so renouncing the authority of Massachusetts, using means for the subverting thereof, under pretence of a sufficient power from Esquire Gorges to take off the people, which is manifest to the contrary.” Of five other indictments against Jordan, one was “for breach of the oath of freedom and fidelity to the government of Massachusetts;” another “for raising and fomenting lies;” another “for saying that the Governor of Boston was a rogue,

¹ Answer of Massachusetts to the complaints of Mason and Gorges, in Farmer's Belknap, p. 446; Hutchinson, i. 234-5, note; Maine Hist. Coll. i. 104, 106; Williamson, i. 402-4; King's letter to Maine, in Hutch. Coll. Papers, pp. 386-7; Cleeves's letter to the Government of Massachusetts, in Maine Hist. Coll. i. 104-6.

and all the rest thereof traitors and rebels against the King." William Hilton, the Constable of Kittery, was presented "for tearing of a special warrant, sent by the Secretary from Boston to Kittery, for sending a deputy to the General Court;" Thomas Booth, "for slandering the country, by saying 'they were a company of hypocritical rogues, they feared neither God nor the King,' with other uncivil speeches;" Francis Hook, for "granting warrants, summonses, taking depositions, hearing causes," &c., under the authority of Gorges. One Wiggins being arraigned for seditious language, denied the authority of the Court, saying that he was a Marshal under Gorges, and that they had no right to try him. Neal, Staniford, Small, Corbin, and many others, were indicted for breach of the oath of freedom and fidelity, and acts of opposition to the Massachusetts Government. Shapleigh was removed from the office of Major-Commandant of the Yorkshire militia, and William Phillips was appointed in his place. The General Court subsequently passed the following Order:—"Whereas it appears that several persons, having been appointed officers by the pretended power under Esquire Gorges, have acted in their respective places, we do order and grant that all such persons whatsoever as have acted *peaceably and civilly* upon their orders and warrants received as aforesaid, shall henceforth be free and fully discharged from question, presentment, or legal proceeding in any respect to their damage or disturbance in any of such their actings."¹

When it was known that Charles had determined to send Commissioners to New England, he received the "humble petition of Robert Mason, of London, merchant, Patentee of the Province of Hampshire, and the heyre of Edward Godfrey, inhabitant of the Province of Mayn, in New England," reciting his former petition, and the report of the referees thereon, and praying that his Majesty "would be pleased to refer and recommend the complainants of the petitioners, with the report of the referees, unto the further examination of his Majesty's Commissioners for New England, with power to determine thereof as they shall see fitting."²

Gorges, too, represented to the Sovereign the loyalty of his grandfather, Sir Ferdinando, and the losses which he had sustained in the civil wars, and besought that he might be restored to the possessions of his ancestor. His petition was referred "to the consideration of counsel learned in the law," who entered into an examination of the claims of the petitioner, and reported in his favor; whereupon the King, "finding the petitioner's allegations and [the] report of [his] learned counsel so consonant," thought fit to make the matter the subject of a special letter to the inhabitants of the Province of Maine, in which he commands them "forthwith [to] make restitution of the said Province unto him [Gorges] or his commissioners, and deliver him or them the quiet and peaceable possession thereof; otherwise without delay [to] shew reason to the contrary."³

This letter, dated at Whitehall, June 11, 1664, was put into the hands of John Archdale, as agent for Ferdinando Gorges. He embarked with the royal Commissioners, and, after a boisterous passage, arrived at Piscataqua, in company with Sir Robert Carr and Samuel Maverick, about the 23d of July, 1664.⁴

Maverick—the "known and professed enemy" of Massachusetts—had no sooner set his foot on shore than he exhibited his hostility to that Colony; for we are told that, "on his first arrival in Piscataqua River," he menaced the Constable of Portsmouth, "whiles he was in the exercise of his office, on which the people thought it necessary to apply to Sir Robert Carr for a full understanding of such motions, who judged it meet to declare, that they

¹ Cleaves's letter; Williamson, i. 403, 404-5, 668, 693; Maine Hist. Coll. i. 106-9, 283; Folsom's Saco and Biddeford, pp. 92-3; Sullivan's Maine, pp. 372-3.

² See the petition in Hazard, ii. 633-4.

³ The King's letter is in Hutch. Coll. Papers, pp. 366-8.

⁴ Josselyn, p. 272; Hutchinson, i. 211; Maine Hist. Coll. i. 109.

ought to continue in their obedience to the present government till they had further orders."¹

Archdale, immediately upon his arrival, granted Commissions to Josselyn, Jordan, Neale, and Rishworth, and to persons in every other town in the Province, who thereupon took upon themselves the management of affairs, independently of Massachusetts. Josselyn, Jordan, and Rishworth, with Archdale, addressed a letter to the Governor and Council, requiring them to surrender the government to Mr. Gorges, or his Commissioners, according to his Majesty's commands. The Council replied that they "may not give up the interest of the Colony without the consent of the General Court." The General Court declared, on the 30th of November, "that they had determined to yield none of their rights in the Province until their duties in this particular were made plain and palpable. If the King's will were known, it was only through his Address to the inhabitants, not by any mandate or express communication to the Government of Massachusetts." To Archdale, when he produced an order, under the royal sign manual, requiring Gorges's Province to be restored to him, the answer was, that the "distracted condition of the people in Yorkshire required rather their protection and assistance, and that a government of their choice should never be hastily withdrawn from them;" while they plainly told the royal Commissioners that they "had nothing to do betwixt them and Mr. Gorges, because his Majesty either commanded them to deliver possession to Mr. Gorges, or to give his Majesty reason why they did not."²

The General Court, at their session in May, 1665, announced to the people of Maine their determination "still to extend their government over them as formerly," and further inform them "that they intend to return to his Majesty an account of the reasons why they have not rendered the government to the agent of Mr. Gorges, and a map of their north bounds or line, which demonstrates the ground of their government there."³

The King's Commissioners, meeting with no success in their negotiations with Massachusetts, gave up in despair. Nichols returned to New York; Carr, Cartwright, and Maverick, turning their faces eastward, visited Piscataqua, early in June, 1665. Here they enquired into the bounds of Mason's Patent. They received the testimony of Wheelwright, who, when "banished out of the jurisdiction of Massachusetts, was permitted to inhabit immediately beyond the bound-house," and took the affidavit of Henry Josselyn respecting the agreement between Matthew Cadock and Captain John Mason "that the Massachusetts should have that land which was granted to Captain Mason about Cape Ann, and Captain Mason should have that land which was beyond Merimack River and granted to the Massachusetts." The Commissioners "forebore to do anything about the limits of this Province till this might more fully be proved;" but calling the inhabitants together, Sir Robert Carr, in the name of his associates, told them that "they would release them from the government of Massachusetts, whose jurisdiction should come no farther than the bound-house." They then appointed justices of the peace, and other officers, authorizing them to act according to the laws of England, and such laws of their own as were not repugnant thereto, until the King's pleasure should be farther known. Among those in this Province who were disaffected towards the "Bay Government" was one Abraham Corbett, of Portsmouth, who undertook to issue warrants in the King's name, probably by virtue of authority from the Commissioners.

¹ General Court's Address, in Hutchinson, i. 461; Danforth Papers, in Mass. Hist. Coll. xviii. 94-5.

² Folsom, p. 92; Maine Hist. Coll. i. 110; Williamson, i. 411, 414-15; Sullivan, p. 235; Josselyn, p. 272; Commissioners' Narrative, in Hutch. Coll. Papers, p. 419.

³ Maine Hist. Coll. i. 111; Williamson, i. 415.

For this, which was considered a high misdemeanor, inasmuch as he had never been commissioned by the Colony, he was called to account by the General Court, admonished, fined, and committed until he should have complied with the sentence.¹

Before the Commissioners left Piscataqua they received orders from the King, "to see the harbors fortified," &c. They immediately "sent warrants to four towns upon the river, requiring them to meet at such a time and place, to hear his Majesty's letter read;" they also despatched a messenger with a warrant to Boston, giving notice of the King's commands; and then crossed over to Kittery, in the Province of Maine. Here they harangued the people, foretelling their inevitable ruin if they remained subject to Massachusetts, and denouncing the rulers of this Colony as rebels and traitors. Visiting York they received "several petitions" from the disaffected inhabitants, "in which they desire to be taken into his Majesty's immediate protection and government," whereupon they issued a formal proclamation, on the 23d of June, declaring that they, "having seen the several Charters granted to Sir F. Gorges and to the Corporation of Massachusetts Bay, and having considered that it would be of ill consequence if the inhabitants of this Province should be seduced by those of Massachusetts Bay, and being desirous that the inhabitants of this Province may be at peace among themselves and free from the contests of others, do, by the powers given by his Sacred Majesty under his Great Seal of England, receive all his Majesty's good subjects, living within the Province of Maine, into his Majesty's more immediate protection and government; and constitute Mr. F. Champernoon, Mr. E. Rishworth, Mr. William Phillips, Mr. H. Josselyn, Mr. R. Jordan," &c. &c., "Justices of the Peace, to hear and determine all causes, both civil and criminal, and to order all the affairs of the Province for the peace, safety, and defence thereof; and in his Majesty's name require and command all the inhabitants to yield obedience to the said Justices; and forbid, as well the Commissioners of Mr. Gorges, as the Corporation of Massachusetts Bay, to molest any of the inhabitants of this Province with their pretences, or to exercise any authority within this Province, until his Majesty's pleasure be further known, by virtue of their pretended rights." This proclamation was the death-blow to the authority of Gorges in the Province of Maine.²

The time for the sitting of the County Court drawing near, the Commissioners resolved to oppose the two Assistants who were expected from Boston, whose influence over the people they had reason to fear, and thus to prevent a session. Carr, therefore, issued an order, on the 2d of July, to the commander of the militia company, requiring him to assemble his men, under arms, on the Tuesday following, on their training-ground, there to attend further orders. When the Assistants reached Piscataqua, on their way from Boston, they were informed of the threats of the Commissioners, and also, that the militia had been called out; and not caring to contest the point, they proceeded no further, but returned home, and reported the state of affairs to their Government.³

Meantime the warrant which had been sent to Boston, from Piscataqua, had reached its destination. This proceeding of the Commissioners was highly offensive to the Government of Massachusetts; and the Governor and Council immediately sent two Marshals, with another warrant, dated July 12th, "to forbid the towns either to meet, or do anything commanded them by the Commissioners, at their utmost perils." They also sent "an unbeseeming letter" to the Commissioners. The Commissioners, who had returned to

¹ Farmer's Belknap, p. 60; Adams's Annals of Portsmouth, p. 46; Commissioners' Narrative, Hutch. Coll. pp. 422-3; Randolph's Narrative, *ibid.*, p. 438.

² Commissioners' Narrative, Coll. pp. 419, 423-4; Williamson, i. 411, 415-17; Folsom, pp. 93-5; Maine Hist. Coll. i. 111-12, 117.

³ Williamson, i. 417, 418.

Piscataqua, for the purpose, doubtless, of meeting the inhabitants, and making arrangements for the contemplated fortifications, were exasperated beyond measure at this deliberate opposition to their commands. They wrote a most violent letter to the General Court, on the 16th inst., in which they say:—

“ We have received a letter from your Marshal, subscribed by the Secretary, so full of untruths, and, in some places, wanting grammar construction, that we are unwilling to believe it penned with your knowledge and approbation, though in the name, and by the order, as it is said, of the General Court. Though it was great reason and high time for us to give over treating in private with those who, by the sound of trumpet, denied that authority which the King had over them, and by which we were to act; yet, neither that denial, nor anything they can do, can enervate the King's Commission, or hinder us from obeying the King's commands, as near as we can. . . . That last letter we received from his Majesty was the ground of the warrant we sent to Portsmouth, and of those we sent to several other towns. His Majesty's commands are, and shall be, our directions. When we are convinced of our error, we shall be ready to acknowledge and amend it; but shall not concern ourselves with your sense in this, who have already, and, we fear, wilfully, misconstrued too many of his Majesty's most gracious letters. . . . Remember, we pray you, seriously, that the pardon you so much pretend to from his Majesty's clemency, in his letter of June, 1662, was promised to you upon the condition of being, for the future, his good subjects, which must necessarily imply obedience. Striving to grasp too much may make you hold but little. It is possible that the Charter which you so much idolize, may be forfeited. . . . The deserved destruction and punishment of some of those who of late made use of the King's authority to oppose his Majesty's power, and raised armies, and fought against his Majesty, and yet pretended the defence and safety of the King, we think might deter all from broaching or acting according to such illusive and destructive sophisms. Many of your actions, and the warrant sent to the constable, the 12 July, 1665, give us just ground to fear, that, if you had power, you would try your success the same way. Gentlemen, remember, we pray you, that you profess yourselves to be Christians, and pretend to be of the best sort; pray make it apparent that you are so, by obedience to the King's authority, by your peaceableness towards your neighbors, and by your justice among yourselves. The other Colonies have set you many good examples, even that of Rhode Island, one whom you have so long despised and disowned, and now lately derided for its submission to his Majesty. . . . In fine, we desire, and, in his Majesty's name, require you, not to contradict those orders which we made by virtue of his Majesty's Commission, nor to disturb the peace and quiet of those whom we have taken under his Majesty's government, nor to molest those who, in obedience to his Majesty's authority, have observed any orders or warrants made by us.”

We cannot suppose that this letter would change the sentiments of the General Court, or soften, in any degree, their feelings towards the royal emissaries. This body, although it would not suffer the Commissioners to meddle with the internal improvements of the country, yet, on its own authority, ordered a committee to examine the ground, and select the most suitable place for a fortification; and, in accordance with the report of that committee, “the neck of land on the eastward of the Great Island, where a small fort had been already built, was sequestered for the purpose, taking in the Great Rock, and from thence all the easterly part of the said Island.”¹

¹ Narrative of the Commissioners, Hutch. Coll. p. 419; Farmer's Belknap, p. 63; Adams, pp. 47-8. The Letter of the Commissioners, dated at “Piscataqua River,” and signed by “Rob. Carr, Geo. Cartwright, Sam. Maverick,” is in Chalmers's Political Annals, pp. 502-4.

The Commissioners now established a provincial government in Maine, erecting Courts, and appointing officers, military and civil, and amused themselves by hearing complaints against the Massachusetts Colony. John Bonython, of Saco, exhibited a warrant which "the Massachusetts made to have him brought to Boston, alive or dead;" and "the inhabitants petitioned his Majesty that they might always continue under his Majesty's immediate government, and that Sir Robert Carr might continue their Governor under his Majesty." Those who refused to sign this petition were reproached with disloyalty, and threatened with future punishment. Bewildered by the strange scenes which were enacting around them, and knowing not what else to do, these adherents to Massachusetts drew up an "humble petition" to the King, "wherein is rendered their reasons why they could not submit to Mr. Gorges." They represent that they "have nothing to say against the Massachusetts, but have, by good experience, found that, whereas they have exceeded others in piety and sobriety, so God hath blessed them above others, so we, having had piety so countenanced, and justice so well executed, that we have found God's blessing in our lawful callings and endeavors more in one year than in several before or since our late troubles. Since which it hath pleased your Majesty's most honorable Commissioners to forbid our submission either to the Massachusetts or Mr. Gorges; and we humbly beseech your Majesty not to impute it to any disloyalty in us, if your Majesty find not our names inserted in a petition, directed to your Sacred Majesty, for the removal of the government both from the Massachusetts and Mr. Gorges, we having no just cause of complaint against either." Finally, "we humbly beg your Majesty's determination, by reason of the sad contentions that hath been and is now amongst us, not without some threatening of us who did not join with our neighbors in petitioning against Mr. Gorges and the Massachusetts, humbly begging your gracious and fatherly eye to be towards us, we only desiring, as much as in us lieth, to act in the uprightness of our hearts in the sight of the Almighty, your Sacred Majesty, and all men, desiring rather to submit to, than to contend or direct, what Government or Governors your Majesty shall please to appoint over us."¹

The Commissioners now proceeded to the territory east of the Kennibec River, which was included in the Patent of the Duke of York, erected it into a County, by the name of Cornwall, settled its bounds, established a government, "appointed the best whom they could find, in each place, to be a Justice of Peace, and ordered three of those Justices of the Peace in the Province of Maine, who live next to them, to join with them in holding of Sessions till further order be taken," and returned to York early in October.²

Irritated by the severe treatment which he had experienced from the General Court of Massachusetts, Abraham Corbett became the devoted partisan and servant of the Commissioners, and had been employed by them to procure the signatures of the inhabitants to a petition, praying "to be taken from under the tyranny of the Massachusetts." But most of the people, contented with their rulers, disgusted at the proceedings of the Commissioners and their adherents, and dreading a return to the unhappy state of confusion in which they had been before their annexation to Massachusetts, earnestly applied to the General Court, praying "that in some orderly way they might have an opportunity to clear themselves of so great and unjust aspersions as were by this petition,

¹ Williamson, i. 415-16, 417, 424-5, 429-30; Maine Hist. Coll. i. 115, 117-23, 281-2; Josselyn, pp. 197-8; Folsom, pp. 95-6; Sullivan, p. 374; Narrative of the Commissioners, Hutch. Coll. Papers, pp. 423, 424. "The Humble Petition of the Inhabitants of Casco upon the Province of Maine," dated Aug. 1, 1665, and signed by George Cleeves and twenty-one others, is in Hutch. Coll. Papers, pp. 396-8.

² Sullivan, pp. 285-91; Williamson, i. 420-4; Maine Hist. Coll. i. 115; Commissioners' Narrative, Coll. Papers, pp. 424-5.

drawn in their name, cast upon the government under which they were settled; and also to manifest their sense of such perfidious actions, lest, by their silence, it should be concluded they were of the same mind with those who framed the petition."¹

In consequence of this application the General Court commissioned Thomas Danforth, Eleazer Lusher, and John Leverett "to repair in person to the Counties of Norfolk, Piscataqua and Isle of Shoals, and York, and to call before them any or every person or persons that have or shall act in the disturbance or reviling of the government there settled according to his Majesty's royal Charter to this Colony under the broad seal of England, and to proceed against them according to their demerits and the laws here established, and to do any act for the settling the peace of the said places, by declaration or otherwise, according to their good and sound discretion, appointing of Constables and Associates for the Courts, and keeping of the same, according to the articles of agreement made with said people of said Counties respectively." These gentlemen, going to Piscataqua, (Portsmouth,) called the people together, on the 9th of October, and told them that, "whereas some had petitioned against the Bay Government, if any grievance were made known they would acquaint the Court, and so redress might be had." The people of Dover were next assembled, and the same address made to them. But both towns drew up memorials to the General Court, in which they disclaimed and protested against any such petition as a town act, and professed themselves fully satisfied with their present government. The towns of Exeter and Hampton made a similar avowal. The Massachusetts Commissioners now proceeded to summon Corbett before them for tumultuous and seditious behavior; but he eluded search, and they were obliged to leave a warrant in the hands of an officer, to cite him before the Court at Boston. They were preparing to pursue their journey to York, there to hold the County Court, when they were stopped by a letter from Sir Robert Carr, dated at Kittery, Oct. 10th, requiring them, in his Majesty's name, to "forbear troubling or molesting such person or persons in Strawberry Bank, Dover, or Exon, as hath petitioned his Majesty for their freedom and liberty, until his Majesty's gracious pleasure be further known," and enclosing "a true copy of a letter sent to the Governor and Council." The Commissioners of the General Court hereupon returned to Boston, whither they were soon followed by Carr, Cartwright, and Maverick. The Court declared that the proceedings of the King's Commissioners at the Eastward tended to the disturbance of the public peace, and desired a conference on the subject, but received answer, from Carr, that the leaders or contrivers of their measures should receive the same punishment which so many concerned in the recent rebellion had met with in England. This reply determined the Court to have nothing farther to do or say with the irascible Knight and his associates. A warrant was issued by the Secretary, in the name of the whole Court, for the apprehension of Corbett. In May, 1666, he was seized and brought before the Governor and magistrates, "to answer for his tumultuous and seditious practices against the Government." He was sentenced to pay a fine of £20, and the costs of prosecution, which amounted to £5, was laid under bonds to the value of £100, was prohibited from retailing liquors, and was disabled from holding any office in the town or Colony, during the pleasure of the Court.²

The Commissioners, recalled by their Sovereign, soon freed the Colony from their odious presence. The King, at the same time that he orders them to return to England, "to the end he may receive from them a more

¹ Farmer's Belknap, pp. 60-1; Commissioners' Narrative, Coll. p. 423; Adams, p. 46.

² See page 586; Farmer's Belknap, pp. 61-2, 437-9; Williamson, i. 425; Maise Hist. Coll. i. 111; Hutchinson, i. 228-9, 234; Adams, pp. 46-7; Carr's letter, in Hutch. Coll. p. 399.

particular account of the state and condition of those his Plantations, and of the particular differences and debates they have had with those of the Massachusetts, that so he may pass his final judgment and determination thereupon," informs the Massachusetts Colony that his pleasure is, "that there may be no alterations with reference to the government of the Province of Maine till he hath heard what is alleged on all sides, but that the same continue as his Commissioners have left the same, until he shall farther determine; and he farther expressly charges and commands the Governor and Council that they immediately set all such persons at liberty who have been, or are, imprisoned only for petitioning or applying themselves to his Commissioners; and, for the better prevention of all differences and disputes upon the bounds and limits of the several Colonies, his pleasure is, that all determinations made by his said Commissioners with reference to the said bounds and limits may still continue to be observed, till, upon a full representation of all pretences, he shall make his own final determination; and he expects that full obedience be given to this signification of his pleasure, in all particulars."¹

Notwithstanding the royal mandate Massachusetts continued, with but a momentary interruption, to exercise jurisdiction over the inhabitants of New Hampshire, enacting laws and appointing officers for their government, as in years past, to the general satisfaction of the people, who were united with her in sentiment, and attached to her by the ties of interest and gratitude.² The Province of Maine remained, it is true, under the government established by the royal Commissioners; but that government, receiving neither support nor encouragement from England, and distasteful to a majority of the inhabitants, soon exhibited symptoms of dissolution and decay. Meanwhile the people, distracted by political dissensions, and seeing all things in a state of lamentable confusion, and perceiving themselves "like to be redne'd to a confused anarchy," turned their eyes to Massachusetts, as the only power which could afford them relief. Some of the principal inhabitants at length applied to the General Court to take the country again under its protection. Hereupon the General Court, at its session in May, 1668, published an "Order and Declaration for the settlement and government in Yorkshire," and appointed Commissioners "to repair to York, in the county of Yorkshire, and there to keep a County Court, as the law directs," and "to establish and confirm all officers and commissioners, civil and military, for the security and preserving of order and peace in the said Courts of York, and to act and do all such things, preparatory to the keeping of Courts and settling of peace in the said County," as they should think meet. The last General Court, held under the authority of the King's Commissioners, sat at Saco, on the 29th of May. The Commissioners of the Massachusetts General Court reached York on Monday, the 6th of July. On the next day was shown to them a copy of a letter from Colonel Nichols, dated at "Fort James, in New York, June 12th, 1668," and addressed to "the Governor and Assistants of his Majesty's Colony of the Massachusetts," which had not been received when they left Boston. In this letter Nichols informs the Government that he has seen their Order "in answer to the petition of some restless and unquiet spirits" among the inhabitants of Maine; he reminds them of the King's commands in his letter of April 10, 1666, and says, "I know you have force enough to compel most of your neighbors to submit to your government, but if you think his Majesty's arm will never be stretched forth

¹ The King's letter of April 10, 1666, to the Massachusetts Colony, in Hutchinson, i. 466-7.

² See Hutchinson, i. 246; Farmer's Belknap, p. 64; the Address of the Town of Portsmouth to the General Court, May 20, 1649, *ibid.*, pp. 439-40; Adams, pp. 49-50; the letter of the first General Assembly of New Hampshire to the Massachusetts General Court, *ibid.*, pp. 65-7.

to defend his subjects from usurpation, you may attempt anything under the notion of settling peace and order; I dare not be silent in a matter so expressly contradictory to his Majesty's signification. You will find that Province already settled by his Majesty's Commissioners in peace and order, except some few turbulent spirits. You may read his Majesty hath made a temporary confirmation thereof; why, then, are you so hasty to enter upon a thing of this nature, or how can you say that you have heard nothing since, that might discourage or weaken your title to the said government? I am necessitated to write in these plain and large terms, because the shortness of my time in these parts will not permit me to give you a visit, but will tell you my fears that, if you proceed to compel an alteration of government in the Province of Maine, by subverting their present establishment as it now stands circumstanced, in all likelihood you may cause blood to be shed, for it is both natural and lawful for men to defend their fast rights against all invaders." Finally, "Gentlemen, I shall send a copy of this my letter, with an original of his Majesty's aforesaid signification, to those gentlemen of the said Province, and there leave the decision betwixt God and yourselves; my hearty wishes and prayers shall be to the Almighty that you may be endued with the spirit of obedience, charity, meekness, and brotherly love; holding yourselves within these bounds you may be happy upon all the points of the compass, and I am sure no man can wish you better than your affectionate humble servant."¹

But the visit of the gentlemen from Massachusetts was attended with no such scenes of violence as seem to have been anticipated by Colonel Nichols. Hubbard gives their report of their proceedings, submitted to the General Court on the 23d of October, 1668, and assures us that "in this order and manner did the Province of Maine return to the government of the Massachusetts, without any other force, threatening, or violence, whatever hath been to the contrary judged, reported, and published by any other person or persons, to the prejudice and disadvantage of the truth, and the credit of them that were called to act therein."²

In the year 1671 the Massachusetts General Court took measures to ascertain the eastern boundary of the Province of Maine, and appointed Thomas Clark, a skilful surveyor, to superintend the business. Clark employed George Munjoy, of Falmouth, to make the survey, who reported as follows, in November, 1672:—"from Clapboard Island, the place of Mr. Samuel Andrews's and Mr. Jonas Clark's observation, due east, takes in about one mile and three quarters above New Damerill's Cove, and along a little above Capt. Padishall's house, some part of Pemaquid, and most of St. George's Island, and so running into the sea, and no more land east until we come to Capt. Subeles' Island, observed with a large quadrant, with the approbation of Mr. Wiswall, who is well skilled in the mathematics; and is, to my best skill and judgment, our east line from the abovesaid Island. If the honored Court were pleased to go twenty minutes more northerly in Merrimack River, it would take in all the inhabitants and places east along, and they seem much to desire it." The inhabitants of these "eastern parts" petitioned the General Court, in 1671 and 1673, to take them under its protection. Accordingly, the Massachusetts Government, having first signified its approval of

¹ This letter is in Hutch. Coll. Papers, pp. 427-8. Hutchinson remarks that "this Colonel Nichols appears to have been a very worthy good man, true to his trust, but, at the same time, discreet; and he gained the esteem of the people of the Massachusetts, who loved the man when they were making opposition to his measures."

² The general authorities are, Hutchinson, i. 233-45; Sullivan, pp. 374-83; Williamson, i. 426, 430, 431-8, 439-40; Maine Hist. Col. i. 126-8; Folsom, pp. 141-4; Josselyn, p. 198; Chalmers, Political Annals, pp. 395, 484, History of the Revolt of the Colonies, i. 138; Randolph, Narrative, in Hutch. Coll. p. 488, Representation of the Bostoners, *ibid.*, p. 526; and pages 593-601.

Manjoy's survey, extended its jurisdiction over the territory, with the consent of the people, as far east as Muscungus Bay, and appointed Commissioners, who proceeded to Pemaquid, in May, 1674, held a Court, erected the country from Sagadahock to St. George's River into a County, by the name of Devonshire, administered the oath of allegiance to the inhabitants, and appointed the necessary officers for their government. On the 27th of May they certified a report of their proceedings, which was presented to the General Court the same month, and approved; and the thanks of the Court were presented to the Commissioners, with a suitable remuneration for their services.¹

The resumption of jurisdiction over the Provinces of Maine and New Hampshire, by the Massachusetts Government, was far from being regarded with indifference in England. The complaints of the proprietors were reiterated. Petitions were received from the former adherents of Gorges in Maine, complaining that his Majesty's authority had been subverted, and the government of the Province "turned topsy-turvy," by the Bay magistrates, and desiring the King again to interpose. The subject was often considered by the Lords of the Committee for Foreign Plantations, and on the 4th of July, 1671, they "drew up and agreed to a letter to be sent to New England, and made some proposal to Mr. Gorges for his interest in a Plantation there." We have already seen² that Gorges and Mason, wearied with their protracted contentions with the Massachusetts General Court, tendered their claims to the Sovereign. We have seen that their proposals were favorably received by the Monarch, willing as he was to build up an establishment for the Duke of Monmouth; but that, while the consummation of the purchase was delayed by his want of money, the whole project was defeated by the ingenuity of the friends of Massachusetts. But Massachusetts was not always to have her own way. Clouds were already gathering in the horizon, which threatened ere long to obscure the sun of her prosperity. Mason presented to the King, in 1675, another petition, reciting at some length his claims, and his grievances, and states that his "losses have been so many and great, and his sufferings so continued, that he cannot any longer support the burthen of them," and concludes by expressing a hope that his Majesty "will think it high time to stretch forth his royal hand of justice to assist his petitioner, that he may have the quiet possession of his Province, and reparation made him for the losses sustained, in such ways and methods as the importance of the case requires." This petition was referred to the Crown-Lawyers, Jones and Winnington, who reported that "the petitioner, being heir-at-law to John Mason, Esq., had a good and legal title to said lands." Ferdinando Gorges now added his solicitations to those of Mason, and Charles at length, in March, 1675-6, sent a letter to the Colony, with copies of the petitions of Gorges and Mason. Edward Randolph, the bearer of these despatches, reached Boston on the 10th of June, 1676. His reception has been noticed elsewhere.³ The Governor said that the matters contained in the papers presented to them by Randolph "were very inconsiderable things, and easily answered, and it did no way concern that Government to take any notice thereof." Randolph had brought letters from Mason "unto several of the most eminent inhabitants of Boston," who received him "with much kindness, and expressed great loyalty" to his Majesty. "The letters," says he, "were to give them an account of the contents of your Majesty's letters, his [Mason's] own complaints against the proceedings of that Government, with the occasion of my coming into these parts, desiring them to communicate the same to others, the which was soon

¹ Sullivan, p. 291; Maine Hist. Coll. i. 130-1; Williamson, i. 441-5, 446; Hutchinson, i. 246, 292.

² Pages 733, 734.

³ Pages 735-6.

spread abroad, to the great pleasure and satisfaction of all those who are well-wishers to your Majesty."¹

"About the beginning of July" Randolph went into the Province of New Hampshire, and travelled through several of the most considerable towns, acquainting the inhabitants with the occasion of his visit to New England, and reading to them a letter from Mason, "which," says he, "gave them great satisfaction, the whole country complaining of the oppression and usurpation of the magistrates of Boston, and they have been for a long time earnestly expecting to be delivered from the government of the Massachusetts Bay, and do now humbly hope your Majesty will not permit them any longer to be oppressed, but will be graciously pleased to give them relief, according to the promises made them by your Majesty's Commissioners in 1665"! However this may be, certain it is that most of the people were highly incensed, and the inhabitants of Dover, in public town-meeting, "protested against the claim of Mason; declared that they had *bona fide* purchased their lands of the Indians; recognized their subjection to the government of Massachusetts, under whom they had lived long and happily, and by whom they were now assisted in defending their estates and families against the savage enemy." They also appointed Major Waldron "to petition the King in their behalf, that he would interpose his royal authority and afford them his wonted favor, that they might not be disturbed by Mason, or any other person, but continue peaceably in possession of their rights under the government of Massachusetts." The inhabitants of Portsmouth appointed a committee to draught, and forward a petition to the same effect. While Randolph was at Portsmouth he informs us that "several of the principal inhabitants of the Province of Maine" came to him, "making the same complaints with those of New Hampshire, entreating me," says he, "to represent their condition to your Majesty, and are passionately expecting relief, some of them having been suffered to be ruined by the Indians for having formerly expressed their duty to your Majesty, when your Majesty's Commissioners were in that country, and for having taken commissions from them to act as Justices of the Peace."²

Having accomplished the objects of his mission, Randolph prepared to return home, and, on the 20th of July, went to Governor Leverett for his despatches. The Governor sharply reproved him for publishing his errand "unto the inhabitants of Boston, New Hampshire, and Maine," and charged him with a design "to make a mutiny and disturbance in the country, and to withdraw the people from their obedience to the magistracy of that Colony and the authority thereof." To this Randolph replied, that, if he had done anything amiss, the Governor might complain to the King, when "he would certainly have justice done him," and having received "the duplicate of a letter directed unto the Right Honorable Mr. Secretary Coventry," he went back to England, and made a report to his Sovereign and to the Lords of Trade and Foreign Plantations, which still farther inflamed their prejudices against the Colony.³

After Randolph's departure a special Court was summoned, which met on the 9th of August, and proposed to the Elders, who had been invited to attend, "whether the most expedient manner of making answer to the complaints of Mr. Gorges and Mr. Mason be by sending agents, or to answer by writing only." The Elders replied that in their opinion, it was most ex-

¹ Chalmers, Political Annals, pp. 395, 484, History of the Revolt, i. 138; Josselyn, p. 213; Folsom, p. 144; Sullivan, p. 333; Evelyn's Memoirs, i. 440; the King's letter of October 21, 1681, in Chalmers, p. 446; Farmer's Belknap, pp. 86-6; Mason's Petition, in 1675, *ibid.*, pp. 440-4; Chalmers's Opinions of Eminent Lawyers, (8vo. Lond. 1814.) i. 64; Randolph's Narrative, in Hutch. Coll. Papers, pp. 503, 504-5.

² Randolph's Narrative, in Hutch. Coll. pp. 507-8; Farmer's Belknap, p. 86; Adams's Annals of Portsmouth, p. 59.

³ Narrative, Coll. pp. 510-11.

pedient to send agents, "to appear and make answer, by way of information, at this time and in this case, provided they be with utmost care and caution qualified as to their instructions, by and according to which they may negotiate that affair with safety unto the country, and with all duty and loyalty unto his Majesty, in the preservation of our Patent liberties." This advice was followed by the Court, and Stoughton and Bulkley, upon whom the choice had fallen, sailed for England on the 30th of October, to present to Charles "A Brief Declaration of the right and claim of the Governor and Company of the Massachusetts Bay, in New England, to the lands now in their possession, but pretended to be by Mr. Gorges and Mr. Mason, together with an answer to their several pleas and complaints in their petitions exhibited, humbly presented and submitted by the said Governor and Company to the King's Most Excellent Majesty as their defence."¹

Upon the arrival of the Massachusetts agents in England, the King, by an Order in Council, of the 7th of February, 1676-7, directed the Lords of the Committee for Trade and Plantations "to enter into the examination of the bounds and limits which the Corporation of the Massachusetts Bay, in New England, on the one hand, and Mr. Mason and Mr. Gorges, on the other, do pretend by their several Grants and Patents to have been assigned unto them, as also to examine the Patents and Charters which are insisted on by either side, in order to find out and settle how far the rights of soil and government do belong unto any of them." Accordingly, on the 5th of April the Lords met, with the Chief Justices of King's Bench and Common Pleas, who had been appointed to lend their assistance, and having heard both parties by their counsel, they desired the Chief Justices to examine the claims made by them, and to give their opinion upon the whole case. In answer to the subsequent summons of the Justices all parties appeared before them. The Massachusetts agents immediately disclaimed all pretensions to the *lands* claimed by Gorges and Mason, "because their counsel informed them that they could not possibly be defended before such judges," and inasmuch as the lands were in the possession of individuals who were not present, the Justices did not think fit to examine any claims to the said lands, but directed the parties to have recourse to "the Courts of Justice upon the place, for the decision of any question of property, until it shall appear that there is just cause of complaint against the Courts of Justice there, for injustice or grievance." The several claims to the *government* were next considered, and Mason having waived his pretence to the government of New Hampshire, founded on the Grant from the Council of Plymouth, because he was assured, by his counsel, that no such power or jurisdiction could be transferred or assigned by the Council, it being a trust not subject to alienation, the question was thus reduced to the Province of Maine, which Gorges claimed by virtue of the Grant made by Charles I., April 3, 1639, to "Sir Ferdinando Gorges, his heirs and assigns," of "the Province of Maine, with all and singular, and as large and ample rights, jurisdictions, privileges, prerogatives, royalties, liberties, immunities, franchises, and hereditaments, as well by sea as by land, within the said Province and premises, and the precincts and coasts of the same, or any of them, or within the seas belonging or adjacent to them or any of them, as the Bishop of Durham, within the Bishoprick, or County Palatine, of Durham, in our Kingdom of England, now hath, useth, or enjoyeth, or of right ought to have, use, and enjoy, within the said County Palatine."² In answer to this claim the agents exhibited their Patent for all that part of New England lying within the space of three miles south of Charles River and three miles north of Merrimack River; to which it was replied that this Patent was invalid, because, (1) there was a precedent Grant, 18^o Jac., [the Grant to the Plymouth Council, Nov. 3, 1620,]

¹ Hutchinson, i. 281; the "Brief Declaration," dated Sept. 6, 1676, is in Farmer's Belknap, pp. 444-9.

² See this Charter, in Sullivan, pp. 397-408, and in Hazard, i. 442-65.

of the same thing, then in being, which was surrendered afterwards, [June 7, 1635,] and before the date of Gorges's Patent, 15^o Car. I^{mi}; and (2) the grant of the government could extend no farther than the ownership of the soil, the boundaries of which, as recited in their Patent, wholly excluded the Province of Maine, which lies northward more than three miles beyond the River Merrimack. The Justices, however, decided that the Massachusetts Patent, 4^o Car. I^{mi}, was good, notwithstanding the Grant made 18^o Jac., for it appeared that the Plymouth Council had granted away all their interest in the lands, the year before, sc. March 19, 1627-8, and it must be presumed that they, at the same time, surrendered the right of government, so that it was lawful for the King to grant such powers of government as he thought proper in the Patent of March 4th, 1628-9; but that, as to the bounds of the Massachusetts Patent, they could not be construed to extend farther northward, along the Merrimack, than three English miles, and if the Province of Maine was situated more than three English miles to the north of the Merrimack, that then the Patent of 4^o Car. I^{mi} gave no right to govern there, and, consequently, the Patent of 15^o Car. I^{mi} to Gorges would be valid; and they delivered it as their opinion upon the right of government, that the Massachusetts, by their Patent of 4^o Car. I^{mi}, had such rights of government as were granted by that Patent, *within the boundaries expressed therein*, and that Ferdinando Gorges had, by the Patent of 15^o Car. I^{mi}, such right of government as was granted by said Patent, *within the lands called the Province of Maine, according to the boundaries of the same, expressed in the same Patent.*

This decision of the Chief Justices received the assent of the Lords of Trade and Foreign Plantations, who presented to the Privy Council, on the 18th of July, a full report "of the matters in controversy," which having been read, "it was then ordered that the said Mr. Mason and Mr. Gorges, as also the agents of the Corporation of the Massachusetts Bay, should be heard upon the said report, if they had any objections to make thereunto." In pursuance of this order all parties appeared before the Council, on the 20th of the same month, with their counsel, and "not alleging anything so material as to prevail with his Majesty and the Board to differ in judgment from the said report, his Majesty was thereupon pleased to approve of and confirm the same, and did order that all parties do acquiesce therein, and contribute what lies in them to the punctual and due performance of the said report, as there shall be occasion."¹

This adjudication having been announced to Massachusetts, her Government immediately adopted measures to secure the Province of Maine, of which she had been thus summarily deprived. She authorized John Usher, a Boston merchant, at this time in England, to open a negotiation with Ferdinando Gorges for the purchase of all his right and interest. The proposal was favorably received by the proprietor, and on the 13th of March, 1677-8, he executed an absolute conveyance to Usher of "the Province or County of Maine, and all other the lands, tenements, jura regalia, powers, franchises, jurisdictions, royalties, governments, privileges, and hereditaments whatsoever, granted or mentioned or intended to be granted unto Sir Ferdinando Gorges, his heirs and assigns, by Letters Patent under the Great Seal of England, bearing date the third day of April, in the fifteenth year of the reign of King Charles the First, or by any other Letters Patent, Charters, deeds, or conveyances whatsoever; and also all other the lands, tenements," &c. &c., "of him, the said Ferdinando Gorges, situate, lying, and being,

¹ Chalmers, Political Annals, pp. 396, 485-6, History of the Revolt, i. 138; Hutchinson, i. 281. The Report of the Lords of the Committee for Trade and Foreign Plantations, (which embraces the Report of the Chief Justices, Rainsford and North,) and the King's confirmation thereof, is in Farmer's Belknap, pp. 449-52; it may also be found in Mass. Hist. Coll. xxviii. 238-42, and a portion of it in Chalmers, pp. 504-7.

or happening, arising, or accruing, or to be exercised or enjoyed, within New England, or elsewhere in America, and the reversion and reversions, remainder and remainders, rents, issues, services, and profits of all and singular the premises, and every part and parcel thereof; and all the estate, title, interest, equity, trust, claim, and demand whatsoever, of him, the said Ferdinando Gorges, of, in, and unto the premises, and every part and parcel thereof," for the sum of £1,250 "of lawful English money." Two days after the execution of this deed, on March 15th, Usher assigned the same premises, in the same language, and for the same amount of "lawful English money," to "the Governor and Company of Massachusetts Bay, in New England," in the presence of her agents, Stoughton and Bulkeley, and three other witnesses.¹

Thus terminated the controversy between the Family of Gorges and the Massachusetts Colony. The purchase was formally ratified and confirmed by the General Court in October. But a new difficulty now presented itself. The Indian War had exhausted the resources of the Colony. There was no money in the treasury; the taxes were already burthensome; and the Government saw itself in danger of being obliged to relinquish the object of its desires, at the very moment when it seemed within its grasp. It was the general opinion that the Province "should be sold again to the highest bidder towards reimbursing the expense of defending it" during the late war, which was estimated at £8,000, and a committee was appointed for this purpose; but this vote was subsequently reconsidered, and it was resolved to keep the territory. The Court, therefore, applied itself to devise the best mode of governing its new acquisition; for as the Colony had assumed the Charter of Gorges, her former administration would no longer answer; Maine could no longer, as heretofore, be regarded as a County, a member of the Commonwealth; it was a feudal propriety, and the Massachusetts Colony was now its Lord. It was at length determined to establish a Provincial government, composed of a President, to be appointed yearly by the Governor and Assistants of the Colony; a Standing Council, of eight members, who were also to be the Judges of a Supreme Court, and Magistrates throughout the Province, likewise to be appointed by the Assistants, to continue in office during their pleasure; and a legislative assembly, to be composed of deputies from the several towns.²

The last County Court under the old régime was holden at York, in July, 1679, by Joseph Dudley and Richard Waldron, Commissioners from Massachusetts. Thomas Danforth, of Cambridge, Deputy-Governor of the Colony, was appointed President of the Province, and was invested with the necessary powers for its government, subordinate and accountable to the Governor and Assistants. He repaired to York in March, 1679-80, and on the 17th inst., proclaimed his authority to the assembled freeholders, exhibited his Commission, and constituted his government. The first General Assembly convened at York on the 30th of the same month.³

New Hampshire being left without a government by the decision in July, 1677, the Massachusetts agents petitioned that so much of this Province as included the towns of Dover, Portsmouth, Exeter, and Hampton, might be annexed to their Government, stating that the inhabitants of these towns had been so long under the jurisdiction of Massachusetts that they wished to remain so. This application met with no favor. The King still clung to the project of uniting New Hampshire and Maine in one vast Province, and had again made overtures for that purpose. How great, then, was his rage and

¹ Hutchinson, i. 281; Chalmers, Annals, pp. 397, 486. The deeds of Gorges to Usher, and of Usher to the Massachusetts Colony, are printed in Maine Hist. Coll. ii. 257-64.

² Williamson, i. 555-6, 557-8; Hutchinson, i. 296; Sullivan, pp. 384-5; Maine Hist. Coll. i. 158.

³ Williamson, i. 556, 558, 561; Maine Hist. Coll. i. 158, 285, 286; Hutchinson, i. 296; Folsom, pp. 145-6; Sullivan, p. 385.

disappointment, when he learned that the Province of Maine had been disposed of, a year previously, to his wily subjects, the Governor and Company of Massachusetts Bay. He immediately (on the 24th of July, 1679,) wrote to the General Court as follows :—

“ We cannot omit to let you know we are surprised that, during the time we had the complaints of Mr. Gorges under our consideration, you should presume, without asking our royal permission, to purchase his interest in the Province of Maine, *the truth whereof is but lately owned by your agents*, when, almost at the same time, we come to hear of some effects of a severe hand laid by you on our subjects there in consequence thereof. And whereas your agents declare you have paid to Mr. Gorges the sum of £1,200 for the said Province, we do expect, that upon our reimbursement of what it shall appear you have paid for the same, that there be a surrender of all deeds and writings thereof made into our hands, and that your future agents do bring them over, forasmuch as we were sometime in treaty for the said Province, and do disapprove what you have done therein. And as for that part of the Province of New Hampshire lying three miles northward of Merrimack River, which was granted unto Mr. Mason, and whereof the government remains still vested in us, you are not to expect (according to the desire of your agents) that the same should be annexed to your Government, for we have it under our consideration to establish such method there as may be of most benefit and satisfaction to the people of that place. And therefore our will and pleasure is, that you do recal all commissions granted by you for the governing within that Province, which we do hereby declare to be void, and do require that you do in all things, for the future, conform yourselves unto the regulation which we have taken in this behalf.”

This letter was put into the hands of the agents, to be by them delivered to the General Court; but for some reason or other, perhaps from a desire to witness the farther progress of the Sovereign's plans, Stoughton and Bulkley delayed their departure long enough to become acquainted with the designs which were on foot with regard to New England. The King, mortified and offended beyond measure at the purchase of Maine, determined “ to establish a temporary administration in New Hampshire, which may have a more immediate dependence on regal authority;” and on the 18th of September, 1679, a Commission was issued for the government of New Hampshire, which vested the executive power in a President and Council, to be appointed by the King, and “ inhibits and restrains the jurisdiction exercised by the Colony of Massachusetts over the towns of Portsmouth, Dover, Exeter, and Hampton, and all other lands extending from three miles to the northward of the River Merrimack, and of any and every part thereof, to the Province of Maine.” On the same day that this Commission passed the Great Seal, the Massachusetts agents obtained from Sir William Jones, the Attorney-General, a full statement of Mason's title, with his opinion on the validity of the various Grants to Captain John Mason; thinking, probably, that such a document might be of service in the suits which it was expected that Mason would institute against the terre-tenants of New Hampshire. Stoughton and Bulkley now sailed for Boston, where they arrived on the 23d of December, accompanied by Randolph, to whose care had been entrusted the Commission for the government of New Hampshire. The King's letter of July 24, 1679, brought by the agents, had been so long on its way that, as we have seen, the plans mentioned therein, as being “ under consideration,” had been matured, and carried into effect. Charles's demand for the assignment of the Province of Maine was not regarded; Massachusetts preserved complete silence on the subject until the year 1682, when, seeing her Charter in danger, she directed her agents to deliver up the deeds of the Province, if such a surrender would tend to the preservation of her liberties, and not otherwise; but the agents were never obliged to take this step, as it was then too late even for such a sacrifice to have any

effect in averting the blow which soon after crushed the political liberties of all New England.¹

Randolph, immediately upon his arrival, repaired to Piscataqua, which place he reached on the 27th of the month. On the 1st of January, 1679-80, he delivered the Commission to those for whom it was intended. It was received with the greatest reluctance, "in regard that several of the new Council were obliged, either by their possessing great tracts of land from Mr. Mason, or by being sworn to the Government of Boston." At first only the President (John Cutt) and one member of the Council, would accept their appointments. The ministers were now summoned to give their advice on the subject, who recommended that those who had declined acting should accept their Commission, saying "that it was better for those to govern, who had formerly acted under Massachusetts, than for others of different principles to command them," which might be the case if they should refuse to serve. Upon this the other five members of the Council (Martyn, Vaughan, Daniel, Hussey, and Waldron) yielded, and agreed to qualify themselves; and the Commission was published, and the oaths of office taken by the members of the new administration, on the 21st of January. Writs were issued for calling a General Assembly, in which were named the persons in each town who should be allowed to vote, and the oath of allegiance was administered to each voter. On the 26th of February a Public Fast was observed, to implore the divine blessing on the Assembly which was about to meet, and "the continuance of their precious and pleasant things." The first General Assembly convened at Portsmouth on the 16th of March, and was opened with prayer and a sermon by Rev. Joshua Moody. One of their first acts was to write a letter to the General Court at Boston, in which they say:—

"The late turn of Providence made amongst us, by the all-ordering Being, hath given occasion for this present application, wherein we crave leave, as we are in duty bound—

1st. Thankfully to acknowledge your care for us and kindness while we dwelt under your shadow, owning ourselves deeply obliged that you were pleased, upon our earnest request and supplication, to take us under your government, and ruled us well whilst we so remained, so that we cannot give the least countenance to those reflections that have been cast upon you, as if you had dealt injuriously with us.

2dly. That no dissatisfaction with your government, but merely our submission to Divine Providence, to his Majesty's commands, to whom we owe allegiance, without any seeking of our own, or desire of change, was the only cause of our complying with that present separation from you that we are now under; but should have heartily rejoiced if it had seemed good to the Lord and his Majesty to have settled us in the same capacity as formerly. And withal we hold ourselves bound to signify, that it is our most unfeigned desire that such a mutual correspondence betwixt us may be settled, as may tend to the glory of God, the honor of his Majesty, whose subjects we all are, and the promoting of the common interest and defence against the common enemy, that thereby our hands be strengthened, being of ourselves weak and few in number, and that, if there be opportunity to be any-wise serviceable unto you, we may shew how ready we are thankfully to embrace the same."²

The Assembly also drew up an Address to the King, expressing the

¹ Chalmers, *Annals*, pp. 397, 486-7, 488-91, *History of the Revolt*, i. 138-9; Farmer's *Belknap*, pp. 88-9; Adams, pp. 63-4; the King's letter of July 24, 1679, in *Hutch. Coll. Papers*, pp. 621-2; and page 743. Jones's Statement will be found, *ante*, pages 617-21.

² This letter was read in the General Court, May 22d, 1680, and ordered to be recorded. *Hutchinson*, i. 296.

same gratitude and good-will towards their neighbors of Massachusetts which was carried to England by "Mr. Jowles."¹

Randolph remained at Piscataqua until the 22d of January, 1679-80. Then, returning to Massachusetts, he passed a few days at Salem, and reached Boston in time to be present at the assembling of the General Court in February. He soon after went back to Piscataqua, and entered upon the execution of his office as Collector, &c. On the 22d of March he seized a ketch, belonging to Portsmouth, but bound from Maryland to Ireland, on pretence of a breach of the Acts of Navigation. The master hereupon brought an action against him, before the President and Council, and recovered damages and costs. Randolph's behavior at the trial was so insolent, that the Council obliged him publicly to acknowledge his offence, and ask their pardon. He then appealed to the King. Having appointed Captain Walter Barefoote Deputy-Collector for Portsmouth, notice was given "that all vessels should be entered and cleared with him." Upon which Barefoote was brought to examination, and afterwards indicted for "having, in an high and presumptuous manner, set up his Majesty's Office of Customs without leave from the President and Council; for disturbing and obstructing his Majesty's subjects in passing from harbor to harbor and town to town; and for his insolence in making no other answer to any question propounded to him but 'my name is Walter.'"²

On the 30th of December, 1680, Robert Mason arrived from England, bringing with him the King's Mandamus, of Oct. 1, 1680, to the President and Council of New Hampshire, in which his Majesty says, "we have so composed all matters with him, [Mason,] that for the time past, until the 24th day of June, 1679, he shall not claim or demand any rent, dues, or arrears, whatsoever; and for the future he, his heirs or assigns, shall receive only sixpence in the pound yearly of every tenant, by way of quit-rent, according to the true and just yearly value of what is improved by any of the inhabitants. And whereas the said Robert Mason hath humbly signified to us, that he is preparing to transport himself, for the taking care of his affairs and interest in the said Province, and for the giving a secure and legal confirmation of the estates of such persons as are now in possession, but without any right or legal title to the same; and he being a person whom we have esteemed useful to our service, as he is chiefly concerned in the welfare of that our Province, we have further thought fit to constitute and appoint him to be one of our Council therein, and we do hereby order and require you, our President and Council, that, immediately after his arrival, you do admit him one of our Council of our Province of New Hampshire, he first taking the oaths mentioned in our Commission." Mason accordingly took his seat at the Council-board, and assumed the title of Lord Proprietor. He soon made himself obnoxious by his proceedings, trying to persuade some of the people to take leases of him, threatening them with punishment for their refusal so to do, forbidding them to cut timber, &c. &c. His "Stewards" excited great disturbance by demanding rents of several persons, and threatening to sell their houses for payment. Great uneasiness was caused by these procedures. Petitions were presented by the towns, as well as by individuals, to the Council for protection; who hereupon published an order,

¹ Randolph's letter of Jan. 29, 1679-80, to Gov. Josiah Winslow, of Plymouth, in *Mass. Hist. Coll.* vi. 92-4; *Chalmers, Annals*, pp. 491-2; *Farmer's Belknap*, pp. 90-2; *Addresses of the General Assembly to the King*, dated March 29th, and June 11th, 1680, *ibid.*, pp. 455-7; *Adams*, pp. 64-5; the letter of the Assembly to the General Court of Massachusetts, March 25, 1680, *ibid.*, pp. 65-7, and also in *Hutchinson*, i. 294-6.

² Randolph's letter to Winslow; *Farmer's Belknap*, p. 93; *Adams*, pp. 67-8.

prohibiting Mason, and his agents, from a repetition of such irregularities, at the same time declaring their intention to transmit the complaints of the people to the Sovereign. Upon this Mason would no longer sit in Council, and refused to appear when summoned; and when he was threatened with judicial proceedings, he declared that he would appeal to the King, and issued a summons to the President and several members of the Council, and others, to appear before his Majesty in three months. This being considered "an usurpation over his Majesty's authority here established," a warrant was issued for his apprehension, but he succeeded in eluding the search, and sailed for England on the 27th of March, 1681.¹

Meantime there had been received in Boston the King's letter of Sept. 30, 1680, in which he informs the Colony, that he had received a petition from Robert Mason, setting forth "his further pretensions to the propriety of soil in a tract of land lying between Merrimack and Naumkeag Rivers, by virtue of a Grant bearing date in the nineteenth year of the reign of James I., [March 9, 1621-2,]" in the examination whereof the Lords of our Committee of Foreign Plantations had made such a progress that the right of our subjects had been thereupon settled, without the humble entreaty of your said agents, and the consent of the said Robert Mason, that, in regard of their sudden departure and want of power in that behalf, the determination thereof might be suspended until the arrival of other agents," and commanding them to send over agents within three months; "and"—such is the language of the royal missive—"that the matter of the complaints of the said Robert Mason may be then determined, we expect that your agent or agents be not only prepared to lay before us such evidences of right as you may have to the propriety of soil in that tract of land claimed by him, but we direct you also to make a public signification of our pleasure unto all the inhabitants and terre-tenants thereof, that they do furnish at the same time your said agents, or such others as they may depute, with the proofs of their respective titles to the land possessed by them, to the end they may be fully satisfied in our royal justice, that they have not been prevented in the full improvement of their lawful defence, which we hereby direct them to make before us in Council." We have seen, in a previous note, what were the proceedings on the receipt of this letter. We are told by Hutchinson, that "as for Mason's claim, it was looked upon as groundless and extravagant, and the Court gave themselves but little concern about it, further than to observe that, if he had any pretence to the lands, his title would be fairly tried upon the spot, where by law, and according to the opinion of the Attorney and Solicitor General, in 1677, it ought to be tried." No agents were sent, and at last came Charles's letter of Oct. 21, 1681, "perhaps the most extraordinary one ever sent by a Sovereign to his subjects." Among the numerous charges contained in this document is this:—

"That you have exercised great excesses towards our subjects in our Province of Maine, and laid taxes upon them in an arbitrary manner,"

¹ Farmer's Belknap, pp. 93-4; Adams, pp. 68, 69. The King's Mandamus is in Belknap, pp. 457-8.

² See pages 614-16.

³ The people of Maine were never pleased with their subjection, as a Province, to Massachusetts; they never cordially submitted. As long as they enjoyed the privileges of the Colony, as a County, they were well content; but it was an entirely different thing to be reduced from a state of equality to the condition of a subordinate territory. They said that although Massachusetts accounted herself a free State, yet this was no security to them that they should be less arbitrarily governed than when a single person was the proprietor. In 1680 or 1681 a petition was transmitted to the King, signed by one hundred and seventeen of the inhabitants, in which they represent

without making us acquainted with your proceedings in that Government, which, by the express words of our Grant, derived unto you from Ferdinando Gorges, is subordinate and subject to the power and regulation of the Lords and others our Council for Foreign Plantations."

Let us follow Dudley and Richards—the accredited agents of the Massachusetts Colony¹—to England. We behold them arraigned, in August, 1682, before the Lords of the Committee for Trade and Foreign Plantations, to answer to the accusations preferred against their Government. To the complaint that the Colony had forestalled the King in the purchase of Maine, we find them replying, "that the purchase of the Province of Maine was made by them, not out of any disloyal inclination, or intention to infringe his Majesty's royal prerogative, or to prevent his Majesty's taking the same into his own hands, but upon real desire to accommodate his Majesty's subjects, the inhabitants of that Province, and their own mutual peace and safety, and with good advice first had that they might do so." To the charge of oppression and arbitrary taxation in the same territory, they say, "the Massachusetts in the last Indian War were at £10,000 charge in defending the said Province, when most of it was laid waste. Mr. Gorges petitioned his Majesty that he might have the said Province upon some dormant Letters Patents he had thereof; whereupon the then agent for the Massachusetts Colony bought Mr. Gorges's pretended title to the said Province for £1,250, to no other end than to quiet the inhabitants in the possessions that they had improved with the expense of so much sweat and coin, and preserved with their blood, without taking one farthing from them for it;" and as for assigning the Province to the King, "that the Massachusetts by their purchase could design no more than a generous charity, since to have bought a litigated title, with intent to have prosecuted a recovery therein, had been champerty, and punishable by the laws of England; of which purchase what assignment can they make, which can benefit any assignee, but what were unlawful to be taken, and must be destructive of the pious and charitable end now effected." As to the requisitions in the King's letter of July 24th, 1679, with regard to Mason's Province, they said that they had been complied with; and that as to Mason's further claim, specified in the King's letter of Sept. 30, 1680, his Majesty had already given orders that it should be "first tried upon the place, and a public signification to the terre-tenants was forthwith made, as appears by an Address from the inhabitants."²

The result of the agency of Dudley and Richards has been already related, and we will, therefore, again turn our attention to Robert Mason and the Province of New Hampshire. On Mason's arrival in England, in the spring of 1681, he represented to Charles the difficulties which attended the establishment of his rights under the present administration, and solicited a change in the government. Cutt, the President,—“an honest man and a loyal subject,”—had died on the 5th of April, 1681, and complaints had been exhibited against those who had acquired authority since his decease, “as favoring too much ancient principles of government, as opposing the

that, "notwithstanding the great loss sustained by the late Indian War, we are still oppressed with heavy rates and taxes, imposing the sum of £3000 and upward to be collected and paid by the inhabitants of three towns, (viz.) York, Wells, and Kittery;" and in August, 1680, it became necessary for the Massachusetts Government to send an armed force of "sixty soldiers, in a ship and sloop, to still the people at Casco Bay." The tax above mentioned is probably referred to by the King in his letter. See *Maine Hist. Coll.* i. 158-9; *Sullivan*, pp. 335-6; *Folsom*, p. 145; *Hutchinson*, i. 296-7, note; *Williamson*, i. 563. "The Humble Petition of the inhabitants of the Province of Maine, in New England," is in *Maine Hist. Coll.* i. 302-4.

¹ See pages 741-2.

² The King's letter of Sept. 30, 1680, in *Hutch. Coll. Papers*, pp. 523-4; *Hutchinson*, i. 300; *Chalmers Annals*, p. 443; King's letter of Oct. 21, 1681, *ibid.*, p. 449; the "Answers" of Dudley and Richards, *ibid.*, pp. 452-3, 456-7.

operations of the Acts of Navigation." The laws which had been transmitted to England by the Assembly for approval—in accordance with a provision of their new Constitution—were condemned by the Lords of the Committee of Plantations, in December, 1681, who reported to the King on the 13th of January, 1681-2, that they had taken into consideration the state of the Province, and had perused several letters, Orders of Council, and Acts of Assembly, lately received from that place, "whereby it appears to us," say they, "that some persons now in the government there have carried on and abetted divers irregular proceedings, which are in no manner consistent with your Majesty's service and the intended settlement of that Province. And we do likewise find the public Acts and Orders (the most part of them) so unequal, incongruous, and absurd, and the method, whereby the Council and Assembly have proceeded in the establishment of the same, so disagreeable and repugnant to the powers and directions of your Majesty's Commission, that we cannot hope for such a settlement and regulation of affairs in that Province, as their dependence on your Majesty and [the] welfare of the Plantation do require, unless your Majesty shall appoint some fit and able person, of whose fidelity and sufficiency your Majesty is well assured, who may be authorized by your Majesty's Commission and instructions to settle that place under such rules of government and laws as are necessary for the regulation and improvement of that Province; which we humbly offer to your Majesty as the best means to prevent all farther irregularities, and to render that place as well useful to the Crown as able to defend itself from the attempts of the natives or any foreign invasion." In consequence of this report the former Commission for the government of New Hampshire was revoked; Mason, by a deed enrolled in Chancery, Jan. 25, 1681-2, surrendered to the King one fifth part of the quit-rents which had or should become due, which, with the fines and forfeitures which had accrued, or which should subsequently arise, were to be appropriated to the support of a Governor; and on the 9th of May, 1682, a Commission was issued, appointing Edward Cranfield Lieutenant-Governor and Commander-in-Chief of the Province of New Hampshire. By this Commission not only was that of Sept. 18, 1679, declared void, but all laws passed under its authority were annulled, "that others, more suitable to the dignity of government, might be enacted." Mason, who had mortgaged the whole Province to Cranfield, for twenty-one years, as security for the payment of £150 per annum, for the space of seven years, was placed at the head of the Council, with the right to appoint two burgesses to the Assembly. His claims are recited in the Commission, and the Governor is directed to adjust, if possible, the differences between him and the people, and if he is unable so to do, then "to transmit to England such cases, impartially stated, with his opinion and reasons on the same, that his Majesty, his heirs and successors, with advice of the Privy Council, may hear and determine the same."

Cranfield, having relinquished a profitable office at home, with the hope of bettering his fortunes in New England, arrived at Portsmouth, and published his Commission, on the 4th of October, 1682, and immediately summoned an Assembly, which convened on the 14th of November following. Thus was established the first royal government in New England.¹

This autumn was received by Massachusetts a final appeal concerning Mason's claims—a letter from the King, dated June 23, 1682, brought, perhaps, by Cranfield, but which did not reach Boston "till October Court was up." It was read in the General Court on the 7th of February, 1682-3, and was found to relate to the suits between Mason and the *terre-tenants*

¹ Farmer's Belknap, pp. 94, 96-8; Adams, pp. 69, 71-2; Chalmers, History of the Revolt, i. 140, Annals, pp. 492-3; the Report of the Lords of Trade and Foreign Plantations, Jan. 13, 1681-2, *ibid.*, pp. 508-9. There is a Brief of Cranfield's Commission in Farmer's Belknap, pp. 496-8.

of the "tract of land lying between the Rivers of Nasumkeck and Merrimack, and three miles northward thereof." An extract from this letter will finish what is to be said on this subject.¹ His Majesty, after reciting the opinion of the Attorney and Solicitor General as to the validity of Mason's claim, and the decision of the Chief Justice in 1677, says:

"To the end, therefore, that justice may be administered with the most ease and the least expense to all the said parties who shall see cause to defend their respective titles, we have thought fit hereby to signify our pleasure unto you, that the said Robert Mason be forthwith admitted to prosecute his right before the Courts of Judicature established within the limits of that our Corporation; and that in all cases wherein the said Robert Mason shall claim any interest in lands, and that the present possessor shall dispute his right, a trial at law may be appointed and allowed, wherein no person who has any lands in the possession of himself, his servants, or tenants under him, depending upon the same title upon which such person shall be so impleaded, shall sit as judge or be of the jury; and that if it shall so happen that the dispensation of justice, hereby directed, shall be delayed by you, or such judgment given wherein the said Robert Mason shall not acquiesce, he may then appeal unto us in our Privy Council, and that all persons concerned be obliged to answer such appeal within the term of six months after the same shall be so made. And our further will and pleasure is, that in case the said Robert Mason shall lay claim to any parcel of lands situate within the bounds aforesaid, which are not improved or actually possessed by any particular person or tenant in his own right, you do thereupon proceed to put the said Robert Mason into the possession of those lands, and cause his title to be recorded, so that he may not receive any further disturbance thereupon. And in case you shall refuse so to do, and shall not shew good cause to the contrary, within the space of six months after demand of possession so to be made by the said Robert Mason, we shall then, without further delay, take the whole cause of the said Robert Mason into our consideration, in our Privy Council, with the damages sustained by him by reason thereof, and shall give judgment upon the whole matter, as in a case where justice has been denied. And to the end the said Robert Mason may not be any ways hindered in the prosecution of his right, we do strictly charge and command you to secure him, his servants, and agents, from all arrests and molestations whatsoever, during his or their abode within the limits of your jurisdiction. We having granted him our royal protection until the matters complained of by him shall be fully determined."

Page 661, note a. For an account of the "Praying Indians," see Gookin's invaluable "Historical Collections of the Indians in New England," printed, from the original MS., in Mass. Hist. Coll. i. 141-227; Mather's *Magnalia*, Book III. pp. 190-206.

Page 663, note a. From a letter written by Roger Williams, about August, 1638, to Governor Winthrop, (Mass. Hist. Coll. XXI. 171) we learn that they were "one Arthur Peach, of Plymouth, an Irishman, John Barnes, his man, and two others come from Pascataquack, travelling to Quunhihticut."

Page 669, note a. After diligent investigation, in the hope of discovering the owner of these initials, I was led to suppose that they might belong to Daniel Denton, and the conjecture ripened into a certainty upon a comparison of Hubbard's text (what there is left of it) with a copy of Denton's work, in the Library of our University. By this discovery we are enabled to complete this portion of Hubbard's narrative. Our author, having brought his *History of New England* to a close, and briefly noticed "the country

¹ The letter may be found, at length, in Mass. Hist. Coll. XXI. 72-4.

about Hudson's River," informs the reader that, "for any further discourse of the Dutch Plantations next adjoining, or the description thereof," he "may take the following relation, *with little variation, in the words of D. D.*, some time an inhabitant there." In accordance with this announcement, we are presented with a series of extracts from Denton's work, as a sort of Appendix to the "General History."

This portion of the MS. is much worn, some parts being scarcely legible, and, in several instances, the words at the beginning and end of the lines are deficient. Such deficiencies have been supplied (enclosed by brackets) from Denton's pages.

DANIEL DENTON was one of the first settlers of the town of Jamaica, in Queen's County, on Long Island. His father, Rev. Richard Denton, (whom Johnson calls *Mr. Lenten*) "was born of a good family, at Yorkshire, England, in 1586," and received his education at Catharine Hall, Cambridge, where he proceeded Bachelor in 1623. He "was settled as minister of Coley Chapel, Halifax, for the period of seven years," but "was by a tempest then hurried into New England," where, first at Weathersfield, and then at Stamford, his Doctrine dropt as the Rain, his speech distilled as the Dew, as the small Rain upon the tender Herb, and as the show'rs upon the Grass."¹ His name, which appears among the first settlers of Weathersfield, is found among those who planted Stamford, in 1641.² In the spring of 1644 he removed to Long Island, with part of his church and congregation, and began the settlement of the town of Hempstead. He went to England in 1659, leaving behind him his four sons, Daniel, Nathaniel, Richard, and Samuel, "and spent the remainder of his life at Essex, where he died in 1668, aged 76."

DANIEL, the eldest son of Rev. Richard Denton, was one of the original settlers of Hempstead, and was the first town clerk. In the year 1656 he, with other inhabitants of Hempstead, obtained leave to begin a plantation, midway between Hempstead and "Canarise," which they called Jamaica, and on Feb. 18, 1657, Denton was appointed "to write and enter all acts and orders off publick concernment to y^e towne, and to have a dais work of a man for y^e sayd employment." Sept. 26, 1664, a petition was presented to Governor Nichols by John Bailey, DANIEL DENTON, and others, "for liberty to purchase and settle a parcel of land on the New Jersey side of Staten Island Bay, now known as Elizabethtown." The petition was granted, a deed obtained from the Indians, bearing date Oct. 28, 1664, and a confirmatory Patent from the Governor, dated Feb. 5, 1665. Denton soon after sold his share in the purchase, "and it is believed went to England some three or four years after." In 1665 he, with Thomas Benedict, represented Jamaica in the General Assembly of Deputies, held at Hempstead, by order of

¹ Mr. Thompson, in his valuable History of Long Island, says that Mr. Denton probably arrived in New England, with Governor Winthrop, in 1630, accompanied by many of those who, having belonged to his church in the mother country, were determined to share his fortunes in a new region, and settled with him at Watertown, whence they removed, in 1635, to Weathersfield, from there to Stamford, and finally to Long Island, where most of them spent the remainder of their lives, and where their posterity are still found. I would merely remark, in this connection, that Mr. Denton's name is not to be found in the early records of Watertown, (viz. for the first thirty years after its settlement,) either in the Town, or Proprietors', Books.

² Mather's Magnalia, Book III. p. 95.

³ In the year 1640 New Haven Colony, by their agent, Capt. Nathaniel Turner, purchased all the lands at Rippowams, or Rippowance. This tract was sold, on the 30th of October, 1640, for the sum of £33, to Andrew Ward and Robert Coe, in behalf of themselves and others, who had determined to remove from Weathersfield, on account of the divisions which had sprung up in that place. The purchasers obliged themselves to remove before the last of November, 1641. The settlement, which was called Stamford, was begun in the spring of 1641, and before the end of the year there were thirty or forty families established in their new quarters.

Governor Nichols. On this occasion it was that the code called "The Duke's Laws" was promulgated, which seems to have been far from giving perfect satisfaction, and the Address to his Highness the Duke of York, with which the proceedings of the Assembly terminated, exasperated the people to such a degree that the Court of Assize was obliged to declare, Oct. 1666, that "whosoever hereafter shall anyways detract or speake against any of the deputies signing the Address to his Royal Highness, at the general meeting at Hempstead, they shall bee presented to the next Court of Sessions, and if the justices shall see cause, they shall from thence bee bound over to the Assizes, there to answer for the slander, upon plaint or information."

It was on Denton's arrival in England that, "through the instigation of divers Persons in England, and elsewhere," he drew up his "Brief but true Relation of a known unknown part of America," being "the first printed description, in the English language, of the country now forming the wealthy and populous State of New-York, and also the State of New Jersey." Its title page reads as follows:—

"A Brief Description of New York: Formerly Called New-Netherlands With the Places thereunto Adjoyning. Together with the Manner of its Scituation, Fertility of the Soyle, Healthfulness of the Climate, and the Commodities thence produced. Also Some Directions and Advice to such as shall go thither: An Account of what Commodities they shall take with them; The Profit and Pleasure that may accrew to them thereby. Likewise A Brief Relation of the Customs of the *Indians* there. By DANIEL DENTON. London, Printed for *John Hancock*, at the first Shop in *Popes-Head-Alley* in *Cornhil* at the three Bibles, and *William Bradley* at the three Bibles." [1670].

In 1845 appeared a new edition of Denton's work, "with an introduction and historical notes, by Gabriel Furman," forming the first number of the enthusiastic William Gowans's "Bibliotheca Americana." The volume is a neat 8vo, reflecting much credit on the publisher.

See *Thompson's History of Long Island*, i. 80, 132, 136-7, ii. 3-4, 6, 7, 19-20, 96, 97, 102, 104, 105; *Johnson's New England*, p. 140; *Mass. Hist. Coll.* xxviii. 247; *Mather's Magnalia*, Book iii. pp. 95-6; *Trumbull*, i. 119, 121, 266, 494; *Hinman's Catalogue*, pp. 19, 88, 128-9, 164; *Holmes*, i. 259; *Denton's New York*, (*Furman's ed.*, 8vo. New York, 1845.) *Introduction*, pp. 9, 15-17.

Page 676, note a. These last nine words are illegible in the MS.; but dim traces of them yet remain, sufficient to show us that they concluded a paragraph at the bottom of the 333rd page of the MS. We may, therefore, be pretty sure that this was the conclusion of the work as left by the author. This is certain, that we have all that Prince had when he wrote the Preface to his Chronological History of New England, in the year 1736, so that if anything is wanting in this portion of the work, it was lost before the time of the venerable Annalist.

POSTSCRIPT.

SOME progress had been made in a biographical notice of the Ipswich Historian, but circumstances have prevented its completion. The reader is therefore referred, for information, to Farmer's Genealogical Register; the Biographical Dictionaries of Eliot and Allen; Farmer's Memorials of the Graduates of Harvard University, (8vo. Concord, 1833,) pp. 14-19; Felt's History of Ipswich, (8vo. Cambridge, 1834,) pp. 11, 75, 201, 228-32; Johnson, pp. 109-10; Hutchinson, ii. 136; Young's Chronicles of Mass., pp. 34-5; Holmes, i. 490; Peirce's History of Harvard University, p. 49; Quincy's History of Harvard University, (8vo. Cambridge, 1840.) i. 58, 59; Savage's Winthrop, i. 296-7; Mass. Hist. Coll. v. 206, vii. 263, x. 32-5, 187, xii. 121, 260, 281-3, xiii. 286-90; N. H. Hist. Coll. ii. 212; Farmer and Moore's Hist. Coll. iii. 185.