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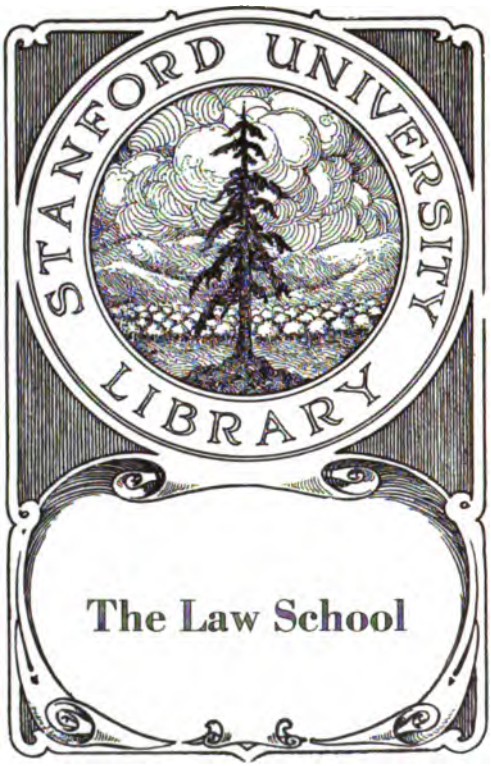

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RECORDS AND FILES OF THE QUARTERLY COURTS OF ESSEX COUNTY, MASSACHUSETTS.

COURT HELD AT IPSWICH, MAR. 30, 1675.

Judges: Mr. Samuell Symonds, Dep. Govr., Major Genrll. Denison, Major Wm. Hathorne, and Mr. Edward Ting, part of the court.

Jury of trials: Mr. Daniell Epps, Edward Lomas, Walter Roper, Samuell Graves, Thomas French, Mr. Rich. Dummer, jr., Wm. Chandler, Richard Dole, George Kilborne, John Bayley, John How and Nath. Wells, Mr. Walker, Symon Stace, Jo. Knight and Capt. Brocklebank, in one action.

Mr. Dudly Bradstreet, Thomas Jacob, Jo. Peabody, Nathaniell Rus[t], Fra. Browne, Rich. Hutton and Elisha Ilsly took the freeman's oath.

Nathaniell Putnam, in behalf of the owners of the Iron works at Rowley Village v. Ens. John Gould, Mr. Thomas Baker and Nathaniell Leonard. Review of a case tried at the last Ipswich court about the burning of the Iron works. Verdict for plaintiff. Ens. John Gould appealed to the next Court of Assistants, but not bringing sureties to prosecute his appeal, it was declared void. The testimonies of Looke, Ramsdell, Blishman and Hood were objected to by plaintiff as not having been taken according to law, they living within ten miles and not present, and also because John How testified that Ramsdell revoked his testimony, which was objected to before the case was committed to the jury.*

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*Writ, dated Mar. 20, 1674-5, signed by Robert Lord,† cleric, and served by Robert Lord,† marshal of Ipswich.

Copy of agreement, dated Apr. 6, 1674, between the owners of the Iron works at Rowley Village, and Samuell, Nathaniell and Thomas Leonard, sons of Henry Leonard, relating to making iron there by the ton: the Leonards were to repair the chimneys, backs, &c., to stop the leak in the dam and then to deliver the house, works and all utensils and appurtenances, with the wood and coals at the works or in the woods, to the

†Autograph.

owners or some one or two of them for the use of the rest; the owners were to speedily provide a stock of coal and mine, and bring it to the works, which the said Leonards are to make into good merchantable bar iron with due care and diligence, with as little loss of coal or mine as may be, for which the Leonards were to be allowed 5li. 10s. per ton to be paid in corn or iron at 24s. p C.; they were to have the use of two fires for the present, and what iron they made in excess of one ton per week for a month together, they should be allowed 6li. per ton; the third fire is reserved to be disposed of by the owners as they shall see cause; the Leonards were to keep a true account of every week's product of iron and at least once a week, or oftener if desired, deliver the iron to the persons appointed, or if in anchors, the number of them; they were to take care to prevent danger or damage by fire or water, the necessary charges to be borne by the owners, and for other accidents or breaches that may happen without their fault or neglect, said owners were to repair speedily, or they may do it themselves and be allowed for it upon account, that the works may not stand still any longer than necessary; what mine they should dig or wood cut, when materials are wanting at the works, they should be allowed for in iron, at the rates given to other men for the like work, that they may never be out of employment; they were to observe the order and direction of any of the owners, especially in time of danger or floods, for taking and keeping down the flushboards; this agreement was for six months, and the Leonards were to have the use of two-thirds of the house, the other third to be at the disposal of the owners. Copy made, Mar. 24, 1674, by Robert Lord,* cleric.

Writ: Nathaniel Putnam, in behalf of the owners of the Iron works v. Ensign John Gould, Mr. Thomas Baker and Nathaniel Leonard; trespass; for employing Nathaniel Leonard, without their consent or knowledge, to work in their forge at the Iron works whereby either wilfully or through extreme carelessness and negligence, said forge was burned and all in it to the value of between 200 and 300li.; dated Sept. 14, 1674; signed by Daniel Denison,* assistant; and served by Robert Lord,* marshal of Ipswich. Copy made by Robert Lord,* cleric.

At a meeting of the owners of the Iron works at Rowley Village at Salem, viz., Mr. Bradstreet, Major Genrll. Daniel Denison, Mr. John Rucke, Ensign John Gould, Nath. Putnam and Thomas Andrewes, on 22 : 5 : 1674: "M^{r} John Rucke, Corp^{ll} John Putnam & Tho. Andrewes they or any two of them are required & impowred to treat & agree upon as good

*Autograph.

tearms as they can for the benefitt of the s^{d} owners with some skilful & meete workman, for the reedifyinge & repairing the forge at the s^{d} works lately demolished by fire, and desire that it may be done & finished with as much speede as may be, and wee doe heereby promise for our selues to discharge & pay our seueral pportions according to their engagement, and shall endeauor, that such of the owners as are absent shall doe the like, or for default thereof by any of the owners, they shall be reimbursed by the first Iron that is made at the s^{d} works, with due allowance for their forbearence, only it is desired the s^{d} owners may not be engaged to pay any part thereof in money or not aboue an 8 p^{t} thereof at the most. Further it is ordered & agreed that Nathaniel Putnam shall & is heereby appointed & impoured to sue," etc. Signed by Simon Bradstreet, Daniel Denison, Nathaniel Putnam, John Gould, who signed to the former part for the rebuilding but not in regard to the suit, John Rucke, Thomas Andrewes and John Safford. Copy made by Daniel Denison.*

Joseph Bexby* and Abraham Reddington* certified, Mar. 26, 1675, that they being desired by Nathanell Putnam to tell him how much the damage of burning the forge house amounted to, said that "John Perly by bargaine had too hundreth and teenn pound and three pound more aded and we count one hundreth pound in Iron and what the chimnies and the stocks and bellows and the matters that are considrable about them as leather and nailes may arise unto." They appraised the damage at 210li. "Joseph Bixbe doth not looke at himself to be owner of any parte of the works."

Nathanell Putnam's bill of cost, 3li. 15s. 8d.

William Smith, Jeremiah Hood and Thomas Looke deposed that they being at John Gould's house some time in July last when some of the owners of the Iron works were there, they heard the latter say that they would have the works stand still. Then Mr. Thomas Baker and John Gould said if they would pay the colliers in the pay agreed upon, they would be willing for the work to stop, but the owner who would have them stand still would not pay the colliers and Major General Denison made this answer, that he had no pay to spare, "let the works goe till they have payd all old debts, but I would haue them make no new debts," and then he rode away. All the others went also and they came to no agreement. Said Looke deposed that Gould and Baker never hired him to work with Nathaniell Lenard in the forge, nor did they promise him any pay, but said Lenard hired him. Sworn, Nov. 4, 1674, at Ipswich court. Copy made, Mar. 26, 1675, by Robert Lord,* cleric.

*Autograph.

John How, aged about thirty years, deposed that he heard Thomas Andrewes say to Ensigne John Gould that he would not consent to Nathaniel Leonard working there, and if he did, it would be at Gould's risk. Further that Thomas Andrewes said that he could save himself though the works were burned, for he and his brother Gould had agreed that Nathaniel Leonard should not work without Goodman Looke, etc. John Wild testified to a portion of the foregoing. Sworn, Sept. 29, 1674, at Ipswich court. Copy made by Robert Lord,* cleric.

Evan Morris, aged about sixty-six years, deposed that he being at the works the evening before they were burned, he saw Nathaniell Leonard leave work and never saw so much care taken to put out the fire as at that time, though deponent had been a retainer there three months, with bed and board. Sworn, Nov. 4, 1674, at Ipswich court. Copy made by Robert Lord,* cleric.

Edmund Bridges testified. Copy made by Robert Lord,* cleric.

Robord Bates deposed that John Gould hired him to carry the coal into the coalhouse and to make up the doors so that the coal might be secure, and he was to be allowed 4d. per load, etc. Sworn, Mar. 12, 1674, before Samuel Symonds,* Dep. Govr.

John Ramsdell and Thomas Looke deposed that after the owners left John Gould's house, Nathaniel Leonard told Baker and Gould that he should go to work under the old agreement, and until his brother Samuel came he would hire another man, but they forbade him. Nevertheless Leonard went to work and threatened John Gould when he found him at the works, etc. Sworn, Mar. 12, 1674, before Samuel Symonds,* Dep. Gov.

John Floyd, aged about thirty-seven years, deposed that Goodwife Leonard and Nathaniel Leonard said they were done at the works and would work no more and deponent saw that their goods were gone out of the house, save a few trifles. Also Samuel and Thomas Leonard were also gone, and John Gold asked deponent to agree with the owners to carry on the Iron works. Sworn before Daniel Denison.*

Jacob Towne, aged about forty-four years, deposed that Ensign Gold told him at deponent's house that Nathaniel Linerd had been to him that night and told him that the ringer was lost and he had made one. Also that he should begin to blow on the next Monday morning, and that he had engaged Jeremiah Hood to work with him. Sworn in court.

*Autograph.

Henry Kemball v. Augustin Steadman. Verdict for plaintiff.*

Zacheus Courties, jr., aged about twenty-eight years, deposed that his father and his brother John Courties carried two loads of clay to the Iron works last spring upon account of Ensign John Gould and Mr. Thomas Baker, and the Lenords daubed two of the chimneys at the works. They also employed the Courties' to mend the wheels and repair the works. Sworn, Mar. 12, 1674, before Samuel Symonds,† Dep. Gov.

Letter of attorney, dated Mar. 10, 1674, given by Daniel Denison,† John Safford,† Simon Bradstreet† and John Rucke,† owners of the Iron works at Rowley Village to Nathanel Putman.

Jeremiah Hoode and Elizabeth Blichman deposed. The latter testified that Nathaniel Leonard came to her master's house when he was not at home and told her that he had blown at the works. When her master came home, he went to get his horse to ride to his brother Thomas Baker's, etc. Thomas Looke testified to a portion of the same. Sworn, Mar. 12, 1674, before Samuel Symonds,† Dep. Govr.

Zacheus Courties, sr., deposed. Sworn, Mar. 12, 1674, before Samuel Symonds,† Dep. Govr.

Copy of papers in an action of Leonard vs. Mackfation, Mar. 25, 1673, in Ipswich court made by Robert Lord,† cleric.

Edmund Bridges, aged about thirty-eight years, deposed. Sworn, 10 : 1 : 1674, before Wm. Hathorne,† assistant.

William Smith and Jerimiah Hood testified that they heard John Saford and Mr. Rucke say that they were willing the works should go if they might have their share of iron. Sworn in court.

Jeremiah Hood and Elizabeth [Blichm]an deposed. Sworn, Mar. 12, 1674, before Samuel Symonds,† Dep. Govr.

Willuiam Curtis† and Edmond Bridges† certified that by information of Iron works' builders and other workmen who have great insight into such matters, they appraised the damage at 210li. Sworn, 10 : 1 : 1674, before Wm. Hathorne,† assistant.

John Ramsdell deposed that he came into the forge and looked up the chimneys and that they were sufficiently mended. Sworn, Mar. 12, 1674, before Samuel Symonds,† Dep. Govr.

*Thomas Kimbol deposed that being at Newbery a few days after the cow in controversy was found, he asked Steadman if he did not dig a well behind his house at Bradford and he said

†Autograph.

Leift. Philip Nellson v. Robert Savery, Wm. Bolton and John Woolcott. Verdict for plaintiff.*

Ossmand Dutch v. Samuell Bishop. Debt. For two oxen, a net and mending a net. Verdict for defendant.†

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yes, and deponent, in behalf of the selectmen, distrained it, for there was a cow stranded in it. Sworn in court.

*Writ: Mr. Phillip Nellson v. Robert Savory of Bradford, William Bolton and John Woolcott of Newbery; non-payment of rent according to lease; dated Mar. 18, 1674-5; signed by Robert Lord,‡ for the court; and served by John Acie,‡ deputy for Robert Lord,‡ marshal of Ipswich.

Summons, dated Mar. 18, 1674-5, to John Woolcot of Newbury, for appearance at the next Ipswich court, signed by Robert Lord,‡ for the court.

Agreement, dated Oct. 16, 1667, between Philip Nellson‡ of Rowly and John Woolcot‡ of Neubery, that whereas a judgment was granted to said Nellson against said Woolcot for not finishing a house and barn according to covenant, proved by Robard Savory and William Boulton, said Woolcot now engaged to finish them according to the frames now erected and was to bring his brother Thomas Tharla within one week to be engaged with him; that four pounds be given to Richard Dol for Mr. Philop Nelson and Thomas Thoral; also that the buildings be finished before the next June, and that Mr. Nelson be harmless from the two tenants now upon the farm; said Woolcot was to bring Thomas Thoral on the next Wednesday to Mr. Nelson's to free the latter from all damage the tenants have sustained since they have been upon the farm with relation to the buildings. Wit: John Knight‡ and Nathan Parkar.‡ On Oct. 23, 1667, Thomas Thurrell acknowledged himself bound to the performance of the foregoing engagement before witnesses, William Tenny‡ and John Sticknee.‡ Sworn in court.

Philip Nellson's bill of cost, 3li. 9s.

Received Dec. 7, 1672: 14 Bush. Wheate at 5s., 3li. 7s., 6 Bushells Rie at 4s., 1li. 4s.; Feb. 10, 19 Bush. Indian at 3s.; 2li. 17s.; 4 bush. Barly, 16s.; oats, 2 Bushells at 2s., 5s.; a day's work, 3s.; an axe, 8s.; Nov. 8, 1673, 24 bushells Barly, 4li. 16s.; 1 bush. wheate, 5s.; for your wife's nursing, 10s.; Nov., 1674, wheat at 5s., 4li. 5s.; an axe, 8s.; 1 pound tobacco, 1s.; total, 19li. 3s.

†Writ, dated Mar. 19, 1674-5, signed by Robert Lord,‡ for the court, and served by Robert Lord,‡ marshal of Ipswich.

Samuell Bishop's bill of cost, 12s. 2d.

‡Autograph.

Robert Savery v. Mr. Philip Nellson. Non-performance of a covenant. Nonsuited.

George Norton v. Samuell Cogswell. Debt, in fish. Verdict for plaintiff.*

Robert Ames v. Edmond Bridges. For withholding pay for a steer. Verdict for plaintiff, who acknowledged satisfaction in court.†

Nathaniell Putnam v. Robert Sanford. Review of a case tried at the last Salem court. Verdict for plaintiff. Appealed to the next Court of Assistants. Robert Sanford, with Mr. Francis Wainwright and John Wainwright, as sureties, was bound. Said Sanford made allegation in order to a nonsuit.‡

John How, aged about thirty-five years, testified that he went with Osemen Dutch to Mr. Samuell Bushep's house about the latter end of September and reckoned accounts, etc. Sworn in court.

Dinah Bishop, aged about seventeen years, testified that she was present when the account was made up. Sworn in court.

*Writ, dated Feb. 22, 1674, signed by Elias Stileman,§ for the court, and served by Robert Lord,§ marshal of Ipswich, by attachment of the farm commonly called the Great Pasture on the other side Cheabaco river.

Bond, dated Apr. 29, 1674, given by Samuell Cogswell§ to George Norton, shipwright, for 50li., in money and refuse fish to be paid at the Ile of Sholes in beef, pork, wheat and Indian corn. Wit: William (his mark) Hillton and Nathanll. Wright.§ Sworn by the witnesses before Samll. Dalton,§ commissioner.

†Writ, dated 26 : 9 : 1674, signed by Hilliard Veren,§ for the court, and served by Robert Lord,§ marshal of Ipswich.

Walter Fayerfield, aged about forty years, testified that being in company with Zacheus Curties at Mr. Gedny's at the beginning of the last winter, he heard Samuell Symonds say that he and Edmond Bridges had agreed that said Symonds should make a cubbard and other joinery ware by a set time, and if he did so, he was to have a steer for pay, etc. Sworn in court.

Moses Tiler and Zacheus Courtis testified. Sworn in court.

Zacheus Curteus, Moses Tiler and Daniell Wycam testified that Bridges promised that if Simonds recovered the steer from Ames at Salem court, then he would pay for the steer and all court charges, etc. Sworn in court.

‡Writ, dated Mar. 11, 1674-5, signed by Hilliard Veren,§

§Autograph.

for the court, and served by Henery Skerry,* marshal of Salem.

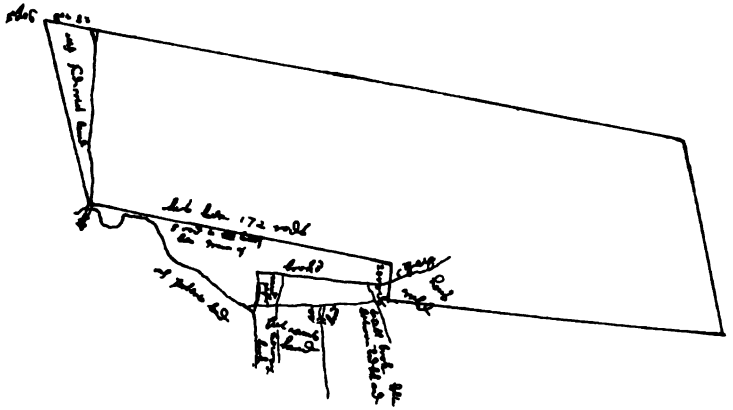
Copies of papers in a similar action tried at Salem court in June, 1674, made by Hilliard Veren,* cleric, and at the Court of Assistants Sept., 1674, made by Edward Rawson,* secretary.

Copy of a town order, 11 : 11 : 1635, signed by Jno. Endecott, Thomas Gardner, Roger Connant, Jeffry Massey and Edmund Batter, made by Bartho. Gedney.*

Robert Sanford's bill of cost, 2li. 8s. 6d.

Nathaniell Putnam's bill of cost, 3li.

Nathanill Putnam, jr., aged upward of nineteen years, deposed that ever since he could remember his father Nathaniell Putnam had improved the land in controversy between Robert Sanford and Nathaniell Putnam by cutting down timber, and had cleared the swamp and upland for mowing to the amount of five or six acres within the fence. Also within the fence toward the sawmill, he had often felled timber and cleared the swamp to make two or three acres of meadow. Sworn, 17 : 1 : 1674-5, before Wm. Hathorne,* assistant.



Plan filed with the Putnam v. Sanford case showing a portion of what is now known as the Nurse farm.

Nathaniel Ingersol, aged forty-two years, and Jonathan Walkut, aged thirty-five years, deposed that they were desired about five years ago by Nathaniel Putnam and Joseph Hutchinson to run a dividing line between James Hadlocke's, Joseph Hutchuson's and said Putnam. They began at the great white oak tree which is now marked for a bound tree and stands near the fence of said Putnam. Sworn, Mar. 29, 1675, before Edward Tyng,* assistant.

Nathaniel Ingersol, aged about forty-two years, deposed that

*Autograph.

John Hathorne v. Mr. John Gifford. Battery. Verdict for plaintiff. Appealed to the next Court of Assistants.*

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about twenty years ago he was at the dividing of the farm which formerly belonged to Mr. Stileman and John Pease, and they began at a great white oak tree near Job Swinerton's house, and so came down with a line to the northerly side of the orchard which is now in the possession of Robert Sanford, and then over a little brook, thence to near a great white oak which is now marked for a bound tree and so continued running the line to or near the place where the two brooks meet, but did not go over the brook. Sworn, Mar. 29, 1675, before Edward Tyng,† assistant.

Steven Hasket, aged thirty-eight years, deposed that he heard Nathaniel Putnam, sr., say that it was better for Robert Sanford to be contented, for if he would be quiet, he might have more land that was better. Sworn, Mar. 29, 1675, before Edward Tyng,† assistant.

Samuell Putnam, aged upward of twenty-two years, deposed that his father Nathaniell Putnam, etc. Sworn, 10 : 1 : 1674-5, before Wm. Hathorne,† assistant.

Nathennill Ingersoll, aged about forty-one years, deposed that a considerable part of the first fence that Nathennill Puttnam set up by the brook that runs out of TownesEnde Bishop's meadow, that was, stood upon the south side of the brook. Also that it was set up about twenty-three years ago. Sworn, 16 : 9 : 1674, before Wm. Hathorne,† assistant.

*Writ, dated Mar. 17, 1674, signed by John Fuller,† for the court, and served by Nathaniell Ballard,† constable of Lin.

John Hathorn's bill of cost, 2li. 18s. 6d.

Jno. Smith and John Andrews testified that in these actions of Jno. Hawthorne's it was ordered that Mr. Giffard be bound, saying he was a mad man, and at John Hathorne's going away ordered the constable and one or two more to bring them along with them. Andrews testified that Hawthorne asked Johnson and Basset to stay and bring Mr. Giffard with them. Sworn, Mar. 29, 1675, before Edward Tyng,† assistant.

Christopher Temple, John Smith and John Andrews testified that he was present when John Hawthorne and Edward Richards, with others of Lyn, came to levy execution, Mr. Giffard's cattle being from home. The cattle were brought and Giffard refused to allowed them to be attached, but said there were two or three calves and some fat hogs in the sty, also some English goods in the house which they could have, etc. Sworn, Mar. 29, 1675, before Edward Tyng.†

†Autograph.

Hester, relict of John Bond v. Richard Dole. For dower. Verdict for plaintiff, her dower, or third part of about twenty shares of land and marsh at Plumb Iland which were possessed by her husband. Court ordered Capt. Sam. Brocklebanke, Lift. Nellson and Ezekiell Northend to set off her thirds.*

Capt. Thomas Marshall deposed as to being surety for Giffard. Thomas Stocker, aged about fifty-five years, deposed. Sworn, Mar. 29, 1675, before Edward Tyng,† assistant.

Ralph King, aged about thirty-five years, William Bassitt, aged about fifty years, Samuell Johnson, aged about thirty years, and Nathaniell Ballard, aged about thirty-seven years, deposed concerning witnessing the levying of the execution at Giffard's house. Upon refusing to give up the cattle, Giffard also refused to submit to authority whereupon John Hathorne took hold of him by his coat, but he turned away. Then Hathorne took hold of his neckcloth whereupon Jeffard struck him three blows on his face and also struck him on the head with the stale of a rake and told him he was a rogue and if he had his deserts he would have been on the pillory before this. Also that Margaret Jeffard came out and bit said Hathorne upon the back of his hand. Jeffard further challenged Edward Richards to fight him. Nathaniell Ballard was the constable. Sworn, 15 : 1 : 1674-5, before Wm. Hathorne,† assistant.

*Writ, dated Mar. 12, 1674-5, signed by Robert Lord,† for the court, and served by Samuell Plumer,† deputy for Robert Lord,† marshal of Ipswich.

Ester Bondes bill of cost, 3li. 1s. 8d.

Ezekiell Northend deposed that he went with Mr. Phillip Nellson to John Bond when the latter lived at Plum Iland in his house which was on Rowley share. Nellson demanded pay of Bond for about twenty shares of land and meadow which he said Bond had bought. Sworn in court.

Daniell Epps, aged about fifty years, testified that twelve years ago he was occasionally at Plumb Island at Goodman Bond's house, when the latter told him he had bought a third part of Rowley division. Going there again later about one of his sons who was apprenticed to deponent, he saw some Indian corn that was planted upon the sandy ground where the pine trees grew and asked Bond why he planted there. Bond said for a trial, but it came to nothing, etc. Sworn in court.

John Griffing, aged about thirty-seven years, deposed that he heard Mr. Richard Doill say that he wondered that the widow Bond would ever think of recovering her thirds, for she

†Autograph.

Margret Bishop, executrix of the estate of Thomas Bishop, deceased v. Ens. John Gould. Review of a case tried at Salem court last November. Verdict for plaintiff.*

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knew that he bought it of her husband and she signed this deed and also that which Mr. Juit made to her husband.

John Willcut deposed that he built a house for John Bond on the Rowley part of Plum Island about fourteen years ago, and he heard John Bond, Rogers and Troter say that they were equal proprietors. Sworn in court.

John Knight, aged about fifty years, deposed that John Bond of Haverhill, late husband to Hester Bond, lived at his Plumbe Island house two years, etc. Sworn in court.

Stephen Grenlefe, aged about forty-five years, deposed that he paid Mr. Joseph Juete about 60li. for the use of John Bond, now deceased, which was for his share at Plum Island, etc. Sworn in court.

Daniel and Elizabeth Ela deposed. Sworn, Mar. 29, 1675, before Nath. Saltonstall.†

Deed, dated June 27, 1664, given by Philip Nellson,‡ John Carleton‡ and Jeremiah Jewett,‡ executors of the estate of their father, Joseph Jewett, for 200li., to Richard Doell, Henry Jaquis and John Bond of Newbury, 66 shares of Plum Island, Rowley division, bounded upon Ipswitch marsh on the south, Newbury marsh on the north, which shares were bought by their father Jewett of sixty odd persons, containing all the right of almost all the persons in the town of Rowley. Wit: Ezeckel Northend† and Jeremiah Elsworth.† Acknowledged, June 27, 1664, before Samuel Symonds.† Possession was given to Richard Doell and Henry Jaquis, Aug, 23, 1664, by Philip Nellson† and Jeremiah Jewett.† Wit: Hugh March† and John Mighell.† Recorded, May 10, 1665 in the records of lands for Essex at Ipswich, book 2, folio 137, 8, 9, by Robert Lord,† recorder.

Joseph Bond, aged twenty-two years, deposed concerning his father's purchase, etc. Sworn, Mar. 29, 1675, before Nath. Saltonstall,† commissioner.

Bond, dated Aug. 15, 1659, given by Robt. Rogers‡ and William (his mark) Trotter of Newberie to Joseph Jewett of Rowly, clothier, in consideration of 60 odd shares of Plum Island, for 200li to be paid within seven years in corn, beef or pork at said Jewett's dwelling house at Rowley. Wit: Stephen Swet† and Thomas (his mark) Seers.

*Writ, dated Jan. 22, 1674, signed by Robert Lord,† for the court, and served by Robert Lord,† marshal of Ipswich

†Autograph. ‡Autograph and seal.

Robert Dutch v. Samuell Bishop and Margret Bishop, executors. Verdict for defendants.*

Samuell Bishop v. Robert Dutch. Debt. Forfeiture of a bond. Verdict for plaintiff. Court moderated the bond.†

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by attachment of three cows, 30 sheep and a joined stool of defendant's.

Margaret Bishop's bill of cost, 2li. 13s. 6d.

John Numarch, sr., testified that he being present with his brother Gould at Mr. Bishop's house, etc. Sworn in court.

Samuell Bishop, aged about twenty-nine years, deposed. Sworn in court.

John Gold's debts, 24li. 17s. John Gold's credits, from the waste book, for an ox, 6li.

John Choat, aged about forty years, deposed that being at his master Bishop's house four years ago, he asked said Bishop to sell him a bullock, and he said he would sell one he bought of John Gold of Topsfeild for 6li. Deponent bought this beast which was a red pied bullock with a star in his forehead. Sworn in court.

Richard Pasmore, aged about thirty years, deposed that he heard his master Bishop speak of the bullock the fall before he died. Afterwards the bullock ran away, and his master and John Harvey brought him home. Sworn in court.

John Gould testified concerning the accounts. Sworn in court.

Robert Lord, marshal, aged about forty-three years, deposed. Sworn in court.

*Writ: Robert Dutch, sr. v. Margret and Samuell Bishop, executors of the estate of Thomas Bishop; for refusing to pay 13 quintals of refuse fish, which said Dutch delivered to Mr. William Browne, jr., of Salem, and which was forgotten when said Bishop and Dutch reckoned; dated Mar. 23, 1674-5; signed by Robert Lord,‡ for the court; and served by Robert Lord,‡ marshal of Ipswich.

John Dutch, aged about twenty-seven years, deposed that being with his father at Salem about six years ago he helped him to deliver to Mr. William Browne, jr., the 13 quintals of fish, etc. Sworn, Feb. 27, 1674, before Daniel Denison.‡

Bill of cost of Margarett and Samuell Bishop, 18s.

Phillip Fowler, aged about twenty-six years, deposed that he and Goodwife Duch were at Mrs. Bishop's house, and they agreed that if her husband Robert Duch, sr., etc. Sworn in court.

†Writ, dated Mar. 24, 1674-5, signed by Robert Lord,‡ for the court, and served by Simon Stace,‡ deputy for Robert Lord,‡ marshal of Ipswich.

‡Autograph.

Steephen Hascott v. Giles Allee. Debt. Withdrawn.

John Woolcot v. John Young. Debt. By assignment of Samuell Levet of Exeter. Verdict for plaintiff.

Faith Law, administratrix of the estate of Wm. Law v. William Nellson. Debt. Defendant acknowledged judgment to plaintiff in corn and money.

John Acie v. John Pickerd. Defamation. Verdict for defendant. After being sent out again, the jury brought in a verdict for plaintiff.*

Bond, dated Aug. 7, 1671, given by Robbert (his mark) Dutch, sr., seaman, to Samuell Bishop, to be paid in refuse fish or mackerel, and delivered at Boston. Wit: Thomas Wells† and Thomas Ives.† Sworn in court.

Samuell Bishops' bill of cost, 1li. 13s. 2d.

Thomas Ives, aged about twenty-eight years, deposed. Sworn in court.

Robert Dutch, sr., aged about fifty years, deposed concerning delivering the fish. Sworn, Feb. 26, 1674, before Daniel Denison.†

*Writ: John Acie v. John Pickerd; defamation; for basely and reproachfully reviling him in a public town meeting at Rowley in falsely asserting that he had ruined four persons already, naming the persons; dated Mar. 22, 1674-5; signed by Tho. Leaver,† clerk; and served by Jeremiah Elsworth,† constable of Rowley, by attachment of the house and land of defendant.

John Acie's bill of cost.

Thomas Remington and Mehittabell, his wife, deposed that he, being named as one whom Acie had ruined, denied the charge. Sworn in court.

James Baly, sr., Joseph Trumble and John Hopkinson deposed that at the town meeting last winter Mr. Jeremiah Sheppard came in and was arguing with some persons. John Acie then present argued on his side. Jno. Pickard, sr., being there desired to speak a word to Mr. Sheppard and said that John Acie standing on his side would not make for his advantage, for said Acie had ruined Josuah Bradley, Doctor Crosbie, Hannah Palmer and Thomas Remington. Sworn in court.

Richard Swann, aged about sixty-eight years, deposed that he was at the Generall Court where there was a case about Capt. Marshall's marrying two persons too privately, and he spoke to Major Pike about them, Josuah Bradley and Judeth Lum, whom he married at Rowley, "which John Pickard I

†Autograph.

told him was much trobled att: and also that John Acie had some hand in it; he replyed he was much trobled at it when he heard of it; & he sayd he hoped it should be a warning to him for the future." Deponent saw Josuah Bradley and John Acie riding to town together the day of the marriage. Sworn in court.

Joseph Trumble, aged about twenty-seven years, deposed that being related to John Hopkinson, he knew about his proceedings in love which he made to Hannah, daughter of Jno. Palmer of Rowley, and was at Palmer's house when there was a discussion concerning breaking off the marriage. John Acie, Hannah's uncle, was there, and Hannah was in a melancholy frame of mind. Acie asked her if Hopkinson had given her any tokens of his love and she said he had, but refused to show them, saying those were the only comforts she had in his absence. Finally being importuned by Acie she gave them to him, he promising to return them to her in a week's time. Later she told deponent that Acie had returned the tokens to Hopkinson and had promised to give her ten pounds upon her marriage, if she would break off the match with Hopkinson. So John Acie broke off the match and gave Hannah a coat on that account. Both Hannah and John were much dejected, etc. Sworn in court.

John Pallmor and Margaret Pallmor deposed that they never heard their daughter Hannah say anything against John Acie, her uncle, "and that we doe beleiue that any good that he could doe her by night or by day he would redily and willingly haue done it," etc. Sworn in court.

Mary Pearson, aged about twenty-four years, deposed that a while before Josuah Bradley went from Rowley, she heard him and his wife say that their reason for going was because they could never have any peace since Josuah had given in a testimony against Acie and the latter was enraged. Sworn in court.

Abell Platts, aged about twenty-five years, deposed that in the case between Thomas Remington and John Johnson, he heard John Acie say to Johnson that he would spend his estate before Johnson should have the gate* and a quarter again, etc. Sworn in court.

Thomas Wood, aged about forty years, deposed that being desired by his brother Todd to get hay from the meadow that he took from Dr. Crosbie by execution, they went and found Acie there who spoke threatening words and struck several persons, etc. John Todd testified to the same. Sworn in court.

*GATE, *i. e.* term used in Rowley to indicate a right to pasturage in the common land.

Prudence Cotton, aged about thirty-seven years, being required by John Acy of Rowley to testify concerning ruining her former husband, Mr. Anthony Crosbey, deposed that since she had known said Acy, which was ever since she was married to said Crosbey, he had always been faithful to her husband, persuading him always toward peace and quietness and advising him to take heed of and forbear other infirmities which rendered said Crosby obnoxious. He had also been faithful in assisting her and the children since said Crosby's death. Sworn, Mar. 29, 1675, before Samll. Dalton,* commissioner.

Abraham Jewett and Henory Royley deposed that being desired by Mr. Crosbie to witness a deed given by him to Jonathan Plats and John Acie of all his houses and lands within five miles of the town of Rowley, the latter refused to take it, but Crosbie told them it might be well to preserve his estate for his wife and children. Sworn in court.

James Baily, aged about sixty years, and Joseph Trumble, aged twenty-seven years, deposed. Sworn in court.

Ann Swann, aged about sixty years, deposed. Sworn in court.

Benjamin Scott, aged about twenty-five years, deposed. Sworn in court.

Thomas Kimball deposed. Sworn in court.

James Bayly, sr., and Jno. Trumble deposed.

Jno. Hopkinson, aged about twenty-eight years, deposed that "divers years agoe, myself & Hannah pallmer being drawne Into Society one wth another, by some of her relations, our affections in time being set upon each other, it was discovered to my mother, whose consent I laboured to Gaine but she stil remained opposite, & the reasons was she sayd wee were childish: & our beginnings was Contrary to y^{e} way that gods people went in: but her cheif Reason was because she would not be soe near related to y^{e} Acies: which thing when John Acie understood, not many dayes after, he Came to me, & told me he did understand that the match between his Cousin Hannah & this deponant was broke: I Replyed not that I knew of, etc." Sworn in court.

Samuell Brocklebanke and Ezekiell Northend testified. Sworn in court.

Daniell Wickam deposed that being at work at Mr. Crosbie's house, etc. Sworn in court.

John Todd, aged about fifty-four years, deposed. Sworn in court.

John Johnson, aged about sixteen years, deposed that he

*Autograph.

Mr. Frances Wainwright v. Mathew Stanly. Debt. Verdict for plaintiff.

Mr. John Giffard v. Edward Richards. Nonsuited.

John Hathorne v. Mr. John Giffard and Margaret, his wife. Battery. Verdict for defendant. After being sent out again, the jury brought in a verdict for plaintiff. Appealed to the next Court of Assistants.*

John Hathorne v. Mr. John Giffard and Margaret, his wife. Slander. Verdict for defendant. After being sent out again, the jury brought in a verdict for plaintiff. Appealed to the next Court of Assistants.†

John Hathorne v. Mr. John Giffard. Slander. Verdict for defendant. After being sent out again, the jury brought in a verdict for plaintiff. Appealed to the next Court of Assistants. Mr. John Giffard bound, with Andrew Peeters and Symon Tuttle, as sureties.‡

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asked John Acie why he was so set against him as to be Thomas Remmington's chief counsellor, etc. Sworn in court.

Abraham Jewet deposed.

Sammuell Plats, sr., and Philip Nellson deposed that John Pickard told them that all the troubles in their town were caused by Mr. Shepard, and if it had not been for him, said Pickard would not have been fined so much in John Acie's action. Further he told them that he being at a meeting with the selectmen, they thought it best to choose the old selectmen to serve again, considering the difficulties of the division of the commons. Sworn in court.

*Writ, dated Mar. 17, 1674-5, signed by John Fuller,§ for the court, and served by Nathaniell Ballard,§ constable of Lin, by attachment of the dwelling house and land, a stack of hay, cart wheels and utensils of defendant.

John Hathorne's bill of cost, 3li. 2s. 6d.

William Bassitt, Edward Richards and Samuell Johnson deposed concerning John Hathorne of Lyn, deputy marshal, levying the execution, etc. Sworn in court.

†Writ, dated Mar. 17, 1674-5, signed by John Fuller,§ for the court, and served by Nathaniell Ballard,§ constable of Lyn.

William Bassitt, Edward Richards, aged about sixty years, and Samuell Johnson, aged about thirty-five years, deposed. Sworn in court.

‡Writ, dated Mar. 17, 1674-5, signed by John Fuller,§

§Autograph.

John Hobs v. Robert Bartlet, surety for Sam. Rowland. Verdict for plaintiff.

Robert Dutch v. John Clarke. Debt. Verdict for defendant.*

Edward Phelphs acknowledged judgment to Philip Cromwell.

Hugh March had his license renewed for a year, also his license for liquors.

Daniell Clarke had his license renewed for a year.

John Stone of Beverly had his license renewed for a year.

Ezekiell Woodward had his license renewed for a year, also his license to draw liquors.

Edward Hassen had his license renewed for a year, also his license for liquors.

Ens. Jo. Gould acknowledged judgment to Robert Pane, in bar iron.

Mr. Thomas Baker acknowledged judgment to Mr. Robert Paine, in bar iron.

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for the court, and served by Nathaniell Ballard,† constable of Lyn.

*Writ: Robert Dutch, sr. v. John Clarke; debt; forfeiture of a bond for not performing an award made by Ens. John Gould, Robert Lord, jr., and John How; dated Jan. 30, 1674; signed by Robert Lord,† for the court; and served by Robert Lord,† marshal of Ipswich.

Robert Duch, aged about twenty-six years, deposed that several days after John Clarke should have paid deponent's father ten shillings in boards according to an award, etc. Lues Zakerias deposed the same. Sworn in court.

Robert Lord, marshal, deposed that he sent John Clerk word by his brother Freeman Clarke to deliver the boards, etc. Sworn in court.

Freeman Clarke, aged about seventeen years, deposed. Sworn in court.

Steven Crose, aged about twenty-seven years, deposed that he carried about 180 feet of merchantable boards to Goodman Duch. Sworn, Mar. 23, 1674, before Daniel Denison.†

Phillip Matton, aged about twenty years, deposed that his master Jo. Clarke carried the boards according to the award of the arbitrators, Jo. Gold, Jo. How and Marshal Lord. Sworn in court.

†Autograph.

Mr. Duncan had his license renewed for a year, also his license for liquors.

Mr. Francis Wainwright had his license renewed for a year.

Samuell Bishop had his license renewed for a year.

Ens. Jo. Gould had his license to sell beer and cider renewed for a year, also his license to sell liquors to a stranger.

Ens. John Gould was bound, with Mr. Thomas Baker and Zacheous Curtice, as sureties. Court not accepting said Curtice, Mr. Baker also refused and went away, and the appeal did not stand.

Ens. Jo. Gould acknowledged judgment to Tho. Baker, in bar iron.

Whereas Christopher Codner was bound to Joseph Emons and now his parents desiring or taking him away, court ordered that if they do take him away, they should pay said Emons for his diet for the time he had been with him.*

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*Indenture, dated Oct. 9, 1674, given by Christopher Codner† of Marblehead, with the consent of his mother, to Joseph Emons of Marblehead, cordwainer, to serve as an apprentice for four years to learn the trade of a shoemaker. It was further agreed that said Emons should not carry his apprentice "out of this pattin." Wit: Edward (his mark) Homan and Edw. Humphreys.‡

Samuell Johnson and Edward Richards deposed that some time this winter Goodwife Downeing of Marblehed told them that her son was living with Emons, etc. Sworn in court.

Edward Humphreys, aged about thirty-four years, testified that last October Jone Boobier and her brother came into his house about Christopher's indenture and said their mother was willing that an indenture should be made, but she had a young child, so could not come herself. Jone said that their master would pay deponent for the boy's part of the indenture. Then the boy came again about the indenture and told deponent he must make haste and bring them to his sister's house, which he did. Sworn, 16 : 11 : 1674, before Wm. Hathorne,‡ assistant.

Mary Downing, aged thirty-seven years, deposed that she never gave her consent but rather warned her son against it, etc. Sworn, 24 : 1 : 1674, before Wm. Hathorne,‡ assistant.

Elizabeth Humphreys, aged about twenty years, wife of Edward Humphreys, deposed that Joan Boobier came into their house with her brother Christopher, etc. Sworn, 16 : 11 : 1674, before Wm. Hathorne,‡ assistant.

†Autograph and seal. ‡Autograph.

Roger Darby and Lucretia his wife, presented for absence from the public meeting on the Lord's days, were fined.

Nathaniell Chapman, presented for fornication, was ordered to be severely whipped or pay a fine.

Roger and Josiah Hascall, sons of Roger Hascall, deceased, came into court and chose their uncle Wm. Hasscall as their guardian.

Court appointed said Wm. Hasscall as guardian to Samuell and Sarah Hascall, the other two children of his brother.

Joseph Nedham, aged about thirty-seven years, deposed that he went with Emmons to Richard Downing's house but his wife refused to let him have the boy. Downing told Emmons that he was an idle fellow and the child would be brought to the gallows, therefore he should never have him. But deponent further testified that Emmons had the boy two or three days without leave and after the boy was bound, his mother went to Emmons and forewarned him from keeping the boy, calling Humphry Deverix to witness. Deponent being in a chamber near, heard Emmons use indecent language to her and said he would break her neck. Sworn, 24 : 1 : 1674, before Wm. Hathorne,* assistant.

Joseph Nedham, aged about thirty-five years, deposed. Sworn, 16 : 11 : 1674, before Wm. Hathorne,* assistant.

Thomas Lian, aged about twenty-five years, deposed that he being always in the house of Mary Downing, etc. Sworn, 16 : 11 : 1674, before Wm. Hathorne,* assistant.

Joseph Boober, aged about twenty-nine years, deposed as to what his mother said about the boy. Sworn, 16 : 11 : 1674, before Wm. Hathorne,* assistant.

Jone Bober, aged about nineteen years, deposed. Sworn, 16 : 11 : 1674, before Wm. Hathorne,* assistant.

Humphrey Deverix, aged about nineteen years, deposed. Sworn, 27 : 1 : 1675, before Wm. Hathorne,* assistant.

John Devrockes, aged about sixty years, deposed that while Cristover Codnor lived with his master Emons at deponent's house, etc. Sworn, 29 : 1 : 1675, before Wm. Hathorne,* assistant.

Samuell Rowland, aged about twenty-eight years, deposed that Codner said his mother was willing to wash his clothes, etc. Sworn, 16 : 11 : 1674, before Wm. Hathorne,* assistant.

Ann Devrockes, aged fifty-four years, deposed that she boarded and lodged Codner upon account of Emmons, etc. Sworn, 29 : 1 : 1675, before Wm. Hathorne,* assistant.

*Autograph.

William Hascall was bound for the payment of the estate to the four children of his brother when they come of age.

Jonathan Gage being deceased and having left a paper calling it his will, but those he left as executors refusing to meddle with the estate, court ordered Mr. Francis Wainwright to administer upon said estate, to sell the land and pay the bills; also to be helpful to the widow so far as he can and give account to the court within a year or as soon as he can with convenience, in order that court may order the remaining estate.

There being part of a fine of 50s. remaining from the town of Topsfield for want of a stock of powder, court allowed the 50s. to said town towards their bridge over Ipswich river.

John Hasscall having attached Edward Berry to this court and not prosecuting, defendant was allowed costs.

Court released Robert Day, Edward Lomasse and Richard Kemball from training for the time to come without pay.

In all the actions of John Hathorne against Mr. John Giffard execution was respitted until the next session, and if they did not agree in the meantime, he had liberty to appeal.

Upon Samuell Hunt's complaint of what loss he had suffered by his servant Mary Talbut's being with child, court ordered her to serve said Hunt two years longer.*

Mr. Robert Paine, sr., came into court and swore to the debts according to his book and the testimony of his son Robert Paine, jr., as follows: From Roger Shelly, 35li.; William Diamond, 3li. 16s. 6d.; Peeter Lewis, 45li. 13s. 6d.; Edward Humberd, 12li. 12s.

Mr. John Giffard was allowed costs in the action brought against him by Edward Richards, who did not prosecute.

John How, complained of for disturbance at the town meeting at Andover, was admonished.

Court adjourned to Apr. 21.

COURT HELD AT SALISBURY, APR. 13, 1675.

Willi. Stoughton, Esq., president, Major Pike, Capt. Nathll. Saltonstall and Mr. Samll. Dalton, associates.

Jury of trials: Georg Brown, foreman, Jno. Clough, Richd.

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*Obadiah Wood, jr. and Samuell Hunt's servant were presented for committing fornication.

Hubbard and Jno. Ilsley, accidental jurymen, Jno. Easman, Tho. Barnard, sr., Jno. Pressie, Phillip Rowell, Henry Roby, Nathll. Batchelder, Henry Dearborn, Robert Swan, sr., Joseph Dowe, John Jonson, Ralf Hall and Jno. Robison.

Grand jury: Henry Brown, foreman, Robert Ring, John Eaton, William Barnes, John Weed, Tho. Marston, Wm. Fuller, Tho. Philbrick, Tho. Dearborn, Michaell Emerson, Danll. Hendrick and Jno. Foulsham.

John Smith v. Abraham Drake. Appeal from a judgment of Mr. Samuel Dalton, concerning a hog taken away by said Drake. Verdict for plaintiff, the reversion of the former judgment. Appealed to the next Court of Assistants. Henry Roby and Christopher Palmer bound for said Drake.

Daniell Ela, attorney for the Selectmen of Haverhill v. Robert Clement. For having taken a considerable part of the estate of Hugh Sharratt and now refusing or neglecting to provide for him according to his engagement, whereby the town has been obliged to provide for the preservation of the old man's life. Verdict for defendant.

Joseph Peasly v. John Jonson, selectman for Haverhill in 1674, and in behalf of the others. For issuing an illegal warrant, whereby the constable took from plaintiff a horse and saddle. Verdict for defendant.

From Samuel Dalton's commissioners' records. See *ante*, vol. V, p. 235.

On 10 : 10 : 1674, Christian Dolhof and Sarah Grammon, living at Exeter, were married.

Mary Folsham, sr. v. Roger Rose; debt; for diet and a cure that she did for his lad; defaulted; judgment for plaintiff given on June 29, 1674.

On 30 : 9 : 1674, John Smith, cooper v. Abraham Drak, sr., as marshal; trespass; for taking away a hog worth about 30s. from Mr. Hussey's farm, being shut up in the old house there; judgment for defendant; appealed to the next Salisbury court. John Smith and Nathaniel Bachelder bound.

On Apr. 3, 1675, Sergt. Moses Gillman, chosen constable for Exeter, was sworn.

On May 31, 1675, John Gillman, jr. and Grace Yorke, both of Exeter, were married.

On 20 : 10 : 1674, Edward Gillman and Abigail Maverick, both of Exeter, were married.

On 30 : 10 : 1674, Jonathan Haines of Newburie and Sarah Moulton of Hampton were married.

On 8 : 11 : 1674, Sergt. Moses Gillman "gave Information of the Discovery of a Silver mine as he doth Judg itt to bee: the which mine hee Discovered by the Helpe and Direction of an Indian Called Ben Huntaway lying near to a pond Called Tegtuckwock, according to the native language, outt of which Issueth a Small fresh River Runing through a flume of Stone towards the south west the sd Pond is Bounded with a Great Stony Hill

Christopher Palmer, assignee of Georg Norton v. Captain Walter Barefoot. Debt. Verdict for plaintiff.

Jno. Godfrey v. James Sanders. For violently taking away a cow from him on the highway. Verdict for plaintiff. Appealed to the next Court of Assistants. James Sanders and John Hendrick, both of Haverhill, were bound for James Sanders.*

John Young v. Phillip Grele. For spending and spoiling three loads of hay which he or his men had stacked and fenced in Gleeding's field near the landing place at Lampreele river, whereby said Young lost his logging season the last winter to his ruin. Verdict for plaintiff. To be paid in board at Mr. Wadley's mill at Lampreele river.

Nathll. Boulter, attorney for John Huggins v. the Town of Hampton. Review of a case tried at Salisbury court in 1673, for trespass, in felling town's timber and fencing in land of the town's, which land lay above the old saw mill westerly from the town near Tayler's river. This case was by agreement referred to eleven jurymen, one being taken off by law. Verdict for plaintiff. Appealed to the next Court of Assistants. Henry Dowe and Jno. Samborn were bound for the town of Hampton.

Phillip Grele v. John Young. Debt. For 9,300 feet of merchantable board due for cattle, to have been paid before Christmas past at Lampreele river at Wadley's mill. Withdrawn.

Robert Ring v. William Buswell. For wrong done to said Ring at the Court of Assistants at Boston in 1672 and in March, 1673, by an appeal from Hampton court, October, 1673, in an action commenced by Ring against Nathll. Clark, in which Wm. Buswell on 9 : 2 : 1672 in Salisbury court gave a false oath, and also a similar oath made before the arbitrators, Henry Palmer, Georg Brown, Samll. Dalton, William Titcum on the following day. Verdict for defendant.

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*John Godfry's bill of cost, 1li. 15s. 11d.

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towards the South west & a peice of medow towards the south East the which mine was by him Discovered as above sayd Upon the last Day of the tenth month Called December in the year of o^{r} lord one thousand Six Hundred & Seaventy fower."

John Young acknowledged judgment to Wm. More, in pine boards at 40s. per thousand, to be delivered at the usual landing place at Exeter.

Ralfe Hall acknowledged judgment to John Clough of 3,500 feet of pine boards to be delivered at Exeter at a convenient landing place.

Mr. John Groth and Elizabeth his now wife, presented at Hampton court, Oct. 13, 1674, for having a child born seven months after marriage, the presentment being proved and owned, were fined. Appealed to the next Court of Assistants. Mr. Jno. Groth bound, with Christopher Palmer and John Stanian as sureties.

John Garland and Elizabeth his now wife, presented at Hampton court, Oct. 13, 1674, for having their child born about eleven weeks before the usual time, were fined. John Garland appealed to the next Court of Assistants. John Garland bound, with Henry Robie and Christopher Palmer as sureties.

George Jones of Exeter, presented for breach of the Sabbath by travel, was fined.

Robert Jones, now of Exeter, presented for notorious drunkenness, was fined.

Jno. Clarke was declared to be the reputed father of the bastard child of Bess, the negro of Robert Smart, according to law.

Samll. Person, presented for being in drink and for striking Danll. Hendrick, was fined.

Tho. Rolenson, presented at Hampton court in 1674, for charging the pastor of the church at Salisbury with inhumanity and speaking other unseemly speeches, was sentenced to be publicly admonished for his sin and bound to good behavior. Tho. Rolenson and John Eaton bound.

Robert Swan of Haverhill, presented for being drunk and for cursing, was fined.

Samll. Fowler of Salisbury, convicted for breach of the Sabbath by travel, was fined.

Francis Davis and his wife, presented for fornication, were discharged.

Tho. Rolenson was in open court admonished upon a lecture

day and reproved for his sin in charging his pastor, Mr. Wheellright, with inhuman actions and other unseemly speeches.

Court ordered the town of Exeter to make the boom six feet wide within the rails and to rail it on both sides sufficiently, to be finished by next Hampton court upon penalty of 10li.

It is ordered that Salisbury and Eamsburie appoint men to fix the bounds between these two towns and make return to the next Hampton court, upon payment of fines for default.*

Edward Colcord, sr., presented for saying that the court passed an unrighteous or unjust sentence against him, was fined.

Edward Colcord, sr., upon petition and acknowledgment of his fault, had his fine abated.

John Haseltine's account as administrator of the estate of Jno. Willcott was accepted by the court, the estate being justly administered according to law.

Daniel Ela's license to keep the ordinary for Haverhill was renewed for the ensuing year.

John Severans' license to keep the ordinary for Salisbury was renewed for the ensuing year.

Henry Robie's license to keep ordinary for Hampton was renewed for the ensuing year.

John Souter's license to keep a house of entertainment at Hampton was renewed by this court, according to conditions mentioned in his first license.

Court ordered that the selectmen of the town of Hampton bind over by indenture Tho. Bab, a child who now lives with Henry Green, to said Green of Hampton, according as the law gives liberty in such cases.

William Brown was sworn constable of Salisbury for the ensuing year.

Henry Dow was appointed attorney in behalf of the county to answer the appeals of Jno. Groth and Jno. Garland.

Capt. Barefoot was to be summoned to appear at the next Hampton court to answer for contempt of court in going away without license when commanded by the court to attend the same.

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*Lift. Chute was chosen to answer the presentment.

Court allowed 10s. to the servants where they were entertained at their several lodgings, to be proportioned at the discretion of the Treasurer.

COURT HELD AT IPSWICH, APR. 21, 1675.

Town of Gloster, upon its presentment, defaulted, and court ordered it to be heard at the next Ipswich court.*

Daniell Ela, presented for swearing and reviling speeches, was fined.†

Writ: William Fifeild, sr. v. John Godfre; for not assigning a bond of 40li. in wheat of Goodman Jackman of Nubery to Will. Fifeild; dated Oct. 15, 1674; signed by Samll. Dalton,‡ for the court; and served by Henry Dow,‡ marshal of Norfolk, who delivered said Godfre to John Souther, keeper of the prison in Norfolk.

Venire, dated Mar. 12, 1674-5, for trial jury men from Eamsberie, signed by Tho. Bradbury,‡ recorder, and served by Thomas Bernard, sr.,‡ constable of Amsbury, who returned the names of John Pressie and Phillep Rowell.

Summons, dated Mar. 12, 1674-5, for the appearance of Francis Davis and Mary his wife to answer a presentment for being married Jan. 20 and having a child born Sept. 2, signed by Tho. Bradbury,‡ recorder, and served by Thomas Barnard, sr.,‡ constable of Amesbury.

George Martin's bill of cost, allowed, 14 : 8 : 1673, at Hampton court.

Nathll. Winsley's petition, dated Apr. 13, 1675: that he obtained judgment against John Sowter at Salisbury court, 1674, and not being able to obtain satisfaction, Marshal Dow of Hampton levied upon his person on Dec. 8, put him into prison and saw him locked in fast; then he delivered the keys of the prison to said Souter, who gave himself liberty, etc.

Copy of execution, dated Oct. 17, 1674, against John Souter, to satisfy judgment granted Nathll. Winsley, 14 : 2 : 1674, at Salisbury court, signed by Tho. Bradbury, recorder.

*Presented for want of a sufficient bridge over the cut, it being but one piece or plank over such a dangerous place which might occasion the loss of lives. Wit: John Burnam, sr., and Thomas Wade.

†John Webster, jr., aged about nineteen years, deposed that as he was coming along the street the latter end of last summer, near the ordinary, Goodman Ely came along saying "I will

‡Autograph.

John Fitch, Thomas Millett and Thomas Riggs, presented but the presentment not proved that the time of twenty-one years, which was the grant of the town was expired, were discharged.*

Thomas Ally was fined upon his presentment, and Andrew Heiden was discharged.†

John Gamage was admonished upon his presentment.‡

Thomas Silver was discharged of his presentment.§

Samuell Hutcheson was discharged of his presentment.||

John Harris was discharged of his presentment.¶

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not be geered by aney man alliue, no by my faith I will not." Deponent's father asked how he could help it and Ely replied "I wil help it with you you dogg." Sworn in court.

John Webster, sr., aged forty-three years, deposed that in Nov., 1674, coming by the ordinary with his son, they saw Ely come out of March's house, etc. Sworn in court.

*Presented for hindering the passage of boats and vessels along a creek to several houses. Wit: Mr. John Emerson and Antony Day.

†Presented for breach of the peace. Wit: James Bayly and James Barker.

‡Presented for breach of the Sabboth, fetching a horse from Jeffery's neck before the sun was set. Wit: Nathaniell Tredwell.

§Presented by Newbury as an idle person and one who spends his time unprofitably, not being willing to work. Wit: Richard Dole and John Dole.

||Richard Barker and Thomas Chandler deposed that Samuell Huchinson's manner of living made him an imprudent person although much had been said to him by the townsmen to reclaim him, yet it had done no good and he was likely to come to extreme poverty. Also that the selectmen advised him to put out some of his children, to which he agreed but the violence of the woman is such that she will not suffer it. The imprudence of the woman is also a great cause of their uncomfortable living. "If it may please this honoured court to impouer the selectmen or any others in the Towne to despose of there childeren it might deleuer them from much sufering." Sworn, 19 : 2 : 1675, before Simon Bradstreet.**

Presented by Andover as being an idle, slothful person who will not work nor provide for his family. Wit: Thomas Chandler and Richd. Barker, sr.

¶Presented from Ipswich upon suspicion of stealing a waist-

**Autograph.

Andrew Heiden, presented for suspicion of a lie, was admonished.*

Deacon Goodhue had his license renewed for a year.

Upon Daniell Wicom's complaint against Jo. Person, John Tod and John Johnson, court declared the pasture to be rated.†

John Chubb was admonished upon his presentment.‡

John Jackson was fined upon his presentment.§

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coat and other garments from Jno. Chapman. Wit: Jno. Chapman. Also, for excess in apparel of himself and his child.

*Presented from Rowley, for telling a lie in public town meeting. Wit: John Pickard, John Trumble and Tho. Wood.

†Robert Shelits deposed that Thomas Lambert and Daniell Wickam being at deponent's house, the latter told him that he intended to commence a complaint against the selectmen, and Lambert said that he and James Dickinson were not to blame concerning the rating of the east end ox pasture. Sworn in court.

‡Presented for excess in apparel, beyond that of a man of his degree.

§Summons, dated Apr. 6, 1675, for the apprehension of John Jackson of Rowley, also Thomas Alley, Andrew Heyden and David Wheeler and his wife, and as witnesses, John Pickard, John Trumble, Thomas Wood, James Bayly and James Barker, in Heiden and Alley's cases, and Jonathan Hopkinson, John Hopkinson, John Clarke and Mary Clarke in John Jackson's case, signed by Robert Lord,|| clerk, and served by Jeremiah Elsworth,|| constable of Rowley.

John Pickard, aged fifty-three years, deposed that "I haue obserued John Jackson to haue a strang motion upon his spirit that if he be parswaded to ackt at all it is to ouar act ore to overdoe that I haue obserued both in his working and dealing and soe did act at tow seuerall times that I asked him the reason of it why he should not ackt as other men doe for at that time he wrought as if he would destroy himself: and was as wett as if he had been drawn through the brook, and when he satt downe to refresh himself to eat or to drink hardly perswaded to goe to work againe, the reason of which frame he tould me he could not tell but it came upon him about the time theay took him from school: for he said he had great delight in leaving: another time was when he was loading some corn that grew upon my land: and he left of his loding the corn and came 50 or 60 rod roning to me with a conseayt

||Autograph.

that I would be perswaded to abate him 2 shillings of that for which we had agreed. to my wonderment at him soe to leau his oxen and corn and in the mean whil the oxen threw thee car ouer: and eat part of the corn: all which considered to me it apears he hath not the ews of his reason as other men."

Jonathan and John Hopkinson deposed that the day that John Jackson's wife was lost, the latter offered to work that day for deponents, but they told him it was too stormy and cold and that he should stay at home with his wife. He said his wife was distempered in her head and she had gone home to her father Poor. When they asked him how he knew, he said he found she had gone for he had looked in the barn, and they asked if he had looked in the chamber or cellar and he said he had. Sworn in court.

John Trumble, aged thirty-six years, deposed that he ate at the same table with John Jackson, "and he did eat after all others had done and not only soe but did lick the crombbs left upon another mans trencher: to my sham — 20 persons looking on though of this and all other of his foolish tricks I neuar could perseav he was att all ashamed all which saith to me seurly he hath not the ueas of his reason as other men."

Mary, wife of John Clark, aged about twenty-two years, deposed that the day that her sister, the wife of John Jackson, was lost, said Jackson came to her house to find his wife, but she was not there. He said she talked of going to the Neck and deponent told him that he must follow her. He answered that he would if he had any bread but they were quite out. So she loaned him some bread and he said he would take his mare and follow his wife, but suspecting him, deponent told her husband as soon as he came home about two hours after, and he went forthwith. Sworn in court.

John Clark, aged about twenty-four years, deposed that his wife informed him that her sister had gone to her father's at Newberry Neck, and he went to John Jackson who said he had other occasions to look after than to look for his wife. Deponent said he thought that most needful, the weather being so extreme, and asked him what his friends would think if his wife should do any other than well. He said what cared he what any other of them said, he scorned to look after her any more, for he said he intended to go out to service. Then deponent asked who should maintain his wife and child, for deponent understood that they were not to go out to service while they were living. He told him to be gone, not to stand prating about his business. So deponent left him and went to look for her, stopping at her brother John Poor's and her father Poor's but they had not seen her. So her brothers John and Henry Poor and the neighbors at the Neck went

Mary Chapman being called, and it being declared that she was not yet fit to come out of doors, she was ordered to appear at the next Salem court.

Mr. Jonathan Wade and his son Thomas Wade made oath to the following debts due as per his book: Roger Grant, 4li. 15s. 9d.; Gabrill Tedderly, by oath of Jo. Barry, 2li. 13s.; Phillip King, 4li. 7s. 11d.; Wm. Linckhorne, 3li. 16s. 7d.; John Marshall, 4li. 10s. 6d.; Phillip Bill, 5li. 4s. 10d.; Robert Kinsman, deceased, 2li. 15s. 5 1-2d.; Obadiah Wood, 25 C. 1-2 bread, credit, 9li. 13s. 3d.

John Joanes's will was proved and inventory delivered.

Richard Swan, Ezekiell Northend, Thomas Lamber and James Bayly were bound for Thomas Tenny, jr., in his presentment for committing fornication with Mary Tenny.

Thomas Tenny, jr., confessed the fact.

Thomas Dennis, upon complaint of the selectmen of Ipswich, was fined.

Ezekiell Northend, John Pickard and John Johnson complained of several Rowley persons, but they withdrew the action, paying costs.*

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back with deponent and they found her in Rowley marsh farm. She had life in her, but was frozen stiff and had fallen upon her back with her arms spread out. They took her up and in carrying her a few rods, they apprehended that she was dead, so they carried her to her father's house. Deponent went to inform her husband who said that she would go, and that is what she had gotten for her pains, and deponent told him to tell his father and mother of it. Sworn in court.

William Jackson and wife Joanah deposed that about fourteen or fifteen years since, their son was taken with an illness in his head and was struck with such a melancholy that it was thought that he was dead, and he spent one summer in this condition, acting as if bereaved of his understanding. Further that he had never recovered fully and Mr. Crosbie said that whatever he set about to do, no one could convince him to the contrary. Also that he had not the capacity to work at his calling.

*Thomas Leaver, sr., deposed that a committee being chosen by the town of Rowley concerning the value of pasture lands for the ministry rate, the committee agreed concerning these lands near men's houses as it is written in the town book, but

Three Indians brought by the constable of Gloster for being drunk were fined or to be whipped. The constable was allowed 10s. each for bringing them. Symon, one of them, had his costs paid by Mr. Willson.

Symon, an Indian, brought before court with two other Indians, for being drunk, and being examined as to where they obtained their drink, confessed that they had a pot of beer at Mr. Duncan's of Gloster, and Jacob, Indian, had a pint which he carried into the woods.

Given to the house, 6s. 8d.

Andrew Peeters was bound for the appearance of Mary, wife of Nathaniell Chapman.

Will of Joseph Redding of Ipswich, dated Dec. 15, 1673, mentions wife Agnes and the children of his daughter Hunt. Wit: William Hubbard and Mary Hubbard. [Original on file in the Registry of Probate.]

Inventory of the estate of Joseph Reding, taken Mar. 8, 1674, by Jonathan Wade and John Dane, amounting to 351 li. [Original on file in the Registry of Probate.]

Will of George Smith of Ipswich, dated Apr. 13, 1674, mentions sons Samuell and Thomas, daughters Sarah Newman, Rebecca, Joanna and Elizabeth Smith; his son Thomas was to live in his house until his own were finished. Wit: John Brewer and Walter Roper. [Original on file in the Registry of Probate.]

Inventory of the estate of George Smith who deceased Dec. 15, 1674, taken Dec. 29, 1674, by Daniel Epps and John Whipple, amounting to 32li. 4s. 8d. [Original on file in the Registry of Probate.]

Inventory of the estate of Robert Starkweather taken Nov., 1674, by Edward Bragg, Sergt. Perkins and Nathaniell Tredwell, amounting to 59li. 2d. [Original on file in the Registry of Probate.]

Inventory of the estate of Mr. Ezekiel Rogers of Ipswich, taken July 29, 1674, by John Appleton and John Whipple,

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the question being put concerning the east end ox pasture, whether that should be included in the pasture land, they agreed that it should not. John Pickard and John Trumble testified to the same. Sworn in court.

and allowed upon oath of Mrs. Margret Rogers, amounting to 184li. [Original on file in the Registry of Probate.]

COURT HELD AT SALEM, JULY 20, 1675.

Present as judges: Samuell Simonds, Esq., Dept. Gover., Major Generall Daniell Denison and Major William Hathorne, Esq.

Grand jury: Nathanll. Putnam, Tho. Rootes, William Trask, Joshuah Rea, Joseph Huchesson, Nathanll. Walton, Henry Herrick, James Moulton, jr., William Benett, Jeffery Persons, Ensigne Bancraft, John Burrell and Hen. Collens, sr.

Jury of trials: Mr. Barthollmew Gedney, Mr. Hilliard Veren, jr., Nathaniell Felton, Edward Flint, John Hill, John Peach, jr., William Greeges, Walter Faierfeild, Daniell King, Edw. Baker, Theofilus Baily and Jonathan Hudson.

Giles Aley acknowledged judgment, Mar. 29, 1675, before Major Wm. Hathorne and Edward Ting, Esq., to Capt. George Corwin.

The will of Mr. Thomas Gardner was brought into court by his son, Mr. Samuell Gardner, one of the executors, Mar. 29, 1675, and allowed.

Samuell Fiske, aged about thirty years, deposed that a little while after Thomas Kemball's mare was lost out of Mr. Newman's yard, he met John Hunkings and asked him why he took it. He said he thought of taking Mr. Newman's horse but turned him out again and did not question that wherever the mare was turned out she would come home to Goodman Kimball's. Then deponent told him he had the mare, for deponent said "doe you think that I would haue been so mad as to goe on foott at that time of the night to Ipswich when there was two Jades in the yard Hunkings Replyed that if it were so he would not owne it but said he honist men maye be wronged as well as knaues." Sworn in court.

Richard Kemball, aged fifty years, deposed that after his son's mare was lost out of Mr. Newman's yard, etc. Hunkings said that the mare might be about Chobacko. Brooks testified that she, etc. Sworn, 30 : 1 : 1675, before Wm. Hathorne,* assistant.

Presentments, signed by Jonathan Wade,* in the name of the rest.

David Wheeler of Rowley and his wife were presented for frequent absenting themselves from the public ordinances.

*Autograph.

Administration of the estate of Richard Bishop was granted to his son Thomas Bishop and his son-in-law John Durlan, Mar. 30, 1675, by Maj. Wm. Hathorne and Edward Ting, Esq., and said Bishop and Durland were ordered to settle the estate at the next Salem court. Mary, the relict, and John Durland brought in an inventory.

Mr. Timothy Lindall, Mr. Jonathan Corwin and Mr. James Brown were fined for not appearing to serve on the jury of trials.

Ezekiell Needham v. Steeven Cross. Withdrawn.

Edmond Bridges v. Robert Ames. Review of a case tried at the last Ipswich court. Verdict for plaintiff.*

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*Writ, dated June 18, 1675, signed by Hilliard Veren,† for the court, and served by John Gould,† deputy marshal for Henry Skerry,† marshal of Salem, by attachment of land near defendant's house.

Copy of papers in a similar action brought, Mar. 30, 1675, in Ipswich court.

Copy of bond, dated Apr. 1, 1675, given by Edmond Bridges of Salem to Robert Aims of Rowley Village, to be paid in money and cattle. Wit: John Asee and Thomas Lambert, who made oath, July 19, 1675, before Daniell Denison. Copy made by Hilliard Veren,† cleric.

Copy of receipt, dated Oct. 12, 1674, given by Edmond Bridges to Robert Ames for a steer which he delivered to said Ames, Sept. 2, 1674. The steer he had of John Comins. Wit: Steephen Haskett and Zacheus Curtice.

Edmond Bridges' bill of cost, 4li.

Edmond Bridges'† receipt in full, dated Apr. 1, 1675, to Robert Ames. Wit: John Acie† and Thomas Lambert.†

Zacheus Curtice and Jonathan Luke deposed concerning the ownership of the steer. Sworn, 23 : 9 : 1674, before Wm. Hathorne,† assistant.

John Littlehale, aged about twenty-three years, deposed that on Aug. 3, 1674, he sold a steer to his brother Edmond Bridges and received his pay and the same day rode away with his brother from the house of William Avery to Robert Ames', etc. Sworn, 22 : 1 : 1674, before Wm. Hathorne, assistant. Copy made by Robert Lord,† cleric.

John Gould and Joseph Pebody deposed that they heard Edward Bridges, jr., tell Goodwife Androus that if her son Symonds would come and reckon with him, that he would pay him in corn. Sworn in court.

†Autograph.

Ensign John Goold v. Thomas Bishop. For refusing to deliver a deed of sale of land which was given for security of a bond, the bond being all paid. Verdict for plaintiff, a bill of sale, dated Oct. 3, 1674, of fifty acres of land. Appealed to the next Court of Assistants. Thomas Bishop and Samuell Hunt bound.*

Ens. John Goold v. Mrs. Margaret Bishop, executrix of the estate of Tho. Bishop, deceased. Review. Verdict for plaintiff. Appealed to the next Court of Assistants. Samuell Bishop, John Spark and Samll. Hunt bound.†

Robert Lord, marshal, and John Acie deposed. Sworn in court.

John How deposed. Sworn, June 24, 1675, before Daniel Denison.‡

John Litilhale deposed. Sworn, 19 : 5 : 1675, before Wm. Hathorne,‡ assistant.

John Acie and Thomas Lambert deposed. Sworn, July 19, 1675, before Daniel Denison.‡

*Writ, dated June 24, 1675, signed by Robert Lord,‡ for the court, and served by Robert Lord,‡ marshal of Ipswich. Bond of Thomas Bishop.‡

John Gould's bill of cost, 2li. 16s. 9d.

John How, aged about thirty-three years, deposed as to the bond. Sworn in court.

Receipt, dated Apr. 3, 1675, given by Samuell Bishop‡ to Ens. John Gold, for satisfaction of the judgment of the court at Boston in an action commenced against said Gold by Nathaniell Bishop, as assignee of Thomas Bishop. Wit: Jonathan Wade‡ and Thomas Wade.‡

Summons, dated June 15, 1675, for the appearance of Ens. John Gould upon complaint of Mr. Thomas Bishop, signed by Daniel Dension.‡

Thomas Bishop,‡ on Oct. 3, 1674, agreed not to sell the fifty acres conveyed to him by John Gould, by mortgage, until the expiration of the bond. Wit: John How,‡ Samuell Bishop‡ and Ephraim Dorman.‡ Sworn, 24 : 9 : 1674, before Wm. Hathorne,‡ assistant.

†Writ, dated June 24, 1675, signed by Robert Lord,‡ for the court, and served by Robert Lord,‡ marshal of Ipswich, by attachment of two horses of defendant.

John Gould's bills of cost, 24li. 17s., and 3li. 13s. 1d.

Zacheus Curtiss, jr., deposed that being at John Gould's house, he remained all the time that Marshal Lord was levying

‡Autograph.

Ens. John Goold v. Nathaniell Putnam, in behalf of the owners of the Iron works at Topsfeild or Rowly village. Review. Verdict for defendant. Appeal to the next Court of Assistants. Bond of John Goold, Lt. Oliver Purchase and Edmond Bridges.*

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the execution, etc. Edmond Bridges and John Nuemarch also mentioned.

Edmond Bridges deposed. Sworn in court.

*Writ, dated 11 : 3 : 1675, signed by John Redington,† for the court, and served by Robert Lord,† marshal of Ipswich, by attachment of 360 acres of land which was taken from Ens. Gould, Mr. Thomas Baker and Nathaniell Leonard being the other defendants.

Nathaniel Putnam's bill of cost, 1li. 14s. 6d.

Copies of papers in a similar action brought, Mar. 30, 1675, in Ipswich court.

William Smith deposed that he being at the works soon after the owners had made a re-entry of the works, Mrs. Lenord made a sad complaint how the owners had abused them, and said she did not question but that God would right their case, for they had done no wrong. She said that it was never known that any workmen were turned out of the works but some sad thing did befall the works and she did not question that the works would be ruined either by fire or water. Sworn in court.

Edmond Bridges deposed. Sworn in court.

William Smith deposed that being at John Gould's house when John Fload was bargaining with the owners of the Iron works, he heard Nathaniel Lenord say that the owners should not ask anybody to work there without his consent until his time was out. Further, if anybody did come without his consent, he would work for the time he was hired "in spite of y^e^ owners teeth." Sworn in court.

William Smith deposed that Nathaniell Lenord told him that he arose about break of day, looked out at the chamber window and saw the works on fire and Henery Lenord told deponent that Nathaniel called him and said "Come hither and see how y^e^ forge doe burne." They stood and looked at the forge burn down. Sworn in court.

John How deposed. Sworn in court.

William Browne and Joshua Besson deposed. Sworn in court.

Robert Lord, marshal, testified concerning levying the execution. Sworn in court.

†Autograph.

Capt. Richard Walker v. Thomas Hodgman. For refusing to give a legal deed of sale for a parcel of land sold by his wife in her widowhood to plaintiff. Verdict for defendant.*

Isaack Rand, in behalf of himself and company v. John

Thomas Baker deposed that when the owners were at his brother Gould's, and after they were gone Nathaniel Lenord said if he could work he would get Goodman Looke to work with him. Deponent accounted said Looke to be faithful and trusty, and the latter said he had two weeks work engaged in mowing and then he would go to the works. When the works were burned, Looke was not there. Sworn in court.

*Writ, dated June 18, 1675, signed by William Cowdery† for the court, and served by Benjamin Fittch,† constable of Reading, by attachment of the house, barn and land of Thomas Hoggman.

Thomas Hogsman's bill of cost, 1li. 5s. 6d. His wife mentioned.

Roberte Starre, aged about forty-nine years, deposed that on June 9, 1663, they set sail in the ketch Swallow, Joseph Hardy, commander, bound to the northward, and that Mr. Nathaneill Walker, son of Capt. Richard Walker, was with them at that time, and did not return for three months, all of which time he was with them. Sworn in court.

Copy taken from the town book of Redding by William Cowdrey,† clerk: "Att a Generall Townes Meeting held uppon the 14th of february and one the 22th of february in the year 1658 Ther was giuen to Ezekiell Morroll forty eight Ackers of vpland And Meddow."

Mary (her mark) Morrell of Reading certified, June 25, 1663, that in the time of her widowhood in 1663, she sold to Capt. Richard Walker of Reading all the dividend land and meadow given to her late husband Ezekiell Morrell by the town of Reading in 1658, for which she received satisfaction and agreed to give a deed. Wit: Daniell King† and Josiah Browne.† Sworn in court.

Mary Dyer, aged thirty-two years, deposed that she saw Mary Hodgman, now wife of Thomas Hodgman, formerly wife of Ezekiell Morrell who lived at Readding, sign the foregoing paper. Sworn, Apr. 20, 1675, before Tho. Clarke,† assistant.

Thomas Bancroft, aged fifty years, and John Person, aged sixty years, deposed that they appraised the land at 18li. Sworn in court.

†Autograph.

Smith, merchant. Unjust molestation. In obtaining an attachment and causing it to be served. Special verdict. If the next Court of Assistants was also appointed a Court of Admiralty before Mr. Smith's attachment was obtained, they found for defendant, if not, for plaintiffs. Court found for plaintiffs.*

Mr. Phillip Cromwell v. John How, the marshal's deputy. For neglecting to serve an execution against Samuell Lenord. Verdict for plaintiff. The defendant was to satisfy judgment or deliver the person of said Leonard to Mr. Cromwell. Execu-

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*Writ, dated June 24, 1675, signed by Jonath. Negus,† for the court, and served by Returne Waite,† deputy marshal of Suffolk. Bond of John Smith† and Elisha Cooke.†

Bill of cost of Isaac Rand & Co., presented by Richard Way† and Tho. Moore,† 1li. 19s. 6d.

Writ, dated Boston, 21 : — : 1675, signed by Jonath. Negus,† for the court, and served by Edward Mitchellsonn,† marshal general. Leift Richd. Waye and Mr. Tho. More made oath in court that by virtue of this attachment, the men concerned are kept from their money to this time under pretence of a Court of Admiralty.

Copy of the records of a Court of Admiralty in Boston, June 17, 1675, made by Edward Rawson,† secretary: "Whereas Isaack Rand mate of the ship John & Mary of London Robert Kemp Carpenter, Henry Butterfeild, Gunner, John Smart, Quartermaster, W^m^ Locke, Chirurgeon, Moses Patricke, Robert Davis and James King, all marriners of the said ship exhibited a libell & Complaint against John Smith, merchant, & part owner of the ship John & Mary late of London, Josiah Hare late commander," court ordered that said Smith satisfy the others in 79li. 6s. 6d. for wages and salvage of Hood's, 18li., to Isaac Rand, 16li. 5s., to Robert Kemp, 15li. 2s. 6d., to Henry Butterfeild, 9li. 16s., to Jno. Smart, 9li. 2s. 6d., to Wm. Locke, chirurgeon, 11li. 7s. 6d., to Robert Davis, 6li. 16s., to Moses Patrick, 6li. 17s., and to James King, 4li.

Copy of letter of attorney, dated July 2, 1675, given by Isaac Rand, Robert Kemp, Henry Butterfeild, John Smart, William Locke, Robert Davis, Moses Patrick and James King, all belonging to the ship John and Mary to Lieut. Richard Way and Mr. Thomas Moore, both of Boston. Wit: James Wearden and Thomas Kemble, who made oath, July 2, 1675, before Symon Broadstreet,† assistant.

†Autograph.

tion respitted until the next June court at Salem, unless said How should be removing out of this jurisdiction in which case this indulgence was to be taken off.*

Mr. Phillip Cromwell v. Richd. Hollingworth. Debt. Verdict for plaintiff. Defendant not being in this jurisdiction, execution was respitted according to law.†

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*Writ, dated June 21, 1675, signed by Thos. Fiske,‡ for the court, and served by Edmond Bridges, jr.,‡ deputy for Robert Lord,‡ marshal of Ipswich.

Mr. Cromwell's bill of cost, 2li. 6s. 4d.

Robert Lord, John Gould and Edmond Bridges certified as to serving the execution. Sworn in court.

Ephraim Dorman, aged about thirty years, deposed that he being at Quartermaster Pirkins' house at Ipswich some time about last Mickellmes, Marshal Lord blamed John How for not arresting Sammuell Lenord, but later Lord talked with How and was satisfied. Sworn, June 24, 1675, before Daniel Denison.‡

Edmond Bridges and Sarah Gould deposed. Sworn, June 24, 1675, before Daniel Denison.‡

John Gould deposed that upon training day at the Village Sam. Leonard was there all the forenoon and afternoon as a looker-on, and at night when they were leaving off, they went to Robert Stiles to drink a cup of cider. Leonard and How were there when the house was full of company and staid there until all the company was dismissed, etc. Sworn in court.

Joseph Peabody, aged about thirty years, deposed that How came up to Samuell Lenord with a smiling countenance, tripped him up and Lenord tripped him, and then How laid hold on him or clapped him on the back and said that he was his lawful prisoner. Then Howe spoke to Daniell Bigsby and deponent to assist him, but all thought it was a jest. Finally he said he was in earnest and commanded them in his Majesty's name, whereupon Leonard ran over the fishing brook and escaped. Sworn in court.

Zacheus Cortis, aged about twenty-nine years, deposed. Sworn in court.

†Writ, dated Apr. 7, 1675, signed by Hilliard Veren,‡ for the court, and served by Henery Skerry,‡ marshal of Salem, by attachment of land next to Mr. Cromwell's.

Mr. Philip Cromwell's bill of cost, 1li. 8d.

Note, dated Feb. 10, 1673-4, given by Richard Hollingworth‡ to Phillip Cromwell of Salem, butcher, for 5li., to be paid within three months. Wit: John Cromwell.‡ Sworn in court.

‡Autograph.

Mr. Edmund Batter v. Mr. Henry Bartholomew, administrator of Ellenor Robbinson, deceased. Debt. Verdict for plaintiff.*

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*Writ, dated June 4, 1675, signed by Hilliard Veren,† for the court, and served by Henery Skerry,† marshal of Salem.

Edmund Batter's bill of cost, 1li. 7s. 8d.

Rebeckah Dounton, aged about forty years, deposed that she was often at the house of Elinor Robinson, when she was aged and decrepit, lame and blind, and would often tell her to take the comfort of what she had while she lived. Deponent offered her any help she could give her and her daughter's help and she accepted it, and said that Mr. Batter would pay her. She also said that Mr. Batter supplied her with necessaries and deponent never heard her complain that anything she sent for was denied. Sworn in court.

Copy of inventory of John Robinson mentions "Goo:‡ Shaflin."

Copy of will of John Robinson of Salem, dated Sept. 22, 1653: He desired that his body be buried in the burying place of Salem, and "I Giue vnto Ellenor my wife, fower cowes & one heifer with calfe & two calues. It: I giue vnto Ellenor my wife my dwelling house, oarchard & acre of land at home togeather with all other land, upland & meddow land, during her life, & after her decease to the first pson of my kindred, that shall come heather into these pts, (that can make it out) whether man or woman. I giue to Ellenor my wife, all my housold stuffe, except y^{e} bedsteed & a chest in the hale the great brass Kettle & warmming pan, which alsoe Ellen^{r} my said wife is to haue the use of, during her s^{d} life, & afterwards to be disposed of, as my house & land abousaid, paying those few legacies following: viz: I giue to M^{r} Samuell Sharp, Elder, twenty shillings: It: I giue to John Jackson of Bostone one stuff short coate & stuff dubllett & best hatt & a paire of searge breeches, And for the pformance of this my will I appoynt Edmond Batter, for my Executor." Wit: Richard Prince, and Mary (her mark) Prince.

Elinor Robinson, deceased, Dr. to Edmund Batter.† to what was due formerly, 7s. 7d.; to Elieazer Giles for you, 4s. 6d.; 23 : 4 : 1668, to 1 pinte brande & 9li. porke, 3s. 6d.; to 14 1-4 porke & 14li. bisket, 7s. 4d.; 10 : 1 : 1668-9, to 2li. suger, thrid, 2d., 2 yd. Cotton, 4s. 6d.; to 28li. bread, 1 bush. to Wm. Lord, 8s. 2d.; 17 : 4 : 1668-9, to blew linen & thrid, 3s. 2d.; to 4li. suger, 1-2 B. wheat, pines, 5s. 6d.; to 12 yds.

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†Autograph. ‡"Goodman" was erroneously printed "Geo." in Vol. 1, p. 321.

Capt. William Geerish, Mr. Joseph Hills, Samuell Plumer and John Knights, as a committee and in behalf of the town of Newbery v. Mr. Richard Dumer, sr. Forfeiture of a bond. Verdict for plaintiff. Appealed to next Court of Assistants.

Lockrum at 2s., thrid 8s., 1li. 10s.; to 4 yd. 1-2 serdge at 5s. p, third, silke &c., 1li. 4s. 7d.; 17 : 5 : 1668, to beeffe & porke, 3s. 8d., 2li. suger, 4s. 8d.; 18 : 7 : 1668, to 1li. sope, combe &c., 1s. 5d.; to Dorkos Veren, 5s. 8d., 4li. suger, 7s. 8d.; 14 : 9 : 1668, to porke & beeffe, 4s. 10d.; to Rich. Aorns, 3s., 1 p. stockings, 3s., to pines, 9d., 6s. 9d.; to 20li. porke, pips & tobaco, 8s.; 27 : 11 : 1668, to Jno. Milke, 5s. 3d., money, 3s., thread, 4d., 8s. 7d.; 5 : 12 : 1668, to 9 yd. Canvas at 2s. 4d., 1 yd. 1-4 holland, 8s. 6d., 1li. 10s. 7d.; to 1 knife, 5d.; 21 1-2li. porke, 7s. 7d.; 9 : 1 : 1669, to 24 1-2 porke, 1-2li. tobaco, 8s. 11d.; 5 : 2 : 1670, to cotton, riband, 5d, tape, 9d., 1s. 2d.; 1 : 8 : 1670, to 8li. porke to Jno. Wosser, 4s., 8s. 4d.; to 4 li. Suger, 8 1-2 porke, 4s. 10d.; to 15 1-2 porke, 1 pt. brandy, 6s. 10d.; 9 : 11 : 1670, to 1-4 pease, 5 1-2 suger, 1-2 tobaco & 1-2 pt. rum, 4s. 8d.; 6 : 12 : 1670, to Jno. Milke, 5s., bed cord & pins, 10s.; 2 : 12 : 1670, 11li. porke, 3 yd. holland, 17s. 2d.; 24 : 1 : 1671, to tobaco & pips & 11 3-4 porke, 5s. 10d.; to 3 3-4li. sope, 2 3-4li. suger, 2s. 11d.; to Hanah Sharpe, 12s., bisket, 8d., 12s. 8d.; to bisket & suger, 1s. 5d.; to Jno. Norton, 18d., 1 gallon molasses, 3s. 6d.; to Mr. Weld, 1li. 19s.; to Jno. Milke, 12s.; to James Dymon, 15s.; to Mr. Veren for bed cord, 2s. 1d.; to Will Lake, 3s.; to Will. Shaw for wood, 1li. 4s.; total, 18li. 3s. 2d. Credit, for wool and corn, 17s.

Jno. Horne, sr., aged about seventy-four years, deposed that he often went for victuals, such as pork and bread to Mr. Batter for Eliner Robinson, who employed deponent, and said Batter never denied her. Mary Horne, aged about eighteen years, deposed the same. Sworn in court.

Edmund Batter's* statement to the court concerning the estate of Elinor Robinson and what he had paid out: that about ten years after her husband's death, the house fell down and said Batter at his own cost gave her 30li. to build another house to live in, which was seven or eight years before she died; that when she grew old, he supplied her with all necessities; that in her last sickness, he took care to get Mr. Wells to look after her and paid him 39li. for his services; that when she died, he paid for her coffin, the administrator refusing to do it.

*Autograph.

Mr. Richard Dumer, sr., Mr. Samuell Gardner, jr. and Mr. Rich. Dumer, jr. bound.*

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*Writ, dated June 18, 1675, signed by Anthony Somerby,† for the court, and served by Joseph Pike,† constable of Newbury. Bond of Richard Dummer.† Wit: Richard Dummer, jr.† and Joseph Pike.†

John Knight† and Tristram Coffin† testified, May 31, 1675, that being appointed by Newbury to lay out to Mr. Richard Dummer, sr., 50 acres according to the award of Major Generall Daniel Denison, Capt. Nathaniel Saltinstoll & Cornet John Whipple, he refused it. Further they deposed that they had measured out Mr. Dumer's 300 acres and the 170 acres and the old farm and find above 100 acres overplus according to the bounds that Mr. Dumer challenged which he might enjoy if he would be quiet. Sworn, July 20, 1675, before Daniel Denison.†

On Dec. 1, 1674, Daniel Denison,† Nath. Saltonstall† and John Whipple,† chosen by Mr. Richard Dumer, on the one part, and Mr. Joseph Hills and Capt. Wm. Gerrish, in behalf of the town of Newbery on the other part, having heard the differences, referred to an agreement made by Mr. Dumer with the town, that those lands should be measured and what was wanting should be made up and the surplus should be laid out to the town. The bounds of the lands, which were laid out nearly thirty years ago, cannot be found to mutual satisfaction, and Mr. Jonathan Danforth surveyed two grants, one of 300 and one of 170 acres, the latter having they believed 10 acres belonging to the town. If they had minded exactly the grant, they would not have done this, the ten acres beginning at Easton's cellar at an angle, runs upon a straight line to that part of Mr. Dumer's great farm above the spring which both parties well understand, yet considering all allegations of Mr. Dumer, especially his want of satisfaction for a share at Plum Island, they advised that the town would yield to Mr. Dumer the 300 and 170 acres, together with the 50 acres formerly tendered to him instead of his Plum Island division. This arbitration covered everything except Mr. Dumers' plea for right of commonage or freehold for two or three houses he had erected on his land besides his mansion house. The town of Newbery agreed not to turn out the man who lives upon the land that is the common, but if he desire it he shall have free liberty to live in the house this winter so as to tend his cattle and use the hay that has been provided for them. Sworn in court.

†Autograph.

John Appleton, sr., Richard Dumer, jr., and John Pickard, sr.,* deposed. Sworn, July 29, 1675, before Daniel Denison.*

Copy of the Newbury town records, made by Anthony Somerby:* "Att a legall meeting of the Towne May 7, 1675, Tristram Coffin John Knight sen^{r} & the lott layers were chosen to lay out the fifty acres according to the Award that was granted to m^{r} Dumer neere the north westerly part of his farme out of the Towns Comons there. And if m^{r} Dumer do not accept of the tender of this fifty acres abousaid or deny to stand to this Award according to the bond obligatory dated the 17th of 9th ^{mth}. Then the Towne voted Capt. Gerrish & John Knight sen^{r} shall haue full power & authority from the Towne to prosecute the busines from Court to Court against M^{r} Dumer his heirs &c: to effect in behalfe of the Towne, And m^{r} Joseph Hills & Samuell Plumer were also chosen to Joyne with Capt. Gerrish & John Knight these four or any two of them to do it."

Copy of a general town meeting at Newbury, dated Dec. 2, 1673, made by Anthony Somerby*: "It was voted and there was chosen Richard Dole John knight sen^{r} & Thomas Hale Jun^{r} to lay out unto m^{r} Richard Dumer all his Just demands according to his Grants, and to receiue for the Townes use the land that is ouerplus & to make sale of that parcell of comon that lyes on the south east corner of M^{r} dumers farme ioyneing to the Riuer neere Rowly mill and to sell the said parcell of land for the best aduantage of the Towne, the said three men agreeing about it, and the said price of the land to be imployed for the building of the ministry house."

Copy of a general town meeting at Newbury, dated June 5, 1673, made by Anthony Somerby*: "That wheras M^{r} Dumer Complaines that he wants measure in seuerall grants of land that was granted to him by the Towne. It was voted that all m^{r} dumers grants should be measured by an equall Charge between the Towne & Mr. Dumer And the Towne doth engage to make good his seuerall Grants both upland and meadow. And m^{r} Dumer doth engage the Towne shall haue the rest of the land that is aboue his mesure to be returned to the Townes use And the lot layers with leiut woodman & John Knight sen^{r} was chosen mutually to see the said Land measured & done according to the said vote."

Bond, dated Nov. 17, 1674, given by Richard Dumer† to Joseph Hills, Samuell Plumer and Wm. Gerrish, for 500li. Wit: John Appleton* and John Pickard.* William Gerrish* and Samuell Plumer* certified that they agreed to attend all the meetings of the arbitrators. Wit: Joseph Hills.*

Nathll. Saltonstall deposed. Sworn in court.

*Autograph. †Autograph and seal.

Charles Greene and Hester his wife, daughter of Samuell Yeo, deceased v. Samuell Condy. Withdrawn.*

Mr. Hen. Bartholmew v. Richd. Hollingworth. Debt. Verdict for plaintiff. Defendant being out of this jurisdiction, execution was respitted.†

Mr. James Browne v. Ruth White, administratrix of the estate of Tho. White. Debt. Verdict for plaintiff.‡

Jeremiah Neale, executor of the will of John Neale, and

John Appleton, sr.,§ John Pickard§ and Richard Dumer, jr.,§ deposed as to being present at the drawing up of the bond. Sworn, July 19, 1675, before Daniel Denison.§

Capt. Gerrish's bill of cost, 3li. 9s. 8d.

Wm. Gerrish and John Knight, sr., deposed. Sworn in court.

*Writ, dated June 21, 1675, for Condy's detaining the dwelling house and land from Hester, daughter of Samuell Yeo, signed by Hilliard Veren,§ for the court, and served by Nichlis Andrew,§ constable of Marblehead.

†Writ, dated May 14, 1675, signed by Hilliard Veren,§ for the court, and served by Henery Skerry,§ marshal of Salem, by attachment of the orchard of Hollingworth and trees next to Philip English's part and next to the house.

Henry Bartholmew's bill of cost, 16s.

Mr. Richard Hollingworth of Salem, 9 : 9 : 1673, owed to Henry Bartholmew:§ to serge, galome and thred, 9s. 10d.; 4 duz. of buttons, 2s.; 3li. of butter, 1s. 6d.; nedles, 4 1-2d., stillinge water, 18d., 1s. 10 1-2d.; 1 firkin of butter, 56 1-2li., 1li. 8s. 3d., the firkin, 2s.; 2 yds. of ferrett Rebane, 1s.; 2 qua. brandy, 3s.; 6li. of suger, 2s. 6d.; 1-4 C. suger, 9s. 4d.; 6li. suger, 2s. 6d.; 1 yd. of yealow serge and a peece of Red tape, 3s. 10d.; 8 laces, 8d., 1-4 C. of Suger, 9s. 4d., 10s.; goods to his maide Sara Barrett, 13s.; 2li. of Tab:, 1s. 4d.; 4 yds. of bindinge, 4li. of butter, 2s. 6d.; a pr. of shooes and a broome, 5s. 5d.; total, 4li. 19s. 10 1-2d.

‡Writ, dated May 29, 1675, signed by Hilliard Veren,§ for the court, and served by Henery Skerry,§ marshal of Salem, by attachment of a small table, two brass candlesticks and a parcel of corn belonging to defendant.

Bill of cost, 1li. 2d.

Bond, dated, May 11, 1671, given by Thomas White|| of Wenham, to James Browne of Salem, merchant, for 9li. 10s. 5d. Wit: John Browne§ and Stephen Mascoll.§ Sworn before Wm. Hathorne,§ assistant.

§Autograph. ||Autograph and seal.

Andrew Mansfeild, husband of Mary, late wife and now executrix of said John Neale, deceased v. William Lord. Debt. Withdrawn.

Leift. Thomas Putnam v. Ed. Richards. For coming upon the ground of the plaintiff, or in his possession, and breaking open the door of the dwelling house upon said land that was left fast locked. The jury did not report on the main issue, but took the liberty of the law to present only what they found. Verdict for plaintiff, that the defendant broke open his lock. Appealed to the next Court of Assistants. Edward Richards, Robert Brimsdon and Steephen Haskett bound.*

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*Writ, dated 23 : 4 : 1675, signed by Hilliard Veren,† for the court, and served by Henery Skerry,† marshal of Salem.

Thomas Putnam's bill of cost, 2li. 14s. 6d.

Robert Bronsdon deposed that sometime the past May, he was in Salem in company with Mr. Ralph King, Jacob Pudingetors, Edward Richards and John Williams, the cooper, near deponent's house that he bought of John Knight, sr., of Beverly, which house and land lay near Jacob Pudingeters in Salem. When they came to deponent's house, he found his door locked and not knowing where the key was, he endeavored to break the door open asking those with him to help him. Accordingly John Williams and Jacob Pudingeter, with a great hammer and a great pick unclinched the nails which held the lock, drove back the lock and staple and made it loose. Edward Richards coming to the door said that the door was open and pushed it in. Afterwards deponent asked John Williams to set another new lock on the door, which he did, and gave the key to said Pudingeter to keep for deponent. Sworn in court.

John Steephens, aged about forty-one years, deposed that the house he hired of Leift. Putnam, which was mortgaged to him by John Knights, he had looked at when no one lived in it, before Apr. 14, 1675, which was the date when he hired it of him. He found the door without lock or bolt or latch, but open without any fastening. Love Steephens said that she went along with her husband. Sworn, 16 : 4 : 1675, before Wm. Hathorne,† assistant.

Lots on the south town commons: Jacob Pudeator's beginning at the east; Tho. Putnam next; another lot of Jacob Pudeator's; land of John Bestes; next land of John Williams.

Mortgage deed, dated July 9, 1674, given by John Knight,‡ sr., of Beverly, for 20li. to Leift. Thomas Puttnam of Salem,

†Autograph. ‡Autograph and seal.

"all that my dwelling house, newly built with the ground it stands up & belongs there to being twenty fower rod or pole of ground, which according to a bill of sale from Jacob Pudeater bearing date the 24th of June 1674 appeereth, which said Houss & ground is scittuate & lying in Salem, & is bounded with the Towne comon land to the south & on the east, north & west with the land of the said Jacob Pudeater." Wit: Hilliard Veren, sr.* and Jno. Price.* Owned, 9 : 5 : 1674, before Wm. Hathorne,* assistant. Recorded in the records of Salem, book 4, fol. 87, 10 : 5 : 1674, by Hilliard Veren,* recorder.

Deed, dated Oct. 16, 1673, given by John Knight† of Salem, yeoman, to Robert Brinsdon of Boston, merchant, for a house "of six & twenty foot long & eightenn foot broad with all the land apptaining thertoo lying & being in Salem aforesayd Twenty-four pole of land lying and being bounded as followeth viz: one the east with the land of Jacob Poindestre one the west with the land of John Williams cooper: and the north with the land som-times in the hands of Thomas Watson and one the south with the Common or Common land." Wit: Mary Richards* and Willm. Howard,* scribe. Acknowledged, 19 : 10 : 1673, before Tho. Clarke,* assistant. Recorded in Salem, book 4, fol. 115, June 15, 1675, by Hilliard Veren,* recorder.

John Williams deposed that about four years ago he saw John Knight, sr., give possession to Robert Bronsdon. Sworn in court.

Samuell Pickworth testified that about two years ago he was employed by John Knight of Beverly, upon the account of Robert Bronsdon of Boston, to work upon the house, etc. Sworn in court.

John Knight testified concerning his father selling the land near Pudeater's, the smith, to Bronsdon, in satisfaction of money he disbursed for deponent's sister when she lay sick in Boston nearly five years ago. On that account deponent gave his consent that he should have it and no one else. Sworn in court.

James Browne, glazier, aged seventy-one years, deposed that Thomas Putnam and John Knight, sr., of Beverly came to his house a little while before said Knight went to England in 1674, about the latter end of the fifth month or the beginning of the sixth to see about a parcel of glass for the said Knight's house. The glass being ready, Knight ordered it to be delivered to said Putnam, whom deponent promised to set up the glass. Sworn in court.

*Autograph. †Autograph and seal.

John Putnam, Henry Keny and John Buxton, in behalf of the committee of Salem farmers v. John Upton. Debt. Verdict for defendant.*

John Williams, aged about forty years, and Jacob Pudeater, aged about thirty-three years, deposed concerning Edward Richards breaking open the door, which was in the latter end of April or the beginning of May last since Robert Brinsden came from Boston. Sworn in court.

John Rogers, aged about twenty-eight years, deposed that he tried to hire the house of John Knight before he went to England, but he said another had looked at it, but later told him he might have it and that Lieut. Putnam had charge of it. Sworn in court.

Nathaniel Veren, aged about twenty years, deposed that he bought a door lock at Mr. Jonathan Curwines for his father-in-law Thomas Putnam, and set it on the door of the house his father bought of John Knight, sr., of Beverly. The house was in Salem next to Jacob Pudeator's on the west. He locked the door into a new staple that came from his father's house. Sworn in court.

Jonathan Corwin, aged thirty-four years, deposed that in 1673, he disbursed upon the house of Mr. Brimsden a sum for boards and nails by John Knights' direction. Also that the next year, said Knights proferred the house as security for the loan of 50li. in silver, whereupon deponent told him that he had said a year ago that the house was Brimsden's, and he answered that it was true, but his cousin and he had agreed and the house was now his. Sworn in court.

Edward Richards testified. Sworn in court.

*Writ: John Putnam, Henry Kenny and John Buxton, in behalf of the committee of Salem farmers v. John Upton; debt; to be paid in money, butter, wheat or provisions, it being his proportion for the meeting house rate; dated 11 : 4 : 1675; signed by Hilliard Veren,† for the court; and served by Henery Skerry,† marshal of Salem, who read the attachment to his wife in their house.

Wm. Lake, aged about thirty-eight years, deposed that he being then constable, the committee then chosen in the Farms, Tho. Puttnam, Tho. Fuller and Josuah Ray employed him to distrain upon Jno. Upton's land for not paying the meeting house and ministry rates.

Thomas Fuller, Lt. Thomas Puttnam and Joshua Rea deposed. Sworn in court.

Copy of the record of a meeting of the farmers, 26 : 10 :

†Autograph.

William Hascall, as guardian for the children of Roger Hascall, deceased v. Edw. Berry, who married Elizabeth, relict of said Roger. Court found for plaintiff. The defendant was to deliver the children's portions. The jury brought in a special verdict which should have been entered before the courts' judgment. If the committing of an estate of legacy or inheritance by will of deceased to any person for the bringing up of the legatees notwithstanding the person to whom such estate was committed by will is deceased, and the legatees left to and brought up by a guardian, will by law keep such estate from their guardian, they find for defendant; if not, for

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1672, made by John Putnam*: "It was voted that the fifth part of y^e^ Rate for y^e^ Building of the meeting house and finishing of y^e^ same shall be paid In Money or butter or wheat at money price and y^e^ Rest of the pay in such pay as shall Carry the worke along. This money and Butter and wheat is to prouide glass and nailes for the meeting house."

"At a meeting of the farmers the 6^th^ of Nouemb^r^ 1674 There was A Comitty Chosen for y^e^ year ensueing w^ch^ Are John Putnam, John Gingell, John Buxton, Nathaniel Ingersoll & Henry Kennye."

"At a meeting of the farmers y^e^ 22 7^th^ m^o^ 1674 It was voted that the former Comittyes are Desired To Giue an account of the Rates that they haue made to the Committy In being, and y^e^ Committy In being are to receive the account."

"The 28 of y^e^ 10^th^ m^o^ 1674. We whose names are und^r^ written being Desired To Give an account of the ministers Rate and the meeting house Rate made for y^e^ year 1672, y^e^ 27 of y^e^ 12^th^ m^o^ The menesters Rate made the 18^th^ of y^e^ 9^th^ m^o^ 1672, we say being desired to give an account to the Committy now In being, our accounts are as followeth — Laid out upon the meeting 150^li^ 13s. 3d. The Persons Names that haue not paid, "Bray Wilkins, 17s.; Nathaniel Putnam, 12s. 10d.; Isaac Goodall, 18s. 9d.; John Leach, sr., 7s.; William Raiment, 6s. 3d.; Jacob Barney, 1s. 3d.; Capt. Thomas Latrop, 1li. 10s. 6d.; Zechary Herick, 6s. 9d.; John Upton, 2li. 9s. 3d.; John Sampson, 3s.; William Nickolls, 9s. 4d.; Thomas Robins, 2s. 6d.; Josiah Southerick, 1s. 6d.; Mrs. Danforth, 2s. 8d. Signed by Thomas Fuller, Joshua Rea and Thomas Putnam, and copy made by John Putnam.*

"At A meeting of the farmers y^e^ 26^th^ 10^mo^ 1672. It was voted that we will build a meeting house, 34 foot Long. 28 foot Broad and 16 foot Between Joynts."

*Autograph.

plaintiff, to have the estate that is willed unto Roger, Josiah, Samuell and Sarah Haskall by their father Roger Hascall, deceased.*

Samuell Hunt v. Hen. Benet and Jon. Spark. Forfeiture of a bond of fifty pounds as surety. Verdict for plaintiff. Moderation of the bond was respitted.†

Samuell Bishop and Margaret Bishop, executors of the will of Tho. Bishop, deceased v. Ens. Jon. Goold. Appeal from the judgment of the Worshipful Major Genrll. Denison. Debt. Special verdict. If one single evidence with defendant's affirmation, it not appearing to be a book debt nor how due nor in what, be sufficient proof according to law, they find for defendant, a confirmation of the former judgment; if not, for appellant, a reversion of the former judgment. Court found for plaintiff, the reversion of the former judgment.‡

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*Writ, dated June 22, 1675, signed by Robert Lord,§ for the court, and served by Phillip Fouler,§ deputy for Robert Lord,§ marshal of Ipswich, by attachment of houses of defendant.

William Hascal's bill of cost, 1li. 10s.

Henry Bayley and Henry Herrick certified, 20 : 5 : 1675, that they had viewed the estate lately Roger Hascoll's, deceased, in Beverly, and judged "that the decay of the housinge and fences and stroy and waste made by cuttinge and fallinge of Timber vppon the Land," amounted to 60li. Sworn in court.

Copy of the record of the Ipswich court, Mar. 30, 1675, appointing William Hasscall guardian of Roger Hasscall's children, made June 22, 1675, by Robert Lord,§ cleric.

†Writ, dated June 24, 1675, signed by Robert Lord,§ for the court, and served by Robert Lord,§ by attachment of Spark's house and a horse and cattle of Benitt's.

Samuell Hunt's bill of cost, 1li. 16s.

Copy of the Salem court records, 30 : 4 : 1674, and of the Ipswich court, 4 : 9 : 1674, and Mar. 30, 1675, in relation to this action.

‡Writ: Ens. John Gould v. Samuel Bishop and Margaret Bishop, executors of the estate of Thomas Bishop; debt; dated Apr. 6, 1675; signed by Robert Lord, for the court. Copy made, June 25, 1675, by Daniel Denison.§

Copy of papers in this action brought before Major Denison: Zacheus Curtise, sr., testified that he being in company with

§Autograph.

Samuell Bishop and Margarett Bishop, executors of the will of Thomas Bishop, deceased v. John Goold. Appeal from the judgment of the Worshipful Major Genrll. Denisson. Debt. Special verdict. Court found for plaintiff.

Mrs. Margarett Bishop and Mr. Samll. Bishop, executors of the will of Tho. Bishop, deceased v. Richard Downes. Debt. Verdict for plaintiff, to be paid in merchantable fish.*

Thomas Bishop, sr. and John Gould some years since, heard Bishop own the debt, etc. Sworn, Apr. 20, 1675, before Daniel Denison, and copy made by Daniel Denison.†

This action was tried before Major Denison, Apr. 20, 1675, with judgment for plaintiff. Appealed to the Salem court, John Baker and John Pinder, sureties. Copy made by Daniel Denison.†

Bill of cost, 1li. 2s. 6d.

Samuell Bishop's† reasons of appeal, received June 22, 1675, by Daniel Denison:† "There is but one single and simple Evidence to w^{t} is proved in the Case (who if he were examined w^{t} an oath is wn he is out of his Cups I suppose Can Give but a poor accompt of his knowledge) For when the s^{d} Curteis were examined before the Major Generall touching his evidence (he answered him) that he had never thought of it from the time that y^{e} words were spoken till a weeke or a fortnight before y^{e} tryall of the Case wch makes the present plantiffe Groundlesly thinke that there were not in that evidence the truth, the whole truth & nothing but the truth," etc.

John Gould's answer to Samuell Bishup's reasons of appeal: "As to y^{e} wisdome of y^{e} parson wee acknowlidg hee may not haue so much Craft as a Bushiip but wee trust more honisty then all y^{e} Buships that may share in this estate if Recouered from y^{e} p^{r}sent defendant afirming positiuly and one witnes making oath y^{e} dettar neuer dening is dubel and Consiquntly Leagull profe before God and man and wee hope this p^{r}sent Court will take notis how much this Charge doth reflect apon y^{e} former Court that Judged this Case. . . I hope this Court will be verey redy to Grant releufe in Cases where y^{e} Buships of this Genaration would atempt soe hily to Apeale from Judgment Granted apon Law and testamony," etc.

*Writ, dated June 24, 1675, signed by Peter Twisden,† for the court, and served by Richard Willcom,† constable of the Ile of Shoales.

Bishop's bill of cost, 2li. 10d.

Richard Welcom, aged about thirty-four years, deposed that

†Autograph.

Simond Bradstreet, Esq. v. William Buckly. Debt. Withdrawn.

William Buckly acknowledged judgment to Simond Bradstreet, Esq.

John Hascall, son of Roger Hascall v. Edw. Berry, late husband of Elizabeth Hascall, who was formerly the wife of Roger Hascall, deceased, and executrix of the said Roger's will. For withholding a legacy. Wm. Hascall engaged himself in court as security for said John. Verdict for defendant.*

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he heard Downes acknowledge the debt to Samuel Bishop at the Shoals, but there were then six quintals of refuse fish paid. Sworn, June 24, 1675, before Peter Twisden,† commissioner.

Bond, dated Nov. 28, 1669, given by Richard (his mark) Downe of the Ile of Sholl to Thomas Bishop of Ipswich, for 64li. 4s. to be paid in fish. Wit: John Brounson and Christopher Codner. Said Brounson made oath, 20 : 5 : 1675, before Wm. Hathorne,† assistant, and said Codner, 21 : 4 : 1675, in Salem court.

Francis Wainwright deposed that when Bishop attached the fish, Downes had no fish upon the Rock, but his whole voyage was sold and delivered to deponent by his son Jno. Wainwright according to order. The constable told deponent that he told Bishop that the fish attached was Wainwright's. Sworn, July 19, 1675, before Daniel Denison.† John Wainwright made oath to the same in Salem court.

*Writ, dated Apr. 3, 1675, signed by Samuell Hardie,† for the court, and served by William Rayment,† constable of Beverly, by attachment of Draper's point, belonging to defendant.

Ed. Berry's bill of cost, 11s.

Willem Hascoll, aged about fifty-five years, deposed that he was at Salem court when his brother's will was proved and desired the court to consider his cousin John, as he was the eldest son, and had not been given as much as intended by will. When Mister Broadstreete viewed the will he told deponent's sister that she must consider her son John, which she agreed to do. Sworn in court.

Wilem Dodge, aged about thirty years, deposed that he heard his mother Hascol say some time after his father-in-law's will was proved, that she was to pay 40li. to John, etc. Sworn in court.

Elisabeth Dodge, aged about twenty-six years, deposed that her mother Hascol, etc. Sworn in court.

†Autograph.

William Goodhue v. James Sanders. Debt. Verdict for plaintiff.*

Mr. Joseph Whiting, Mr. Samuell Gardner† and Allen Bread, jr. took the oath of a freeman.

John Black dying intestate and there being an inventory‡ of his estate brought in to court amounting to 11li. 10s., administration was granted to John, his son, who was ordered to pay out of the estate to his three sisters, Eliza Kemboll, Pearcis Follett and Lydia Davis, 50s. each.

Thomas Tenny, for committing fornication with Mary Tenny, was sentenced to be severely whipped or pay a fine, the whipping to be on the next lecture day.

Mary Tenny, for committing fornication with Tho. Tenny

Copy of the will of Roger Hascoll made by Hilliard Veren,§ cleric.

*Writ, dated May 19, 1675, signed by Robert Lord,§ for the court, and served by Robert Lord,§ marshal, by attachment of land in the Haverhill ox-common.

Decan William Goodhue's bill of cost, 1li. 14s. 10d.

William Goodhue reckoned with James Sanders, Mar. 12, 1674-5, and there was due said Goodhue in pork, wheat and malt, 3li. On May 5, 1675, paid to Nathaniel Haris of Rowly 10s. Goodhue's man, Thomas Spark, and Robert Lord, marshal, attested the same, the former on July 20, 1675, before Daniel Denison,§ and the latter in Salem court.

Lettery of attorney, dated June 21, 1675, given by William Goodhew, sr.,§ of Ipswich to Robert Lord, jr., of Ipswich. Wit: Henry Benet§ and Thomas Sparke.§ Sworn, June 22, 1675, before Daniel Denison.§

†Edw. Rawson,§ Secretary, certified that "Att A Generall Court for Election held at Boston 12th May 1675, Samuel Gadiner was Admitted to the freedome of this Colony."

‡Copy of the inventory of the estate of John Blacke, sr., who died 16 : 1 : 1675 taken 12 : 2 : 1675, by Thomas Lawthropp and John Hill, and copy made by Samuell Hardie:§ his wearing Clothes, 2li.; linnen sheets & shirts, 1li. 5s.; small Linnen, 5s.; bed, bolster & Pillow, 2li. 15s.; bedstead, Chest & Chaire, 1li.; one Cow, 4li.; a Small Gunne, 5s.; total, 11li. 10s. "There was another Cowe: that was Sold p the now Deceased person in the time of his life for two pounds in money: the charge of the seuerall & other maters amounted to more & therfore we thought not meet: to put that into the Inventory."

§Autograph.

and concealing it until after her marriage to another man, was sentenced to be severely whipped the next lecture day or pay a fine.

Court remitted William Croft's fine.

Henry Skerry, marshal, was appointed administrator of the estate of Elias Whittee, deceased, who died intestate, and there being an imperfect inventory* presented, said Skerry was ordered to perfect it, pay the debts, and make return to the next court.

Mary Read, presented for committing fornication, was sentenced to be whipped on the next lecture day or pay a fine.

Capt. Joseph Gardner, Richard Norman, Christopher Lattamore, Mr. John Hathorne of Lin, Ellenor Hollingworth and Edward Richards had their former licenses renewed for keeping an ordinary.

Mr. Steephen Haskett, Mr. Jon. Higgenson, Mr. Moses Maverick, Mr. William Browne, jr., Capt. John Corwin and Mr. John Gedney had their licenses renewed for retailing strong waters.

Theophilus Baily had his former license renewed and also further liberty to draw beer and cider.†

Mr. Timothy Lindoll and Mr. William Bowditch had licenses granted to retail strong water.

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*Inventory of the estate of Elias Whity, who was servant to Robt. Stone, and was drowned at Winter Island from a boat carrying fish ashore, Edw. Mould and John King being chosen by said Stone to appraise his goods: one hatt, 7s. 6d.; one Caster hat, 8s.; 4 yds. Broad Cloth at 5s. 6d. p yd., 1li. 2s.; 12 yds. narrow Cotton at 1s. 8d. p yd., 18s.; 4 pr. shooes, 13s.; 1 Coate & A pr. of Britches, 1li. 1s.; 1 Coate & pr. of Britches, 14s.; 2 wastcoats, 9s.; 3 old pr. Drawers, 3s.; a prsell of old Cloaths, 8s.; 2 shirts & 4 neckcloth, 1 pr. Gloves, 9s.; 1 gunn, 1 Chest & a rayser, 11s.; 1 Line & Hooks, 4s.; one horse & a sadle, 2li.; mony Robt. Stone owes him, 1li. 7s. 5d.; total, 11li. 9s. 11d.; Charges for his Burien, 3li. 4s.; washing & Lodging Last winter and diet for five months, 4li.; for last summer, 1li.; mony Lent him p Wm. Russell, 1li. 10s.; total, 9li. 14s.

†Petition dated 26 : 4 : 1675, of the selectmen of Linn, Rich. Walker,‡ Thomas Marshall,‡ William Bassett,‡ Ralph King‡ and Thomas Newhall,‡ for the court to grant the license.

‡Autograph.

Allexander Lillington came into court, and by papers it appearing to court that he is the husband of Sarah, daughter of Thomas James, deceased, who is the only surviving child and rightful heir of said James, court ordered that what estate of said Thomas was or is in the hands of Jeremiah Meachum, administrator, or elsewhere in this country, be delivered up to said Allexander forthwith.*

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*Letter addressed "For ou^r hon^rd friends The Majestrates of Salem These In New England."

"Hon^rd And Christian freinds

"Herewith goes A member of this Collony Alexander Lillington, whose occasions call him to yo^r Jurisdiction, to looke after an estate, real and psonall, in right of his wife; Sarah the daughter of Thomas James, formerly an Inhabitant in yo^r Countrey but some yeares since departed this life, in these parts whoe left Ishue, besides his said daughter, two sons, John and Joseph, both which being since dead, the said estate, (in Law and equity) belongs to the said Sarah, as the onely suruiuo^r. As for such estate, which the said decendents were possessed of, in this Collony, the said Lillington is invested therewith, by virtue of an Administration granted to him by this Court. A Testimoniall whereof (attested by ou^r Register, with the seale of the Collony Affixed thereunto) hee carrys with him to shew yo^r Court of Salem. Yett he beeing dubious, that those whoe are in possession of the said estate there will proue litigious. And if swayed by a wordly interest may weary him with law sutes, unlesse hee will comply with their selfish, and couetous desires, in regard hee is altogeather a straunger in yo^r parts and so his Credditt, not likely to furnish him with money (which Solomon saith answeres all things) to wage law. Wherefor hee desires letters from us to yo^r Worp^s as depending for help and assistance wholy on yo^r Justice. Such a reasonable request by noe meanes could wee deny him, though wee know (by the fame y^t is spread) yo^r readinesse to distribute to all, according to equity. Howeuer though wee are assured that so it is, and that wee speake to those who professe to liue, a life to come. Yett (as stewards of God) in the bearers behalf, wee thinck expedient to desire yo^r worp^s to make yo^r wisdome and iustice operatiue to counter check any Subtilty or deceipt that may bee suggested by his opposers. Yo^r station alloweth yo^r greate aduantage yo^u are the first figures that stand for more in publique concernes then all that follow after. Wee hope therefor yo^u will shew yo^rselues worthy patriots, and iustly defend him against all cunning fraud, but especially that he may not bee put of with

An imperfect will of Richard Bishop, deceased, being presented and all parties concerned being not present, the case was referred to the next Salem court.

John Lander and his wife, presented for committing fornication before marriage, were sentenced to be whipped or pay a fine.

John Legroe and his wife, presented for committing fornication before marriage, were sentenced to be whipped the next lecture day or pay a fine.

Mr. Peter Duncan of Gloster being complained of for selling strong waters to the Indians, the hearing of the case was referred to the next Ipswich court and the clerk was too issue warrants.

John Baker and his wife, presented for committing fornication before marriage, were sentenced to be whipped the next lecture day or pay a fine.

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delayes. The doeing whereof as it will bee of greate concerne to him, so wee shall take it as a fau^r to ou^rselues, and if it layeth within ou^r beinge bee ready on all occasions to retalliate Thus committing yo^u to the protection of the omniscient power; with hearty commendations tendered wee take leiue to subscribe ou^rselues

"S^rs Yo^r friends & seruants
"Tho. Cullen,* John Jenkins, Dp^ty Gov^r
"John Nixon,* John Hearvey.*

"From y^e Court of Albemarle
the 12^th March 1674-5."

Caleb Lambe, aged about thirty-six years, deposed that being in the county of Albemarle in the Province of Carolina in 1674-5, he was present at the sitting of the court when he received his appointment as adminstrator of Thomas James' estate. John Pelton, aged about thirty years, testified to the same. Sworn, May 20, 1674, before Daniel Denison.*

Francis Godfrey† certified, at Albemarle, Oct. 10, 1674, that he married Allexander Lillington and Sarah James, daughter of Thomas James according to the act of the country on Sept. 16, 1669. Wit: Thomas Harris,* clerk of the court.

Letter of administration to Allexander Lillington and his wife Sarah, of the estate of John James and Joseph James, dated Albemarle county, in the Province of Carolina, Mar. 16, 1674, and signed by John Jenkins,* Dep. Gov., with the county seal affixed.

*Autograph.

Martha Henly and Elizabeth Poe, for scolding and rude carriage and speeches and for fighting one with another, were fined.

Elizabeth, wife of William Poe, for selling liquors several times to the Indians contrary to law, was fined or to be whipped.

Thomas Leonard complained of upon suspicion of having a hand in burning the coal house at the Iron works, court found that there was great ground of suspicion, and ordered that if said Leonard be found within seven miles of Topsfeild or the Iron works for time to come, he should be whipped and complained of to a magistrate by any person who should find him, and he was also bound to good behavior during the pleasure of the court. Thomas Leonard, Mr. Oliver Purchas and Ens. John Goold bound.*

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*Oliver Purchis, aged fifty-eight years, testified that Thomas Leonard, Blaye Vinton and Sarah Perkins came to Lyn works on the sixth day before the coalhouse at Rowley Village was burned, on the Lord's day and they were at the house where deponent dwelt at or before three o'clock in the afternoon. They were at home that night, about home all the next day and the Lord's day on which the coalhouse was burned, and were at Lyn meeting both forenoon and afternoon. Further deponent never heard Leonard make any complaint against the works or the owners. Sworn in court.

John How deposed that Goody Lannord said a few days before she went away from Rowly Village that the works would be ruined, "Mark said she thay will sartonly be demolished for saied she the owners haue delt wekedly with us: and saied the workmane haue a trek to hender any from working after them If thay be torned out: thay will com to damig said she by fier or otherwise." Samuell and Nathanill also spoke such words, and Samuell vowed vengance upon the owners. Sworn in court.

Jeremie Houd deposed that he saw Thomas Lenord at the Iron works at Topsfeld the Friday before the fire and he tied his horse to the coalhouse. Further that they laid up the coalbasket on Friday night but on Saturday morning half of it was burned off. Sworn in court.

Thomas Andrews deposed that the coal that lay on the side next the dwelling house was not on fire until the coalhouse fell on it, after which he took a shovel from that side that was only a little scortched.

Warrant, dated 22 : 5 : 1675, for the appearance at sight,

Left. Thomas Putnam attaching Edward Richards and letting the attachment fall, the latter was allowed costs.*

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of Thomas Pearly and wife Liddea, John How, Samuell Simonds, Daniell Wood, Jeremiah Hood, Thomas Towers, Zacheus Curtice, jr., Edmund Bridges and Ensign John Goold to give evidence concerning the burning of the Iron works, signed by Hilliard Veren,† for the court. The constable of Salem was ordered by the court to "press a horse & man to send away this warrant," and John Littlehale made oath in court that he had summoned the persons mentioned.

Samwell Simons, aged about thirty-five years, and Daneell Wood, aged about twenty-five years, deposed that they saw the fire and the windward end of the house was first burned, which was toward the southwest. Sworn in court.

Thomas Tower deposed that on Thursday night Lannord came to Goody Androuses, and thence to John Gould's, where he lodged. Sworn in court.

John Gould deposed that Jacob Towne told him that the end next the highway was burned first, etc. Sworn in court.

John Putnam deposed that he was at John Gould's house on Thursday night and, when Lenerd came in, asked him where he had been. He said he was not bound to give account. Sworn in court.

Blaze Vinton, aged twenty-one years, deposed that he had asked Leonard to go with him to Topsfeild and Ipswich, etc. Sworn in court.

Thomas Perley, aged about thirty-four years, deposed that the next week after the fire, Nathanel Lenod came into his field and said he was glad he was not there when the house burned, because they would have said he burned it. Sworn in court.

Edmond Bridges testified that on Friday, Lenard tied his horse to the coalhouse, came down to the forge and asked for John Vinton, etc. Sworn in court.

Zakeas Curtis, aged about twenty-nine years, testified that he was at the "upper finere whell," etc. Also that he saw Thomas and Nathanell Lenord on Friday late at night come riding from the forge by deponent's house. Deponent asked them if the workmen were at the works and they said they could not tell but saw a light in the forge, etc. Sworn in court.

John Vinton, aged about twenty-six years, deposed that he with Thomas Tower and John Chilson, went to Goodwife Andrewes, etc. Sworn in court.

*Edward Richards' bill of cost, 17s. 8d.

†Autograph.

The fines received by this court are to be paid, 10li. in money to the treasurer of the county, the rest to remain upon this court's account.

Court ordered that if there were not seven barrels of powder laid in according to law as town stock by the selectmen of Salem on or before the last day of the next month and so signified under the hands of the selectmen, to the Worshipful Major General Denison, the said selectmen should be liable to the penalty of the law.

Whereas Samuell Leonard made an escape from under the hands of justice to some parts in Coneticot Colony, court desired that the said Colony return him, if found, as a runaway.

The will* and inventory† of Margeret Sanden were proved and allowed in court by John Merett.

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*Will of Margarett (her mark) Sanden‡ of Marblehead, widow of Arthur Sanden, "being Ancient," dated Aug. 20, 1667: "Imp^s I giue unto Samuell & Ephraim Sandin the children of John Sanden, my son, late deceased: twenty shillings each of them to be paid in 6 months after my decease It I giue vnto the children of nicholas meret by mary my daughter, being in number eight sons & daughter, now surviving all the rest of my estat when all debts & other charges are paid to be equally devided among those that survive of them to the age the sonns at 21 years & daughters at 18 years or maryed: It I doe appoynt my son nicholas merrett & mary his wife my daughter to be sole executors of this my last will & testament," Wit: Mary (her mark) Veren, Henry West§ and Hillyard Veren, sr.§

†Inventory of the estate of Margreet Sanding, deceased, appraised by Cristover Lattemore, William Browne and Nathenell Walton: one Feather Bed, 2li.; 1 Bolster and 2 Pillowes, 15s.; 2 old Blanketts & 1 old Rugg, 10s.; 1 old Cattaile & old Bedding, 12s.; 1 old Couerled, 12s.; 1 old Chair, 2s.; 1 old bedstead and 1 old Bedd matt, 10s.; 1 pare Curtans and old Vallins, 12s.; 1 Looking Glace, 1s. 6d.; 1 old Warming Pann, 4s.; 2 Pare Pillowbeers, 6s.; 3 old pillowbeers fitt for nothing but tinder; 6 sheetes, 1li. 16s.; 5 old sheetes, 15s.; 1 Table Cloth, 1 Bolster Cloth, 10s.; a small parsell of table Lining fitt for tinder; 1 old Chest made of pine, 5s.; 1 old wainscott Chest, 7s.; 1 frame Table, 12s.; 5 Joynt stooles, 1li. 7s. 6d.; 1 Brass Kettle, 1li. 5s.; 1 Iron pott, 15s.; 1 old Iron pott and pott Hooks, 8s.; 2 old Iron

‡Seal. §Autograph.

Ruth White, administratrix of the estate of Thomas White, deceased, made oath that all the debts were paid, and was discharged.*

The administrators of Samuell Leach have made their return of the sale of the house and land as far as it will go to pay the creditors.

Hen. Roades was allowed costs in an action brought by Joseph Armitage who did not prosecute.†

Skilletts, 5s.; 1 pessell & morter, 5s.; 1 pare of old Scales, 2s.; 1-2 a dussan of puter Dishes, 16s.; 2 old puter platters & 2 old plaits, 4s.; 2 old puter Candle sticks, 3s.; 2 old Candlesticks, 2s.; 1 quart, 1 wine quart, 1 wine pinte, 1-2 pinte, 1 nogin, 6s.; a parcell of old puter, 9s.; 1 Trambell, 3s.; 1 old friing pann, 1 old pare of Tongs & an old Shouell, 3s.; total, 17li. 3s.

*Account of payments made by Ruth Whitt, administratrix: to Capt. Goarge Corwinn, 7li. 10s. 10d.; to Capten Lothoerup, 4li. 15s. 4d.; Jonathan Wade, 9li. 8s. 11 1-2d.; Mr. John Rucke, 2li. 16s. 6d.; Mrs. Elizabeth Newman, 4li. 7s. 4d.; Mr. John Gidny, sr., 4li. 1s. 2d.; Wiliam Story, 3li. 6s. 8d.; Decon Goodhew, 2li. 13s. 4d.; Ezekell Woodward, 7li. 12s. 8d.; Insigne Gold, 3li. 6s. 8d.; Richard Hutten, 8li.; Zebulon Hill, 2li.; John Denice, 15s. 8d.; Daniell Kilham, 11s. 4d.; Thomas Ives, 4s. 10d.; Goodman Goldsmith, 1li.; Thomas Fisk, 1li.; Andrew Petter, 14s. 8d.; Insigne Corning, 4s. 8d.; four swine lost out of ye estatt, 2li.; one load of hay from Chebako, 1li.; An horss Lost out of ye estat prised at 4li.; for driving swine to decon goodhus, 4s.; to Robertt perce of Ipswich, 1li. 14s.; taken by marshal Scery, 10s.; Thomas Rix, 4s. 8d.; taken by Jno. West, 19li.; total, 73li. 16s. 7 1-2d.

†Henery Rhodes'‡ petition: that he had been greatly damaged by Joseph Armitage of Lynn by unjust molestation and suits at law for three or four years, and upon complaint to the grand jury together with Capt. Savage, said Armitage was presented as a common barrator and it was accepted by the court. He still pursued the same course and now sued him about the same piece of land which said Roads had owned for fifteen or sixteen years, formerly Capt. Bridges', to which Armitage pretends title from Mr. Giffords. This molestation has been to "much spending of my spirrits, & hee is a man that hath sd hee is not of estate worth five pounds & I know not any estate of his worth one pound," etc.

Bill of cost, 18s. 6d.

‡Autograph.

Mr. John Blackleech being attached to this court by Nicholas Manning and not prosecuting, said Blackleech was allowed costs.*

John Mastone, constable of Salem, brought in a bill of 8s. for carrying a malefactor to Boston goal upon suspicion of murder.†

The will‡ and inventory of Thomas Coledum were proved and allowed.

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*Bill of cost of John Blackleach, "to 3 dayes in my Comming from hartford and Retorning againe that being the place of my habbitation," 16s.

†For poting willam Solar and gorg nortes Man in to prison and Caring them to befarly, 3s.; going post to Maruellhed, 2s.; Caring of A Imbargo to befarly, 1s.; Caring on of y^e^ Men to len that did belong to that Comperny that brought ye shep in to porcataye that wos sesed A pon by the Contry, 2s.

‡Will of Thomas (his mark) Couldum of Lynn, aged about eighty-six years, dated Mar. 14, 1674-5, and proved by Andrew Mansfeild and Joseph Roads: "I bequeath to my wife Joannah Couldam, all my planting ground in the Township of Linn afforesd Containing in estimation about twenty foure acres (viz) twelue acres of it in estimation being my house Lott bee it more, or Lesse: & the rest of it, with mowing ground ajoyning to it, being Called by the name of Turkye Feild the whole Containing in estimation foareteen acres, & an halfe, bee it more, or Lesse & is bounded with the Lands of Richard Moore & Joseph Mansfeild: And alsoe the use of all my houseing, and alsoe all my medow ground (viz) five acres of salt marsh ground Lyeing in Rumnye marsh, betwixt Edward Bakers marsh, & the marsh of Richard Haven Alsoe two acres of salt marsh in Rumnye marsh Lyeing betwixt the marsh of M^r^ whiteing, & the marsh of Andrew Mansfeild & two acres of salt marsh Lyeing in the Marsh beefore the Towne Lyeing by the Marsh of Moses Chadwell (viz) dureing her naturall life, not Crossing a Couenant, or agreement made betwixt my selfe, & my grandchild Samuell Simonds, touching my Considering, or a Loweing him, for his manageing my affaires.

"I give vnto my wife Joannah the one half of all my Liveing stocke both in Neat cattle, horse kind, sheep, swine &c.: & halfe the increase of them, & halfe the produce of the whole Liueing accordinge to the affore hinted Covenant, or agreem^t^ with the Afore sd Samuell Simonds, as her owne proper right & interest. If: I give unto my wife Joannah, all my moueable

The will* of Hen. Lea was proved.

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estate both within dores, & without dores, to bee at her free dispose. It: I give vnto my son Clement Couldum his heires & assignes for ever one halfe of all my Lands houseing, & medow as his own proper right, & interest forever, with all Comon Liberty and previlidges belonging thereunto with halfe the orchard

"I giue vnto my sonn Clement Couldum (after my owne, & my wifes deseace my bed that I Lye uppon, with all the Appurtenances belonging there vnto, my great chist alsoe with my Cubberd, Iron pott & Iron kettle,) notwithstand my guift of my moveables vnto my wife which is expressed as to her in generall Tearmes as abouesd. It. I herby Confirme vnto my Grandchild Sam[ll] Simonds to him his heires, & assignes forever as his owne proper right & interest, And that vppon Consideration of his Agreem[t] with us to manage & Carrye on all o[r] buisinesses according to the sd agreem[t] That hee the sd Sam[ll] Simonds shall have & enjoye to him, his heires & assignes for ever one halfe of all my houseing Lands medowes & marsh ground & halfe the orchard as aboue exp[r]st, w[th] all Comons, Libertyes & p[r]vilidges (viz) after my owne & wife's desease It: I make choyce of my Loueing wife & my Loueing Brother & Freind M[r] Henrye Rhodes Joynt executo[rs]. Last I desire my Loueing Friend Andrew Mansfeild & John Newhall senio[r] to bee overseers of this my will." Wit: Samuell Rodes† and Joseph Rhodes.†

Inventory of the estate of Thomas Couldum of Lynn, who died Apr. 8, 1675, appraised by Francis Burrill† and Nathaniell Handforth: wearing apparrill, Lyning, woolen, stockins, shoos, hats, 5li. 7s.; Bedding, 6li. 18s.; Bedding, 1li. 6s.; Bedding given to Clemond Coldum according to will, 5li. 10s.; Lyning, 6li. 8s.; Brasse & puter, 1li.; 2 Iron pots, 1 Iron Ketle, a ringer, wedges, hake, hookes, tooles, 4li. 8s.; 2 Cheere Tables, Couberd, fermes & Chest, 1li. 15s.; Armes & Amunition, 1li. 15s.; 16 sheepe & 7 Lambs, 9li.; English & Indian Corne, 4li. 2s. 6d.; flax, Hemp, wool & yarne, 1li. 16s.; Boards & shingles, 1li. 8s.; Uncut cloath, 1li. 4s.; monyes, 8li. 6s.; Lumber, wheeles & Barrills, 3li.; Porke, 1li.; Neate Catle, 36li. 5s.; Horse kinde, 5li. 10s.; Swine, 12s.; Houseing, 27li. 10s.; Upland & medow ground, 175li.; carts, plow, Grindlestone & Haye, 3li. 14s.; A sadle & pillion, 1li. 5s.; total, 313li. 19s. 6d.

*Will of Henry (his mark) Lea of Manchester, dated Feb. 12, 1674, and proved by William Benent and Samuell Freind:

†Autograph.

Worshipful Major William Hathorne made return of the disposal of the money received from the sale of Thomas Robins, the Indian.

Fined by the Worshipful Major Wm. Hathorne:

On 20 : 5 : 1674, John Norton, for striking up Ruben's heels.

John Bennet and Nath. Pease, for affronting the constable in gathering the minister's rate.

On 17 : 9 : 1674, Owen Henly, for swearing more than once and being in drink.

Hen. Colbourne, for excess in drinking and for abusing Mr. Batter.

On 21 : 11 : 1674, Jon. Waldron, for being drunk and abusing the constable.

John Shaw, for being drunk.

John Plum, for abusing the constable's deputy.

Tho. Allexander, for not assisting the constable.

John and Jonathan Verry, for not assisting the constable.

John Martin, for swearing.

"I giue & bequeth to my well beloued wife Marey Lea my wholle estate personalle & reall, my depts being payed y^e^ estate is lift to her w^t^ is remayning except som small Legeacyes y^t^ I giue to my chillderen, to my son John Lea I giue twenty shillens, to my other too sonns Samuell & Thomas Lea I giue ten shillens apeace to each of them & to my too daughters Hanah & Sarah Lea too each of them I giue & bequeth ten shillings a peace and for y^e^ p^r^formenc hereof I haue made & doe apoynt my wife meary Lea afore saide excecuetor & my well beloued friends Thomas Jones & willam Benet as ouer sears to assist her in any busnes as she shall desire of them consirning the said estate." Wit: Samuell Freind*, and Aron (his mark) Bennet.

Inventory of the estate of Henery Lea, taken Mar. 29, 1675, by John West* and Willam Bennet:* hows & land with priveledges there unto belonging, 100li.; Cattell & Swine, 24li.; Bedding w^th^ other howshold Goods, 20li.; total, 144li. Debts to be paid, 28li.

Writ: Nicholas Manning v. Mr. John Blackleech, mariner, and Mr. Richard Lord, merchant; for selling and delivering an anvil to plaintiff, which anvil was claimed by Gervis Salter, who recovered by law; dated June 23, 1675; signed by Hilliard

*Autograph.

Veren,* for the court; and served by Returne Waite,* deputy marshal of Suffolk. Bond of John Blackleach.*

Writ: John Tod v. Thomas Kimball; debt, for not performing an award made and given by Capt. Samuell Brocklebank, Daniell Wicom and Jonathan Platts; dated May 17, 1675; signed by Robert Lord,* for the court; and served by Robert Lord,* marshal of Ipswich.

Writ: Alice Thomas, widow v. Samuell Norden; debt, for the rent of a house and land, according to an agreement dated Dec. 4, 1673; dated May 31, 1675; signed by Jonathan Negus,* for the court; and served by Returne Waite,* deputy marshal of Suffolk. Bond of Samuell Norden.*

Writ: Richard Norman v. Hellin Chard; debt; dated Mar. 29, 1675; signed by Hilliard Veren,* for the court; and served by John Clifford,* constable of Salem. Robert Bray bound for said Chard.

Writ: Mr. William Browne, jr. v. James White of Ipswich; debt; signed by Hilliard Veren,* for the court; and served by Robert Lord,* marshal of Ipswich.

Writ: Mr. William Brown, sr. v. Thomas Russell of Charlestown and John Dafforne of Boston; forfeiture of a bond, dated June 16, 1674, in which they were all bound; dated Apr. 30, 1675; signed by Jonath. Negus,* for the court; and served by Returne Waite,* marshal's deputy. Bond of John Dafforne.*

Writ: Thomas Hale, jr. v. Edward Smith of Exeter; debt; for pine boards to be delivered at Boston; dated May 17, 1675; signed by Anthony Somerby,* for the court; and served by Moses Gilman,* constable of Exeter, by attachment of a pair of logging wheels of defendant's. Bond of Edw. Smith,* Thomas Rawlings, surety.

Writ: Mr. Philip Nellson v. John Willcote and Thomas Thurley; for not finishing a house and barn according to agreement made Oct. 16, 1667; dated Apr. 24, 1675; signed by Tho. Leaver,* for the court; and served by Robert Lord,* marshal of Ipswich, by attachment of land of Thomas Thurla.

Bill of presentments, dated July 20, 1675, signed by Nathen. Puttnam,* in the name of the rest:

Bartholemew Foster of Gloster, for breach of the Sabboth in going with his boat loaded from the head of Little river. Wit: Thomas Loufkin and Richard Dicke.

The town of Ipswich, for not making the highway sufficient between Gloster and Ipswich, especially over Chebaco river. Dismissed, the way being mended.

Samuell Elwell, for profaning the Sabboth day in going through the gut with his boat. Presented by Robert Elwell,

*Autograph.

Robert Hooper, for swearing twice.

On 26 : 1 : 1675, Tho. Jives and Abra. Stery, for striking.

On 16 : 2 : 1675, Anthony Wood, for breach of the peace.

William Vinson, sr., James Stevens, Steven Glover and Thomas Riggs. Wit: James Stevens and Hannah Solter.

John Heibard and Moses Morgan of Beverly, for drunkenness. Wit: John Bollsh, Joseph Bollsh and Thomas Parler.

Nickles Pickett and wife Damores, of Marblehead, for fornication before marriage.

Elisabeth Poor, of Marblehead, for letting the Indians have liquors until they were drunk. Wit: Natheenel Wallton, Nicholas Willis and Edward Homan, John Lattony and Adam Clarke.

John Legrove and wife Dinah of Salem, for fornication before marriage.

John Baker and wife Jonne, of Salem, for fornication before marriage.

Walter Mungie, Mr. William Bowdidge, Richard Robards and John Lambord, sr., for living from their wives.

The town of Beverly, for a defective highway between William Dixey and Richard Stackhouse. Wit: Henery Herrick.

The town of Beverly, for having a defective pound. Wit: William Benett.

Arter Cartter, of Marblehead, for selling cider by the quart without a license and for presumptuous words against authority. Wit: Rouland Ransbery.

Oen Hande of Marblehead, for selling cider by the quart without license. Wit: Thomas Very, Richard Stace and Rouland Ransbery.

The town of Topsfeild, for a defective highway between Salem bounds and Topsfeilde bridge. Wit: Natheinnel Puttnam and James Moltten, jr.

Calebath, John Porter, sr.'s servant, for fornication.

Mary Read, who lived with Capt. Joseph Gardener, for fornication.

Thomas Page and wife Mary, for fornication before marriage. He could not be found.

Thomas Rix, Wm. Cortice, Mathew Price, Peter Chevoures, Steven Haskett, James Powland, Jno. Crumwell, Jno. Launder, Wm. Reves, Jos. Allen, Jno. Baker and John Maskall, appointed a jury of inquest upon a child named Thomas Ager, who was drowned on May 23, 1675, returned that he was accidently drowned by falling from a wharf, upon information of Mathew Price and others.

Edward Wolland, for being distempered in drink.

On 30 : 6 : 1675, Tho. Leonard and John Alley, for fighting.*

George Darling, for selling beer at 2d. a quart without license.†

Thomas Male, for working on a public fast day openly in his shop, was fined or to be whipped.‡

Hen. Skerry, marshal, was allowed costs for going to Chemsford and attaching Mary Read.

Allowed 28s. in money to be disposed of by Capt. Gardner to the servants of his house, and also 2s. to the servant of the house where the Deputy Governor lodges.

William Carter acknowledged judgment, 3 : 9 : 1675, to Capt. John Corwin before the Worshipful Major Generall Daniel Denison and Major Wm. Hathorn.

COURT HELD AT IPSWICH, SEPT. 28, 1675

Judges: Samuell Symonds, Dep. Gov., Major Genll. Denison and Major Wm. Hathorne.

Grand jury: Decon Goodhue, John Dane, Sergt. Perkins, Robert Kinsman, Aron Pengry, Corpll. Tho. Clarke, Wm. Ilsly, Mr. Tho. Noyes, James Barker, Leonard Haryman, John Pabody, John Barker, John Tenny and Rich. Bartlett.

Jury of trials: Capt. Jo. Appleton, Cornet Jo. Whipple, Sergt. Tho. Waite, John Wainwright, Nath. Tredwell, Mr. Henry Sewall, John Emry, Sam. Platts, Jonath. Platts, Abell Langly and John Commings.

Inventory of the estate of Thomas Scott, of Ipswich, appraised, Sept. 20, 1675, by John Appleton and William Goodhue, houses, land, wampum, etc., 183li. 12s. 8d. [Original on file in the Registry of Probate.]

Inventory of the estate of Jonathan Gage, taken Mar. 22, 1674-5, returned by Hester, the widow, amounting to 114li. 9s. 2d. [Original on file in the Registry of Probate.]

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*Lynn presentment. Wit: Samuell Mansfeild and Nathen Ballard.

†Marblehead presentment. Wit: Richard Norman and Richard Knott.

‡Salem presentment. For working on June 29, a public fast day. Wit: Mrs. Mary Puttnam and Daniel Rea.

Administration upon the estate of Samuell Cogswell was granted, Aug. 26, 1675, to John Coggswell, his brother, who was ordered to bring in an inventory to the next Ipswich court.

Rich. Shatswell v. Ralph Hall. Debt. For 4,000 feet of merchantable pine boards. Verdict for plaintiff.*

Capt. Gerish and John Knight, in behalf of the town of Newbury v. Mr. Richard Dummer. For fencing. Verdict for defendant.†

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*Bond, dated Aug. 24, 1672, given by Ralph Hall‡ of Exitor to Richard Shatswell of Ipswich, for 4,000 pine boards and 350 feet of oak plank, two inches thick, eighteen inches wide and twenty-seven feet long at least, in consideration of two oxen he bought of said Shatswell. Wit: Robert Lord, jr.‡

†Writ: Capt. Will. Gerrish and John Knight, sr., in behalf of the town of Newbury v. Mr. Richard Dumer, sr; for fencing in the town's common adjoining Easson's river near Rowly line near Rowly mill; dated Sept. 22, 1675; signed by Anthony Somerby,‡ for the court; and served by Joseph Pike,‡ constable of Newbery, by attachment of land of defendant at the easterly end of Dumer's marsh, eastward from his dwelling house, where he ordinarily resides and on the south side of the river which runs up to the Falls.

Copy of what Mr. Dumer, sr., gave into the selectmen, Sept. 15, 1675; "I doe by this writing signify to you that you shall not need to sue for any of that Land I haue fenced at Rowly mill that is in question or difference I shall for peace sake rather yeild it to the Towne and use some other meanes to recouer my right which is about twenty acres more than is fenced. Copy made by Anthony Somerby.‡

Copy from the town book of Newbury, made by Anthony Somerby:‡ "At a meeting of the Towne March 18, 1673-4. It was voted & there was Chosen Richard Dole John Knight, sr. & Tho. Hale, Ju^{r} to lay out to M^{r} Dumer all his Just Demands according to his Grants and to receiue for the Townes use the land that is ouerplus, & to make sale of that parcell of land that lyes on the south east corner of m^{r} dumers farme ioyneing to the Riuer neere Rowly Mill, and to sell the said parcell of land for the best aduantage of the Towne, the said three men agreeing about it, and the said price of the Land to be Imployed for the building of the ministry house."

"At a Generall meeting of the Towne June 5, 1673. That whereas M^{r} Dumer complaines that he wants measure in

‡Autograph.

his seuerall Grants of Lands that was granted to him by the Towne. It was voted that all M[r] Dumers Grants should be measured by an equall charg between the Towne & m[r] Dumer And the Towne doth engage to make good his seuerall Grants both upland & meadow And m[r] Dumer doth engage that the Towne shall haue the rest of the land that is aboue his measure to be returned to the Townes use And the Lott layers & Leiut woodman & John knight sen[r] was chosen mutually to see the said Land measured & done according to the said vote."

Mr. Dumer's bill of cost, 1li. 1s. 2d.

"At a Generall meeting off the Towne July 5[th] 1673. It was Ordered that Cap[t] Gerrish, Ric[d] Dole & Jn[o] Knight Sen[r] was desired & apointed to prosecute against Robert Adams at Ipswich Court or any other person or persons that have enclosed the Towns Comons to take out attachment & sumons & records for the profe of w[th] they have enclosed the foresayd three or any two of them."

Deed, dated July 7, 1674, given by Richard Dumer, sr.,* in consideration of the natural affection for his children, to Shubal Dumer of Yorke and William Dumer now of Boston, all his lands, meadows and pastures in Newbury, except the lands and tenements already given to his son Richard Dumer; said land was to be divided from the turn of the river on the southeast of Steward's house, taking Steward's house into the lower end, and coming along northerly to the country highway on the lower side of it until it comes to Mr. Sewal's farm, "only unto the upper part of this division I appoint that necke or part of marsh in the point that wee usually did fence of, with thre or foure rod of fence being encompassed elswhere with the Riuer & a Creeke; and I doe grant to my son shubel to haue his choice of either of these diuisions according as is aboue exprest. If either of the two sons died without issue or his son William died in his non-age, the lands were to be equally divided among the surviving brothers or their heirs; his wife was to enjoy her thirds during her or their lives, and his son William was not to dispose of the land conveyed to him during his non-age, but he should allow testator's wife to have it, and after he became of age, he was to pay his mother her third part of the produce, as also was his son Shubel. Wit: Anthony Morse, sr.† and Jere. Dumer.† Acknowledged, July 9, 1674, before Daniel Denison. Recorded, Sept. 23, 1675, among the records of lands for Essex at Ipswich, by Robert Lord,† recorder.

Deed, dated July 7, 1674, given by Richard Dumer, sr.§ to his sons Mr. Shuball Dumer and William Dumer, all lands mentioned in the foregoing conveyance, except land already

*Autograph and seal. †Autograph.

Samuell Peppen v. Joseph Weeden. Withdrawn.

Ens. Thomas Chandler v. Mr. Anthony Ashby and Abigail, his wife, administratrix of the estate of John Lambert, deceased. Non-payment of a bond of 220li. Nonsuited.

Margaret Bishop and Samuell Bishop, executors of the estate of Thomas Bishop, deceased v. Frances Wainwright. Verdict for defendant. Appealed to the next Court of Assistants. Samuell Bishop bound, with Mr. Wm. Cogswell and Thomas Bishop, as sureties.*

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given to his son Richard Dumer, etc. Wit: Samuell Brocklebanke† and Jer. Dumer.†

Richard Knight,† lot layer, aged about seventy-three years, deposed that this land in controversy near Rolly mill adjoining Eston's cellar and Mr. Dumer's fence next the line, was Newbery common land, because deponent left it common when he laid out Dumer's 150 acres. Sworn in court.

Robt. (his mark) Robinson deposed that about twelve years since he came to Newbury and agreed with Mr. Richard Dumer for a parcel of land to settle upon, which adjoined Eason's river and Rowly bounds, and there by Dumer's order, deponent built, cleared, broke up and fenced, enjoying it eight years as said Dumer's tenant, and also made the gate. Sworn in court.

Jno. Knight, sr., deposed. Sworn in court.

John Knight,† Thomas Hale, jr.,† and Beniamen Rolfe deposed. Sworn in court.

John Knight† deposed that Mr. Dumer tendered Niclas Noys, Daniell Perc and himself six acres, but they refused it because it was short of what they intended and what the town expected. Sworn in court.

Richard Dole and Richard Knight deposed. Sworn in court.

Thomas Heall, jr., and John Emary, jr., aged about forty-five years, deposed that they measured the common land and found evidences of an old fence on the line by old posts and rails and many post holes, etc. Sworn in court.

Dunckum Steward and Benjamin Goodrag deposed that being desired by Mr. Dumer, on Sept. 22, 1675 they threw open the fence that enclosed the land, etc. Sworn in court.

*Writ: Margaret Bishop and Samuell Bishop, executors of the estate of Thomas Bishop, deceased v. Mr. Francis Wainwright; for taking away a parcel of fish from Richard Downes' rock at the Iles of Sholes; dated Sept. 23, 1675; signed by Robert Lord,† for the court; and served by Robert Lord,†

†Autograph.

marshal of Ipswich, by attachment of a warehouse of defendant's.

Samuell Bishop's bill of cost, 1li. 19s. 6d.

Execution, dated Aug. 16, 1675, against Richard Downes, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal of Salem.

Richd. Downs, aged forty years, deposed that on June 9, he delivered to John Wainwright, in behalf of his father, Francis Wainwright, all the fish that I and my boat's crew had caught the last winter voyage, in the presence of Wm. Weeks and John Russell, in consideration of provisions and salt, etc. Sworn, Sept. 25, 1675, before Peter Twisden,* commissioner.

Richard Downes & Co.'s engagement for a fishing voyage, dated Nov. 19, 1674: Richard Downe, Gabrill Grub, William Pumery, William Vrin, fishermen, agreed with Francis Wainwright of Ipswitch, for 200li., to deliver all the cod, pollock and haddock with all the train oil taken between this date and May 1, 1675, to said Wainwright, and to no other person. Wit: Thomas Burman, jr.,* Richard (his mark) —— and Simon Wainwright. Delivered into court cancelled with the names and seals pulled off.

John Russell, aged about thirty years, deposed that the fish was delivered by drawing out two fishes from the piles. Sworn, 26 : 7 : 1675, at Portsmouth, before Richard Cutt,* commissioner.

John Numarch, sr., aged about sixty years, deposed that being at the Isles of Shoals, he went over to Hog Island with Samuell Bishop and seeing merchant Wainwright about the piles of fish on June 25, 1675, said Bishop told him not to meddle with it, etc. Sworn in court.

William Weekes, aged about forty-four years, deposed. Sworn, Sept. 25, 1675, before Peter Twisden,* commissioner.

Robbert Peirce, aged about sixty-three years, deposed that being at Star Island at the Ile a Sholes in the house of James Waimoth, etc. Sworn in court.

Richard Welcombe, constable of the Iles of Shoals, deposed that he told Bishop that the fish was Wainwright's. Sworn, Sept. 25, 1675, before Peter Twisden,* commissioner.

Francis Wainwright's bill of cost, 1li. 1s. 9d.

Henery Skerry, sr., aged about seventy years, deposed that being at the house of Richard Downes with an execution and the woman being in the house, he demanded what was done with the fish. She replied that the god of the Iland had it. "we sayd who was that she sayd mr. wanewrite: the Governor of y^{e} Iland she thought: for she thought he had allmost all y^{e} fish of y^{e} Island." Sworn in court.

*Autograph.

John Cogswell v. Wm. Cogswell. Verdict for plaintiff. Appealed to the next Court of Assistants. Mr. Wm. Cogswell bound, with Samuell Bishop and Thomas Bishop as sureties.*

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*Writ: John Coggswell, son and heir to John Coggswell, jr., and administrator of the estate of his brother Samuell Coggswell v. William Coggswell, one of the executors in trust of the will of John Coggswell, jr.; for an account of the estate of his late father John Coggswell, jr., disposed of by will, according to inventory; dated 20 : 7 : 1675; signed by Jo. Wayte,† for the court; and served by Robert Lord,† marshal of Ipswich, by attachment of cattle.

John Cogswel's bill of cost, 1li. 17s. 6d.

Copy of the Ipswich court record of Sept. 27, 1664, and Aug. 26, 1675, in relation to this case, made by Robert Lord,† cleric.

William Cogswell's bill of cost, 15s. 4d.

Copy of the will of John Cogswell, jr., of Ipswich, dated Dec. 13, 1653, made by Robert Lord,† cleric.

Abraham Wellman† and Elizebeth (her mark) Wellman of Linn acquitted their loving brothers John and Samuell Cogswell, 22 : 12 : 1672, of all legacies due to date. Wit: Ishak Wellman† and Prissillah (her mark) Downing.

James Coleman, aged about thirty-three years, deposed that he lived with his master William Cogswell about half a year before John Cogswell came to live there and "I were wth my M^{ster} 15 yeares prentice & covenaunted servant, and boarded in the house sometime after & also were conversant in the house till John Cogswell were 21 yeares of age. . . John Cogswell were a very sickly child till he was 14 yeares of age so that my mistress was very tender of him as if it were her own child and required more care and attendance than an other child In his condition & my Master & Mistress tooke all the Care & paines they could to Instruct him and Learn him to Read in that time." Sworn in court.

Thomas Clarke deposed that he was present when his father Cogswell and his brother Cogswell brought in an account to the court of the estate of John Cogswell, deceased, and by the account they had disbursed a considerable sum of money more than the estate, which the honored Deputy Governor desired the executors to give to the children, using this argument, that they were fatherless children, and they did so. Later Goodman Lord read an order of the court, discharging the executors, but they were to take care of the children until

†Autograph.

they chose their guardians and the court accepted it. The executors were also to return the land to the children.

Copy of the inventory of the estate of John Cogswell, jr., taken 25 : 7 : 1653, by John Prockter and Wm. Varnye: one Red Rugg, 1li. 13s. 4d.; red cushens, 10s.; curtaines & valents, 4li.; one fether bed & bolster & 2 pillows, 4li.; a little flock-bed, 2 old blanketts & an old coverlid, 14s.; two window Curtaines, 8s.; one carpet, 10s.; two paire of sheetes, 1li. 6s. 8d.; one paire of sheets, 10s.; two pr. of pillow beeres, 15s.; a diaper table cloth, 16s.; 6 napkins, 1li.; 10 diaper duble clouts, 10s.; 7 neckcloths, 16s.; 3 paire of hand cuffs, 6s.; 4 head dressings, 8s.; 2 lace croscloths, 5s.; 3 forehead cloths, 6s.; a shift & a biggen, old, & one bed and stomeger & 2 other clouts, 6s.; a swathe and pin cushen, 4s.; a wastcoat & night hood, 1s.; a paire of white gloves, 1s.; paire of stockings, 4s. 4d.; a childs bearing cloth, 2li. 4s. 8d.; one stuf Gowne, 1li. 10s.; one black gowne, 2li.; a black gowne, 15s.; a peticoate, 1li. 10s.; a wastcoate, 10s.; a peticoate, 1li. 6s. 8d.; a white shute, 13s. 4d.; 4 aprens, 1li. 10s.; a hatband & hat brush, hood, 3s.; dublet & paire of breeches, 1li. 3s. 4d.; clock, 1li.; Lathers for stooles, 9s.; 3 corse towells, 3s.; 6 corse napkins, 4s.; 5 pewter platters, 10s.; a pewter flagon, 5s.; 3 old pewter potts, 3 porengeers, 3s.; basson & spoone, 2s.; 2 skimers & basting ladle, 3s.; one brase skillet, 3s.; brase candlestick, 3s.; 2 tin candlesticks, 1li. 6d.; one pestle & morter, 3s.; warming pan, 7s.; old dublet & paire of stockings, 6s.; chamber pott, 2s.; paire of bellows, 1s.; two paire of Andirons, 5s.; trunk, 10s.; chest, 10s.; little trunk, 4s.; pillion, 5s.; 3 sacks, 10s.; tumbrill, 12s.; Blundivills booke, 3s. More appraised John Prockter and George Gittens, 26 : 7 : 1653: swine, 6li.; bridle, saddle, stirips & girts, 10s.; Rugg, 1li. 10s.; two Trayes, 3s. 4d.; one stock of bees, 12s.; halfe a swarme, 8s.; paire of pothooks, 2 chaires & a hupe, two stooles, one baskett, 8s. 8d.; 2 brushes, one baskitt, one cheesvate, 3s. 6d.; one leather Jacket, 3s.; one bottle, a saltseller, an houre glas, 5s. 2d.; one spit, one axe, 5s. 10d.; one bras kittle, 1li. 13s. 4d.; one brass kittle, 15s.; a booke, Mr. John Collens works, 4s.; one sucking bottle, 6d.; one bedstead & cord, 15s.; one rugg, one bed, bolster, 2 blankitts, 2li. 10s.; one Iron pott, one Iron hanger, 8s.; one paire of pot tramells, 2s.; one spade & 7 trayes, 8s. 6d.; one cheesepres, 3 spoones & drippin pan, 5s.; one churne, 2 sives, 4s. 6d.; one beere barrell, 2 poudering tubbs, 4s.; one hogshead & firking, 2s. 6d.; 2 barrells, one forke, 3s. 10d.; two bettell rings, a straining dish & paile, 2s. 10d.; 3 wedges, 4 dishes, 3s. 2d.; chaines, one plowshare, 1li. 6s. 6d.; one table, 6s. 8d.; 5 cowes, 25li.; one bull yeare & vantage, 2li. 10s.; two heifers, 10li.; one bull 2 yeare &

Jonathan Woodman v. Bartholmew Streton. Withdrawn.

Mr. Richard Dumer v. Samuell Watts. Non-payment of a debt. Defendant acknowledged judgment to plaintiff in boards and money.

Mr. Edmond Batter v. Benjamin Chadwell. Debt. Verdict for plaintiff.*

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vantage, 3li.; one bull, 6li.; one bull, 7li.; one holster, one dublett, 1li. 4d.; 4 henns, 4s.; one cart & wheeles & all ye Irons belonging, 2li. 10s.; one chaine, 3 yoaks with Irons, 15s.; one cartrope, 5s.; one paire of sheets, 8s.; one pothanger, one brase skillet, 4s. 8d.; a cannoo, 8s.; in lace, 5li.; 17 yard lockroom, 1li. 2s.; 2 paire of shoes, 8s.; his apparell, 5li.; two pr old bootes, 12s.; hay seed, 10s.; a currieres knife, 4s.; 2li. of threed, 6s.; one booke, 1s. 6d.; one chest, 6s.; one skillett, one chamber pott, one poringer, two spoones, 5s. 6d.; 2 paire of crose garnetts and a paire of Esses for dores, 6s. 6d.; pillion cloth, 6s.; musket, bandeleers, 15s.; saddle, 6s.; 300 of board, 15s.; gridiron, 1s.; two howses, 14li.; the Lease of the Farme, 100li.; total, 247li. 5s. 8d. Owing him: Goody Winborne of Boston, 1li.; Mr. Jeylit, 4li. 1s.; Marke Haines, 30li.; Mr. Webb, 1li.; Henry Mudles, 30li.; debts upon his book, 28li. 3s. 4d.; total, 94li. 4s. 4d.; there is 19li. to be payd out of this estate to M[r] John Cogswell senr., for a child committed to him.

Copy of account returned to court, Sept. 27, 1664, by the executors: Debts payd, to Mr. Atkinson of Boston, 100li.; to Mr. John Cogswell, sr., for the charge of William Tomson, confirmed by the court, 19li.; to Thomas Lovewell payd in England, 13li.; to Mordecai Larkum gained by court, 3li.; Deacon Pengry, 10s. 8d.; Twiford West, 1s. 6d.; George Hadly, 10s.; Goodman Dutch, 3s.; Samll. Tailer, 2s. 6d.; Abraham Foster, 1li. 3s.; Goodman Broadstreet, 2li.; Goodman Andrews, 2s.; to Mr. Bartholmew, 2li.; Mr. Baker, 18s.; Goodman Scot, 18s.; Mr. Payne, 3li. 1s. 10d.; Goodman Foster, 3s. 3d.; Mr. Wade, 1li.; constable, 1li. 3s.; charges in paying debts at Boston, 3li. 3s. 8d.; Goodman White, 3s.; Debts payd by Sergt. Belcher, 5li. 16s. 1d.; Goodman Archer, 12s.; bringing up of Elizabeth Cogswell 9 years at 10li. per An., 90li.; Bringing up of Samll. Cogswell 9 years also, 90li.; bringing up of John Cogswell 10 years at 10li. per An, 100li.; Charges of executor, 22li.; total, 460li. 12s.

*Writ, dated Sept. 18, 1675, signed by Hilliard Veren,† for the court, and served by Henery Skerry,† marshal of Salem.

†Autograph.

Administration upon the estate of John Godfry was granted to Benjamin Tompson.*

Hugh Atkinson, sometime of Kendall in England, dying intestate at sea, court granted administration of his estate to Mr. Joseph Hills of Newbury, who was ordered to bring in an inventory to the next Ipswich court.

Samuell Steevens of Newbury dying intestate, being slain in the war, court granted administration of his estate to Wm. Titcombe, and an inventory was presented, which was ordered perfected before the next September court.

Thomas Maning dying intestate, being slain in the war, court granted administration upon his estate to his brother Daniell Maning, and an inventory was left in court.

Rich. Kemball's will was proved and an inventory left in court.

John Frinke's will was proved.

Account of debt due Edmond Batter† from Benjamin Chadwell, 4li. 4s. 1d., on 23 : 5 : 1674. Wit: John Gidney.† Sworn, 27 : 7 : 1675, before Wm. Hathorne,† assistant. Since that time, 3s. 8d. for 4li. tobacco at 8d., per pound and 2li. sugar. Batter also received 1 load hay, on account, 1li. 8s. Whole amount due, 2li. 19s. 9d.

Mr. Batter's bill of cost, 1li. 2s. 4d.

Letter of attorney, dated Sept. 27, 1675, given by Edmund Batter,† to Henry Skery, sr., for the action against Benjamin Chadwell of Lyn. Wit: Manaseth Marstone† and Hilliard Veren, sr.†

*Peter (his mark) Godfary, aged about forty years, deposed, Sept. 12, 1675, that John Godferry being at deponent's house about a month before he died, "I Asked the said Godfary when hee would Com and order mattrs conserning his bills or bonds hee tould mee vary speedelly: said I to him you may dy and leave youar things to you know not hoo: to which John Godfary Answered as for Jams Jakman hee shall have his bond or bill upe of the wheat and Indian corn for I have Resaued full sattisfaction from him the said Jakman and am greatly Ingeaged to him therfor no person shall molest or trubll him the said Jakman or his wief or childarn after him."

Mary (her mark) Godfary, aged about thirty-nine years, deposed the same. Sworn, Sept. 9, 1675, before Samuell Symonds, Dept. Gov., and copy made by Robert Lord,† cleric.

†Autograph.

John How, constable of Topsfield, was fined for not returning his warrant for jurymen.

Christopher Ossgood, complained of for stopping a soldier who was "prest," was bound for appearance, with Nathan Steevens and Samuell Martin, as sureties.

Mr. Peeter Duncan, for selling a pint of liquors to the Indians, was fined.

James King, for selling a pint and a half of liquors to the Indians, was fined.

Thomas Dennis, presented for oppression in his trade, the witness not being in town, was committed to the next court in March.*

John Pickard, complained of by Mr. Shepard, was fined and bound to good behavior. John Pickard bound, with Samuell Platts and Jonathan Platts as sureties.

John Baker, presented for excessive drinking, was bound to good behavior, with Tobiah Perkins and Thomas Bishop as sureties.

John Browne, presented for excessive drinking and idleness, was fined and bound to good behavior.†

Thomas Judkin had his license renewed for a year, also his license for liquors.

Mr. Rodes was allowed costs against Joseph Armitage.‡

Samuell Hunt having obtained judgment against Henry Bennett and John Sparke at the last Salem court upon the forfeiture of a bond, and the moderation of which having been referred to this court, it was ordered that said Bennett and Sparke pay said Hunt the charges of the suit; also to pay for forty-nine weeks' board for the child at 3s. per week, and at the same rate for the time to come, until they take the child away, which they have liberty to do at any time.

Arther Abbott's wife, Benidict Pulcipher's wife, Haniell Bosworth's two daughters, Margrett Lambert,§ John Kin-

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*For a chest and table made for Steven Crost.

†John Brown, the glazier, presented for going into Samuel Mosses house and stealing cider on Sept. 22, about midnight. Wit: Samuel Moses and Georg Crost's man.

‡Copy of Hen. Roads' bill of cost.

§Presented for "going in a genttel garbe."

drick's wife, Thomas Knowlton's wife and Obadiah Bridges' wife,* presented for wearing a silk hood and scarf, were fined.

Mary Chapman, presented for fornication, was fined.

Roger Darby and his wife, presented for not coming to the public meeting on the Lord's days, was fined.

The wife of Shoreb. Willson was fined upon her presentment, which was respitted until court should take further order.†

Quartermaster Perkins had his license renewed for a year, also his license to draw liquors.

John Sparke had his license renewed for a year.

Deacon Goodhue had his license renewed for a year.

Samuell Bishop had his license renewed for a year.

Given to the house, 6s. 8d.

Thomas Millet dying intestate, court granted administration of the estate to Mary Millet, the relict.

COURT HELD AT SALEM, 30 : 9 : 1675.

Judges: Samll. Simonds, Dep. Gov., Maj. Generall Daniell Denison and Maj. William Hathorne.

Grand jury: Mr. Jon. Ruck, Eleazer Gedney, Job Swinerton, jr., Christo. Babbadge, Joseph Phipeny, sr., Jon. Peach, sr., William Dodge, Hen. Walker, William Benett, Nathanll. Clearke, Jon. Bachelor, John Pease, Walter Fairefeild and Nathaniell Kertland.

Jury of trials: Thomas Fisk, Nathaniel Beadle, Elias Mason, Isaack Cooke, Eleazer Giles, John Legg, Nehemiah Grover, Robert Potter, Mathew Farrington, Thomas Farr, William Bassett and Frances Nurse.

Mr. Jon. Hathorne of Lin was chosen a juror in Fiske's case and at the adjournment, Tho. Jegles, Jon. Trask and Edmond Bridges.

Mr. John Hathorne and Jon. Marston, being summoned to

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*Presented "for other wayes fashonable."

†Presented for wearing a silk hood and scarf.

Bill of presentments, dated Sept. 28, 1675, and signed by William Goodhue,‡ in the name of the rest:

A "neager that hath no husband as wee know of that liueth at Mr. Dols & her name is Grace," for having a child since the last court.

‡Autograph.

serve on the jury, but refusing and not appearing, were fined.

The constable of Lyn was fined for not making a legal return of the jury.

John Legg and Eleazer Giles were fined for not serving on the jury.

Mr. Resolved White and Abigaile, his wife, executrix of the will of William Lord, deceased v. Nicholas Manning. Debt. Verdict for plaintiff.*

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*Writ, dated 10 : 9 : 1675, signed by Hilliard Veren,† for the court, and served by Henery Skerry,† marshal of Salem, by attachment of the land and marsh next the Major's orchard and the shop he works in by his house.

Receipt, dated Apr. 30, 1670, given by Abigalle (her mark) Lord, sr., of Salem, widow, to Mr. Nicolas Manning of Salem, gunsmith, for 50li., in money and specie, for pay for the broad field. Wit: Abigaile (her mark) Gray and Edw. Norice.† Sworn in court.

Bond, dated, Oct. 25, 1669, given by Nicholas Maning‡ of Salem, gunsmith, to William Lord, sr., of Salem, cutler, for 123li., twenty pounds per annum, to be paid as follows: 30s. in money, 5li. in wood, 45s. in Indian corn, 25s. in wheat, 20s. in rye, 40s. in malt, one quarter of beef, to be delivered at said Lord's now dwelling house, in part payment of upland and meadow bought of said Lord, according to a bill of sale dated Dec. 16, 1668. Wit: Edw. Norice† and Abraham Read.†

Receipt, dated June 12, 1673, given by Abigal (her mark) Lord, sr., of Salem, widow, to Mr. Nicolas Manning of Salem, gunsmith, for 53li., in payment for the broad field. Wit: Samuell Williams† and Edw. Norice.† Sworn, 22 : 9 : 1675, before Wm. Hathorne,† assistant.

Bill of cost, 1li. 5s. 10d.

The account of Mrs. Abigal Lord, alias White, begun June 20, 1673: June 26, 1673, for a frame of a wharfe, 2li. 10s.; drawing of ye wharf in place, 5s.; 3 men one day about y^e^ wharfe, 9s.; 2 men one day putting in ye keys, 4s.; July 2, 6 foote of wood, 6s.; 2 staples for doores, 8d.; July 7, a qrtr. of lambe, 3s.; a bush. of malt, 5s.; July 14, 6li. mutton at 3d., 1s. 6d.; 5 foote of wood, 5s.; July 21, 10li. of mutton at 3d., 2s. 6d.; July 30, 1 bush. Indian Corne, 3s. 6d.; Aug. 5, 1-2 bush. malt, 2s. 6d.; Aug. 10, 7li. mutton, 1s. 9d.; Aug. 13, 5s. money; Aug. 17, 6 foot wood, 6s. 3d.; Sept. 6, a Cow, 4li.; Sept. 10, mending a warming pan, 2s.; Sept. 14, 7 foot of wood, 7s.; Sept. 16, 5 hookes for doores, 1s. 8d.; Sept. 27, 1-2 Cord

†Autograph. ‡Autograph and seal.

William Beale v. Richard Flinder. Nonsuited. By consent of both parties, the plaintiff paid 5s. half entry, and the case proceeded. Verdict for plaintiff.*

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of wood, 4s.; Sept. 30, 10li. porke at 3 1-2d., 2s. 11d.; for a fire shovell, 4s.; Oct. 7, 10li. sope, 5s.; Oct. 9, 5 foot of wood, 5s.; Oct. 10, 6 foot of wood, 6s.; Oct. 15, 1 bush. Indian corne, 3s. 6d.; Oct. 19, money, 3s.; Oct. 26, 3 foot of wood, 4s.; 4 foot of wood, 4s.; Dec. 10, 1 bush. malt, 5s.; Jan. 6, fetching up 7 Jades & mares & Colts & keeping them a fortnight, 12s.; Jan. 7, for wintring 2 Cowes 1-2 ye winter by agreement, 1li. 10s.; Mar. 4, 1673-4, 2 boards, 60 foot, 3s. 6d.; a quartr. of veale, 3s.; mending a Locke, 8d.; April 6, one load of stones, 3s.; Apr. 7, 2 load of Clay, 4s.; Apr. 9, for a long peece timber for ye wells & putting of it up, 3s.; for mending ye bolt of ye Crotch, 1s.; Apr. 15, for 12 rayles & 3 posts, 4s. 6d.; May 2, mending yo^{r} fence in Southfield, 3s.; May 10, 1-2 Cord wood, 4s.; May 15, for 3 foote wood, 3s.; May 18, mending pr. tongs, 1s. 6d.; May 22, baile for a paile, 1s. 6d.; July 6, for 6li. mutton, 1s. 6d.; July 10, 5li. mutton, 1s. 3d.; July 14, 4 quarter Lambe, 2s. 6d.; Aug. 15, 1-2 Cord wood, 4s.; Aug. 17, bush. malt, 5s.; Aug. 20, 1 load saltmarsh hay, 1li. 10s.; Oct. 19, bush. Indian Corne, 3s. 6d.; Dec., for 4 bush. Indian Corne, 14s.; Jan. 7, for shooing yo^{r} horse round with steele Cawkes, 4s.; June 7, for a pr. fetters & a horse locke, 8s.; Oct. 18, bush. of Indian Corne, 3s. 6d.; for peares, 6d.; a Cheese, 1s.; total, 20li. 2s. 11d.

*Writ: William Beale v. Richard Flinder; for forcibly coming on his land, cutting down or carrying away many young sapling trees, oak and walnut, making much havoc; dated Nov. 22, 1675; signed by Moses Mavericke,† for the court; and served by Henery Skerry,† marshal of Salem, by attachment of house of defendant.

William Beale's bill of cost, 3li. 1s. 2d.

Copy of the record of Ipswich court, Sept. 27, 1664, concerning the estate of John Bradstreet, made by Robert Lord,† cleric.

Henry Harwood's inventory showed five acres of land on Darby fort side, valued at 5li., as given into Salem court in June, 1664.

Copy of the record of a town meeting of Aug. 14, 1658, made by Moses Mavericke:† "At a generall town metting itt is a greed thatt noe stranger or any Inhabitans for strangers shall fell any Trees either Timber Trees or oather In the Commons butt shall pay for every such tree the sum of fiue

†Autograph.

shill besides the value of the Timber and to thatt purpose haue chosen John Legg and Richard Rowland to execute this order: and what timber is so felled & they take or proue fallen or taken away the one halfe is for their paines & the oather halfe for the use of the Town."

Copy of deed, dated June 28, 1658, given by Joseph Juet, merchant, and Ann Juet of Rowly, in consideration of fourscore acres of land in Ipswich belonging to the late Humfry Broadstreete, who bequeathed it to his son John Bradstreete, and was by the latter conveyed to said Juet, July 3, 1657, to John Bradstreet of Marblehead, the corn mill in Marblehead, with the housing, ponds, dams, stones, etc., with profits, rents or arrears of rents due to be paid by William Beale to Joseph Juett, William Paine or Mr. Richard Russell; also ten acres of land granted by the town of Salem to Henry Harrod and by him sold to Mr. William Stratton and by the latter sold to Mr. William Paine and Mr. Richd. Russell, and by them sold to Mr. Joseph Juett, together with all the utensels and implements belonging to the mill. Wit: Robert Lord and Humfry (his mark) Griffin. Acknowledged, June 28, 1658, before Daniell Denison, and recorded 19 : 10 : 1661, by Hillyard Veren,* recorder.

Henry Harwood of Salem, shoemaker, "hath sould vnto William Stratton for eight pounds, ten acres of land neere Thrognortons cove, as by awriting dated the tenth day of July 1649." Copy from the records, in Salem made by Hilliard Veren,* recorder.

Deed, dated Mar. 27, 1672, given by John Kimball,† wheelwright and Mary Kimball† of Ipswich to William Beale of Marblehead, one-seventh part of four ten acre lots which was a legacy from his brother-in-law John Bradstreet, which was situated on Salem river in the bounds of Marblehead. Wit: John (his mark) Roper and Sary (her mark) Roper. Acknowledged, 28 : 1 : 1672, before Wm. Hathorne,* assistant.

Bill of sale, dated Nov. 9, 1650, given by Moses Mavericke* of Marblehead, for 40s., to William Beale of Marblehead, all his land on Darby fort side, ten acres, which he bought of Richard Temple, sometimes inhabitant in Salem, having land of Rich. Hollinworth on the east, Tho. Oliver on the west, Mr. Peters farm on the south, and Salem river on the north.

Copy of deed, dated Apr. 2, 1658, given by Adam (his mark) Westgate of Salem, mariner, and Mary (her mark) Westgate to John Bradstreet of Marblehead, seaman, twenty acres of land which was the land of Richard Hollingworth, sr., of Salem, sold to Adam Westgate by Mr. John Gedney of Salem,

*Autograph. †Autograph and seal.

vintner, which land is next to the water mill of Marblehead, lying by the side of the mill westward toward Forest river head. Wit: Samll. Pickman and John Peach. Acknowledged, 15 : 6 : 1664, before Wm. Hathorne, and recorded, 8 : 7 : 1664, by Hilliard Veren,* recorder.

Samuell Beale,* aged above one and twenty years, deposed that going over his father's pasture land, he saw a man cutting wood and told his father, who asked the man what he was doing there. The man said he was Richard Flinder and deponent's father told him that if he did not go away he would charge him with stealing his wood. Deponent had seen him cutting wood four times and there were over one hundred and eighty stumps. Sworn in court.

Isaack Elwell, aged about thirty-two years, deposed that he lived with Henry Harwood fourteen years, and remembered well that he was possessed of a ten-acre lot at the head of Frognorton's cove, so called, which he sold to one Mr. Stratton, master of a ship of Bristow that then "used this contry." His master also owned a five-acre lot that lay to the west on the northerly side of the said cove where deponent often cut wood all the time he lived there and he left about eleven years ago, etc. Sworn, 29 : 9 : 1675, before Wm. Hathorne,* assistant.

Robert Knight and Thomas Bowen deposed that they were desired to view the damage done, they being acquainted with the ancient titles of lands, etc. It was twenty-four or five years' since the mill at Frognauton's cove was built. Sworn in court.

George Kesor, aged about sixty-four years, deposed that being acquainted with Goodman Harwood and coming to his house, having sold some leather to him, deponent asked him to send his man Isack Elwell to bring the leather. Harwood told him that Elwell was at his lot at Darby fort side getting wood. Also speaking with the widow Harwood after her husband's death, etc. Sworn in court.

Robert Knighte, aged upward of fifty years, deposed that the same year that Marblehead mill was built he saw Henry Harwood, some time inhabitant in Salem, deliver his land to Mr. William Stratton, with the only exception that he should have firewood from it during his lifetime. Sworn in court.

Mary Knighte, aged upward of fifty years, deposed that John Brandstrete, brother-in-law to William Beale, etc. Sworn in court.

James Beale, aged above seventeen years, testified that he saw Richard Flinder carry wood into a boat, from his father, William Beale's lot, etc. Sworn in court.

*Autograph.

James Cooke v. Bartholmew Stratton, master of the ship Salamander. Verdict for plaintiff, damages or the goods belonging to the ship.*

Elizabeth Grigs, aged upward of fifty years, deposed that Henry Harwood came upon her deceased husband's, Henry Comes' land, cut up a pitch pine tree and carried it away for the use of his wharf, whereupon her then husband prosecuted against him before the Worshipful Mr. John Endycut, etc. Sworn in court.

Thomas Bowen, aged upward of fifty years, deposed. Sworn in court.

Benjamin Parmiter, aged upward of fifty years, deposed. Sworn in court.

James Collinges, aged about fifty years, deposed. Sworn in court.

Jeremiah Gattchell, aged twenty-seven years, and Samuell Beale, aged above twenty-one years, deposed. Sworn in court.

Wm. Hathorne, sr., attested, 30 : 9 : 1675, that Henry Harwood told him that he reserved the five acre lot and it was included in his inventory and later William Beale asked for the refusal of it. Sworn in court.

*Writ: James Cook, mariner v. Bartholomew Stretton, master of the ship Sallamander; for non-payment of 13li. 16s. for weekly wages for work done for and on board the said ship from June 13 to Nov. 7 of this year, at 18s. per week for two weeks and 12s. per week for the rest of the time; dated Nov. 12, 1675; signed by Jonath. Negus,† for the court; and served by James Bill,† constable of Rumney Marsh, by attachment of six sails and small rigging.

James Cook's bill of cost, 2li. 5s.

James Cook's† account of wages due.

John Kent, aged about thirty years, deposed that being in company with Mr. Barthelemew Streten after the seamen had sued for their wages, he heard said Streten say that the men were hired by the week and their wages were justly due. Further that the ship and all that belonged to her was in his hands, etc. Sworn, Nov. 29, 1675, before Edward Tyng,† assistant.

Thomas Stocker, aged about fifty-five years, deposed that he heard Mr. Bartholemew Stretton and Elisha Hutchinson demand James Cooke, John Tucker and Joseph Arnold to go on board the ship which lay on shore at Rumly Marsh, to take down the sails and rigging that they might be saved.

†Autograph.

Jon. Tucker v. Bartholomew Stratton, master of the ship Salamander. Verdict for plaintiff.*

Joseph Arnold v. Bartholmew Stratton, master of the ship Salamander. Verdict for plaintiff.†

Robt. Wilkes v. Humfry Woodbery. Nonsuited.

Robert Ames v. Samll. Simonds. Verdict for plaintiff. Damages in neat cattle not exceeding four years old.‡

They utterly refused to do anything about her unless said Hutchinson would agree to give them what was due them from Stretton and left the ship. Then Stretton brought down other men who unrigged the ship. Hutchinson promised the seamen that they should be paid for what they did about the ship. Further that when the ship came on shore, one anchor was at the bow and two more were on board, and that the goods attached were delivered by Mr. Cooke's order to deponent, who carted them away to deponent's son's house before they were attached. Elisha Hutchinson, aged thirty-four years, testified to the same. Sworn in court.

John Sandys, aged about twenty-nine years, deposed. Sworn in court.

Hugh March, aged about fifty-four years, testified that when the seamen had little to do, he heard Tucker desire to be released but Stratton said if he would stay, he should be paid for his time.

Joseph Arnold, aged about twenty-three years, deposed. Sworn in court.

*Writ, dated Nov. 12, 1675, signed by Jonath. Negus,§ for the court, and served by James Bill,§ constable of Rumney Marsh.

John Tooker's bill of cost, 2li. 1s.

John Tooker's§ account of wages due, 11li. 8s.

Jonathan Woodman, aged about thirty years, testified that he heard Mr. Barthola. Stratton of Boston, mariner, etc. Sworn, Nov. 29, 1675, before Edward Tyng,§ assistant.

†Writ, dated Nov. 12, 1675, signed by Jonath. Negus,§ for the court, and served by James Bill,§ constable of Rumney Marsh.

Joseph Arnoll's§ account: for work from June 13, 1675 to Nov. 7, at 10s. per week, 10li. 11s.

Joseph Arnel's bill of cost, 2li. 1s.

Jemes Cooke, aged about twenty-two years, deposed. Sworn in court.

John Tucker, aged about twenty-four years, deposed. Sworn in court.

‡Writ: Robert Ames v. Samuel Symonds; for illegally withholding a steer; signed by Thos. Fiske,§ for the court;

§Autograph.

Hugh March v. Bartho. Stratton. Debt. There being no legal proceedings, this action did not proceed, but the plaintiff producing evidence that there was a summons left with the defendant, he was allowed costs.*

John Hascall, son of Roger Hascall v. Edward Berry, late husband of Eliza. Haskall and executrix of the estate of Roger Hascall, deceased. Review of a case tried at Salem court. Verdict for defendant.†

Mr. John Giffard v. Hen. Dispaw, jr. Verdict for defendant.‡

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and served by John Gould,§ deputy for Robert Lord,§ marshal of Ipswich, by attachment of land near defendant's house.

Copy of the record and files of Salem court, 24 : 9 : 1674, and Ipswich court, Mar. 30, 1675, in a similar action, made by Hilliard Veren,§ cleric.

John Comings, jr., and Thomas Comings deposed that in the latter end of Sept., they saw Samuell Symonds come and look amongst their father's cattle and take away the steer that Robert Ames spoke with their father to keep for him until he had gathered his Indian corn, etc. Sworn, Nov. 29, 1675, before Daniel Denison.§

Edmond Bridges, aged about thirty-eight years, testified that he sold the steer on Aug. 23, 1674 to Robert Ames, which was the same day that he had received it from John Littlehale. Sworn, 17 : 9 : 1675, before Wm. Hathorne,§ assistant.

John Cummings deposed. Sworn, Nov. 23, 1675, before Daniel Denison.§

John Cummings, aged about eighteen years, deposed. Sworn, Nov. 23, 1675, before Daniel Denison.§

*Hugh March's bill of cost, 1li. 10s. 8d.

John Tucker, aged about twenty-four years, deposed that he heard Mr. Bartho. Strattin say that Hue March of Nubere had attached "ther Cabill," etc.

†Writ, dated 24 : 9 : 1675, signed by Hilliard Veren,§ for the court, and served by Henery Skerry,§ marshal of Salem.

Copy of the record and files of Ipswich court of Mar. 30, 1675, and of Salem court of July 22, 1675, concerning a similar action, made by Hilliard Veren,§ cleric.

Ed. Berry's bill of cost, 14s.

Willyham Haskeles bill of cost, 18s. 6d.

‡Writ: Jno. Giffard v. Henery Disspaw, jr.; for twenty-one weeks' false imprisonment, for pretended debt, in that he had not paid him his wages; dated Boston, Oct. 26, 1675;

§Autograph.

signed by Jonath. Negus,* for the court; and served by Returne Waite,* deputy marshal of Suffolk. Bond of Henery (his mark) Dispaw, jr.; John Floyd* and John Hawkes,* sureties.

Copy of the record of a county court at Boston, Jan. 26, 1674, made by Isa. Addington,* cleric: John Floyde, attorney to Henry Dispaw, sr., and Henry Dispaw, jr. v. John Wright, Esq., John Giffard and Ezekiel Fogg; for 500li., forfeiture of a bond, dated Aug. 11, 1673; verdict for plaintiff.

Copy of the record of a county court at Boston, by adjournment of the General Court, Nov. 23, 1675, made by Isa. Addington,* cleric: John Giffard v. Henry Dispaw, sr., and Henry Dispaw, jr.; review; verdict for plaintiff.

Henry Dispaw, jr.'s bill of cost, 1li. 10s.

Copy of writ, dated Jan. 6, 1674, signed by Jonath. Negus, for the court, and returned by Rich. Wayte, marshal of Suffolk. Bond of Ezekiel Fogg and John Giffard. Copy made by Isa. Addington,* cleric.

George Booth, aged about thirty-five years, deposed that he came from England in a ship with Henry Dispaw, sr., and Henry Dispaw, jr., and knew them both to be servants of Mr. John Gifford. They arrived at Boston, Dec. 1, 1673. Herlackendine Simonds testified to the same, he being a passenger on the same ship. Alce, wife of George Booth, aged about thirty-five years, testified to the same. Copy made by Hilliard Veren,* cleric.

Copy of execution, dated Boston, June 2, 1675, by special order from the General Court, against John Wright, Esq., John Giffard and Ezekiel Fogg, to satisfy judgment granted Jno. Floyde, attorney to Henry Dispaw, sr. and jr. at the county court held at Boston, Jan. 26, 1674; signed by Isa. Addington,* cleric, and served by William Green of Malden, deputy for Rich. Wayte, marshal of Suffolk, who went to Giffard's house where his wife told them that he was at Salem. They went thither and Floyd told Gifford that if he would pay 40li. in money, it being the remainder of the Dispaws first year's wages, and give security for future wages to be paid, the execution should cease, but Gifford refused, and for want of estate, said Green levied the execution upon his person and committed him to prison. Copy made by Isa Addington,* cleric.

Copy of writ: John Floyde, attorney to Henery Dispaw, sr., and Henry Dispaw, jr. v. John Wright, Esq., John Giffard, merchant, and Ezekiell Fogg; forfeiture of bond of 500li., dated Aug. 11, 1673; dated Jan. 6, 1674; signed by Jona. Negus, for the court. "The Returne Indors^{d}." Copy made by Isa. Addington,* cleric.

*Autograph.

Petition of John Floyd, attorney, to the General Court held May 12, 1675: the petitioner, as attorney to Henry Dispaw, sr., and jr., obtained judgment against John Wright, Esq., John Gyfford and Ezekiell Fogg, and said Fogg was committed to prison, the marshal refusing to serve the execution on Gifford's estate. Said Fogg procured two bondsmen for his safe abiding in prison which gave cause to suspect he had made over his estate to them, whereby the poor men to whom wages were due have been obliged to complain to the selectmen of Lynn for relief, since which time Mr. Gyfford had supplied them with some provisions, but they cannot pay their just debts for corn and provision, so that they lie at his mercy. Said Floyd had not been able to effect a settlement, and Dispaw was disabled in his limbs for work, whereby his son Henry and his wife are at great charge to maintain and tend him and pay doctors. They ask that the court oblige the marshal to serve another execution, and if the Dispaws cannot be relieved in their suffering condition, that they be transported back to England at the charge of those who brought them over Copy made, May, 1675, by Edw. Rawson,* Secretary.

Copy of the order of the court for a new execution, made by Edw. Rawson,* Secretary.

Copy of agreement, dated Aug. 11, 1673, between John Wright of Writsbridge, Esq., John Giffard of New England, merchant, and Ezekiel Fogg, citizen and skinner of London, of the one part, and Henry Dispaw, sr., and Henry Dispaw, jr., of Horsemenden, Co. Kent, potters, of the other part; the Dispaws were to transport themselves with said Wright, Gifford and Fogg to New England and serve them as master workmen for pot making for six years from the day of their arrival in New England, and were not to work for any other persons, even after their time was out, provided said Wright, etc., would pay them as much as any other person; for which service they were to receive 35li. each in sterling per annum, a house to dwell in, with one acre of ground, with firewood which the Dispaws were to cut and haul. Further their passage was to be paid, together with that of Henry, jr.'s wife and child, etc. Wit: David Fogg and Ricd. Stonehill, notary public. Owned in court, Jan. 27, 1674, and copy made by Isa. Addington,* cleric.

Letter of attorney, dated Jan. 2, 1674, given by Henry Dispaw, sr., and Henry Dispaw, jr., to Jno. Floyde. Wit: John Hawkes, John Shaw and Daniel (his mark) Huchins. Sworn, 22 : 11 : 1674, before Wm. Hathorne, assist. Copy made by Isa. Addington,* cleric.

Henry Dispaw, Dr., Feb. 23, 1673, to sundry goods and Cash

*Autograph.

Richard Jacob v. Samll. Martin. Withdrawn.*

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delivered him by Mrs. Giffard as by her acct. appears, 8li. 16s.; Mar. 8, cash, 2li.; Apr. 17, 1674, pair of cotton gloves, 2s.; a sattin Capp, 3s.; cash pd. him, 2li.; two Chamber potts, 9s.; 1 Small Tankerd, 2s.; 1 Salt, 3s. 6d.; 1 glass bottle with rum, 1s. 9d.; 6 pound of tobacco, 3s.; 1 tearce of Molassus, 2li. 10s.; May 7, cash, 1li.; May 26, 10 bush. of Indian Corne, 1li. 10s.; 6 pound of tobacco, 3s.; cash, 6s. 8d.; a neck of veale, 6d.; cash, 10s.; cash, 10s.; 1 bottle of liquors, 2s. 6d.; 1 qt. of white wine, 1s.; 2 pare of shooes, 10s.; to Doctor Gibbs, 3li.; cash, 10s.; cash, 2li.; May 30, to cash sent by Gd. Ward, 1li.; 1 bottle of liquor, 1s.; June 3, to 1 bottle of rum, 1s.; cash, 1s. 6d.; June 13, to Jno. Divin for bringing up goods, 9s.; cash, 10s.; neck of veale, 1li. 5s. 6d.; July 15, cash, 2li. 10s.; Aug. 1, cash, 2s.; Aug. 6, 1 gallon of rum, 4s.; 11, to 80 pound of beefe, 1 li.; 24, to 2 quarts of rum, 2s.; 31, to 1 qrt. of rum, 1s.; Sept. 3, to 2 paire of shooes, 11s.; 6 pound tobacco, 3s.; one bottle of rum, 1s.; 15, to 4 bottles of rum, 4s.; 26, to 4 bottles of rum, 4s.; to 77 pound of beefe, 19s. 3d.; Nov. 1, to cash, 3s.; to 12 pound flax, 12s.; to 6 pound of tobacco, 3s.; 16, to two pound of Soape, 5d.; to 1 C. of 6 penny nayles, 9d.; to cash, 2li.; to setting off one yeeres passage, 5li.; to a flockbed of my wife's, 1li. 5s.; a flockbed and bolster with blankets and a rug bought at ye Custom howse in London, 1li. 6s.; cash lent you in London to bye cloathinge, 5li.; to sundries to ye smith for you, 12s.; Dec. 7, 1 1-4 yd. of red Kersye with ribbin, 9s. 1d.; cash, 2s.; 2 qrts. of molasses, 1s.; 1 thousand pinns, 1 bottle of rum, 2s. 6d.; 4 1-2 yds. of seargе at 5-8, 1li. 2s. 6d.; 1 quarter of porke wayeing 36 pound, 7s. 6d.; cash, 1s. Creditor, Jan. 23, by heapeing of 304 Loade of Coales, 2li. 10s. 8d.; 1 yeeres wagis due for service of Henery Disspaw, jr., ending the 27th of Nov., 1674, 35li.; by 1 yeeres wagis of Edward Dispaw ending ditto, 20li.

John Giffard's† account of damages sustained by his imprisonment, dated Nov. 29, 1675, 24 weekes imprismt, 24li.; loss sustained in o^{r} Coales, 150li.; loss of our blast being takein of, in loss of our summer season, 500li.; loss of our Servants, loss of hay Cutting, 30li.; loss of two horses, 10li.; charges of imprissmt., 20li.; loss of Molds that wagis hath beene payd for, 100li.; total, 834li.

*Writ: Richard Jacob v. Samuell Martin; for taking a horse out of his possession; dated Nov. 24, 1675; signed by Robert Lord,† for the court; and served by John Lovejoy,†

†Autograph.

Mr. Harlackendine Simonds v. Hen. Benet. Verdict for defendant.*

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constable of Andover, by attachment of land next defendant's house.

*Writ: Mr. Harlackendine Symonds v. Henry Bennet; for the cost of plaintiff going to England in behalf of said Bennet, to procure a legacy of 100li., of which said Symonds was to have half for his pains, and now after having spent much time to find out the executors of William Benet in London, his will, etc., has waited for a letter of attorney from said Bennet for a year, having sent to New England for it, and not receiving it, the executors refused to pay the money; dated Nov. 22, 1675; signed by Samuel Symonds,† Dep. Governor; and served by Robert Lord,† marshal of Ipswich, by attachment of cattle and horses.

Henry Pelham deposed that he "went to Mr. Henery Jennings at the white Heart with out Bishopsgate and there did ask him whither he had a letter from Mr. Henery Bennet of Ipswich In New England, and he told us not lately, but the 100^{lb} that his Brother left him, was payed onley 7^{lb} deducted about his young man Jonathan Fenton & 40^{s} in mony to M^{r} Harlackenden Symonds and that oath was taken of before S^{r} William Lawrance that is to say payd by the Executors by order of the sayd Bennet to Mr. Adkinson of Wagging in England nere London."

John Bennet, aged about twenty years, deposed that being present in the room "with my father and M^{r} Harlakenden Symonds and some others, and it was the night before he went to England lastt & I hearing my father & m^{r} Symonds discoursing about the money that was willed to him in England & m^{r} Symonds tould my father that for one halfe of the moneye he would undertake to gett the other, my father sayd no it was a gift that was giuen by my Brother & I will not do so, well saith m^{r} Symonds you haue been a good freind to me and so to make no more adoe, for ten pounds I will undertake your businese my father saith that if [I] do imply you to take up the money for myself I will giue you ten pounds & if I doe not imply you I will be at my liberty what to giue you & so they agreed." Ephraim Fellowes made oath in court, 1 : 10 : 1675, that he was present when John Benett wrote this testimony, but a little while before he went out against the Indians.

Harlakinden Symonds'† statement of the case, dated Nov. 30, 1675: that said Symonds, having an inkling from one of

†Autograph.

Henry Bennet's sons before he went to England the first time that he had a rich uncle there, put himself out to make inquiries when he was in London; at the house where Mr. William Bennet deceased he found Mr. Henry Jinnings, son-in-law to said William, who told him that the latter had left a legacy to said Henry, but did not express how much; upon returning to New England, he told Bennet, who solicited him to go again to England, which he did, having some other business also; that he stayed in England about fifteen months, being absent from his family in New England over a year and nine months, with many dangerous journies; with great difficulty said Symonds procured John Symonds, Esq., justice of the peace and counsellor, and Mr. John Hall, merchant, of Isleington to go with him to Byshopsgate to Mr. Jinings, vintner, where they perused the will and the letter which said Henry sent by said Harlackenden, and the latter received 40s., etc.

John Fitch of Glocester deposed that being at Mr. Emerson's house about two years ago, and speaking with Harlakenden Symonds about taking up something for him in England, etc. Anthony Day and James Stevenes,* and Mary, wife of John Fitch, of Glocester, deposed the same. Sworn, Dec. 30, 1673, before Samuel Symonds,* Dep. Govr.

Daniell Epps, aged about fifty years, deposed that about three years ago, being at his father Symonds' house there was a letter sent by his brother Harlakinden Symonds, etc. Sworn, Nov. 30, 1675, before Samuel Symonds,* Dep. Govr.

John Fayerweather, aged forty-one years, deposed that he received, by his attorney in England, of Mr. Henerie Bennit of Ipsige by virtue of a bill of exchange drawn by said Bennit, 90li. 5s. in money. Sworn, Nov. 27, 1675, before Edward Tyng,* assistant.

Mrs. Rebecka Symonds* of Ipswich affirmed, Nov. 29, 1675, that she was troubled that her son Harlackendine should go to England upon uncertainties, for there was nothing certain but the one-half of neighbor Bennet's legacy, etc.

Jo. Symonds* deposed, Aug. 19, 1673, that his kinsman, Mr. Herlakenden Symonds made several journeys from his dwelling house at Yeldham, in Essex, to London to one Henry Jennings living at the White Hart by Bishopsgate, which was a distance of about forty miles, etc.

Hanah Lord, aged about thirty-seven years, deposed that Symonds came into her house with Bennet and her husband wrote a bill. Then Symonds took Goodman Benitt by the hand and said "Neighbor Benitt you haue allways bene a good frind vnto me & now all old matters are ended," etc.

*Autograph.

Hen. Benet v. Mr. Harlackendine Simonds. Debt. Verdict for plaintiff.*

John Emins v. Andrew Tucker. Debt. There being no legal process, the case did not proceed.†

Sworn, Nov. 26, 1675, before Daniel Denison.‡ Robert Lord made oath to the same in court.

Jacob Bennet, aged about twenty-three years, deposed that he was present at their house with his father and Mr. Symonds the night before the latter went to England. Jonathan Fenten, aged about twenty years, servant to Henry Bennet, deposed. Sworn, Nov. 30, 1675, before Samuel Symonds,‡ Dep. Govr.

John Graves, aged about twenty-four years, deposed that Bennet told him he was willing to let Harlakenden receive the money if the latter's father would be security, etc. Sworn, Nov. 29, 1675, before Samuel Symonds,‡ Dep. Govr.

Ephraim Fellows deposed. Sworn, Oct. 30, 1675, before Daniel Denison.‡

William Goodhue, sr., of Ipswich testified that he purchased this legacy of 100li. of Henry Bennet and ordered it to Mr. Fayerwheather of Boston, etc. Sworn, Nov. 23, 1675, before Daniel Denison.‡

*Writ, dated Nov. 24, 1675, signed by Robert Lord,‡ for the court, and served by Joseph Brown,‡ deputy for Robert Lord,‡ marshal of Ipswich.

Henry Benitt's bills of cost, 1li. 10s. 10d. and 1li. 1s. 6d.

Har. Symonds' bond to Henery Benitt of Ipswich, dated June 29, 1674, for 6li. in New England money, 40s. in old England money, 20s. in the swap of a horse, 23s. paid to Marshal Lord. Wit: Robert Lord,‡ marshal and Hanah (her mark) Lord. Sworn, Nov. 26, 1675. before Daniel Denison.‡

Bond of Harlakinden Symonds,‡ of Boston, gentleman, and Joseph Prockter‡ of Ipswich, yeoman, for said Symonds' appearance. Wit: James Chute, sr.,‡ and Jno. Graves.‡

Joseph Brown,‡ deputy marshal, affirmed that "wheras I heare m^r^ Harlackenden Symonds sayes the attachm^t^ served by me for Henry Bennett was affter sun sett I doe affirme no man can say the sun was sett for though its a cloudy day yet I read it by day light and could haue read it by day light aboue a halfe an houre after."

†Writ, dated Nov. 21, 1675, signed by Moses Mavericke,‡ for the court, and served by Richard Haniford,‡ constable of Marblehead, by attachment of the dwelling house of defendant.

Andrew Tucker's bill of cost, 15s. 4d.

Andrew Tooker is debtor, May 28, 1675, for solling 1 pair

‡Autograph.

James White v. Samuell Pippen. Debt. Verdict for plaintiff.*

Mathew Nixon v. William Hollingworth. Debt. Withdrawn.†

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of Shoes, yourself, 2s.; June 11, to solling your son Johns shoes & 1 new heel, 2s.; 26, to maid Shoan 1 pair of shoes, 6s.; to your nicholass 1 pair of shoes, 3s.; July 3, to Linnard Bellring 1 pair of shoes french falls, ——; 9, to solling Bellrings shoes, 2s.; 3, to 1 pair of shoes for Bellring, 7s.; 9, to soling John sarle his shoes, 2s.; 24, to 1 pair of shoes yourself, 6s. 6d.; to 1 pair your son John, 3s. 6d.; Sept. 24, to 1 pair of french falls John sarle, 6s. 6d.; 1 pair of french falls your wife, 5s.; 1 pair of shoes solling yourselfe, 2s.; 29, 1 pair solling John tookers shoes, 1s.; to solling John Draks shoes, ——; to solling your maid Shoans shoes, ——; to solling your own shoes, ——; Nov. 11, to a new heel to Andrews shoes, ——; to your maid Shoan 1 pair of shoes, 5s.; to 3 pair of Childrens shoes, 9s.; to 1 pair of shoes to John sarl, ——; to 1 pair of shoes to yourself, 6s. 6d.; total, 4li. 8s. 11d.

*Writ, dated Nov. 24, 1675, signed by Robert Lord,‡ for the court, and served by Robert Lord,‡ marshal of Ipswich, by attachment of defendant's interest in the farm he rents, also in a cow and two calves.

James White's bill of cost, 1li. 6s. 6d.

Willm. White‡ deposed concerning such matters as Samuell Pippen received of James White when he "dyeted" with him, which was ten months, etc. Sworn, Nov. 29, 1675, before S. Symonds,‡ Dep. Gov.

Account between Pippen and James White: a knife, 20d., to John Giddens, 18s.; his dyet heere ten months, ——; a quarter of Befe, 16s.; a Caster hat, 25s.; 7 yards of Canvasse, at 3s. 6d. per yd., 24s. 6d.; 1 1-2 yd. Penystone, at 5s. 4d. p. yd., 8s.; 2 gallons of liquor, 10s.; for the plowing & land of an acre barley, 10s.; for oats halfe an acre, 5s.; for a Jacket, 13s.; for a paire of stockens, 4s. 6d.; for a bushel of Indian corne, 3s.; for a bushel & halfe of Corne, 4s. 6d.; a bushel & halfe of Barley, ——; a day of me and my Cattle stacking hay, 5s.; halfe a day mowing, 18d.; the horse in pasture all the summer, 4s. Sworn, Nov. 29, 1675, by William White, before Samuel Symonds,‡ Dep. Gov. Affirmed in court by James White.

†Writ: Mathew Nixon v. William Hollingworth; debt, for wages upon a voyage to Verginea with said Hollingworth and one hogshead of tobacco; dated 24 : 9 : 1675; signed by Hilliard Veren,‡ for the court; and served by Henery Skerry,‡

‡Autograph.

Ezekiell Needham v. Edward Richards. Withdrawn.*

Edmond Berry, who married Eliza, the widow and executrix of Roger Hascall v. Wm. Hascall, guardian of Roger, Josia, Samuel and Sara Hascall. Withdrawn.

Frances Skerry v. Nicholas Maning. Debt. Verdict for plaintiff, twelve quintals of pollock and four hundred feet of boards.†

Daniell Weld and Richard Croad, assigness of John Godfery v. Abraham Whittaker, sr. Debt. Verdict for defendant.‡

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marshal of Salem, by attachment of a parcel of wood in defendant's yard and two tables in the house, and leaving a summons at his house with his wife.

*Writ: Ezekell Neadham v. Edward Richards; for the title to land sold to plaintiff, adjoining Mr. Thomas Laughton's in Lin, part of which is taken away by the townsmen of Lin; dated Nov. 25, 1675; signed by John Fuller,§ for the court; and served by Daniell Gott,§ constable of Lynn.

†Writ, dated 24 : 9 : 1675, signed by Hilliard Veren,§ for the court, and served by Henery Skerry,§ marshal of Salem, by attachment of the workhouse, his forge, shop, and land.

Bond, dated Dec. 7, 1674, pollock and boards to be given by Nicholas Maning§ of Salem, gunsmith, to Francis Skerry of Salem, in consideration of a stone horse. Wit: John Smith§ and Thomas (his mark) Brocket. Sworn in court.

Frances Scary's bill of cost, 1li. 17s. 2d.

Henery Skerry, aged above seventy years, deposed that he went to Nicholas Maning, by his brother's order, to demand the bill, but Maning refused to pay it. Sworn in court.

‡Writ: Daniel Weld and Richard Croade, assignees of John Godfrey v. Abraham Whittacre, sr.; debt of 12li. due with interest in specie or four cows and a heifer with increase, as per bond dated Nov. 22, 1669, which was assigned to said Wels and Croade by said Godfrey during his sickness for what they had done for him or might do for him while he lived; dated Nov. 19, 1675; signed by Tho. Leaver,§ for the court; and served by Robert Clement,§ constable of Haverall.

Abraham Whitaker's bill of cost, 1li. 5s.

Deed, dated July 24, 1675, given by John (his mark) Godfrey|| to Dr. Daniell Weed and Richard Croade, in consideration of attendance in his sickness, for two oxen now running upon Salem common, which were formerly let out to William Rendoll; two oxen and two cows in the custody of Abraham Whittacre at Haverill; 100 acres of land at Haverill, lying

§Autograph. ||Seal.

Mr. Ed. Batter v. John Pease. Withdrawn.

John Laighton, complained of for running away after being impressed for the service against the Indians, and alleging that another man was sent to serve in his room, who was accepted by him who had the present command, but court considering that he ought to have brought his discharge under the officer's hand, ordered that he be freed from the penalty the law requires, but pay all the charges of this prosecution.

Joseph Armitage acknowledged judgment to Mr. John Ruck, for rent.*

James Pickman and Christopher Gibbs acknowledged judgment to Capt. John Corwin.

Mary Trebe, widow of John Trebe, deceased, was appointed administratrix of his estate. She brought in an inventory† and the two daughters, Elizabeth and Sara, were ordered to have 4li. each at age or marriage, and the house and land to stand bound for the payment.

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above Mr. Ward's land, bounded upon Goodman Sachell's land on the south, on Goodman Eaton's on the north, on the west and east by four trees marked S, two of which are on the corner next to the river and two on the other corner chopped. Wit: Peter Cheever‡ and John Cooke.‡ Recorded in Salem, book 4, folio 122, Aug. 1, 1675, by Hilliard Veren,‡ recorder. Sworn, 31 : 5 : 1675, before Wm. Hathorne,‡ assistant.

Peeter Cheevers, aged about thirty-two years, and John Cooke, aged about twenty-eight years, testified that they saw the deed signed when Godfrey lay sick at the house of Richard Croade, etc. Sworn in court.

Bond, dated Nov. 22, 1669, given by Abraham Whitticker‡ of Haverhill to John Godfry, for 12li. in corn, wheat, rye and Indian corn, etc. Wit: Sam. Simonds‡ and Elisebeth Simonds.‡ Sworn, Sept. 13, 1673, before Nath. Saltonstall,‡ commissioner.

*Bond of Joseph Armitage,‡ dated Sept. 23, 1675, to Mr. Jno. Ruck of Salem. Wit: Henery Skerry, sr.‡ and John Higginson, jr.‡

†Inventory of the estate of John Trebie, deceased, appraised Nov. 24, 1675, by John Peach, sr.‡ and James Dennes: house and ground, 40li.; 4 Swine, 1li. 10s.; calfe, 12s.; fether bed, one Bolster, 2 pillowes, 3li.; pare of Blankets, 16s.; one Rugg,

‡Autograph.

Benjamin Joanes acknowledged judgment to William Seargent.*

Court adjourned to the 21st of the next month at one o'clock.

John Patch, aged about fifty-seven years, deposed that the bound tree, formerly the corner bounds of James Patch, which is now Richard Thistle's, stands at the foot of the hill of rocks, which is the southwest corner bound, and said Patch marked it with his own hands. Sworn, 1 : 10 : 1675, before the worshipful Samll. Simonds, Dep. Gov., and Maj. Wm. Hathorne.

COURT HELD AT SALEM, 21 : 10 : 1675, BY ADJOURNMENT.

John Fisk, assignee of the committee of Salem for the building of the meeting house v. Christopher Babadg. Special verdict. If the law of the country concerning constables collecting rates, with the warrant of the selectmen of Salem at the foot of said rate, and the committee's assignment unto John Fisk, also the said constable accepting it makes him

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10s.; 2 Curtains, 6s.; Cabbin Bed and Blankets, 15s.; 2 Chears, 5s.; spining wheel, 3s. 6d.; 3 Barrills, 4s.; a Coate, wastcoat, Breeches & Drawers, 1li. 5s.; a sea Coate & Breeches, 7s.; 4 pare sheets & an odd one, 4li. 14s.; 5 pare pillow beres, 2li. 5s.; 6 Napkins & a Table Cloth, 18s.; 3 old Shurts & 3 old pare Drawers, 1li.; a Chest, 3s. 6d.; a Leverre Coubert, 1li. 15s.; Trundle Bedstead, 6s.; Table and 2 Joynt stooles, 12s.; 4 Cheares, 6s.; Chest & 2 Boxes, 10s.; 2 Coubert Cushings, 5s.; Little small table, 3s.; new Caster hatt, 13s.; 2 Coats, a pare Breeches & wastcoate, 2li. 10s.; pare shoose, 3s. 6d.; 5 pare stockins, 10s., 2 pare Gloves, 3s. 6d.; a Casse and 5 Botles, 2s. 6d.; Cradle, 5s.; pare small Iron Doggs, 6s.; a Cruck, fire shovell & Tongs, 6s.; spitt & Gridiron, 4s. 6d.; pare Bellows, 1s.; 2 Iron pots & pott hooks, 15s.; Iron kettle, 8s.; 2 Brace Kettels & a Brace skellit, 1li. 10s.; percell yerthen ware, 8s.; 6 peuter Dishes & a sauser, 1li.; 2 pewter pots, a Bowl & a puter Botle, 6s.; 8 peuter porringers and a little skillet, 10s.; 6 spoones & a Latten Dripen pann, 2s. 6d.; an hour Glase & Looking Glace, 2s. 6d.; Smoothing Iron, 1s. 6d.; 4 Tubs & a Bucket, 4s.; one Gun, 1li.; sword, Belt & Bandilears, 12s.; total, 74li. 11s. 6d.

*Bond, dated May 29, 1675, of Benjamin (his mark) Jones of Gloster, husbandman, to William Sargent, sr., of Gloster. Wit: Andrew Sargant† and William Sargant.†

†Autograph.

liable, they find for plaintiff, 130li. according to covenant or to gather up the remainder of this rate in six months' time; otherwise, for defendant. Court gave judgment for plaintiff. Appealed, and defendant bound, with Capt. George Corwin and Mr. Edmond Batter as sureties.*

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*Writ, dated 23 : 9 : 1675, signed by Thos. Fiske,† for the court, and served by Henery Skerry,† marshal of Salem, by attachment of the house and land of defendant.

John Fisk's bill of cost, 2li. 1s. 8d.

Orders, dated 22 : 11 : 1673, given by George Corwin,† Edm. Batter,† Wm. Browne, jr.,† and Jno. Corwin† to the constables of Salem: "Wee whoe are apoynted & Impowered to pay for the buildinge of o^r^ new meetinge house doe by these p^r^sents Assigne ou^r^ to m^r^ Jno. Fisk as our Ord^r^ for the Receiue of what is deliu^r^ed to the seu^r^ all Constables to Colect Exceptinge what he hath already Receiued, and also what wee haue taken upon o^r^ owne Acc^t^ in part of what is due to o^r^selues for what is due from the said fisk for goods taken up from us, to haue the seu^r^all sumes wh. are specified upon the seu^r^all Rats and to be paid to him one third part in siluer: one third in goods & one third part in puisions." Warrant for the collection of rates.

Copy of agreement, dated Jan. 22, 1673, between Capt. George Corwin, Edmund Batter, John Corwin and William Browne, jr., on the one part, and John Fiske of Wenham, carpenter, on the other part, that for 120li. to be paid them by said Fiske, in behalf of the town of Salem, in the same specie that was in his contract for building the meeting house in Salem, together with the payment of the several sums which each of them had disbursed more than what they had gathered, they discharged said Fiske of his contract and he them of their engagement; Fiske also agreed to make a flight of stairs up to the scuttle in the roof of the meeting house, that the plastering work as per agreement with the plasterer, should be completely finished, the underpinning pointed with white lime; Fiske was to have what was behind in the rates, he to collect them himself with the help of the constables, and whatever else is given by way of gratitude from themselves or any others from other places, he should also have, etc. Wit: Walter Price, Joseph Gardner and Thomas Fisk.

Copy of the rates taken from the town records by Bartholomew Gedney,† recorder for the selectmen; Constable John Marston's part of the meeting house rate, 164li. 5s.; Constable Christopher Babadg's part, 150li.; Constable John Pease's part, 155li. 7s.

Thomas Fiske deposed that John Fisk came to Constable

†Autograph.

Capt. Thomas Marshall and Benjamin Parmiter had their former licenses renewed.

Capt. George Corwin, Mr. William Browne, sr., Leift. John Price, Mr. Edmond Batter, Mr. John Ruck, John Procter, Mr. John Gedney and Mr. Bartholmew Gedney had their licenses renewed.

Phillip Nowell dying at sea, intestate, Mr. Habbackuck Turner was appointed administrator of his estate, who made oath to the inventory of the estate left aboard the ship, and was ordered to bring in the perfected inventory to the next Salem court.*

Babadg to demand him to gather the meeting house rate several times and he neglected to distrain when he went with him. Sworn in court.

Special verdict returned.

*Inventory of the estate of Phillip Nowell, taken by Habb. Turner:† two blankits, 7s. 6d.; 1 wastcoate, 5s. 9d.; a coate and wastcoate, 8s.; a payre of shoos, 5s. 6d.; a bed sack and two shurts, 12s.; a wastcoate and drawers, 15s.; a coate and britches, 1li. 18s.; a coate and wastcots, 19s. 6d.; wastcoat and briches, 17s.; a coat and Chest, 16s. 6d.; 5 1-2 mo. wages at 30s. p mo., 8li. 5s.; to 5 1-2 yds. of corse carsey, 16s. 6d.; 2 hhs. of brandy, 20li.; 1 quarter cask of brandy, 5li.; a small burding peace, 10li. 10s.; total 41li. 16s. 3d.

Inventory of the estate of Phillip Nowell, not brought in by Mr. Turner, taken by Richard Croade,† John Beckett† and John Pallet† (also Pollard) brought in by Wm. Dicer, money in william Dicer's hands, 5li.; in my hands, for fish received of Good. Buckly, 1li.; due from John Archer, 1li.; due by Richard Flinder, 10s., due by Richard Maber & from Jon. Cliford, 10s., 1li.; due for 10 pr. of stockins sold to Hen. Rich. at 2s. 6d., 1li.; due from John Pollard for 2 1-4 yds. carsy, 5s. 7 1-2d.; due from John Pollard for 2 pr. woemen's stockins, 3s.; due by Mr. Habbacuck Turner, bookes, bedding & Cloathes, wch as I am Informed were sold at ye mast as ye manner of the sea in such cases is, 7li.; 3 very large Hogsds. of brandy wch ye sd. mr. Habbacuck Turner must give accompt of, ——; in the custody of Mrs. Mary English, 1 wt. Jackett new, 1 new wascoat, 1 black castor Hatt almost new, ——; in my custody, 10 pr. womens' stockens at 18d., 15s.; 1 pr. of drawers, 3s.; 1 paceboard Hatt case, 1s.; 2 1-2 yrds. red carsey at 2s. 6d. per, 5s. 7d.; 1 pr. old worsted stockins, 1s. 6d.; 2 neck cloaths, 2s. 6d. A chest left in my hand, as

†Autograph.

At Boston, 6 : 9 : 1675, administration upon the estate of Abell Oseph, ship carpenter, who was slain in the wars with Capt. Lothrop, was granted to Mr. Edmon Batter, on behalf of and for the use of Jon. Oseph, his brother, living in Bostone with widow Johnson, and Hilliard Veren,† clerk of the court, was to present this to the court at Salem for confirmation, which was done.*

Capt. Thomas Lothrop being slain in the war against the Indian sand dying intestate, or not having left a formal will, Bethiah, his wife, was appointed administratrix of his estate and she brought in an inventory. There being some evidence of what the said Thomas Lothrop expressed concerning his mind and will in his lifetime, the administratrix was ordered to fulfill it accordingly.†

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followeth, 2 pr. old silver buttens, 1s. 6d.; in money, 4li. 10s. 7 1-2d.; 1 pr. of falce sleeves & a remnant of fustin, 3s.; 1 loose broad cloath coat, 1li.; an old pr. of drawers, 2s.; 1 pr. of camlett breeches, 12s.; 1 holland shirt, 5s.; 5 yds. wt. flanning at 18d. p yd., 7s. 6d.; 1 pr. wt. Jerzey stockens, 2s.; 1 new red rugg, 1li. 10s.; 1 new Ivory comb, 1s. 3d. A very smale pr. of stilliards which he left in my house, & sd. they should be for the use of the house, 2s.; what is due to him from Mr. Turner for his wages ye Tyme he sayled with him, ——; a smale pcell of pipes not valued. Debts owing by Phillip Nowell, to me William Dicer, 8s. 6d.; to Mr. Jonathan Corwin for Buttens, 1s. 6d.; to the constable of Salem for rates, to charges for drawing the Inventory & appraisers, ——.

Said Nowell was drowned, Nov. 15, 1675, upon the coast of New England, from a vessel commanded by Mr. Habbacuck Turner, bound for Salem from France, and William Dicer, as attorney to said Nowell, petitioned for administration to be granted to him "that I may with a good conscience make an honest discharge vnto whomsoeuer of his relations most propperly claymeing the due of right thereto."

*Administration confirmed by Samuel Symonds,‡ Dep. Gov., and Daniel Denison.‡

†Petition of Ezekiel Cheever, schoolmaster, to the court: "Whereas Capt. Thomas Lowthrop, who lately lost his life in y^e^ service & cause of God & his countrey, being his wives' own, dear, naturall brother, dying intestate, & without issue, he humbly conceives himself on y^e^ behalf of his wife to be y^e^ true, naturall, proper heir of his estate left, & therefore his duty to make his humble address to this Honoured Court,

‡Autograph.

that he may declare & legally plead y^e^ same. To which end || he came || & attended y^e^ court neer a weeks space, But y^e^ Court by publick ocasions of y^e^ Countrey being necessarily adjourned, he was forced to return home, & resolved (God willing) to attend y^e^ Court, y^e^ time appointed. But by y^e^ providence of God, y^e^ season being extraordinarily stormy, & himself under bodily infirmity, he could not possibly come without apparent hazard of life, limb or health. Yet had cautiously left order, & instructions for his son to appear for him in such an exigence which accordingly he did, though not in season, being by the same providence also hindred. So that the Honoured Court (no heir appearing) granted Administration to his sister Lowthrop, according to what then appeared. But seing y^e^ estate was not then setled, nor y^e^ case fully issued, many things alledged being dark & dubious & nothing proved, & he hath much to say, to invaledate y^t^ very writing given in, & y^e^ seeming force of it. He humbly requests this Honoured Court, that being a party so neerly concerned, and interested, he may have y^e^ liberty of making & pleading his claime, & title according to law. And for y^e^ better securing of what shall be judged to be his right, he may be joyned together with his sister Lathrop in administration of ye said estate."

Bethiah Lowthropp's* statement: "My deare husband neuer spake word to me concerning the giuing of any of his Land Lying in the woods to his sister Cheeuers her children. But only that Lying in the woods about Snake hill. But seriously considering my deare husbands expressions I doe conclude he gaue the plaine & the pasture by it together with the Land at Snake hill to his sister cheeuer. for thus my dear husband was pleased to expresse himselfe to me as we Rode together to wenham the last spring in the week before the court of election. Speaking to mee concerning the disposeall of his land as he had formerly done, he said the house Lot I giue to the towne for the use of the ministrey not to any particular person. But to the town for the use of the ministry hoping it will be an acceptable seruice to god. And as we were Riding ouer part of his Land belonging to Snake hill he said this Land here I intend for my sisters children except god take my Brother cheeuer away before my sister, then it shall be for her use as long as she liueth, & afterward for her children, whereupon I doe conclude he gave the other land mentioned which lyeth but a little way from it to his sister, else that at Snaak hill would not be so usefull for my sister if god should be pleased to take my Brother away before her, & so I haue faithfully declared what I apprehend was my hus-

*Autograph.

bands will & pleasure concerning this matter which he said he did intend to put in writting. But the prouidence of god was pleased to preuent it in calling him forth upon public seruice."

Bethiah Lowthropp's* statement: "Whereas it is expressed By my Honoured Brother Mr Ezekiel Cheeuer that my deare husband did not willingly take Sarah gott into his house but was perswaded & preuailed with by others to doe it, Humbly Requesting leaue, I shall humbly present the Honoured Court with the whole truth concerning this matter. When the childs mother was dead my husband beeing with mee at my cousins buriall & seeing our friends in so sad a condition the poore babe hauing lost its mother & the woman that nursed it being fallen sick, I then did say to some of my friends that if my husband would give me leaue I could be uery willing to take my cousins little one and nurse it for him a while till he could better dispose of it. whereupon the childes father did mooue it to my husband. my deare husband considering my weaknesse & the incumbrance I had in the family was pleased to Returne this Answer. hee did not see how it was possible for his wife to undergoe such a burthen. the next day their came a friend to our house a woman which gaue suck & she understanding how the poore babe was left beeing Intreated was willing to take it to nurse and forthwith it was brought to her. But it had not bin with her 3 weekes before it pleased the Lord to visit that nurse with sicknesse also and the nurses mother came to me desiring I would take the childe from her daughter, and then my deare husband obseruing the prouidence of god was freely willing to Receiue her into his house. But she was then Receiued only as a nurse child & so she Remained aboue a quarter of a yeare before her father did tender her to my husband to accept of her for his Adopted Child."

Left. William Dixie deposed that coming to Capt. Lawthrope's in the time of his last sickness, Mrs. Lawthrope and Mrs. Got went out of the room, and Capt. Lawthrope said to him, "I am glad you are come for I would have you to take notice: that I give unto my wife all my estate so long as she liveth: and after her decease I giue unto the Ministry of Beverly: my tenn acre lott at home and my house upon the same." Upon asking him if he had acquainted his wife with it, he said he had and that she approved of it. Also he said he gave the ground in the woods to his sister Chevises children. Sworn in court.

"My wife affirms that her brother hath oft spoke in her hearing dissatisfiedly concerning Noak Fisk being brought to his house, when his mother was very weak, & not able to

*Autograph.

look after him being very weak also, y^t he never knew upon w^t termes he kept him, & wondred what they did intend to do, she saith Lieut. Dixey told her, my brother told him when he had brought him up fit to go to apprentice, he had done, he should do no more." [Testimony of Ezekiel Cheever?]

Reasons for the claim of the wife of Ezekiel Cheever: "1. It does not appear, that my brother ever set himself seriously, as the thing requires, to make his last will. But all that is said, is, that he expressed such and such purposes at such times, but purposes and actions are different things. 2. No man but in case of absolute necessity, when he is surprized by sudden weaknes and inability, will make such a nuncupative will, and then he will do it in the surest and strongest way that may be, by positive and peremptory declaring it his last will, and confirming it by sufficient witnesses that are legall. But in this case no such thing is found. 3. The persons testifying in this case are persons concerned and interested, and not so competent witnesses in law in any case, much lesse in such a weighty one, as a last will and testament. Beside they agree not in their testimony, but in some things directly contradict each other, which does demonstrate that either they mistook my brother, and he never expressed such purposes and desires, or that his purposes and desires altered. 4. It seems to be an act of prudent and deliberate choice in my brother not to make a will For (1) He was oft importuned to it by my sister, but did it not. (2) He had warning of death by a long and dangerous sicknes last winter, in which, after some degree of recovery, he had severall relapses. (3) After that by the mercy of god he was recovered to perfect health, he had time sufficient for such a work, if he had judged it expedient. 5. I conceive that the true reason of his not making a will was, he could not do for his own sister, and her children, what he thought was most just and right, and they might be likely to need after the decease of his brother Cheever; but he should displease his wife, and her relations, who would be expecting more, though he had done in his lifetime so much for them: and nothing for his sister and her children. And he well knew the equity and justice of the law which makes provision for the widow and the next of kin, but nothing for strangers, as also the faithfullnes of the magistrates in doing things according to law. 6. The matter which they testify is so unjust and unreasonable, that none that knew my brothers goodnes and love will beleive, that my brother would be so unnaturall to preferr strangers before his owne naturall sister and her children, whom he so dearly loved, as many that knew them both can abundantly testify. 7. My Brother, when he brought his sister from England with

him from all her friends and relations very loth to part with her, used this as a great argument with her Mother to perswade her. Viz: That he had no children of his own, nor was likely to have any: and otherwise he must give what he had to strangers. And her mother told this to friends in her hearing, that that was a great motive that induced her to be willing to part with her; and commited her to the love, and care of her brother as a Father, with great confidence and assurance of his tendernes toward her. 8. His sister by coming over, lost the value of twenty-five pound, beside what her mother would have given her at her decease. 9. My brother having one of their relations with him already. viz. Noah Fisk whom he brought up from a little one was unwilling to take Sarah Gott: but was importuned, and prevailed with to take her, not upon loose terms, as he did the other, but as his own: so that her father might not have power to take her away from him, when she might grow up to be serviceable, as is oft done in such cases. As for her calling them father and mother, it is no more but what is ordinarily done to nurses or servants, and what another, whom he had brought up before, was used to do, who went away from them, when she might have been serviceable to them. My sister brought no estate with her, as I ever heard of, hath no charge, her husband by her own confession gave her none of ye land to dispose of as her own."

Inventory of the estate of Capt. Tho. Lathrop of Beverlye, who died in the wars betwixt the English and the heathen, taken Nov. 11, 1675, by Paul Thorndike* and John Hill:* his wearing Apparrill, yt of it which was most Considerable hee had along with him into the service, & that which remained at whom, 4li. 17s. 6d.; 1 fether Bed, 1 Boulster, 2 pillows, 5li. 10s.; 1 flock Bed & pillow, 1li. 10s.; 1 Rug, 1 Covering, 1 sett of Curtins & vallans, 1 Bedstead & matt, 6li. 15s.; 2 fether Beds, 3 Boulsters, 8li.; 1 Rug, 1 Covering, 2 pillows, 2li.; 1 Cabbin Bedstead, 1 Curtin, 1 Curtin rod, 1 Trucle bedstead, 18s.; 1 Flock bed, 1 Boulster, 1 Truckle bedstead, 1 Covering, 1 Blankit, 1li. 10s.; 1 fether bed, 1 Boulster, 5 pillows, 1 Rug, 1 Blanket, 9li. 5s.; 1 Bedstead, 1 set of Curtains, Curtin rods & mat, 3li. 4s.; 9 pare of sheets, 1 single sheet, 4 pillow beers, 9li. 13s.; Table Lyning, with some other Lining, 1li. 14s. 6d.; Puter, 2 silver Cups, 1 silver spoone, 4li.; Monyes, 1li. 10s.; Brass, 6li. 8s.; 2 Carts, 1 pare of wheels, 1 plow, 1 pare of fetters with appurtenances, 4li.; 2 oxes, 1 Ads. 1 pare of Andirons, some tools & Lumber, 1li. 15s. 6d.; iron potts & ketles, pot hookes, fire shovell & tounges, hakes, Trevit, 1 iron morter & pestle & Tinn ware, 4li. 3s.;

*Autograph.

Thomas Cleark and his wife, presented for fornication before marriage, were ordered to be whipped or pay a fine.*

The will of Richard Prince was proved and an inventory allowed.†

Trunkes, chests, Tables, cheers, stooles & formes, 1li. 10s.; 1 Lookeing glass, Barrills & Lumber, 17s. 6d.; 1 Brass ketle, 2 Fryeing panns, 7s.; Bookes, 2li. 8s. 6d.; 40 Bushels of Barlie, 12 Bushell of Rye, 10li. 8s.; 7 Bushels of Oates, 50 Bushels of Indian Corne, 8li. 6s.; 6 swine, 7li.; sheepe, 3li. 10s.; neat Catle, 27li. 10s.; the house Lott in estimation, being ten acres with the houses & orchard uppon it, 130li.; 23 acres in estimation Lyeing in the plaine, joyning or neare adjoining to the house Lott, 103li. 10s.; 20 Acres of Land Lyeing at an hill called snake hill, 30li.; 6 acres of medow Lyeing by Samll. Cornish his farme, 27li.; 1 acre & halfe of salt marsh neare Richard Leeches on Royall syde, 10li. 10s.; Haye, 7li. 10s.; 1 pare of scales & 1 Handvise, 4s. 6d.; A farme which was Major Hathornes land & medow, 98 acres, 98li.; A Farme which was Capt. Davinports land & medow, 74 acres, 79li.; Fifteene acres of Land Lying by Crumwells medow, 15li.; sixtye acres of Land, 60li.; In Horse kinde, 20li.; In cash Received uppon the account of my housbands wages, 9li. 13s.; total, 734li. 4s. Debts due the estate, 4li. 14s. Debts due from the estate, 50li. 3s. 3d.

*Elizabeth (her mark) Kitchen, aged about fifty-three years, deposed concerning the child, and Elizabeth Clifford testified that she was present at the birth of the child, etc.

†Will of Richard Prince,‡ sr., of Salem, aged about sixty-one years, dated 21 : 7 : 1675, and proved by Stephen Daniell§ and Edw. Norrice:§ "I give and bequeath vnto my sonne Joseph Prince, the one halfe of the Ten acre lott, bought of William Lord, Senior, I say the one halfe of that part of the lott that lyeth South ward, & so from the highway westward to the end. Also I giue vnto him halfe an Acre of marsh ground more or lesse, lying at the further side of the south field of Salem, Joyneing on the one side to an Acre of marsh of goody Lemmans that was & butting on m^r George Gardners upland. Item. I giue vnto my sonn Samuel Prince, the other part of the ten Acre lott which I bought of goodman Lord, lying Northward, & running from the high way to the end westward. Also I giue vnto him that halfe acre of marsh ground, more or lesse, lying neere the bars that goeth out of y^e South field.

"Also I giue vnto my sonne Samuel my now dwelling house, with my warehouse & barne, & all the houseing theireto aper-

‡Autograph and seal. §Autograph.

tayning, with the ground whereon the said dwelling house standeth, from the front or street Eleuen pole downeward towards y^e^ North, & adioying to his brother Richards grounds on y^e^ East, & his broth^r^ Jonathan on y^e^ North, Item I giue & bequeath vnto my sonne Richard Prince, a fiue acre lott, lying in the South field of the Towne, neere Joseph Hardye, fiue Acre lott, lying in the same field

"Also I giue vnto him, out of that lott that my dwelling house standeth on, two pole & an halfe in bredth front to the streete, namely of the ground betweene my dwelling house & the land of M^r^ William Browne, junior, & adioyneing next to y^e^ land of y^e^ said William Browne on the East, & Contayning in Length Eleuen pole downward into y^e^ orchard. I giue vnto my sonne, Jonathan Prince, the other part of the Ten Acre lott, that I bought of goodman Lord, lying from the highway Eastward the whole bredth. Also I giue vnto him, halfe an Acre of marsh grounds, more or lesse, knowne by the name of Wallers halfe acre. Moreouer I giue vnto him the remainer of that ground on which my dwelling house standeth, that is the North part of my orchard Contayning the whole bredth of it, adjoyneing to the end of his brother Samuell & Richards ground, & so to the land. Item, I giue & bequeath vnto my daughter Mary Daniel Twenty pounds, to be paid after my decease & after the decease of my wife Item I giue vnto my two Grandchildren, Steven & Mary Daniel, Five pounds apiece, to be paid, after my Decease in money.

"Lastly, I leaue & ordaine my sonn Joseph Prince to be the sole Executore of this my last will & Testament Haueing in his hands all the remainer of my Estates to beare y^e^ Charge of maintaying my wife after my decease whom I giue and Committ to his Care to be maintained the whole tyme of her naturall life, And after her death, those Legacyes being paid to my daughter & her Children, & with my debts and funerall Charges, what remaines of my Estate upon true Inventory taken, my will is that it be divided into four equall parts, & my four sonns to haue each of them his share of it And I intreat my loueing friends — Bartholmew & M^r^ Joseph Grafton, sen^r^ to be ouerseers of this my last will & Testament." Wit: Stephen Daniell* and Edw. Norrice.*

Inventory of the estate of Mr. Richard Prince, sr., of Salem, taken Oct. 21, 1675, by Joseph Grafton* and Francis Skerry:* bed, boulster, pillow, Coverlet & blankets, with bedsted & Curtaines, as it stands, 7li.; bed, boulster, Covering, blanket 4li.; bed, boulster, 3 blankets, rug, bedsted, 4li.; bed, boulster,

*Autograph.

John Creasy chose Joseph Bacheler as his guardian, and it was allowed.

Robert Ingolls, presented for fornication before marriage, was sentenced to be whipped or pay a fine, and his wife was to appear at the next Salem court.

Robert Lavis, presented for cutting wood in the street, on the public fast, was dismissed with costs.

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pillow, rug, blanket, bedstead, 7li. 10s.; 10 pair of sheets, 6li.; 30 yards of Cotton & Lining Cloth, 3li.; 3 yards of Cotton & Lining Cloth, 12s.; 2 pair of pillowbeares, 12s.; 4 bordclothes, 1li. 4s. 2 Corse bordclothes, & six napkins, 8s.; 2 Trunkes, 12s.; 1 Chist, 1li. 5s.; 4 Joynt stoles, 8s. 4d.; Chaires, 12s.; 1 table, 14s.; 2 tables, 1li.; 2 old Chists, 2 old boxes, 3s.; 2 whells, 6s.; 1 pr. Cards, 2s.; 3 yd. Cearsie, 1li. 15s.; 2 grosse butons, 8s.; a psell silke, 16s.; 16 bushels Indian Corne, 2li. 8s.; 2 old brasse, 1li.; 1 old bras pot, a skillet & Chafeing dish, 12s.; 2 Iron pots & a skillet, 13s.; 1 bell metell morter & pestill, 8s.; 1 small bras scelles & waits, 8s.; 1 frying pan, 1s.; warming pan, 6s.; 12 platers, 3li. 7s.; 2 basons, one Culender & 2 pots, 24s.; 6 peces of old puter, 14s.; 2 small puter pots & a Chamber pot, 8s.; 6 porengers, 7s.; fouer puter Candell stickes, 8s.; 4 sasers, 2s.; 1 Lanthorn, 2 dripin pans & 2 Candellstickes, 9s.; Earthen weare, 8s.; 3 old tables & an old Cobart, 1li.; 7 Chaires, 12s.; Iron ware, 18s.; small bag Cotton, 4li. 17s.; 7 Lod hay, 7li.; 1 horse & an old mare, 3li.; 2 Cowes, 7li.; 1 hog, 2li.; 4 paier sheares, 2 Irons, 10s.; one smothing Iron & heats, 2s.; 1 pr. bellows, 1s.; books, 1li. 10s.; 1 gun & sword, 1li.; 4 spones & 2 old small Cupes, 2li.; Monie, 90li.; 15 Akors of upland & An Acre of Salt marsh, 76li.; the house & ground belonging, 130li.; the Cloths, 5li. 10s.; total, 386li. 18s.

Debts owing Richard Prince: Capt. Georg Corwin, 5li.; Mr. Graves, 2li. 2s. 6d.; Nath. Beadell, 2li. 8s. 4d.; James Powland, 19s. 6d.; Capt. Price, 3li. 6s.; Mathew Standly, 1li.; John Gardner, 1li. 10s.; Thomas Gardner, 1li. 10s.; Daniell King, 1li. 4s. 9d.; John Grafton, 3li.; John Watters, 12s.; Francis Scurrie, 1li.; Tho. Ives. 1li,; Samuell Willyams, 1li.; Capt. More, 2li. 7s.; Jacob Barnie, 19s.; Samuell Pittman, 1li. 10s.; John Brown, 1li. 17s.; Mark Bacheler, 10s.; Mr. Bartholmu, 5li.; Robart Hodg, 18s.; Abraham Bartholmu, 11s.; Sam. Gachell, 16s.

Richard Prince debtor: to Willyam Brown, senr., 5li. 1s. 5d.; Phillip Cromell, 4li. 15s. 6d.; Willyam Brown, 2li.; Manasah Merston, 5s.; John Holmes, 1li.; total, 13li. 1s. 11d.

Joseph Gatchell, for speaking reproachfully and contemptuously against this government, was to stand committed until the next lecture day and then to be whipped or pay a fine and costs to the constable of Marblehead.*

Court hearing the case of Isaack Woodbery, who was chosen by the town of Beverly to serve as constable, but refusing to take the oath, and understanding that he had not taken the oath of fidelity, declared that he is not capable of serving. The clerk was ordered to issue another warrant for the choice of another, and said Woodbery was ordered to appear at the next Salem court to take the oath of fidelity or give his reasons to the contrary.†

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*John Holms, aged about thirty-five years, deposed that being in Goodman Prince's house last night, he heard Joseph Gatchell say that "y^e^ Cause of y^e^ Judments of God upon us by Reason of y^e^ wars was theire murthering of Quakers I think they were William Robenson & Marmaduk Stevenson." Sworn in court.

Salem presentment. Wit: John Batchelder of Wenham and John Holmes of Salem.

†Reasons of Isaak Woodbery‡ for not taking the constable's oath: "y^e^ provedenc of God hath soe ordered It that my Caling Is at sea w^ch^ as I have done heretofore soe I must still atend It In a constant way the greatest part of the year Constantly for the providing for my famely as the word of god Requires therfore not Capeable of Executing the Ofice In my owne person as the Law title townships: sect. 5: Requirs such must be as are fineable by the towne. 2^ly^ for that I humbly Conceave the choice was not Legall It being but the product of a Combination of such persons as had noe Libertie by Law to voat whoe went about enticing others to voat for me out of a designe they had against me as I shall make apear to yo^r^ worships by evidences. 3^ly^ for that this proceding against me of bringing me befor the worshipful major hawthorne to take the oath w^n^ I had at the time of this choice declared to them I could not serve wheras If I had been legaly Chosen and had been able to attend It In my owne person and had then Refused to serve I humbly Conceav that the Law gave them liberty only to fine me: but not to molest or urg me to take the oath. 4^ly^ the like precedent Canot be produced either In Salem or with us for any whose Imploiment Lies wholy at sea, to be chosen to serve In y^e^ ofice of a Constable.

‡Autograph.

William Dew, who was slain in the wars against the Indians, dying intestate, Edward Bishop, jr., was appointed adminis-

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5[lr] for that If I had taken the oath & served the time I shal Continue on shore this winter w[ch] I humbly Conceav the law would not have Compeled me further ther would have been Inconveniences boath to the town & Countrie and myself being not Capeable to execut the ofice In my own person. It is not that I would decline any service to god and the country that I am Capeable of for I have now a servant prest Into the Country servic & I doe Redily and Cherfuly yeald to It & besides If gods provedenc order It at any time that ther be any extraordinary service by sea we that ar seamen shall be exposed to It more then the Land men, though we ar equaly exposed In thes present expeditions."

Peeter Rodgers, aged about sixty-four years, deposed that he being present at Andrew Tarvise's house when Antoni Wood came there, saw said Wood pull a great parcel of votes out of his pocket which he said were for Andrew Woodbery. He also heard Wood entice said Tarvis to take one of the votes, go to the meeting and give it in for said Woodbery. Sworn in court.

Isaac Woodbery further petitioned: that he would be worse than an infidel in not providing for his family, if he was forced to take the office; that the law says that none are qualified unless rated at 80li. and have taken the oath of fidelity, which qualifications petitioner does not have, he being poor in estate, etc.

The following freemen who had also taken the oath of fidelity voted for Woodbery: John Dodge, sr., Ephraim Hericke, John Rayment, sr., Roger Conant, Exercise Donant, Benjamin Balch, sr., Will. Dodge, sr., Zach. Hericke, John Grover, Osmond Traske, Tho. Chub, sr., and Rich. Stachouse.

Nathaniel Hayward, aged about thirty-three years, deposed that at the town meeting at Beaverly, he observed that a part of the persons who voted had not taken the oath of fidelity. Upon being asked who he should vote for, he told them, and the party asking him said he would lose his vote, for Isak Woodbery would be elected, for a writing came to his house that morning to that effect. Sworn in court.

John Sallos, aged about forty years, deposed. Sworn in court.

Andrew Tarvis, aged about fifty-five years, deposed that Antoni Wood asked him to vote for Isaak Woodbery, but deponent said he did not know said Woodbery, neither did he know where he lived, etc.

trator of his estate and was to bring in an inventory to the next Salem court.

Constable Clifford was allowed 8s. for his charge about prisoners, 30d. for whipping Thomas Maule and 8s. for "Huencryes."*

Samuell Crompton dying intestate, who was slain in the wars against the Indians, administration upon his estate was granted to Jane, his wife, who brought in an inventory.† She was to have the estate for her own use, "there being noe relations of her husbands known of in this contry."

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*Copy of three hue and cries sent three several ways given out, June 19, 1675, by John Clifford, constable of Salem, the Worshipful Major Wm. Hathorne not being at home, "To the Constables of Redding, Wooborne, Bilricky, Clensford, Concord & soe from Constable to Constable to the utmost limits westward of this Colloney. 2d To the constables of marblehead, Linn, Maulden, CharlsTowne, Cambridg, Watertowne, Sudbery, &c. 3d. To the Constables of Beuerly, Wenham, Ipswich, Rowly, Newbery, Salisbury &c: & soe to the seuerall constables of ye Townes east of this Colloney," for said constable "to make dilligent search in yor seuerall townes for one James Booth: or Garritt, whoe broake prisson this last night at Salem & made an escape, who was comitted for a criminall offence, he is of a midle stature, brownish haire & complection, a blemish — one of his eyes, of a drawning speech, a taylor by trade."

†Inventory of the estate of Samuell Crumpton, taken 29 : 9 : 1675, by Hilliard Veren, sr.,‡ and Henry West:‡ a parcell of small trunkes unfinished, 3li.; 3 leather chaires, 1li. 4s.; 8 sadles, 20s. p., 2 side sadles, 3li.; 1 dozen skins, 3s.; pcell of nayles, 2li. 10s.; pcell of soft sope, 16s.; 100 of skins, 5li. 8s.; 6 bridles, 5s. p. & 3 at 3s. p., 1li. 19s.; pcell of Inkle, 5s.; 1 gross of civills, 12s.; 6 pr of sterrop Irons, 8s.; pcell of girtnes, 3s.; a gross of plates, 1li. 10s.; 1-2 gross of buckles, 4s. 6d.; 1,000 bullen nailes, 8s.; 5 pr raines of bridles, 7s.; 2 chests, 7s. 6d.; a brass Kettle, 1li. 7s.; 5 yde cource cloth, 12s. 6d.; 10 drest skins, 1li. 5s.; cloath cloak old, 25s.; yards home made stuff, 1li. 4s.; a caster, 12s.; 3 shirts, 12s.; 2 pr stockens, 3s.; 1 pr shooes, 4s.; a bed & furniture, 5li.; pewter, 20s.; 6 chaires, 36s.; fire pan, tongs, frying pan, 7s. 6d.; scillet, som earth dishes & bottles & som lumber, 5s; a little table & 2 Joyn stooles, 10s.; woolen wheele, 4s.; by 2 sadles & a bridle prest into ye service, 2li. 6s.; for his wages while upon the service,

‡Autograph.

Whereas there was administration granted, Mar. 30, 1675, by the Worshipful Major Wm. Hathorne and Edward Tyng, Esqrs., to Tho. Bishop and John Durland, of the estate of Richard Bishop, deceased, court confirmed the action and further ordered that the twenty-two acres in the north field and half an acre of meadow that is undisposed of, be divided between three of the children, viz., John, Nathaniell and the wife of John Durland, only to John, the eldest, a double portion.*

——; the estate is credit by severall men, 13li. 11s. 6d. Estate is Dr. to severall men, 5li.

*Inventory of the estate of Richard Bishop, appraised Mar. 8, 1674-5, by Nathaniel Felton† and Richard Croade,† and allowed upon oath of Mary, the widow, and John Durlan: His dwelling house & out housing with the garden plott, Orchard & the Land thereunto adjoyning besides what is John Durlans, 60li.; his upland in the north Field being adjudged to be about Two & Twenty acres good & bad as it lyes be it more or less, 35li.; one halfe acre of salt marsh in the north Field, 5li.; one Cow, 3li. 10s.; Two Small Swine, 16s.; one Feather Bed & Bolster, 3li. 13s.; an old Feather Bed & Two pillowes belonging to it, 2li.; Two Small Feather pillowes, 2s.; Two old Coverletts, 7s.; an old white rugg, 12s.; an old Blankett pretty thicke, 7s.; Two old blanketts very much worne, 6s.; one new sheete of cotton and Lynnen, 12s.; 3 old Sheetes about half worne cotten & linnen, 12s.; 3 pillowbears, 6s.; his woollen Apparrell, hatts & shoes, 3li. 10s.; his Lynnen, 1li. 5s.; an old Bagg & Two old Sythes, 3s.; five pounds & halfe of Combed Flax, 5s.; five pound of cotton Wooll, 4s. 2d.; Two pound of Lynnen yarne, 4s.; one old gunn, 12s.; one greate Brass Kettle, 1li.; Two Iron potts, 13s.; one Iron Kettle, 5s.; one Fryeing pan, 6s.; one bell mettle skillett, 5s.; an old warming pan, 2s. 6d.; an old brass pan & 2 old Kettles, 5s.; one Syth in the Sned, 2s. 6d.; a parcel of old Iron & decayd Tooles, 5s.; an ax, a Cow Bell & an Iron Foote, 7s. 6d.; one harrow, Two pitchforks, one mucke Forke, one spade, an old Iron chaine & 2 crookes, 1li.; one cross cutt saw & an Iron Lamp, 4s. 6d.; Two chests in the Lodgeing roome, 10s.; Two old chests in the Leanto, 6s.; a Small Table at Henry Coleburnes, 4s. 6d.; a small Cubbard in the Fore roome, 6s.; his bookes, 7s.; in pewter new & old, 15s.; Lattin ware, 7s.; earthen ware painted, 1s. 6d.; Thirty Three pounds of hemp shipt at 5d. p li., 13s. 9d.;

†Autograph.

Thirteen bundles of hemp at 3d. p bundle, 3s. 3d.; old barrells, stooles, Tubbs, chaires & such kind of lumber & woodden ware in ye sevrall places about ye howses, 1li. 10s.; Two earthen potts, 18d.; seven bushells & 3 pecks of Indian corne, 1li. 2s. 3d.; Two Flitches of baccon cont. 38li. at 6d. p li., 19s.; fouer bushells & half of pease, 18s.; in old England money with a 5s. p. of gold, 2li. 2s.; in new England money, 1li. 4s.; due by Goody Cole in money by bill, 3li.; due by Richard Croade in money, 1li. 12s. 6d.; due by Francis Skerry, 5s.; in money recd for hay, 15s.; in money lent to be made good, 8s.; due by Josias Southwicke, 1li.; due by Samuel Ebborne, 8s.; one pewter Beacar, 1s.; a percell of pallasadoes, 10s.; a Grindstone, 5s.; total, 143li. 19s. 11d. Due from Edward Winter of what he was to pay for wintering his cow, 2s.; due for a calf sold, 8s. Debts due from the estate, disbursed about his funeral, for wine, 9s.; sugar, 2s.; cloaves, 1s.; ye Coffin, 10s.; ye grave, 5s.; for a messenger to go for Thomas Bishop, 3s. 6d.; for a woman to help wash his clothes, 1s. 9d.; in money to Doctor Wells, 3s.; due to ye Cow keeper, 3s. 9d.; due for ye Cunstables rate for ye year '74, 3s. 6d.; due to Richard Croade for hire of his horse & cart & for harrowing, 5s.; for Tyme spent about ye Inventory, 3s.; due to Nathaniel Felton for his Tyme about the Inventory, 3s.; due to Mr. William Browne, sr., 1li. 5s. 5d.; For ye widdowes care and paines in looking after Two cowes & Two Swine near about fower moneths left to ye discretion of the Judicious Court for what they shall please to allow her.

Richard Bishop's* agreement, dated 12 : 5 : 1660, upon marriage with Marie Gault: "Wheras Richard Bishop and Marie Goult Intend by the preuission of god in some short tyme to Joyne together in marriage and for the mutuall good of them both we agree vnto theise Artickles & Couenants hereafter exprest Viz. Impr. the said Richard Bishop doth Covenant to and with the said Marie Goult that in Case god soe please he leaue the said Marie a widow then she shall during her naturall life haue and enioy the dwelling house of the said Richard Bishop wth garden and Orchard and the remaynder of the 2 acre lott the said house standeth vpon with a lott of upland opossit to the said house ouer the River wth all timber and Fyre wood wch she may nessessaralie use for & during her life tyme but not to gyue nor make sale of any of it: as alsoe one halfe acre of salt marsh lying upon the North riuer ouer against the house of the said Bishop the said Richard Bishop doth Covenant to and wth the said Marie Goult that if the said Richard Bishop doe dye before the said Marie & then leave her a widow that the said Richard

*Autograph.

Bishop shall grant halfe the estate he dyes possesed of Vnto the said Marie viz of his Cattell, Corne hay houshould goods and money as her owne proper goods for euer. 3. It is agreed mutualle betwixt the said pties that the house wherin the said Marie Goult at present lyueth in shall be sould by henerie Skerie senior and Jefferi Massey for the paymt of the debts William Goult left unpaid at the tyme of his death. 4 the said Marie Goult doth promis & grant to and with the said Richard Bishop that he the said Bishop shall haue the best bed she now hath w^th^all the Furniture therevnto belonginge." Wit: Jefferie Massey* and Henery Skerry*

Letter of attorney, dated May 22, 1675, given by John Bishop,† of South Hampton, Long Island, to his brother John Dorlan of Salem, fisherman, in the settlement of the estate of his father Richard Bishop. Wit: Samuell Williams* and Hilliard Veren, sr.*

Mary Bishop, aged about sixty-four years, deposed that she often heard her husband Richard Bishop say during the time that she lived with him, that after her decease he desired his son Thomas Bishop to enjoy his dwelling house, orchard and ground in Salem, about two acres, only he would reserve half an acre of it to dispose of as he should afterward wish, also that his said son should have all his upland, half an acre of salt marsh in the North field, all of which the said son should not dispose of but should leave it for his son Richard after him. Often pressing her husband to say what he would give to his sons at Long Island, he replied that he would give them nothing, that they had been very unkind to him, and would never come near him nor send him anything though they were very well able and had no need of anything of his. Deponent also heard her husband say the day before he died that his son Thomas should have all that he had for reasons he had at several times given, and that he would give his grandchild Mary Durlan half and acre of land in his home lot after the decease of deponent. Sworn, 29 : 1 : 1675, before Wm. Hathorne,* assistant.

Richard Croade, aged about forty-six years, deposed that being in the chamber with Goodman Bishop the night before he died, the latter asked for Goodman Robbins and deponent to witness how he disposed of his estate. He gave his son Thomas all except what John Durland had purchased and his grandchild Mary Durland should have a half acre at the upper end of the lot because he said she might marry a tradesman or a seaman and would want a piece of ground to set a house upon. Also that he would have his grandson Richard inherit from Thomas on account of his name, etc. "And

*Autograph. †Autograph and seal.

George Bonfeild and Rebeca, his wife, were granted administration upon the estate of Steephen Waiman, who died intestate, and they were to bring in an inventory to the next Salem court.

George Roapes, who was slain in the wars against the Indians, dying intestate, administration upon his estate was granted to Wm. Roapes, brother of the deceased, who made oath to the inventory brought in, and after all debts were paid, the remainder was to go to Mary Roapes, the mother, during her life. The estate was not enough to pay the debts by about 12li.*

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being askt by Goodman Robbins if he did not remember what he had said to him who should have his upland & his halfe acre of salt marsh in the north field, Goodman Bishop replied that that was a ly whoeuer told him so the salt marsh was his owne he had bought it with his money & the upland was his owne & he might sell it if he would & he did not know but he might liue to spend it, and being pressed about it telling him that his Land would be neuer the Farther from him, if he liued he might make another will when he would, his Answer was he did not loue to tell of things so long before hand . . . & for his son Nathaniel if he had not bin a churle he might haue sent him something for he said he killed Twenty Fatt hoggs in a yeare & had Thirty bushells of wheat in a yeare, but never sent him so much as a bushell of wheat nor a side of porke why Answer was made him that if he gave them nothing they might receive childrens portions; he replyd that if the Court should alter this there was an end of that & so he said he was almost spent & desired the company to depart." Sworn, 29 : 1 : 1675, by Croade and his wife, before Wm. Hathorne,† assistant.

Thomas Robbins, aged about fifty-five years, deposed. Sworn, 29 : 1 : 1675, before Wm. Hathorne,† assistant.

John Bligh, aged about thirty-six years, deposed that the night before his father Bishop died, etc.

*Accounts due from the estate to Jno. Price,† John Pickering,† William Andrew,† Wm. Browne, sr., Thomas Rix,† Thomas Ives,† John Guppy, Jacob Pudeator, Phillip Cromwell and William Reeves.†

Inventory of the estate of George Ropps, taken by Edw. Norice† and Benjamin Gerrish:† bed & blankett, 3li. 10s.; rugge, 2li.; 2 hatts, 1li. 8s.; Curtaines & Vallians, 10s.; Bible,

†Autograph.

The will* and inventory† of Peeter Woolfe were proved and allowed. John Black, the executor, agreed to maintain the widow of deceased during her life, if said Black survived so long, and it is to be understood that the 10li. given to the widow by will, was to be used by her for her maintenance, but she was not otherwise to dispose of it.

7s.; Cloake, 2li. 10s.; horse, 2li. 10s.; shirt, 10s.; 3 pillowbeeres & 2 napkins, a little towell, 12s.; 6 platters, 1li. 5s.; 2 Chayres, 6s.; 1 matt, 2s.; 2 Chests, 13s.; saddle, 4s.; 3 boxes, 7s.; white Coate, 4s.; bedstaves, 2s.; 6 yds. course canvas, 6s.; another Chest, 4s.; an axe, an adz & 2 sawes, 10s.; other tooles, 15s. 3d.; pr. new shoos, 7s. 6d.; total, 20li. 2s. 9d. George Roapes Dr. to Thomas Rix, 9s. 4d.; to Capt. Geo. Corwin, 1li. 14s. 6d.; Jacob Pudeater, 1li.; Mr. Phill. Cromwell, 5li. 18s. 4d.; John Guppy, 3li. 1s. 6d.; Mr. Browne, sr., 11s. 6d.; Mr. Ruck, 2li. 5s. 7d.; Mr. Price, 5li.; Wm. Reeves, 3li. 5s. 8d.; Tho. Ives, 7li. 15s. 10d.; John Pickering, 1li. 16s. The creditors were to be paid at the rate of 11s. per li.

*Will of Peter (his mark) Woolfe‡ of Beverly, yeoman, dated Nov. 20, 1675: "Item I give unto my two Granchildren Mary & Sarah Solace to be divided between them A yearling heifer: in my son Blacks hands. Item. I Give unto Martha my Loving wife the sume of twelve pounds w^{ch} is Due from Nicholos Grove of which sume there is now paid fourty shillings and the residue is to be paid in w^{t} my said wife shall need; only four pounds of it in Money if she require it: All the rest and residue of my personall Estate Goods & Chatells whatsoever, I doe give & bequeath unto my Loving Sonn John Balch full & sole executor of this my last will and testament." Wit: Samuell Hardie§ and Humphrey (his mark) Woodbery, sr.

†Inventory of the estate of Peter Woolfe of Beaverley, who deceased 6 : 10 : 1675, taken by Humphrey (his mark) Woodbry and John Hill:§ waring aparill, 1li. 10s.; 3 paire & one shete, 9s., 3 Sherts, 1li. 10s.; one bed, pelows & covering, 3li. 16s.; one Iron pot & pothooks, 9s.; one friing pan & lumber, 3s.; to one warming pan, 4s.; one paire of belles, 1s. 6d.; one chest & to boxis, 10s.; one cuberd, 5s.; one churne & to tubes, 5s.; five badgs, 7s.; one skillet & other small things, 4s.; one paill, 1s. 6d.; 3 Iron wedges, 2s. 6d.; 1 tube & to barills, 4s. 6d.; 3 trays & to pots, 2s. 8d.; to stools & on chayer, 2s.; to swine, 2li. 8s.; neat Catell, 11li.; 3 lode

‡Seal. §Autograph.

The will* and inventory† of George Coale were proved and allowed.

The will‡ of John Bachelor was proved and an inventory§ allowed.

& half of hay, 3li. 10s.; one lode of strawe, 7s.; 16 bushells of barly, 3li. 4s. 8d.; Indian corne, 1li. 15s.; one bushill & halfe of ry, 6s.; one bedsted, 5s.; one paire tramels & narying bars, 1li. 10s.; hows & orcherd together with 8 ackers of land, 68li.; Due from Nich. Legrove, 10li.; total, 112li. 11s. 10d. Debts due from the estate, 4li. 12s.

*Will of Georg (his mark) Coole, dated Nov. 8, 1675: "i giue to Mary Dauis home i used to call mother: forty shillings. item: i giue to my master John Dauis all my timber: it: i giue the rest of my estatt to my sister mary tuck and my other sister Elezibeth Cooll to be equally deuided betwen them: i doe allsoe will and intreat my Loueing freind danell Johnson and my Master John Dauis to tak Care to se my just debpts that i owe be paid out of my estatt as alsoe to gather in thos debpts that are dew to me and to tak what Caare thay Cane that my will may be performed for which i doe alsoe will and desire that thay haue resonable sattisfacktion for thar Care and paines herin out of my estatt." Wit: Thomas Ferman|| and Samuell Foster.|| Acknowledged, Nov. 12, 1675, before Samuell Appleton,|| Com. in Cheif. Daniell Johnson and John Davis were appointed administrators.

†Inventory of the estate of Georg Coall, taken by Samuell Hartt|| and Eleazer Linse:|| 3 saues, 8s.; 2 goynters & foreplaine, 6s.; 3 smothing plains & a draing knife, 3s. 6d.; 2 plans & 2 revolving plains, 10s.; 4 round plains, 5s.; 3 rabet plains, 4s.; 3 holou plains, 3s. 6d.; 9 Cresing plains, 10s. 6d.; 6 torning tools, 9s.; 3 plaine irons & 3 bits, 1s. 6d.; 1 brase stok, 2 squares & gorges, 1s. 6d.; 1 brod ax & 1 fro, 2s.; holfast, 1s. 6d.; hamer, 1s. 6d.; 6 gouges, 2s.; 9 Chisels, 5s.; 2 ogers & 1 draing knife, 3s.; 1 bench hooke, 2 yoyet irons, 1s.; a glupot, 1s. 6d.; 1 bible, 3s.; 5 yards & a halfe of cloth, 1li. 13s.; clothing, 2li. 5s.; for what work he has done in his shop, 1li. 10s.; 1 cow, 3li.; 1 horse, 2li. 15s.; 2 calfe, 10s.; total, 15li. 16s.

‡Will of John Bacheler, sr.,¶ dated May 17, 1673: "I give unto my loving Wife Elizabeth my dwelling House during her natural life & then to be my Son John Batchelors allso I give her all my movable estate wheresoever it is, (shee paying fifteen pounds in legacyes as here after is willed) & 6 pound p anu. so long as shee remains unmaried and the keep-

§See footnote page 110 marked* ||Autograph. ¶Autograph and seal.

ing of two Cowes, & firewood for her necessary use to be paid for at the charge of my Two Sonns as it is here after expressed also I appoynt her to be my Executrix. It. I give my Son John Batchelor || my house I dwell in, after my wives decease|| & twenty Acres of Land which I bought of John Scuder (except six Acres more or less as it is now bounded, which I give to John Cressy as is here after expressed) and takes it begining at Abram Warrens well, so downe to the brooke to the Common the brook being the boune betwen his Land & his Brother Josephs, and allso a piece of Land that lyes at the uper end of the sd twenty Acres without the fence, with the hither end of my salt marsh up to a place commonly called the Rocks where they cart downe wood. I Give my Son Joseph Batchelor all my land in the field together with the orchard & Barne & the salt marsh lying beyond the sd Rocks commonly called Ducks Cove & halfe an Acree of marsh y^{t} I bought of Joseph Roots & halfe an Acre of Jeoffry Massy. my Will is that my two Sonnes aforesd shall pay their mother the yearly rent of six pound p anum during her widowood & keep two Cows & prouide firewood for her necessary use and the charges there of to be equally borne by each, and the sd 6 pound to be yearly paid in such specia as she shall desire. Also I give my Daughter Hanah Corning ten pound to be paide by my loving wife before her decease. It. I give my Grandchild John Cressy six Acres of Land lying within my sonne Johns Land as a foresd along Royals neck & five pound to be paid by my loving wife before her decease. Allso I intreat m^{r} Henry Bartholmew & Deacon Prince to see this will truly pformed." Wit: John Swinnerton† and Bethiah Archer.† John and Joseph Bachelor, sons of deceased, were appointed administrators.

*Inventory of the estate of John Bachelor of Salem, who died Nov. 13, 1675, taken Dec. 4, 1675, by John Raiment and Andrew Eliott, and allowed upon oath of John and Joseph Bachelor: 45 acres of upland, 90li.; two Acres of Salt marsh, 10li.; one dwellinge house and one Barne, 30li.; all his wareinge Clothes, 8li.; all his beddinge, 16li.; whome made Cloth, Lining and woollen, 30 yds., 4li.; 20 pound of wooll and yarne, 1li. 10s.; Three Bibles, 8s.; other houshold stuff, brass and Iron, 2li. 10s.; one Copper quart with other Earthen ware, 5s.; 2 pewter platters and other smale things, 10s.; one Chest and fiue trays with other wooden ware, 15s.; Irons for husbandry for wheels & ploughs, 2li.; pease and Indian Corne, 11li.; fouer bushell of barley, 16s.; one quarter of beafe, 16s. 8d.; one yoke of Oxen, 10li.; two steers, 7li. 10s.; five Cows and one heifer, 18li.; one yearling and two Calves, 2li. 10s.;

†Autograph.

Administration upon the estate of Samuell Steevens, who was slain in the wars, was granted to Rebecka, relict of deceased, who brought in an inventory.* She was to have the estate for her own use, but was to pay to Sara, the daughter of deceased, 10li. at eighteen years of age or marriage with the mother's consent.

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one horse, 2li.; eleaven swine, 7s.; seaventeen sheep, 4li. 5s.; one Lininge wheel, 5s.; total, 230li. 8d. To be paid out in debts, 12li., in legacies, 15li.

*Inventory of the estate of Samuell Stevens, taken Nov. 30, 1675, by Henry West† and Nathaniel Putnam:† one tenn acker lott in the northfeild, 25li.; one table & Joyn stooll, 16s.; tow Bedsteds, 1li. 10s.; one feather Bed & Curtaines, 2 pillows & bolster, 1 Rugg & 2 blankets, one coverlid, 1 paire of sheets, 6li. 10s.; Tow pare sheetts, table linin, 6 pillow bers, 2li. 17s.; putter, tinn, smothing iron, earthen war, wood ware, 1li. 10s.; wareing aparell, 7li.; Carsei and sargge, 1li. 12s.; Warming pann, Brasse, 1li. 12s.; iron ware with potts, hakes, firepann, tongues, 1li. 12s.; Boxes and Cheests and Chares, 1li. 13s.; 1 hameker and Bookes, 1li. 3s.; Barrels, tubes with other lumber, 12s.; spade, spitt, hamer, 2 pare sheers, press iron, 16s.; one Cow, 3li.; his Wages, 2li.; one axe, one Reapper, 13s.; one Creadell, 1li.; one pillion, 2 glasse bottles, 12s. 6d.; 3 yards of linn. Cloth with staffe, 12s.; total, 62li. 2s. Estate Dr. about 14li.

Will of Peter (his mark)Barroon of Marblehead, fisherman, "being now prest and Commanded away to Goe a Gainst the Indians not knowing when it may please y^e^ Lord to spare my Life to Come a Gain," dated Aug. 28, 1675, and sworn, 15 : 1 : 1675, before Wm. Hathorne,† assistant: "I Freely Giue unto my Master Elias Hendly all whateuer I haue either money Goods o^r^ any other thing or things to his own proper use and Behoofe to doe and use at his own will and pleasure and further Doe Impower y^e^ sd Elias hendly to be my true and Lawful Attourney for me and in my name to Requir Recouer and Receiue all Debts," etc. Wit: Edw. Humphereys† and John Merrett.†

Venire, dated 20 : 8 : 1675, for Lyn, signed by Hilliard Veren,† cleric, and served by Thomas Laughton,† clerk, who returned the names of Mr. Edmond Needham, Natha. Kirtland, William Clarke and William Mirriam, for the grand jury; and Robert Potter, Mathias Farrington, Thomas Farrer and Sergt. William Bassett, for the jury of trials, who were chosen 6 : 9 : 1675.

†Autograph.

Bill of presentments, dated Dec. 1, 1675, signed by John Rucke,* in the name of the grand jury:

Robert Ingolls, jr., of Lin, and Rebeka Laitten, now wife to said Robart, for fornication before marriage. Wit: Nathanell Cirtland of Lin.

Marra, daughter of John Hathorn of Lin, for fornication. Wit: Nathanell Cirtland of Lin.

Robert, David Fogg's man, who now works at Thomas Mall's house, for cutting wood openly in the street upon a day of public fast, it being Dec. 2, 1675. Wit: Edmond Bridges of Salem and Robart Ames of Andefer.

John Baulch of Beverley and Hanna, his wife, for fornication before marriage.

Roberte Crosse, aged about sixty-three years, deposed that he was with Mr. Gorge Gidding, merchant Booshop and old Goodman Lord about ten or eleven years when they laid out the highway between Ipswich and Gloster. It was laid out through Mr. Cogwel's farm which land was bought by the town for that end, and so over the bridge and through John Cogeswelles farm, John Burnomes, sr., and Richard Bradbrookes to the bound tree, which deponent showed them. Sworn, Nov. 29, 1675, before Samuel Symonds,* Dep. Gov.

John Burnam, aged fifty-nine years, deposed that the highway that is between Ipswich and Gloster was laid out twenty years since by the town of Ipswich and stands upon record, namely, the highway where the Jobaco bridge stands. Sworn, Nov. 26, 1675, before Samuel Symonds,* Dep. Gov.

Bond, dated Oct. 30, 1675, given by Wm. Bowditch* of Salem, for the appearance of Jno. Pallett and William Prichet, to answer a warrant of Major Denison for taking a horse from Mr. Hubert. Wit: Joseph Gardner* and Manaseth Marstone.*

Execution, dated 3 : 10 : 1675, against the goods of the ship Sallamander, in the hands of Bartholomew Stratton, as master, to satisfy judgment granted Joseph Arnoll, at Salem court, 30 : 9 : 1675, signed by Hilliard Veren,* cleric, and served by John Pamer,* deputy for Henery Skerry,* marshal of Salem. Jno. Sands., Daniell Legg and Jno. Saxton, appraisers, made oath at Boston, 6 : x ber: 1675, before Tho. Lake,* commissioner.

Execution, dated 3 : 10 : 1675, against the goods of the ship Sallamander, in the hands of Bartholomew Stratton, as master, to satisfy judgment granted James Cooke, at Salem court, 30 : 9 : 1675, signed by Hilliard Veren,* cleric, and served by John Pamer,* deputy for Henery Skerry,* marshal of Salem. Daniell Legg, Jno. Saxton and Jno. Sands, ap-

*Autograph.

praisers, made oath at Boston, 6 : x br.: 1675, before Tho. Lake,* commissioner.

Execution, dated 3 : 10 : 1675, against the goods of the ship Sallamander, in the hands of Bartholomew Stratton, as master, to satisfy judgment granted John Tucker, at Salem court, 30 : 9 : 1675, signed by Hilliard Veren,* cleric, and served by John Pamer,* deputy for Henery Skerry,* marshal of Salem. Jno. Sands., Daniell Legg and Jno. Saxton, appraisers, made oath at Boston, 6 : x br: 1675, before Tho. Lake,* commissioner.

John Sandys,* Daniell Legg* and John Saxton,* at Boston on Dec. 7, 1675, appraised the sails and rigging that belonged to the ship Salamander, to answer Joseph Arnoll's execution, as follows: One maine topsaile, 6li. 18s.; one spret sail, 3li. 3s.; to 1C. 3 qts. of Riging at 25s., 2li. 6s.; total, 12li. 7s. 9d.

John Sandys,* Daniell Legg* and John Saxton,* at Boston, on Dec. 7, 1675, appraised the sails and rigging that belonged to the ship Salamander, to answer James Cooke's execution, as follows: maine sail, 10li. 19s.; the missen, 3li.; to 3 qrts. of rigging at 25s., 18s. 3d.; total, 14li. 17s. 3d.

John Sandys,* Daniell Legg* and John Saxton,* at Boston on Dec. 7, 1675, appraised the sails and rigging that belonged to the ship Salamander, to answer John Tucker's execution, as follows: one fore sail, 6li. 15s.; one fore top saile, 4li. 13s.; 1 C. 2 qts. of Riging at 25s., 1li. 17s. 6d.; total, 13li. 5s. 6d.

Execution, dated 3 : 11 : 1675, against Nicholas Manning, to satisfy judgment granted Frances Skerry at Salem court, signed by Hilliard Veren,* cleric, and returned by Henery Skerry,* marshal of Salem.

Edmond Batter and Hilliard Veren, sr. were chosen, 3 : 11 : 1675, to appraise the land. Sworn before Wm. Hathorne,* assistant.

Edm. Batter* and Hilliard Veren, sr.,* appraised, 3 : 11 : 1675, four acres and ten poles of land lying next to Goodman Pickering's field, to begin next the highway and run down proportionately the breadth of the field below, to take in just four acres and ten poles at 51li. 15s. 11d., to satisfy Mr. Resolved White's execution. Also sevenscore and ten poles of ground of Nicholas Manning's to begin next Mr. White's at the highway to be four pole broad and so to run down by the side of Mr. White's to make up the 150 poles at 8li. 17s. 2d.

Execution, dated 2 : 7 : 1675, against Ensign John Goold, to satisfy judgment granted Samuell Bishop and Margerett Bishop, executors of the estate of Thomas Bishop, at Salem

*Autograph.

court, 20 : 4 : 1675, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal of Salem.

Execution, dated July 29, 1675, against Robert Ames, to satisfy judgment granted Edmond Bridges, July 20, 1675, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal of Salem.

Execution, dated 14 : 1 : 1675, against Henry Bennett and John Sparks, to satisfy judgment granted Samuell Hunt, 20 : 5 : 1675, at Salem court, signed by Hilliard Veren,* for the court, and served by Henery Skerry,* marshal of Salem.

Execution, dated 27 : 10 : 1675, against Nicholas Manning, to satisfy judgment granted Mr. Resolved White and Abigail his wife, executrix of the will of William Lord, deceased, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal of Salem.

Execution, dated Mar. 5, 1675-6, against Mr. Harlackindine Simonds, to satisfy judgment granted Henry Benett, 30 : 9 : 1675, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal of Salem, who committed said Symonds into the custody of Mr. Matson, keeper of the prison in Boston.

Execution, dated 4 : 9 : 1675, against William Carter, to satisfy judgment granted Capt. John Corwin before the Worshipful Maj. Gen. Deneson and Maj. Wm. Hathorne, on 3 : 9 : 1675, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry, marshal of Salem, who delivered said Carter to Thomas Scoate for said Corwin.

Execution, dated Aug. 7, 1675, against William Buckley, to satisfy judgment granted Simond Bradstreet, Esq., July 20, 1675 at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal of Salem, by attachment of said Buckly's house and land.

Execution, dated Aug. 7, 1675, against Joseph Elwell, to satisfy judgment granted William Seargeant, 24 : 9 : 1674, at Salem court, signed by Hillyard Veren,* cleric, and served by Henery Skerry,* marshal of Salem. Mr. Browne paid the amount for said Elwell.

Execution, dated July 22, 1675, against John Smith, merchant, to satisfy judgment granted Isaack Rand, July 20, 1675, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal of Salem, who delivered the money to Left. Way and Richard More for the use of Rand & Co.

Execution, dated 18 : 7 : 1675, against Joseph Armitage, to satisfy judgment granted Henry Roads, 20 : 5 : 1675, at Salem Court, not signed, and returned by Henery Skerry,*

*Autograph.

marshal of Salem, who brought said Armitage to prison, but Mr. Batter afterwards paid the debt.

Execution, dated 3 : 11 : 1675, against Richard Flinder, to satisfy judgment granted William Beale, 30 : 9 : 1675, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal of Salem, who delivered the pay to Mr. Batter.

Execution, dated 17 : 12 : 1675, against Samuell Pippen, to satisfy judgment granted James White, 30 : 9 : 1675, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal of Salem, who was going to prison with said Pippen when they agreed. Andrew Petters agreed with said White and Goodman Tomson engaged to pay the money, part in pine boards, and Mr. Petters agreed to let White have a cow.

Jury of inquest, impanelled, 4 : 1 : 1674-5, to inquire into the sudden death of Edmond Rooten of Line, reported that he was drowned in a brook that was about a foot and a half deep of water and mud, signed by Thomas Laughton,* John Fuller,* Henery Rhodes,* William Crofts,* John Burrill,* Allen Bread,* Thomas Iovrye,* Moses Chadwell,* John (his mark) Newhall, John Breaid,* Samuel Tarbox* and Samuell Rodses.* Sworn, 15 : 1 : 1674, before Wm. Hathorne,* assistant.

Jury of inquest, Nickeles Woodbery, Joseph Phepeny, John Lomberd, Edword Hillierd, Edmon Goyell, Roberd Bradford, Jorge Hackser, Thomas Howord, Cristhofer Philips, Esxceke Foote and Philipe English, impanelled 17 : 3 : 1675, to inquire into the death of Elisha Witte, reported that he was drowned from a boat which sunk, being overloaded.

Rowley births, marriages and deaths for 1676:

John, son of Samuel and Mary Dreser, Apr. 1.

Judah, son of John and Deborah Trumble, July 30.

Mary, daughter of John and Mary Sawier, Oct. 18.

Thomas, son of Robert Roberts, Nov. 11.

Dorras, daughter of John and Elizabeth Hopkinson, Feb. 18.

Rowley marriages, 1676:

John Spoferd, jr., and Sarah, daughter of David Wheeler, Mar. 9,

Samuel Spofford and Sarah, daughter of Thomas Burkbee, Dec. 5.

Benjamin Scott and Sussanah, daughter of John Scails Dec. 28.

*Autograph.

Rowley burials, 1676:

Margrit, wife of Lenord Harryman, Oct. 22.

Merrie, daughter of William Stickney, Jan. 14.

Thomas —— and William Bus —— deposed, May 24, 1675, concerning minister's rates. Copy made, Sept. 23, 1675, by Robt. Pike,* commissioner.

Nathanell Browne and Nathanell Estman deposed concerning planting lots and fencing boggy meadow. Copy made, Sept. 23, 1675, by Robt. Pike,* commissioner.

Jephery Persons, aged about thirty-eight years, deposed that he heard Goodwife Prince complain, weeping, to his father-in-law, who was grand jury man, concerning her husband's abuse of her and that she was afraid of her life. Also that if he killed her her blood would be required at the town's hands.†

Widow Varnie, aged about seventy-one years, deposed that Goodwife Prince had complained to her son-in-law and Jephery Persons of inhuman treatment at her husband's hands, etc.†

William Vincen, aged about sixty-three years, deposed that Goodwife Princ complained to him and "wept very sore so the tears run downe her cheeks."†

Mary Hadly, aged about eighteen years, deposed that she saw Thomas Prince so drunk at his house that he could not stand upon his legs, but abused his wife, saying that she had improper relations with John Cook.†

William Vincen, aged about sixty-two years, deposed that Thomas Princ had drunk too much these many years and on May 20, he came home drunk at midnight and used words not fit to be spoken.†

Hugh March,* aged about fifty-four years, deposed that he saw Samuell Levett assign a bill of boards for 18li., dated Dec. 10, 1672 to John Woollcott. Deponent signed as witness and Edward Smith endorsed it. John Young paid the boards to said Woollcott. Sworn, Mar. 30, 1675, in Ipswich court.

Bill of costs of Ephraim Maston. Joseph Moulton, Edw. Young and Joseph Rich ——, spent upon the country's charge at Cornet Severance's by order of Major Pike. Owned, 14 : 11 : 1675, by Robt. Pike,* sergt. major.

"To Captaine George Corwine

"Understanding that your Clerke hath refused to take the oath suitable to his place as the law requires, and doth wholly neglect his duty whereby the country service is neglected & the troope thereby too apt to be disordered, you are therefore without delay to appoint another sufficient & faithful man for that seruice, & to cause him to take the oath sutable to his place & to discharge the former & require him to appeare

*Autograph. †See *ante*, vol. IV, p. 441.

Administration upon the estate of Caleb Kemball, who was slain in the war, was granted to Henry and Richard Kemball, the latter making oath to the inventory which was allowed.

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at the Court to be held at Salem to answer his former neglects.

Daniel Denison,* Majr Genll.

"by a spechel warent from the worshipful Mr Hathorne derected to the marshall he not being at home his sone being his deptuy went with the warrent ouer to Marbelhead & tooke asestenc with him, ye constabel to haprend two french men & cold not doe it the first time ware faine to goe againe & then we brought them before his worship for which troubel we haue had nothing we therefore desire the honored Court to consider it."

"Constabel Cliford reacued a warentto warne two witneses for Thom Malls presentment which ware Left. Putmans wife & Josuah Rayes sone a great way to goe desire the honred Court to consider of it and for the whiping of Thomas Mall. 30d alowed for whipping Tho: Maule."

Search warrant, dated 18 : 10 : 1675, to the constable of Salem or Marblehead, for the apprehension of Joseph Gatchell, for base speeches against the court, "to search any house where you think him to be & if denied to break open any Doores, closets & chestes," etc., signed by Wm. Hathorne,* assistant.

Warrant, dated Oct. 28, 1675, to the constable of Salem, for the apprehension of John Pollet alias Pollard and Richard Prichard to answer for taking a horse of Mr. Hubbard's out of his pasture, riding away with him, and being pursued abused them and the constable that endeavored to keep the peace, they or their companions threatening to shoot them with a brace of bullets, signed by Daniel Denison,* and served by Masaseth Marston,* constable.

Robart Ames and Edmond Bridges testified, Dec. 3, 1675, that on Dec. 2 "betwen the bells ringine as we thinke we saw the bakar dauid fogs man that works at Tho malls house cout wood openly in the street and we saw his shope window one part open of it as we went to meeting."

Bill of cost in the action between John Newman and Willm. Whitredge.

Return of constable William Sargant,* of Gloster, to Goodman Lord, dated 13 : 2 : 1675, that he had summoned John Fich, Thomas Riggs and Thomas Miliatt to answer their presentment, with Mr. Emerson and Anthony Day as witnesses.

*Autograph.

Court remitted 15s. of a fine of William Smith's formerly, now to be discounted.

COURT HELD AT IPSWICH, MAR. 28, 1676.

Judges: Mr. Samuell Symonds, Dep. Govr., Major Genrll. Denison and Major Wm. Hathorne.

Jury of trials: Mr. Daniell Epps, Nathaniell Wells, Abraham Perkins, Thomas Lovell, Tho. Clarke, Edw. Chapman, Ed. Woodman, Hen. Jaquis, Tho. Lambert, John Plumer, Jo. Spoford and Jacob Towne.

Administration upon the estate of John Littlehale, who was slain in the war, was granted, on Nov. 25, 1675, to Edmond Bridges and Mary his wife, late wife of Richard Littlehale and mother of said John, who were ordered to bring in an inventory to the next Ipswich court.

Whereas there were several lands that were given and bequeathed by Thomas Browning, deceased, by will to Joseph Williames* and Isaac Meachum,* his son-in-law, which lands were undivided, said Joseph and Isaack agreed as follows: that Joseph Williams was to have the ten acre lot in the south field between Nathaniell Pickman's and John Pickering's lands, one care of salt marsh lying by Marblehead bridge, one acre of bastard marsh lying in the south field between some marsh of Richard Prince and Paule Mansfeild's marsh, and one quarter of an acre of marsh lying by the Deacon's marsh by the mill pond, with the fence belonging to the said ten acre lot lying at the field gate; and for the house and ground in the town, Joseph is to have for his part one-half of the land with the house that was said Thomas Browning's, being the south end of the land next to the water, he paying the said Isaack or his heirs at the decease of Mary Browning their mother-in-law, 12li.; Isaack was to have for his part the five acres called Mousers with the fence that belongs thereto, also three-quarters of an acre of salt marsh that lies between some marsh of Joshua Buffum and some marsh of Richard Prince and the one half of the ground in the town, being that half that lies from the water to the north, said Joseph paying to said Isaack, 12li. at their mother's decease, in consideration of the housing that stands upon the said Joseph's part, as aforesaid. Wit: Hilliard Veren, sr.† and John Batcheler.† Sworn, 17 : 2 : 1675, before Wm. Hathorne,† assistant. Recorded in the records at Salem, book 9, fol. 109, by Hilliard Veren,† recorder.

*Autograph and seal. †Autograph.

Steeven Crose acknowledged judgment to Ezekiel Needum in pine boards at 30s. per M. delivered at Mr. Ralph King's at Lynn.

Administration upon the estate of Marke Bachelar was granted on Jan. 16, 1675, to John Bacheler, his brother, who was ordered to bring in an inventory to the next Ipswich court.

Administration upon the estate of Margaret Kimball of Ipswich, late wife of Richard Kimball, was granted on Mar. 4, 1675-6, to Daniell Dow and Thomas Dow, sons of said Margaret, who were ordered to bring in an inventory to the next Ipswich court.

Edward Lomas v. Michaell Farley. Withdrawn.

Samuell Pippen v. James White. Verdict for plaintiff.

Robert Savery v. Phillip Nellson. Breach of covenant by lease. Verdict for plaintiff.

Thomas Woodberry v. Thomas Patch. Debt due for rent. Verdict for plaintiff, half in corn and pork and half in neat cattle. Appealed to the next Court of Assistants. Said Patch bound with Walter Fairefield and Richard Hutton, sureties.*

Mr. Thomas Woodbridge v. Capt. Wm. Gerrish. Verdict for plaintiff.†

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*Writ: Thomas Woodbery v. Thomas Patch of Wenham; debt, for rent of a farm or certain tenement, with some cattle, according to lease; dated Mar. 13, 1675-6; signed by Hilliard Veren,‡ for the court; and served by Henery Skerry,‡ marshal of Salem, by attachment of oats, barley, Indian corn, one black cow, two black yearlings and a cart and wheels, tendered by defendant's wife.

†Writ: Mr. Thomas Woodbridg v. Capt. William Gerrish; for not paying a debt; dated Feb. 25, 1675; signed by Anthony Somerby,‡ for the court; and served by Joseph Pike,‡ constable of Newbery. Bond of Wm. Gerrish,‡ with Nicholas Noyes‡ and Anthony Somerby,‡ as sureties.

William Cogswell's bill of cost, 19s. 4d.

Thomas Woodbridge's bill of cost, 5li. 1s. 8d.

Jno. Joanes, aged about twenty-two years, testified that Capt. Gerrish said that he had never made up an account with Mr. Thomas Woodbridge in all his life and could not make him do it. Sworn, Feb. 10, 1675, before Nath. Saltonstall,‡ commissioner, who also attested to the same.

‡Autograph.

Samuell Lowle deposed that two years ago the captain had among other goods from Mr. Woodbridge two pieces of kersey which he asked deponent to exchange for another color, and he did so. Sworn in court.

Richd. Dole, aged about fifty-two years, deposed that in May, 1675, Capt. Gerrish showed him a bill of 220li. under Mr. Woodbridg's hand and desired deponent to ask the latter why he was in for the payment. He acknowledged that he had given such a bill when they were at Boston together, but there was due to the Captain not so much by fifty or sixty pounds. Deponent asked why he gave a bill for more than he owed and he replied that it was part of Capt. Wever's estate that he and Capt. Gerrish were to divide. "I said to him if it was so it was little better than knavery; and I would presently ask y^{e} Cap^{t}, accordingly I did; Cap^{t} Gerrish then desiered me y^{t} I would be a means y^{t} m^{r} Woodbridg and he might have a meeting, y^{t} he might make a peace before mee how this bill of 220^{li} was due to him, and for what, and did profess he never had a peny of Weaver's estate on any such account direcktly or indirecktly in a few days after Cap^{t} Gerrish, and M^{r} Woodbridg meett att Goodman March's, and brought thaier books, I being psent and herd them both own y^{t} thay came to an account in August: 1674: and that it was wrighten in both thaier books Reckoned such a day in y^{t} month due to Cap^{t} Gerrish 48^{li} in mony, but in m^{r} Woodbridgs book he said it was written 48^{li} due to Cap^{t} Gerrish errors exepted Cap^{t} Gerrish did then account for y^{e} 48^{li} together wth Malt, porke, beefe, and other payments, w^{ch} m^{r} Woodbridg did owne he had received of Cap^{t} Gerrish to y^{e} Vallue of about 260^{li} and all y^{t} m^{r} Woodbridg did then deny was a psell of goods about 22li. y^{t} he s^{d} Cap^{t} Gerish did never returne him againe: I then asked m^{r} Woodbridg why he s^{d} y^{t} part of y^{e} bill was Weaver's estate, he could not or did not make me an answer." Sworn in court.

Dudley Bradstreet, aged about twenty-seven years, deposed that he was at Woodbridge's house at Newbury, etc. Sworn, Mar. 28, 1676, before Daniel Denison.*

Richard Dole, aged about fifty-two years, deposed that in June, 1675, there being a difference between Mr. Thomas Woodbridg and Capt. William Gerrish about the eighth part of a vessel which William Starling was then building, and which Woodbridge was to pay for and Gerrish was to have, deponent was asked to arbitrate. He proposed that Woodbridge pay 220li. to Gerrish for his debt, instead of the eighth part of the vessel, in goods as they cost in Boston, abating one penny in the shilling, the goods being "dear bought," and they both

*Autograph.

accepted it. Deponent persuaded Capt. Gerrish to take a note under his hand for the payment of fourteen pieces of serge and a parcel of nails, and another bill payable in fish. Sworn in court.

Nathaniell Bricket, aged about twenty-six years, deposed that he carried goods to the value of about 150li., and English goods and a hogshead of sugar to the value of about 300li. to Capt. Gerrish from Woodbridge's house, etc. Sworn in court.

Richard Dole, aged about fifty-two years, deposed that Woodbridge asked him to be a partner with him and Capt. Gerrish, but he refused. "Capt. Gerrish said if I would not Joyne in y^{t} way he would not Joyn therein neither, m^{r} Woodbridg said I have had seventy eight pound in money of Cap^{t} Gerrish att Boston; and so Cap^{t} I will repay you yo^{r} mony againe or else if you please, you shall have as much of y^{e} goods y^{t} I have here and those y^{t} I have to Com up, as yo^{r} mony Coms too or what you please, I then said to y^{e} Cap^{t} m^{r} Woodbridg did speke faire, y^{e} Cap^{t} said he would stay untill y^{e} next boat, and see whether or no there was any y^{t} he did like better, etc. Sworn in court.

Dudley Bradstreet, aged twenty-seven years, deposed that he saw the goods delivered, etc. Sworn, Mar. 28, 1676, before Daniel Denison.*

Dudley Bradstreet, aged twenty-seven years, testified that in Dec., last he was at the house of Mr. Richard Dole at Newbery in company with Capt. William Gerrish, Capt. Saltingstall, Mr. Thomas Woodbridge and others when Capt. Gerrish owned before the whole company that his agreement was that what he paid in country pay, a third should be abated to make it money. Sworn, Mar. 28, 1676, before Daniel Denison.*

Jno. Joanes, aged about twenty-two years, testified. Sworn, Feb. 10, 1675, before Nathll. Saltonstall,* commissioner.

Thomas Lowle, aged about twenty-four years, testified. Sworn, Feb. 10, 1675, before Nath. Saltonstall,* commissioner.

Goods received from Mr. Thomas Woodbridge by Capt. Gerrish: 17 yeards & 1-2 peniston at 3s., 2li. 12s. 6d.; 3 peices of blew linnen, 3li. 7s. 6d.; 1 peice of fustion, 1li. 10s.; 2 peices of ozenbriggs, 3li. 2s.; silke, 18s. 6d.; 3 peices of sarge, 10li. 9s.; 1 peice of galoone, 3li. 3s.; Scotch cloth 10 yards, 1li. 3s. 4d.; scotch cloth, 3li. 9s. 15d.; 5 ells of tafity, 3li. 10s.; 18 knives, 10s.; 1 pr. tongs, 5s.; tape, 7s.; 6 pr. stocs, 16s. 6d.; 2 razors, 5s.; buttons, 13s. 6d.; combes, 6s. 6d.; Laces, 17s.; thread, 4s.; camlett, 2li. 10s.; nayles, 4li. 11s. 3d.; 1 peece cullord calico, 19s.; 11 yards stuf, 1li. 19s.; 1-2 yd. silke, 4s. 3d.; 3 books, 3s.; tobacco, 7s.; powder, 6li. 10s.;

*Autograph.

gloves and laces, 17s. 9d.; Rybben and whalebone, 18s.; 1 pees stuf, 7li.; 1 oz. silke, 3s.; prunes, 10s. 6d.; nayles, 6li. 5s.; wool, 12li.; more 8li. 11s. 7d.

Tho. Woodbridg's* account in which Capt. William Gerrish is creditor, Mar. 6, 1673-4: By ballance of money & goods Received of you, 100li. 12s. 10d.; June 1, 1674, by goods received but not at money price by Goodman March, 1li. 18s.; Nov. 6, 1674, by 30 bush. malt from Mr. Knight, 6li.; Nov. 29, By John Bartlett, sr., 1li. 10s.; 1 hide, 17s.; your whole account of pork that year 1031 pd. at 3d. p., 12li. 17s.; beife, 14li. 8s.; 1600 foot of Refuse boards, 3li. 4s.; by Joshua Boynton, 10s.; by Thomas Smith, 12li. 10s.; Feb. 7, 1674, by 124 bushlls. malt from Mr. Peirce, 24li. 16s.; by Good. March, 5li.; by 25 pd. wool to Good. Farnum, 1li. 5s.; Feb. 19, by 4 bush. salt at 5s., 1li.; by Caleb Moody, 1li.; William Haccutt, 1li. 14s. 4d.; 3 : 18 : by Mr. Starling, 9li. 10s.; 6 : 10 : by a Cow delivered to Jno. Martin upon Mr. Starling's account, 5li.; by Mr. Dole, 6li. 8s.; by David Wheeler, 18s.; Mar. 6, 1674-5, by Mr. Jeremiah Hubbert, 9s. 8d.; by 372 bush. malt & fraight, 80li. 18s.; Nov. 5, 1675, by 1,000 Board nailes, 1,000 Clapboards nailes & 1,000 shingle nailes, 17s.; total, 283li. 4s. 2d. Memorandum which was forgot p John Kent, 6li. Due from the Captain, 207li. 10s. 2d. in money. Sworn in court.

Capt. William Gerrish is Dr., Mar. 14, 1673, to goods delivered him pr. Tho. Woodbridge, which Mr. Chase brought from Boston: half a pce of penistone, 3li. 7s. 6d.; 1 pce fine fustion, 1li. 10s.; 2 pcs White ossinbrix, 4li. 9d.; 9 ounces & 1-4 of silke, 18s. 6d.; 3 pcs fine mixed serges, 10li. 16s.; one pce Broad galoone, 3li. 3s.; 4 pces scotscloth at 28d., 20d., 24d., and 22d. p yd., 4li. 10s. 7d.; to 5 ells duelass at 14s. p ell, 3li. 10s.; 1 Dos. half Ivery hafted knives, 10s.; 1 doss. Tobacco Tongs, 5s.; 3 pces. half Blulinen, 106 yd., 6li. 12s. 11d.; 6 pces. fine white tape, 9s. 7d.; 1-2 doz. Womens wosted hose, 16s. 6d.; 2 Raysors, 5s.; 3 Gross silke Buttons, 1 Gross Brest, 13s. 6d.; 1 Dos. Large horned combs, 6s. 6d.; half a pce. Cambricke, 17s.; 2 pd. Thread, 5s.; half a pce. Camlet, 2li. 10s.; half a large barill Board neyls, 4li. 11s. 3d.; 1 pce. coulored Callico, 19s.; 11 yd. fine prunella, 1li. 19s.; half 1 yd. silke, 4s. 3d.; 3 books, 14 pd. role tobacco, 11s. 6d.; 1 dos. Gloves, 1li.; 1 Gross thread Laces, 7s. 6d.; 1 Barrill powder, 6li. 10s.; 1 pce. six peny ribon, 14s.; whalebone and silke, 8s.; 1 pce. stuff, 4li. 16s.; 10 m. Large shingle neyls, 1li. 10s.; 2 Baggs wooll, 137 lb. & 143 lb. at 6d. p pd., 12li.; 1-2 pce red Cotten, 29 yd. 1-2 at 27d., 4li. 8s. 10d.; 1 pd. fine white thread, 8s.; 1 pce. kersie, 4li. 5s.; 1 pce. fine wide serge,

*Autograph.

4li.; 14 Ells hollan, 4li. 3s. 7d.; 1 pce. more kersie, 4li.; 1 pce. serge, 3li.; total, 106li. 3s. 4d. Goods sold on Apr. 24, 1674: to 1 pce. fine Broad camlet, 7li.; the half of 2 Barrill neyls, 6li. 5s.; 2 pces sleasie, 2li. 10s.; 2 pces. Scotscloth, 28 yd. at 20d., 2li. 6s. 4d.; 200 weight pruens, 1li. 10s.; on May 7, 1674, to 22 pd. Rolle Tobacco, 11s.; silke to your daughter Mary, 5s.; paid to your men that brought your boards, in Drinke, 2s.; on July 27, 1674, to 1 fine Castor, 12s.; 2 Blankets, 18s.; on Aug. 13, to wollencloth, 2li. 10s.; paid weaver for neyles for you, 2s.; Sept. 6, to 3 pd. powder to Moses, 4s. 6d.; to 18 pd. beeff, 3s.; 4 yd. fine kersie, 1li. 8s.; 1 Gross silke Coat buttons, 7s.; 2 Gross Gimp buttons, 8s.; 2 pd. half Thread, 6s.; 1 pd. whited Browne thread, 6s.; 1 Ream paper, 6s. 6d.; 3 ounces silke, 7s. 6d.; 3-4 yd. fine stuff, 3s.; on Sept. 4, 1674, 16 pd. Tobacco, 8s.; on Oct. 27, 1674, 1 yd. 3-4 Tabee, 17s. 6d.; 186 pd. Nevis Sugar, 2li. 7s. 8d.; Mar. 5, 1674-5, 6 pd. & half Tobacco, 3s. 3d.; 1 pce. fine stuff, 60 yds., 7li.; 1 pce fine prunella, 4li. 17s.; 3 quier Paper, 1s. 6d.; parcel small boxes & desks, 13s.; stuff to Line sleeves, 3s. 6d.; 25 yds. fine kersie, 10li. 12s.; to 6 yd. fine hollan, 2li. 2s.; 1 pce. sleasie hollan, 2li. 10s.; 1 pce. stuff, 29 1-2 yd., 3li. 8s. 10d.; 10 yd. half fine serge, 1li. 16s. 9d.; Thread, ribon & tape, 7s.; 2 pd. Currants, 2s.; Aug. 27, 1675, 1 hh. sugar, 800 pd., 8li.; 7 pces. Blulinen, 22 1-2 yd., 11li. 17s.; 3 Double pecs. fine prunella, 15li. 10s.; 1 pce. farrandine, 6li.; 3 pces. mixed stuff, 8li. 5s.; 1 pce. Broad stuff, 3li. 10s.; 1 pce. Broad penistone, 45 yd. 1-2, 6li. 5s. 1 1-2d.; 189 Ells fine ossinbrix, 16li. 4s. 4d.; 1 pce. hollan, 20 ells, 5li. 10s.; 1 pce. flanell, 67 1-2 yd. at 2s., 6li. 15s.; 2 pces fine fulled serge, 11li. 10s.; 1 pce. mixed serge, 2li. 15s.; 1 pce. prest serge, 3li. 18s.; 1 pce. fine serge, 5li. 17s.; 1 pce. prest serge, 3li. 19s.; 1 pce. prest serge, 3li. 10s.; four pces. mixed serges, 12li.; 1 pce. kersie, 4li.; 2 pces. half Thick kersie at 2s. 7d., 7li. 12s. 6d.; 1 pce. hole kersie, 3li. 10s.; 2 pces. duffals, 7li. 11s. 3d.; 6 pces. Callico, 6li. 2s.; 11 yd. sey, 1li. 8s. 6d.; 1 pce. Irish Linen, 1li. 3s. 2d.; 2 pces. Laun, 3li. 12s.; Irish Linen, 1li. 7s. 9d.; 1 pce. Gimpe Lace, 11s. 3d.; 15 Gross Coat & Brest Buttons, 3li. 17s. 6d.; 2 Gross ditto, 12s.; 1 Gross Gimp ditto, 3s. 9d.; 1 Gross silke ditto, 6s.; 1-2 pce. Ribon, 7s.; 1 doss. Ivery hafted knives, 9s. 6d.; 1 pce. Broad ferrit, 12s. 6d.; 1 Gross Thread Laces, 5s. 6d.; 3 pces. fillinston tape, 2s. 6d.; 36 yd. 1-4 white Duffals, 8li. 3s. 1 1-2d.; 37 yds. ditto at 4s. 6d., 8li. 6s. 6d.; 1 pce. manchister, 2s. 6d.; 1 pce. silke Galoon, 8s. 6d.; 3 Doss. silver & Goold Lace, 3li. 7s. 6d.; Nov. 4, 1675, 4 yd. ribon, 1s. 4d.; Nov. 6, 1675, 8 yd. silver & sattin ribon, 4s.; 4 Barrills Neyls, 27li. 9s.; 14 pces. serges at 50s., 35li.; total, 430li. 5s. 8d. The last articles were delivered by Thomas Woodbridge, his boy, Thomas Lowle and

Capt. Wm. Gerrish v. Thomas Woodbridge. Verdict for plaintiff.*

Steven Swet. Sworn in court by Thomas Crosby and Mr. Thomas Woodbridg.

*Wm. Gerrish's bill of cost, 2li. 4d.

Mr. Thomas Woodbridge, Cr., to 1 pece of fustine 30s.; 1 pece of ossinbrlgs, 36s.; 2 pecs. of serge, 7li. 4s.; 1 pece more, 3li. 5s.; 10 1-2 of scotch cloth, 28s.; 5 ells of taffity, 70s.; silke, 18s.; 12 knifes, 10s.; 1 ds. Tobacco tongs, 5s.; tape, 9s. 7 1-2d.; 1 raser, 2s. 6d.; 2 gs. 1-2 buttons, 16s. 6d.; 1 ds. combs, 5s.; Laun & thrid, 20s.; 1 pece of camlett, 55s., 3li. 15s.; 5 M. 1-2 shingle nails, 3s. 6d.; 8 M. nails, 9s.; Two baggs of Cotten wooll, 1li.; 1 pece of Collord callico, 19s.; thrid, 3s. 9d.; 1 br. powder, 6li.; 10 1-2 of sleasy, 22s. 10d.; 11 yds. of stuffe, 39s.; total, 50li. 10s. 5 1-2d. To 1 hatt & 1 p of blaincketts, 1 peece of beafe, 1li. 5s. 11d.; 4 yds. of Carsy, thrid, silke, facing & buttons, 1li. 15s.; 4 yds. 1-2 of fustine, 6s. 9d.; powder, 6s.; thrid, 10s.; buttons, 2s.; nails, 1s.; knife, 9d.; Tobacco, 9s.; nails, 18d.; 186li. of suger, 3 quire of paper, 1 pece of Carsy, 6 yds. of hollond, 1 pece of drugett, 10 yds. 1-2 of serge, 12li. 19s.; money recd. in Boston, 1li. 6s. Sworn in court.

Mr. Thomas Woodbridge's account, Mar. 12, 1673-4: to money dd. himself in Boston, 78li.; to money p sale of a barke wch. he sould 10li. 10s.; to money pd. Caleb Mody, 20s.; to goods dd. Mr. Dole, 6li. 8s.; to Hugh March, goods, 38s. 9d. Accounted with Mr. Thomas Woodbridge, Aug. 14, 1674, due to balance, 48li.; to 209li. of porke in a barill sent p Henry Jacquis, salt, 2li. 16s. 9d.; 4 m. of shingle & 2 M. of bord nayls with exchainge of nayles, 2li. 17s. 4d.; nayls, 2li. 7s. 6d.; 3 M. of plainke & bords, 7li. 10s.; 30 bou. of mault, 6li.; to barly p Tho. Noys & Tho. Smith, 21li.; Jos. Bointon, 9s. 4d.; 1732li. of beafe at 2d., 14li. 8s. 8d.; 1031li. porke at 3d., 12li. 17s. 9d.; to hides, 47s.; to 25li. of wooll, 29li. 2s.; To salt & porke as money, 45s. 10d.; to mault pd. Geo. March, 5li.; mault pd. Mr. Pearce, 24li. 16s. 2d.; to Sam. Mody, 11s.; fraight & charges, 37s. 6d.; 1li. powder, 2s. 6d.; wooll, 19s.; to Skiper Hacket, 34s. 4d.; Tobacco, 2s.; account made, 3s. 2d.; 400 bu. mault money, 70li.; to Hen. Tewxsbury, 5li.; Mr. Sterlin, 14li. 12s. 10d.; David wheler, 18s.; Mr. Hubard, 9li. 8s.; S. Mody, 5s. 6d.; money lent, 36s.; 2li. powder, 5s.

To goods received June 19, 1675: 1 hd. suger, 7li. 14s.; 7 pecs. of blew Lining at 12d., 10li. 12s.; 2 pecs. of prunnella, 1 pece of farendine, 21li. 10s.; 3 pecs. of stuffe, 8li. 5s.; 1 peec, 70s.; 1 pece penistone, 6li. 5s. 1 1-2d., 18li. 1 1-2d.; 104 els of Ossinb. at 20d., 8li. 13s. 4d.; 1 p. of holland, 5li. 10s.; 1 p.

Capt. Wm. Gerrish v. Thomas Woodbridge. Slander. Withdrawn.*

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of flaning, 6s. 15d.; 7 p. serge, 27li.; 2 p. cloth serge, 11li. 10s.; 1 p. carsy, 4li.; 2 pecs & halfe, 7li. 12s. 6d.; 1 p. Carsy, 70s.; 33 1-2 duffils, 7li. 11s. 3d.; 6 p. of Callico, 6li. 2s.; 11 yds. say at 2s. 6d., 27s. 6d.; 15 3-4 Irish lining, 23s. 7d. 1-2; 2 p. Laune, 72s.; 17 1-4 Irish lining, 25s. 10 1-2d.; 1 p. gimp lace, 11s. 3d.; 15 gs. of buttons, 3li. 17s. 6d.; 2 gs., 12s.; 1 gs. 3s. 9d.; 1 gs. 6s.; riben, 7s.; 12 knifes, 9s.; 6 remnant ferett, 2s. 6d.; 1 gs. of laces, 5s.; 6 tape, 2s. 6d.; 36 1-4 and 36 1-4 of duffills at 4s. 6d., 16li. 6s. 3d.; 3 ds. lace, 67s., 6 lace riben filliting codline, 11s., 3li. 18s. 6d.; recd. ye 24 Nov. 75, 14 pecs. of serges, 35li.; 3 Casks of nailes, 19li. 5s. 10d.; 40 M., 5li.

To a bill 200li. damages, 5li., sterlings vessell, 15li., 240li.; abatement on goods recd., 18li. 6s. 8d.; to 2li. powder, 4s.; nails, 1li. 14s.

Richard Dole, aged about fifty-two years, deposed. Sworn in court.

Promissory note of Thomas Woodbridge to deliver to Capt. Gerrish fourteen pieces of serge and four barrels of nails "as soon as John Kent returns from Boston the next time, if the Neyls doe not come to twenty fiue pounds I will make it up but if they comes to more Capt. Gerrish is to pay the ouer plus to me." Cancelled by signature being cut out. Wit: Rich. Dole† and Dudley Bradstreet.† Sworn in court.

Richard Dole, aged about fifty-two years, deposed. Sworn in court.

John Knight, aged about fifty-one years, deposed. Sworn in court.

Richard Dole, aged about fifty-two years, deposed. Sworn in court.

Dudley Bradstreet, aged twenty-seven years, deposed concerning being at Hugh March's house when certain agreements were made and Woodbridge refused to leave the matter to the determination of Capt. Saltinstall. "This is y^{e} substance of what I can say, though not soe methodicall as might haue been if my pap^{r} had been large." Sworn in court.

Moses Gerrish, aged about twenty years, deposed that he brought up for Mr. Thomas Woodbridge bags of cotton wool which were from deponent's father, etc. Sworn in court.

Elizabeth Gerrish, aged about twenty-two years, deposed that Mr. Thomas Woodbridge came to her father's house, etc. Sworn in court.

*Thomas Woodbridge's bill of cost, 2li. 6s. 6d.

†Autograph.

Erasmus James v. John Hascall. Non-performance of a

Caleb Moody testified that he heard Woodbridge say that Captain Gerish was a cheating knave, that he had cheated him out of 180li., and that he had told a damnable or devilish lie. Sworn in court.

Jno. Joanes and Steven Swet testified. Sworn in court.

Joseph Hills, aged about seventy years, deposed that in the presence of Mr. Henry Sewall he heard Woodbridge say that there were fifty men in Newbury who would say that Capt. Gerrish had cheated them and that he would be cast out of the church. Deponent asked Rev. Mr. Jno. Woodbridg to give him a meeting at his son's house, which he did, and said Hills then declared that the meeting was to prevent contention between Capt. Gerrish and Woodbridge. Mr. Jno. Woodbridg said he was very much troubled at his son's speeches many times and he had counselled him to moderation, and asked deponent to advise him how to act. "I answered y^t he was more able to advise himselfe also y^e s^d Tho. Woodbridg then said y^t what he had spoken to mee about Cheating he had spoken to som others and bid them goe tell Cap^t Gerrish." Sworn in court.

Anthony Somerby,* aged sixty-six years, deposed that Woodbridge said Gerrish had without question cheated the town of Newbury of many a pound, and that he doubted not that he had taken away the boards from Mr. Richardsun's house. Sworn in court.

Tristram Coffin, aged forty-four years, deposed that Woodbridge called Capt. Gerrish a cheating knave and that he made a profession of religion to cover his knavery, whereupon deponent advised Woodbridge to be more moderate in his words, for Capt. Gerrish was a rational man and would do what was right. Also at said Woodbridge's house, the latter asked deponent why he told Gerrish he was drunk. Deponent said he did not tell him so but he did say that he believed "that he wass six and twenty." Woodbridge said that he was as well then as at this present time, and also that there were only five men in town who would not say that Gerrish had cheated them, to which deponent replied that he had traded with Capt. Gerrish for many score pounds and he had never cheated him. Daniell Lunt said the same. Woodbridge replied that Lunt, deponent and Rich. Doell were three of the five, that he would make Capt. Gerish's house a dung hill and would make Capt. Gerish "fly the town" or else he should make him fly the town, and within eight months he would make it appear what Capt. Gerish was, etc. Sworn in court.

*Autograph.

covenant. Verdict for plaintiff. Damages to be paid in thirty acres according to the dimensions expressed.*

Mr. Wm. Cogswell v. John Cogswell, son and heir to John Cogswell, jr. Review. Nonsuited.

John Davis, assignee of John Dane and Alice his wife, administratrix of John Newman v. Richard Lee. Debt. Verdict for plaintiff. To be paid in merchantable corn.

Peeter Tappan v. Jonathan Haines. Forfeiture of a bond. Verdict for plaintiff. Appealed to the next Court of Assistants. Said Haines bound, with Richard Shatswell and Edward Colcord as sureties.†

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*Writ, dated 5 : 12 : 1675, signed by Hilliard Veren,‡ for the court, and served by Henery Skerry,‡ marshal of Salem. Bond of John Hascol,‡ with Mark Hascol,‡ as surety.

Will. Hammon‡ and Robert Perss‡ appraised, Mar. 28, 1676, a parcel of oars at 3d. per foot in money. Sworn, 28 : 1 : 1676, before Wm. Hathorne,‡ assistant.

Erasmus James' bill of cost, 2li. 3s.

Bond, dated Dec. 30, 1675, given by John Hascoll‡ of Beverly to Erasmus James of Marblehead; for one black horse branded with an M on his left shoulder, said Haskall agreed to deliver thirty oars by Jan. 15, twelve of which were to be 26 feet long, twelve 24 feet long and six 22 feet long, all of which were to be made of good spruce, and delivered at the water side at Bass point near to Goodman Stagger's at Bass river ferry. Wit: Jonathan Gachall‡ and Edw. Humphreys.‡ Sworn, 25 : 1 : 1676, before Wm. Hathorne,‡ assistant.

†Writ, dated Feb. 5, 1675, signed by Anthony Somerby,‡ for the court, and served by Joseph Pike,‡ constable of Newbury. Bond of Jonathan Haynes‡ and Edward Colcord.‡

Award of the arbitrators, William Titcomb‡ and Daniell Peirc, jr.,‡ dated May 25, 1675, that Jonathan Hains pay to Petter Tappin 3li. 19s., and if not paid at the time prescribed, to pay 20 bushels of well dressed barley or barley malt. Sworn in court.

Agreement, dated Mar. 23, 1674-7, between Peter Toppin‡ and Johnna Haynes,‡ to leave their differences to Will. Titcomb and Danill Parse. Wit: Tristram Coffin‡ and Deborah Coffin.‡ Sworn in court.

Tirza Titcomb, aged seventeen years, deposed that the Saturday night before Salem court in Nov., 1675, after sunset, Mr. John Knight, sr., came to Peter Topin's house and

‡Autograph.

Peeter Tappan v. Susana Tappan and Jacob Tappan, executors of Abraham Tappan. Debt. Verdict for defendant.

Peeter Tappan v. Robert Joanes. Debt. Verdict for plaintiff.*

Peeter Tappan v. Robert Joanes. Debt. Verdict for plaintiff.†

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asked leave to set some bags into the house and when Topin went from home he told his wife to receive them, but they saw neither Knight nor the bags. Sworn in court.

Petar Toppan's bill of cost, 2li. 9s. 6d.

John Knight, aged about fifty-one years, testified that Jonathan Haines of Newbery desired him to lend him twenty-three bushels of malt to pay Tappen, which he did, leaving it in sacks on the ground in Tappan's orchard, saying it was the award of the arbitration with eight per cent. interest. Tappan said he would not take it, but would take what the law gave him, and went into the house, shutting the door, etc. Sworn in court.

Hugh March,‡ aged about fifty five years, testified that he saw Jonathan Haines tender Peter Tappin at his house a lusty black horse worth 4li. and six or eight hats, etc. Sworn in court.

*Writ, dated Dec. 29, 1675, signed by Anthony Somerby,‡ for the court, and served by William Browne,‡ constable of Exeter. Bond of Robart (his mark) Jones of Executer and John Osgood‡ of Salisbury.

Richard Currier, aged about fifty-nine years, and Henery Jackways, aged about fifty-six years, deposed that at Petter Tapin's house they heard him demand a debt of Roberd Jons, which the latter claimed he had paid by a bill of sale of a piece of land. Tapin said the sale was worthless as it was not acknowledged, but Jons said if he would deliver the bill of sale he would see if he could agree with Goodman Jackways or Mr. Thomas Woodbredg to pay it, etc. Sworn, Mar. 27, 1676, before Robt. Pike,‡ commissioner.

Bond, dated 23 : 2 : 1672, given by Robert (his mark) Jones of Amesbury, for boards to be delivered at Powwow river. Wit: —— Coffin‡ and —— ——rby.‡

Peter Toppan's bill of cost, 1li. 14s. 6d.

†Petar Toppan's bill of cost, 1li. 6s. 6d.

Robart Jones of Sallbery, Dr., Dec. 1675, beeffe, 2li. 5s.; barell of beeffe, 3li. 3s.; 10 bushels of seed oats, 1li. 10s.; 2 yards of holland, 12s.; 3 yards of holland, 13s. Goodman

‡Autograph.

Lift. Phillip Nellson v. Robert Savery, Wm. Bolton and John Woolcot. Verdict for plaintiff. Savery and Bolton were considered liable persons to pay the rent.*

Lift. Phillip Nellson v. John Woolcott and Tho. Thurla. Verdict for plaintiff. Damages done before 1667, Woolcott was to pay.†

Silver, Goodman Mosses, Obdyah Ayres, John Pore, Gorg Littel and Steven Swett mentioned.

William Fanin and Torsa Tickcomb testified concerning the debt between Toppan and Jones, etc. Sworn in court.

*Writ, dated Mar. 17, 1675-6, signed by Robert Lord,‡ for the court, and served by Ezekiell Northen,‡ deputy for Robert Lord,‡ marshal of Ipswich, who committed John Woolcot to Thomas Thurla to be carried to prison.

Mr. Nellson's bill of cost, 1li. 5s. 4d.

Lease, dated June 3, 1667, whereas John Burbank‡, jr., of Rowley had taken half of the farm of Philip Nellson of Rowley, lying near Merrimacke river next to Newbury line, which was let to said Burbanke by assignment of John Willcot of Newbury, Burbanke having suffered great damage for not finishing the house and barn as it should be finished and likewise in falling short both of land and meadow of what was expected, Philip Nelson‡ was to let said Burbanke live the present year upon the farm, rent free, and to have the improvement of the farm, and Burbanke was to acquit said Nellson of all debts, paying for future time a yearly rental. Wit: Sammuell (his mark) Sticknee and Julian (her mark) Sticknee.

John Woollcot and Thomas Thorla testified concerning Mr. Nelson's buildings that the barn was well clapboarded on the two sides and two ends and the roof was single boarded and battened, well nailed with a good floor, with a pair of great doors well hung for a loaded cart to go in and a pair of little doors for an unloaded cart to go out. "when we came to the hous we did make the stairs and dores and we wrought upon itt till we could find nothing more to doe that we were to doe when we had soe don we asked Roberd Sauery who was then the tenant if he knew any thing more to be done and he could tell us of nothing more to be done nor found fault with any thing that was done onely a quarell or two of glas which was broaken which he would haue had us to mend."

†Writ: Philip Nellson of Rowley v. John Woolcot and Thomas Thurley; for not finishing a house and barn according to covenants dated Oct. 16 and 23, 1667; dated Mar. 18,

‡Autograph.

1675-6; signed by Thomas Leaver,* for the court; and served by Ezekiel Northend,* deputy for Robert Lord,* marshal of Ipswich, by attachment of the house and orchard of Thomas Thurrell, also upon a gray horse, four or five swine, wheat, barley and a black cow and calf.

William Bolton and Robert Savory deposed that of the four lower windows in the house, two were to have three lights each and the other two, to have two lights each, and the other two windows at the ends of the house to have three lights each; also to find glass for all the windows and to nail up the glass; he was to make three doors to the house, one out door and two inward doors; also the roof of the barn was to be covered with pine boards well and close laid and well nailed, then to be covered with either slabs or battens on the joints and sides, and the ends to be covered with good sound clapboards well nailed; there were to be four doors to the barn, etc., and he was to find hooks and hinges for said doors and to hang the same, to lay a floor the whole breadth of the barn and all to be finished before July 16, 1663. Sworn, Mar. 26, 1667, in Ipswich court. Copy made by Robert Lord,* cleric.†

Copy of lease, dated June 18, 1662, by which Phillip Nellson of Rowly let to Robert Savery and William Bolton of Newbury a farm in Rowley of 300 acres, bounded on the east by Newbury line, on the west by land of Nicolas Walington, north on Merrimack river and south by Crane meadow; also 27 acres of meadow, part on the north side of Crane meadow river and part on the south side of Crane brook, also half of the meadow between Newbury line and the land now in possession of Mr. Richard Dumer, which land belongs at present to the brother and sister of Phillip Nelson; all of which they were to have for twenty years, from Sept. 29, 1662, and said Nellson was to build a house thirty-four feet long, nine feet in stud and sixteen feet wide to be finished the last of May, 1663, and a barn fifty feet long and twenty feet wide to be finished before July 16, 1663; they were to pay no rent for the first three years, but for the three years after, they were to pay 15li. per year, and the last six years, 20li. per year; in case they think that 20li. per year too much, they had liberty to leave the farm at the expiration of fourteen years; the rents were to be paid yearly, 7li. in wheat and Indian corn not to exceed above fifty shillings a year in Indian corn, the other 7li. in barley, wheat or pork, if in pork, it was to be barrelled up and repacked or else brought to the now dwelling house of Phillip Nellson in Rowley, all of which payments were to be delivered

*Autograph.

†See *ante*, vol. III, p. 392. The original contract was torn, and this copy supplies a few missing details.

Ens. Thomas Chandler v. Anthony Ashbie and Abigail his wife, administratrix of the estate of her late husband, Jo. Lambart. Debt. Forfeiture of a bond. Verdict for plaintiff.

Peeter Emmans acknowledged judgment to Mr. Francis Wainwright, in wheat, malt or pork.

John Graves acknowledged judgment to Mr. Francis Wainwright in wheat, malt or pork.

Hugh Marsh had his license renewed for a year, also his license for liquors.

John Stone of Beverly had his license renewed for a year.

Mr. Peeter Duncan's license was renewed for a year, also his license for liquors.

James Sanders was allowed costs in an action brought by Henry Bennet and not prosecuted.

Capt. Gerish was allowed costs in an action of slander brought by Mr. Thomas Woodbridge and not prosecuted.

Thomas Ossgood and George Abbot of Andover, Symon Chapman of Rowly and Samuel Warner took the freeman's oath.

Thomas Smith of Newbury, who was slain in the war, dying intestate, administration upon his estate was granted to James

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on board a boat against the said farm or within one mile above the said farm; if no boat came up the river when payments were due, they were to keep them a month and if no boat came within that time, the grain was to be sent to Nelson at Rowley; said Robert and William were not to be held responsible for damage to the buildings by fire and wind; signed by William Bolton and Robert Savery. Wit: John Woolcot and Gershom Lambert. John Woolcot signed a bond as surety for the payment of the rent, which was witnessed by Samuell Platts and John Pickard. Copy made by Robert Lord,* cleric.

Mr. Nelson's bill of cost, 2li. 1s. 6d.

George March and Isarell Webster deposed that they had been at Bradford at Saveri's on Mr. Nellson's farm several times and the house and barn were sufficiently finished according to their best judgment. Since then they had seen the barn down, and the sills, studs and posts so rotten that one might kick them to pieces with his foot. Sworn in court.

*Autograph.

and John Smith, his brothers, and court ordered that it be equally divided between them.

John Dane, sr., was released from trainings free.

Administration having been formerly granted to Daniell and Thomas Dow of the estate of Margret Kimball, their mother, and an inventory being brought into court amounting to about 100li., and there being four children left, court ordered to Daniel Dow of Hampton, 20li. The remainder of the estate was to be equally divided among the other three, Thomas, Jeremiah and Mary Dow.

Samuell Simons dying intestate, administration upon his estate was granted to Clement Coldom, who brought in an inventory amounting to about 16li.

Samuell Leach, complained of for abusive speeches, affronting and not obeying authority, when impressed for the country's service, was convicted and ordered to be whipped unless he pay a 5li. fine. Costs were allowed to John Elithrop.*

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*"To the Constabell of manchester y^e^ ar required in his maiestes name to impres one abell man for the Contry seurvis & to be compleatly fixed in armes with pouder & buletts: & he is to apeere the next secend day by sone ris: it being the 3 day 11 mo: 75 faill not upon y^e^ perill by order the melette of beveley : 30 : 10 : 75."

"To the constabell of manchister you ar Requiered in his magesteys name to bring up your impresd man by: to morow ten of the clock to beueley: to attend furder order all complet according to law with eight days prouision by order of the millisha Left William Dickse Januarey the 11^th^."

Complaint of John Elithorp,† constable of Manchester against Samuell Leech of Manchester, dated Jan. 21, 1675: that he had warned him to appear and he answered that he thought he should not go, saying "You may goe your selfe if you will and presently Rose up and bending his fist threatned to strike me and struck my pipe out of my mouth." He lifted up his foot and threatened to kick him, called him rogue and said he would turn him out of his house, etc.

John Ellithorp† complained further that he received a warrant from the selectmen of Manchester to impress Samuell Lech by virtue of an order from the worshipful major General Denison to take care of and provide for Goodwife Knit's of Manchester in her husband's absence who was pressed for

†Autograph.

the country service by virtue of an order from the militia of Beverly in the place of said Leech. In a scoffing manner Leech had said that he would take no notice of the warrant for it was more than the Selectmen or the Major General or the Governor himself or the King could do and said he would get some copies of their warrant to set up in other towns to publish what fools they were. Also that Leech did nothing for Goodwife Knits though she was in a suffering condition for want of wood and other necessaries, etc.

Samuell (his mark) Allen testified that Leech called the constable wopper-jawed rogue, etc.

Petition of Thomas Bishop,* John West* and Samuell Frend,* selectmen of Manchester, to the court, "Respecting a woman and her Child that is left in a uery poore Condition her husband being prest for the seruice of the cuntry whereas another was prest that was in euery Respect more fitt as we conceiue namely Samuell Leech who was sett fre by the malitia of beuarlay which was contrary to order as we conceiue we do intreat your worship that you would be pleased to direct us what to doe in such a case the inhabitants of our uillage doe manifest as there inabillitty so there unwillingnes to contribute to her present nessessitty and the Reason they aledg is that Samuell leech was prest before and did not goe and therfore was a delinquent and by order from your worship was to attend the seruice or to apear before your worship to Answer for this delinquency therfore we conceiue that the malitia of beuerlay had no power to giue any warant to pres another man therfore we hope that your worship will Judge that either the malitia of beuerlay or Samuell leech should maintain this woman in her husbands absence," etc.

Daniel Denison's* answer: "if there were any irregularitie in sending away that souldier & releasing Leech, yet being sent & now in y^{e} countryes seruice, the selectmen must take care that his family doe not suffer in his absence & they haue power to press Leech or any other to carry on his occasions, & if any refuse upon notise given order shall be taken with them."

Thomas Bishop and John Ellithorp deposed. Sworn in court.

"To the constabel of Manchester yo^{u} ar required in his maiestys name to impres one able man of yo^{r} towne for the servis of the Contry complet in armes & to be at an owers warning by order of y^{e} Comander Leftennent Dixsy 18 : 9 : 75 & John Knite I will not exsept of."

Warrant, dated Jan. 12, 1675, to the constable of Manchester for the impressment of John Knight, who was or-

*Autograph.

John Cogswell attaching Mr. William Cogswell and not prosecuting, said William was allowed costs.

Mrs. Margret Rogers dying intestate, administration upon her estate was granted Mr. John Rogers, her eldest son, who was ordered to bring in an inventory to the next Ipswich court.

John Ayres of Qaboag dying intestate, administration upon his estate was granted to Susana Ayres, the widow. There being an inventory brought in amounting to 195li., and there being seven sons and a daughter, court ordered 95li. to be divided among the children, the eldest son John, with what he already had to be made up a double portion, and the remainder to be equally divided, the widow to have the rest of the estate.

Wm. Titcomb having formerly been appointed administrator of the estate of Samuell Stevens and an inventory now being brought in amounting to 38li. 6s. 4d. clear estate, said Titcomb was allowed 10li. and court ordered the rest of the estate to John Steevens, his brother.

Abraham Jewett, presented for being drunk, was fined for the first time 10s., and for the second time, 20s.*

Martha Gilbard, presented for wearing a silk hood and scarf, was fined.†

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dered to appear armed and equipped at Beverlee at John Stone's on Jan. 14 by eight of the clock in the morning, signed by William Dixe‡ and Samuell Corning,‡ of the militia of Beverlee.

John Siblee and Joseph Pickworth deposed. Sworn in court.

Warrant, dated Mar. 27, 1676, for the appearance of Samuell Leech, and to Thomas Bishop, John Sibly, Joseph Pickard and Samuel Allen, as witnesses, signed by Daniel Denison.‡

*Rowley presentment. He was seen Jan. 15, 1675, "To goe Reeling with his horse in his hand out of Ipswitch homwards and fell downe once & againe & After ward some of his Neighbours over Takeing, helping him vpp on a horse & held him thereon, and soe went away." Wit: Aaron Pengry, jr. and John Osburne. Nathaniell Warner passing by at the same time said the man was much out of the way. Also at another time between Rowly and Nubery. Wit: John Webster and Abiall Long.

†Hannah Roberts and Martha Gillburt, of Ipswich, now or

‡Autograph.

Wm. Wattson, for his great misdemeanor in breaking up a stable door and taking away his horse, when he had been impressed for the country's service, was fined.*

Henry Gould, presented for fornication before marriage, was sentenced to be whipped or pay a fine.†

Hanah Poland, daughter of John Poland, presented for excess in apparel, was fined for wearing a silk hood and scarf and "for her strong fashon admonished."‡

John Teny and Rich. Bartlet were fined for absence from the grand jury.

Edward Stone, complained of for stealing 3li. 8s. from his master Mr. Thomas Newman, deceased, part of which had been returned, was ordered to pay 8li. 12s. to Benjamin Newman, the executor.

Richard Dole's negro Grace, presented for fornication, was ordered to be whipped or pay a fine.

John Andrews was admonished upon his presentment.§

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lately resident at Obediah Bridges, presented for excessive apparel and strange habit.

*Rowley presentment.

†Ipswich presentment. His wife was presented for wearing a scarf.

‡Ipswich presentment. Wit: Richard Walker.

§"Wee whose names are underwritten, doe humbly certifie to all whom it may Conserne, that, haueinge had seu^rall Occacons, to Travell uppon the Road from the Bay, Eastwards, and from the Eastwards to the Bay, as opptunity hath offred, hath seu^rall tymes stopt, to Accomodate our selues, at the whyte horse at Ipswich, Corporall Jn^o Andrews beinge m^r of the said house, where wee haue had good & couteous entertainment, & hath both for horse & man; ben Civilly used." Richard Waldern,|| Seaborne Cotton,|| Jo. Woodmansey,|| Tho. Marshall,|| Thomas Farnoum,|| Joseph Huchinson,|| Roger Hascoll,|| Edward Flintt,|| John Raimentt,|| Samuell Eburne,|| John Fuller,|| Edward Colcord,|| John Redman,|| Rich. Hawks,|| Giles Fifield,|| Richard Haven,|| John Lowlle,|| John Hathorne,|| Tho. Hawkings||, Robt. Oateshall,|| Tho. Thornhill,|| Tho. Gray,|| Walter Barefoote,|| Rog^r Ayshford,|| Robert Nash,|| William Cotton,|| Rich. More,|| Phillip Cromwell,|| George Emery,|| Willi. Holingworth,|| John Putnam,|| Josep. Huchingson,|| Wm. Perkins|| and Tho. Macy.||

||Autograph.

Upon complaint of Samuell Hunt against Henry Bennett and John Sparke for not performing the court order of the moderation of a bond, not paying corn or anything else, court ordered that execution be issued.

Upon request of Ruth Small, whose husband deceased intestate, court appointed her administratrix of his estate, and ordered her to bring in an inventory to the next Salem court.*

Freegrace Norton dying intestate, being slain in the war, Mr. Francis Wainwright was appointed administrator of his estate, and there being not a sufficient amount to satisfy the debts, court ordered that the debts be paid according to proportion. If any were not satisfied with their proportion, they were given liberty to take their course, if they could find any other estate not inventoried.

Whereas Mr. Francis Wainwright had power granted to him to administer upon the estate of Jonathan Gage at Ipswich court, in Mar. 1675, and had paid part of the debts, as per account brought in, the remaining part being mostly in land, is willing the widow should make the best of the estate, and resigned his administratorship. Court granted administration to Hester Gage, the widow.

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*Petition, dated Salem, Mar. 25, 1676, of Ruth (her mark) Small, John (his mark) Small, Edward Grove,† John Putnam† and John Buxton,† that the estate of Thomas Small should be divided as follows, said Ruth having taken advice of her father Small, her uncle Grove, her brother John Buxton and Mr. John Putnam: that the court make her administratrix; that she have liberty to bring up her four children herself, to continue with her until they come of age unless she see cause to dispose of them otherwise for their better education; that her son William as soon as he comes of age may have the one-half of the farm that is undisposed of, with the meadow belonging, having his part on the east side of the farm adjoining Nathaniell Putnam's, not meddling with the housing or any part of the improved land; that as soon as her daughters Lidia, Hanna and Ann come of age, they were to have 40li. each; that her father John Small, her uncle Edward Grove, her brother John Buxton and Mr. John Putnam be overseers. Allowed in Salem court, 30 : 9 : 1676, the 40li. disposed of to the child deceased to be equally divided between the mother and three children.

†Autograph.

Laurance Clenton, complained of for not living with his wife, was ordered to live with her as man and wife ought to do, and when necessarily absent, he should pay her 18d. per week in corn. She was ordered to follow her work as she ought upon penalty of being sent to the house of correction.

Mingo, Rich. Dole's negro, being charged by Grace, the negro, with being the father of her child, court ordered that he keep the child and pay costs to Joseph Pike for a hue and cry.

John Lee appeared as attorney to Joseph Averall to answer an action commenced by Bartholmew Straton and no action entered.

John Lee appeared as attorney to Georg Hisket and John Tucker to answer an action commenced by Bartholmew Straton and no action entered.

The treasurer brought in his accounts and the county is debtor 57li. 15s. 5d.

Ezekiell Woodward had his license renewed for a year, also his license for liquors.

Edward Hassen had his license renewed for a year, also his license for liquors.

Ens. Jo. Gould had his license renewed for a year.

Given to the house, 6s. 8d.

Daniell Roff dying intestate, court granted administration of his estate to his brother Ezra Roff, and an inventory of 38li. being brought in, the estate was ordered left in his hands.

Laurence Clenton acknowledged judgment, Apr. 17, 1676, to Mr. Francis Wainwright in wheat, pork or barley.

Will of Allen Perly, of Ipswich,* dated June 23, 1670, and proved Feb. 3, 1675, before Mr. Samuell Symonds, Dep. Gov., and Maj. Gen. Daniel Denison, by Robert Lord and Mary Lord: "my three elder sonns, viz. John Perlye, Thomas Perley and Samuell Perlye Taking there liberty at the age of one & twenty to leave me &c. yet I have given vnto them, three parts of the Land beyond Bachelours brooke (each of them a part w^{ch} they are possest of and doe enioy) exsepting the great meddow which I doe reserue, And all that part of Land which was Nathaniells my sonn who is departed this life I doe give & bequeath vnto my tow daughters Sarah and

*Autograph and seal.

martha Perley And my house and the rest of my land & the great meddow I giue & bequeath vnto my sonn Timothy when he shall attaine to the age of twenty three years, provyded still my beloved wife Susanna shall haue one roome to her owne use dureing her naturall life, Item I give vnto my beloved wife all my cattle & moveable goods and one third part of the land bequeathed to my sonn Timothy dureing her naturall life, for her comfortable maintenance and after her decease my will is the house & land be vnto my sonn Timothy and the cattle & moveable goods be equally devided among all my children then liveing and my will and mynd is that if my sayd wife shall marrye that then the Land and roome in the house be vnto my sonn Timothy & he to paye vnto his mother seaven pounds a yeare dureing her life And I doe make my beloved wife sole executrix of this my last will my will further is that my sonn Timothy at the age of 23 yeares shall haue the use of pt. of the stock to the value of thirty pounds dureing the life of my wife & then to be returned to be devided as is above expressed." Wit: Robert Lord*, and Mary Lord.*

On Nov. 16, 1671, Allen Perley* explained the clause "concerneing my wife haveing given unto her my cattle & moveables dureing her naturall life besyds the thirds of land & a roome in the house and in case of her mariage to leave the roome in the house and Land & to haue seaven pounds a yeare payd her by my sonn Timothy but nothing spoken about the cattell & moveable goods my will is that shee returne also the cattell & moveables to be divyded among my children as it is expressed in the sayd will. Wit: Robert Lord* and Mary Lord.*

List of presentments, dated Mar. 28, 1676, signed by William Goodhue,* in the name of the rest:

Goodman Pinder of Ipswich, for marking sheep not his own. Wit: Goodman Graves and his son.

Robert Collins of Ipswich, for stealing an ax. Wit: Mark Quilter.

Benjamin Roff's negro-woman, of Newbury, for having a child out of wedlock.

Hugh March's maid, Elizabeth Iago, of Newbury, for wishing that the devil had Mary Lad and all the company, in which company was her master, John Attcason and Daniell Ely.

John Jackson of Rowley, for mowing grass in his neighbor's meadow and raking it into his own, and when the owner of the grass came to take the grass or hay, he struck him with a haypole. Wit: Caleb Burbank and Jonathan Hopkisen.

*Autograph.

COURT HELD AT HAMPTON, MAY 30, 1676.

Symond Bradstreet, Esq., president; Major Robert Pike, Capt. Nathll. Saltonstall, Capt. Tho. Bradbury and Mr. Samll. Dalton, associates.

Grand jury: Henry Brown, foreman, John Eaton, Robert Ring, William Barnes, Jno. Weed, Thomas Maston, William Fuller, Tho. Philbrick, Tho. Dearborn, Michaell Emerson, Daniell Hendrick and John Foulsham.

Jury of trials: Anthony Stanian, foreman, Henry Moulton, Abraham Cole, Thomas Sargent, Tho. Rowell, John Samborn, Ephraim Winsly, Robert Downer, Andrew Grele, William More and Samll. Levitt.

Jno. Easman v. William Allin, jr. Appeal from a judgment tried before Major Pike, May 24, 1675. Verdict for plaintiff. Former judgment reversed.

Moses Gillman v. John Foulsham, sr. For fencing in and claiming a parcel of land adjoining a lot formerly Richard Clevers on both sides of the highway that goes to Mr. Hilton's, between Mr. Dudley's house and Moses Gillman's, which land said Moses claims by sale from Mr. Dudley and Jno. Gillman. Verdict for defendant. Appealed to the next Court of Assistants. Mr. Samll. Dudley bound with said Gillman.

Mr. Thomas Saxton v. Nathll. Winsley. Appeal from a judgment of Mr. Samll. Dalton the past April. Ephraim Winsley being taken from the jury, the parties consented to be tried by the other eleven. Verdict for defendant, the confirmation of the former judgment. Appealed to the next Court of Assistants. Said Saxton bound, with Mr. Tho. Woodbridg and Mr. Dudley, as sureties.

From Samuel Dalton's Commissioner Records. See *ante* vol. V, p. 235.

John Foulsham, jr., and Abigail Perkins were married 10 : 9 : 1675.

Charles Runlett and Mary Smith, widow, both of Exeter, were married 10 : 11 : 1675.

On 8 : 4 : 1675, Isabel Towle, wife of Phillip Towle of Hampton, and her son Caleb, for receiving a mare from Godfrey Dearborn when he was going to the pound with her on the first day of this month, were fined. Appealed to the next Hampton court. Philip Toule, sr. bound for his wife's and son's appearance.

On Sept. 30, 1675, Mr. Henery Dereing v. Mr. Richard Scammon. Debt. Defaulted.

Danll. Ela v. Samll. Watts. Debt. To be paid in boards or slit work. Neither defendant nor his surety Josiah Heath appearing, default was made, and the bond was declared forfeited. Verdict for plaintiff.

Jno. Severans v. John Young. Debt. In money by John Barbar and 2,000 feet of boards. Verdict for plaintiff.

Capt. Thomas Bradbury v. Mr. Edward Colcord. Debt. For deal board to be delivered at Henry Green's mill at Hampton. Verdict for plaintiff.

William Holdred v. Richard Scaman. For not giving him a firm deed of 30 acres near mr. Wheeler's creek where said Holdred had built a house. Verdict for plaintiff.

James Kid v. Jno. Clark. Debt. For two years' rent due for house and land, in corn. Verdict for defendant.

Jno. Brown v. Nicolas Lissen. Debt. For 1,600 feet of pine boards. Verdict for plaintiff.

Mr. Henery Dereing v. Henery Magoon. Debt. Withdrawn. On 26 : 8 : 1675, defendant acknowledged judgment to plaintiff.

Hen. Magoon charged a bill to Mr. Coffin.

Mr. Henry Deareing v. Crobar Dannavan. Debt. Referred to the last Tuesday in October next. On 26 : 8 : 1675, defendant and his surety Nicholas Lesson did not appear, and the action proceeded. Judgment for plaintiff.

Mr. Henery Dereing v. Edward Colcord, sr. Debt. Referred to the last Tuesday in October.

Mr. Henry Dereing v. Moris Hobes. Debt. Withdrawn. On 26 : 8 : 1675, Moris Hobes, sr., promised to settle for his and his son James' account.

On 30 : 7 : 1675, Mr. Hen. Dereing v. James Hobes. Withdrawn.

On 30 : 7 : 1675, Mr. Henry Dereing v. Phillip Towl. Debt. Referred to the last Tuesday in October. Withdrawn.

On 26 : 8 : 1675, Return Johnson acknowledged judgment to Mr. Henry Dereing, in wheat at 5s. per bushel.

Edward Colcord, sr., acknowledged judgment to Mr. Henry Dereing on 26 : 8 : 1675, in white oak pipestaves to be delivered at Mr. Dereing's wharf upon Great Island in Pascataqua at 3li. per M.

On 26 : 8 : 1675, Mr. Henry Dereing v. Mr. Richard Scammon. Debt. Defaulted. Judgment for plaintiff.

On Mar. 30, 1676, Moses Gillman v. Richard Scammon, sr. For refusing to deliver his gun which he brought to said Scammon to mend, which gun once belonged to Ben Huntaway, the Indian. Judgment for plaintiff, the gun to be delivered.

On Apr. 1, 1676, Mr. Thomas Sexton appeared in the complaint of Natt Winsley. It appeared by evidence that the oars were taken without the order left with Caleb Moody whence the oars were carried, and were found in the custody of said Sexton at Mr. Carr's Island in Salisburie. Judgment that Sexton should bear the costs and Winsley should recover his damage for the value of his oars in a course of law.

Mr. Jno. Groth acknowledged judgment to Jno. Allin.

Phillip Towle v. Godfrey Dearborn. Appeal from a judgment of Mr. Samll. Dalton, 8 : 4 : 1675. Verdict for defendant, confirmation of the former judgment.

John Bradbury v. Jno. Shore. Debt. For 1,000 white oak pipestaves. Said Shore and his surety Robert Smart not appearing made default, and the action went to trial. Verdict for plaintiff.

Phillip Grele v. Charles Gleeden. For withholding 1,500 feet of pine boards. Verdict for plaintiff.

Mr. Jno. Stockman v. Georg Martyn, Richard Martyn, Jno. Martyn and Jno. Jimson. For not making 14,000 white and black oak pipestaves according to agreement at 30s. per thousand, the bargain having been made by said Stockman's wife in the presence of Major Robert Pike. Verdict for plaintiff.

Tho. Philbrick and Martha Cass, executors of the estate of John Cass, acknowledged judgment to Jno. Redman, jr., of Hampton.

Capt. Tho. Bradbury, Henry Brown and William Buswell were appointed commissioners for ending small causes in Salisbury for the ensuing year, the first two taking the oath in court and the latter on June 1, 1676, before Capt. Saltonstall.

Daniell Ela's license to keep the ordinary for Haverhill for the ensuing year was renewed.

Upon complaint against James Sanders for suspicion of taking away other men's hogs, he was ordered to appear when called.

Michaell Emerson, for cruel and excessive beating of his daughter with a flail swingle and for kicking her, was fined and bound to good behavior.

Upon complaint of Henry Dow and Jno. Smith against Henry Green for opposing them as press masters, court ordered that said Green give bond for appearance at the next Norfolk court, which he did.

Jno. Smith, tailor, for striking and abusing Wm. Samborn, sr., in the latter's orchard, was fined.

Richard Scammon, Humphrey Wilson, Jno. Redman, jr.,

John Clarke, John Hobbs and Philip Towle, for taking tobacco near the meeting house in the face of the court, were fined.

Mr. Richard Scammon, for breach of the law of oppression in taking 500 feet of boards for mending a pistol lock for Nathll. Griffyn and some other work, all by his own statement not worth more than 6s. 6d., was sentenced to return 250 feet to said Griffyn and the remainder to the county treasurer as a fine.

John Clarke was ordered to appear at the next Norfolk court to answer a complaint for abusing the clerk of the military company of Exeter.

Court ordered that Capt. Walter Barefoot be apprehended and brought before some Majestrate and that he be bound over to the next Norfolk court for contempt of authority in departing from court without license. He was summoned by a warrant directed to Abraham Pirkins, constable of Hampton, and made default.

Elizabeth and David Robinson were appointed administrators of the estate of Jno. Robinson said David's father, and were ordered to bring in an inventory to the next Norfolk court.

Ordered that Robert Smart, jr., and Hellena his wife appear to answer for committing fornication. Defaulted.

Tho. Chase was appointed administrator of the estate of Abraham Chase by Maj. Pike and Mr. Samll. Dalton on the second Tuesday in April, 1676, and brought in an inventory to this court. He was ordered to make an accounting at the next Norfolk court.

Capt. Nathll. Saltonstall and Mr. Samll. Dalton took the oath as magistrates.

Mr. Groth forfeited his bond in not prosecuting his appeal at the Court of Assistants, and the bond was moderated.

Certificate being returned from the Secretary under his hand, Henry True and Jno. Pike took the freeman's oath.

Capt. Jno. Gillman was licensed to keep a public house of entertainment for strangers in Exeter, for the ensuing year.

Tho. Philbrick, son of James, deceased, chose Timothie Hilliard, his brother-in-law, to be his guardian.

Whereas Jno. Fousham, sr., was presented as a constable chosen by the town of Exeter, and court not approving of him as a meet person for that office, it was ordered that Moses Gillman, the present constable, call a meeting of the inhabitants and choose another who should be sworn before Mr. Samll. Dalton.

The town of Exeter, presented for letting their meeting house lie open and common for cattle to go into, court ordered that the selectmen of Exeter take effectual care that the house be cleansed and made decent for Christians to meet in, that the doors be hung and kept shut. It was to be certified under the hand of the constable by the next Sabbath day "come sennet" or pay a fine, and for time to come the house should be tight and decent as befitted such a place.

Whereas the town of Exeter was enjoined under penalty of 10li. to have their bridge sufficiently made and repaired by this court time, which had not been done, court ordered that the fine is now due to the county and that the bridge be repaired before the next Norfolk court, the bridge to be railed only on one side.

Jno. Severans' license to keep the ordinary for Salisbury was renewed for one year.

Upon the complaint of Ensign Samborn against Henry Roby, court ordered that as it appeared that said Roby did abuse Samborn by reviling him and throwing him down, he should pay a fine for breach of the peace and pay Samborn for the abuse.

Timothie Hilliard, with Ann, widow of James Philbrick, were appointed administrators of the estate of said James Philbrick, late of Hampton, deceased.

Henry Robie's license to keep ordinary for Hampton was renewed for the ensuing year.

Tho. Maston was freed from all ordinary trainings, he discharging the company for whatever was due him for disbursements for said company while he was clerk of the band.

The treasurer presented his account.

Court allowed 10s. to be disposed of by the treasurer to the house and places where the court lodged.

Concerning the articles presented against Major Robt.

Pike by several members of the church at Salisbury, court taking into consideration the difference and division that is and has been long in said church to the great dishonor of God and grief and offence of the people of God, "& y^{t} y^{e} hearing & determining of y^{e} s^{d} complaint is not like to heale y^{e} same but rather to make y^{e} breach greater if y^{e} grievance of one p^{t} should only be heard The other party p^{r}tending as great reason to p^{r}ferr their complaint, & there being noe convenient opptunity att p^{r}sent to heare either y^{e} one or y^{e} other This Court doe therefore advise & as much as in them lyes requier y^{e} s^{d} church of Salisbury to attend their duty by their dilligent & serious endeavor speedily to issu & compose y^{t} unhappie difference either by themselues if it may bee attained or by y^{e} help: of other churches, or advice of some able godly Christian freinds chosen by y^{e} mutuall consent of y^{e} church & parties cheifly concerned w^{ch} if refused or neglected y^{e} said church may expect y^{t} Cyvill authority will according to their duty pvide some due way & means for y^{e} putting an end too & issuing y^{e} aforesd differences as speedily as they can: or otherwise if nothing bee done in y^{e} meane time this Court will giue a hearing of y^{e} aforesd Complaint (pties concerned haueing due notis therof by y^{e} clarke of y^{e} court) att y^{e} next Sessions of y^{e} s^{d} Court."

Execution, dated May 23, 1674, against Edward Colcord, sr., to satisfy judgment granted John Stanian and Henry Roby, his attorney, 13 : 2 : 1669, at Salisbury court, signed by Tho. Bradbury,* for the court, and served by Henry Dow,* marshal of Norfolk. On June 28, 1675, Henry Roby* acknowledged satisfaction.

Venire, dated Aug. 30, 1675, for Hampton trial jurymen, also summons to Hampton upon a presentment for not perfecting the bounds between that town and Exeter, and to witnesses, Tho. Marston and Morris Hobbs, signed by Tho. Bradbury,* for the court, and served by Abraham Perkins,* constable of Hampton, who returned the names of Mr. Stanyan, Anthony Taler, Henry Moulton and Abraham Cole, for the jury of trials.

Execution, dated Feb. 26, 1675, against Edward Colcord, sr., to satisfy judgment granted Jno. Stanian and Henry Roby, 13 : 2 : 1669, at Salisbury court, signed by Tho. Brad-

*Autograph.

COURT HELD AT SALEM, 27 : 4 : 1676.

Judges: The Worshipfull Samll. Simonds, Dep. Gov., Simond Bradstreet, Esq., Maj. Genll. Daniell Denison and Maj. Wm. Hathorne.

Grand jury: Mr. John Ruck, Eleazer Gedney, Job Swinerton, jr., Christo. Babadge, Joseph Phippen, sr., John Peach, sr., William Dodg, Henry Walker, Will. Clearke, John Bachelor, John Pease and John West.

Jury of trials: Corpll. John Putnam, Mr. Nehemiah Willoughby, John Williams, Mr. Phillip Cromwell, Andrew Elliott, Chrispus Brewer, Samuell Johnson, Theophilus Bayly, Jacob Davis, Charles Gott, Will. Beale and Tho. Fiske.

[The charge of the grand jury at Sergt. Lake's is 3li. 14s. — *Waste Book.*]

Eleazer Gedney was fined for absence from the grand jury.

Mr. Jon. Grafton and Mr. Jon. Turner were fined for absence from the jury of trials.

Will. Crafts, attorney of Moses Chadwell v. Benjamin Chadwell. Verdict for plaintiff.*

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bury,† for the court, and served by Henry Dow,† marshal of Norfolk. On Apr. 24, 1676, John Stanyan† acknowledged satisfaction.

Bond for appearance in a criminal action at Hampton court given by James Sanders, with Joseph Peasly as surety, both of Haverhill, acknowledged May 17, 1675, before Nath. Saltonstall,† commissioner.

*Writ, dated June 7, 1676, signed by Hilliard Veren,† for the court, and served by Daniell Gott,† constable of Lynn, by attachment of two acres of salt marsh.

William Crofts, aged above sixty years, deposed that he heard Benjamin Chadwell say that if any man came upon the marsh to mow it, he would kill him and burn the hay.

William Crofts' bill of charges, "for tending my brother when he was atached by kemball," etc.

Bond, dated July 5, 1675, given by Moses Chadwell† and Bengeman (his mark) Chadwell, both of Lin, ship carpenters, to Henry Kemble of Boston, for 5li., to be paid at said Kemble's dwelling house in Boston. Wit: John Arnall† and John Brigden.† Henry Kemble, at the desire of Bengeman Chadwell, refused to receive the 5li. of Moses Chadwell unless

†Autograph.

Thomas Patch v. Tho. Woodbery. Verdict for plaintiff, to be paid in corn, pork and apples. Appealed to the next Court of Assistants. Said Woodbery bound, with Paule Thorndike and William Dodg, as sureties. Appeal withdrawn.*

Tho. Pigden (also Pickton) v. Ensign Samll. Corning. Forfeiture of a bond. Verdict for plaintiff.†

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said Bengeman forfeited his bond with Moses to the said Henry. Henry Kemble's‡ receipt, dated Nov. 29, 1675, for the 5li. Tho. Chadwell, aged about sixty-three years, and Will. Whikwell, were sworn as witnesses before Tho. Clarke,‡ assistant.

Bill of sale, dated July 5, 1675, given by Bengeman (his mark) Chadwell§ to his brother Moses Chadwell, two acres of marsh lying between Alling Bred and Roberd Burges, next said Bred's pasture, for 10li., etc. Wit: John Arnall‡ and John Brigden.‡ Sworn, 3 : 4 : 1676, before Tho. Clarke,‡ assistant. Moses Chadwell‡ assigned this bill of sale to his attorney William Crafts.‡

*Writ, dated 28 : 3 : 1676, signed by Thos. Fiske,‡ for the court, and served by Thomas West,‡ constable of Beverly.

Account of rent paid by Thomas Patch to Thomas Woodbery since July 15, 1674: delivered to Thomas Woodbery and to William Dodge by Woodbery's order, 75 bushels of apples at 10d. per bush. at apple gathering time in 1674, 3li. 2s. 6d.; paid to Thomas Woodbery, 33 bush. of Indian corn at 3s. per bush., 4li. 19s.; and one swine which weighed 227 pounds at 3d. per pound, 2li. 16s. 9d.; 53 bush. of apples at 12d. per bush., 2li. 13s.; total, 13li. 11s. 3d.

William Dodge, aged about thirty years, deposed that there were apples brought to his cider mill in 1674 and 1675 by Thomas Patch or his order and he made them into cider, which Thomas Woodbery had. Sworn in court.

Elias Pickworth, aged about eighteen years, deposed that in 1674 in apple gathering time his master sent him to Bass river with two loads of apples for Thomas Woodbury, etc. He also carried pork and Indian corn in 1675. Sworn in court.

John Edwards, aged about thirty years, and Walter Fayerfeld, aged about forty-three years, testified concerning the settling of the accounts, etc. Sworn in court.

Thomas Patch's bill of cost, 1li. 16s. 8d.

†Writ: Thomas Pickton, one of the proprietors of the driftway from the ferry on Beverly side v. Samuell Corning, sr.;

‡Autograph. §Seal.

Joseph Armitage, assignee of Hen. Tucker v. Maj. Tho. Savage. Debt. Nonsuited.

Capt. Wm. Geerish v. Mr. Tho. Woodbridge. Review. Verdict for plaintiff. Appealed to the next Court of Assistants. Said Woodbridge bound, with Mr. Dudly Bradstréet and Ensign Tho. Chandler as sureties.*

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forfeiture of a bond, for not maintaining his part of fence belonging thereto, according to the award of Major Hathorne and Capt. Lothrop; dated June 10, 1676; signed by Hilliard Veren,† for the court; and served by Henery Skerry,† marshal of Salem.

Thomas Pickton's bill of cost, 1li. 4s.

John Galley and Henery Bayley, both aged seventy years and upward, deposed "that whearas there haue bin a drift way one Cape an: side through seuerall mens lande neare thirty yeare if not more and those that had no land in this way haue had theire free passage by drift or otherwise onely they were to help to fence this way which they did for seuerall yeares but some yeares since there did arise some differences about this way soe that Thomas Pickton was sued before the worshipfull Major hawthorne who perswaded them to agree pickton told his opposits that he would Refer the difference to any too honest men whom they should appoynt." Major Hathorne and Captaine Lowthropp were appointed and their award accepted. About a year ago Corning's fence with that of several others had been taken away and he had made use of the way by carting and otherwise, etc. Sworn in court.

On 28 : 6 : 1665, the following inhabitants of the field on Cape Ann side agreed to stand by the determination of the arbitrators: William dickse, Samuel Corning, Josiah Roots, sr., Thomas Pickton, John Galley, henery Bayley, John lovit, jr., Thomas Tuck, Richard Stackhouse, hugh Woodbury by william dixey, William hoare by John Galleys, Richard haines, Thomas Chub, John Stone and Raph Ellingwood.

*Writ, dated June 15, 1676, signed by Anthony Somerby,† for the court, and served by Joseph Pike,† constable of Newbery, by attachment of the dwelling house, warehouse and land, all the furniture in the house, which consists of five beds, several pewter dishes, divers sorts of linens in trunks in the house, several parcels of English goods in the shop, one bale of goods in the warehouse, salt, lines, cork, feathers, etc., belonging to defendant.

Execution, dated Mar. 30, 1676, against Capt. Will. Gerish

†Autograph.

to satisfy judgment granted Mr. Thomas Woodbridge at Ipswich court, signed by Robert Lord, cleric, and served by Robert Lord, marshal of Ipswich. Copy made by Robert Lord,* cleric.

Bought of Mr. Jacob Jesson, Nov. 19, 1675, to pay in pork in two months at money price at Boston: 28 M. 1-2 6^{d} nailes at 5s., 7li. 2s. 6d.; 50 M. 4^{d} nailes, at 2s. 8d., 6li. 13s. 4d.; 14 M. 10^{d} nailes, 3s., 5li. 12s.; total, 19li. 5s. 10d. Owned by Mr. Woodbridg, 27 : 4 : 1676, before Hilliard Veren,* cleric.

Goods delivered the Marshal by execution, 60li. 10s.: 14 pecs serges, 35li.; 1 pece of hollond, 5li. 10s.; 69 els of Ossinb., 5li. 15s.; 60 yds. flaning, 6li.; 30 1-2, 37 1-2 of duffills, 15li. 6s.; 42 yds. penistone, 5li. 15s. 6d.; 25 yds. Carsy, 10li. 12s.; 2 pecs 1-2 thicke carsy, 11li. 12s. 6d.; 1 pece of carsy, 3li. 10s.; 1 peece of sad carsy, 4li.; 2 pecs of mild serge, 11li. 10s.; 1 pece of prest serge, 3li. 18s.; 1 pece of serge, 3li.; 1 pec. serge, 3li. 10s.; 1 pece serge, 3li. 18s.; 2 pecs of prewnello, 15li. 10s.; 1 pece of farindine, 6li.; 3 pecs of stuffe, 8li. 5s.; 1 pece of serge, 3li. 18s.; silver lace, 3li. 7s. 6d.; 6 pecs of callico, 6li. 2s.; 2 pecs of Lawne, 3li. 12s.; 1 pece of gimpe lace, 11s. 3d.; blew lining, 5li. 14s.; 1 peece of stuffe, 3li. 10s.; nayls, 27li. 9s.

Capt. Gerrish's bill of cost, to witnesses John Dole, John Atkinson, Henry Tewxsbury, Thomas Noys, Nico. Noys, Stephen Greinleife, Daniell Lunt, John Kent, Hugh March and Joseph Gerrish, etc., 9li. 1s. 6d.

Caleb Moody deposed. Sworn, 27 : 4 : 1676, before Wm. Hathorne,* assistant.

Elizabeth Gerrish, aged twenty-two years, testified concerning the attachments served by constable Joseph Pike, she standing at the porch door. He said "I doe attach this Cubbard this Chaire this table & this dogg," and then went outside and attached three oxen, seven cows, two yokes, a chain and a dungpot. Then the constable went away with Tristram Coffin. Sworn, 27 : 4 : 1676, before Wm. Hathorne,* assistant.

John Cornelius, aged twenty-five years, deposed. Sworn, June 26, 1676, before Daniel Denison.*

Ric. Dole, aged about fifty-two years, testified. Sworn in court.

John Knight, sr., testified. Sworn in court.

Tristram Coffin, aged forty-four years, deposed. Sworn in court.

Tristram Coffin and Jno. Dole testified. Sworn in court.

John Wells, aged about thirty-six years, deposed on June 23, 1676. Sworn, June 26, 1676, before William Stoughton. Copy made by Hilliard Veren,* cleric.

*Autograph.

Vinson Stilson v. Charles Gibbs, in behalf of Eliza, his wife. Defamation. Verdict for plaintiff.*

John Knight testified that Mr. Woodbridge told him that he had paid Gerrish a part of his debt and the remainder he would pay at the next coming in of the boat, etc. Sworn in court.

John Knight, sr., deposed. Sworn in court.

Elizabeth Gerrish, aged about twenty-two years, deposed concerning the goods for which Woodbridge sued her father. Sworn, 26 : 4 : 1676, before Wm. Hathorne,† assistant.

Moses Gerrish, aged about twenty-years, deposed concerning what Mr. Woodbridge told his wife about the goods, etc. Sworn, 27 : 4 : 1676, before Wm. Hathorne,† assistant.

*Writ: Vincon Stillson v. Charles Gibbs of Marblehead, in behalf of Elizabeth his wife; defamation in reporting that plaintiff offered said Elizabeth money to play the rogue with her and that he was the cause of the death of her last child; dated June 9, 1676; signed by Hilliard Veren,† for the court; and served by John Chin,† deputy for Henery Skerry,† marshal of Salem.

Vinston Stilston's bill of cost, 4li. 12s.

Sarâh Mare, aged about fifteen years, deposed that Elizabeth Smith was at her dame's house on June 28, 1676, and the latter asked her if she had been to Salem to sware against Vinson Stilson and she said that she had not. She further stated that he had never offered her any abuse, etc. Sworn in court.

Heaster Green, aged about twenty-one years, testified that on June 7, Vinson Stilson, jr., was at home in his house all the afternoon and evening. Further, that Elizabeth Gibbs had made charges against William Jarman and told of what happened at John Cole's house where said Stilson now lives, which deponent, being present, declared were not true. Sworn, 19 : 4 : 1676, before Wm. Hathorne,† assistant.

Tamsin Gover, aged about thirty-five years, deposed that two or three days before Elizabeth Gibbs' last child was born, she was passing their house and heard quarrelling between said Elizabeth and her husband, etc. Sworn, 19 : 4 : 1676, before Wm. Hathorne,† assistant.

Grace Stillson, aged about thirty-seven years, deposed that Rebeckah Hueet came to her house in the evening and inquired for deponent's husband because she wished to get a pair of shoes. Deponent told her that she thought he had none that would suit her and then she answered that she would have a pair of white shoes snug to her feet.

†Autograph.

Vinson Stilson coming into the house was asked by deponent to take the measure of Rebecca's feet, and he said he could not stay but if she would hold the lamp he would for he was in haste. She told the boy to take the lamp and go out into the shop and deponent was there all the time and saw nothing amiss. Sworn in court.

Joane Roads, aged about forty-six years, deposed that Elizabeth Smith complained to her about the actions of Vinson Stilson, the younger, when she was sitting in a chair with her child in her lap, also when she went to his house for shoes for her child, etc. Sworn, June 26, 1676, before Wm. Hathorne,* assistant.

Sara Roads, aged twenty-five years, deposed. Sworn, June 26, 1676, before Wm. Hathorne,* assistant.

Joane Boubier, aged about twenty years, deposed that she met Elizabeth Gibbs in the street at Marblehead and she asked her if it were true that she had been to Salem to complain to Major Hathorne of Stilson's abuse. She said it was "a diuelesh Lie," that she had not seen the Major since she knew not when, and this was the same hour that she went to the constable with the warrant from the Major. Sworn, 19 : 4 : 1676, before Wm. Hathorne,* assistant.

Sarah Roades, aged twenty-four years, deposed that after Elizabeth Gibbs had told her about Stilson, the latter's wife asked said Elizabeth why she gave such reports to her neighbors. She denied having done so, and said she should scorn "that Euer such an ill Look Curr should medle with her." Sworn, 10 : 4 : 1676, before Wm. Hathorne,* assistant.

Jean Searl, aged about thirty-five years, testified that she living under the same roof with Elezabeth Gibbs, wife of Charles, she came into her room where she had another woman neighbor, and said that she was almost dead, that she had been to look out for a man to watch for her husband, etc. Sworn, 10 : 4 : 1676, before Wm. Hathorne,* assistant.

Vinson Stilson's declaration: that all the witnesses had cleared him except two "who are by comon report as bad as herselfe. . . . it is very well known vnto most of Marblehed that this woman is an abusiue woman as any is in marblehed and says she if this complaint will hould, shee would accuse seuerall persons in marblehed of very good account in the like kind," etc.

Mathew Price and Robart Gotts deposed that Elizabeth Gibbs told them that she had wronged the man by her complaint. Sworn, 28 : 4 : 1676, before Wm. Hathorne,* assistant.

Rebecka Hewet, aged about twenty-two years, testified concerning going to Stilson's house when his son Vincent

*Autograph.

John Cogswell v. William Cogswell, executor in trust to the will of John Cogswell. Verdict for plaintiff, according to the judgment of the Court of Assistants. William Cogwell bound, with Phillip Fowler and Tho. Wade, sureties.*

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offered her abuse, etc. Sworn, June 21, 1676, before Thomas Clarke,† commissioner.

Elizabeth Gibbs, aged about twenty-four years, deposed concerning the several times that Vinson offered abuse to her, at the shop where she went to get shoes, at the well when she went to fetch a pail of water, when she was making her bed in her own house, etc., all of which she told her husband, etc. Sworn in court.

*Writ, dated June 22, 1676, signed by Robert Lord,† for the court, and served by Robert Lord,† marshal of Ipswich. Bond of William Cogswell.†

"Louing freinds m^r^ John Coggswell and m^r^ Willyam Coggswell. thes fewe words are to lett you unstand that the Counstables of Salem Frances Lawes and John neall haue been at Charges with nathanyee domene, seruent to m^r^ John Coggswel late deseased being gone from his masters serues. I pray you to paye thes Charges to gilles Core and this shall be your decharge by me Francis Lawes† one of the constables. from Salem the 24 of the 2 monthe 1655." The charges were 2s. for two hue and cries to John Salare, the Frenchman, for bringing him home; at another time, 2s. 6d.; bestowed upon the lade at the ordinare, 4d.; total, 4s. 10d.

John Cogswell's† objections against the justice and legality of the account given in by Mr. William Cogswell, executor in trust to the will and inventory of John Cogswell, jr., deceased: to 100li. paid to Mr. Theoder Atkson; to 19li. paid to Mr. John Cogswell; to 13li. paid Goodman Lovell; to 10li. to John Cogswell, sr., for keeping and nursing Samuell Cogswell; to 3li. to Mordecai Larkom; to all the other accounts; to 20li. paid to Mr. Andrews for my boarding and schooling, for which Williams conscience smoat him and he scored it out; to the sixteen years' rent of the land, being 4li. per year more than what he paid the town of Ipswich for the lease, 64li., his excuse being that having leased it to Mr. Waldo for 16 years, upon the eleventh year he was obliged to buy said Waldo out at 29li.; for a considerable sum received for three or four servants sold and disposed of; for seventy pine trees making 700 feet of board per tree, worth about 27li. 11s. 3d., and thirteen white oaks worth 6li. 18s. 3d.; to the

†Autograph.

charge also for repairing and groundselling the house and repairing the barn, etc.

William Cogswell's* answer to plaintiff's objections: that he doubtless forgets that he has been brought up from the cradle until he was dismissed to take charge of the estate; that the servants Robert Powel and Thomas Fowler were paid for by my father and I and the estate allowed 14li., etc. Mr. Atkinson, Phillip Fowler, Thomas Lovell, John Cogswell, Samuel Cogswell, Mordecai Larkom, mentioned.

William Cogswell's bill of cost, 7li. 19s. 6d. Mr. Atkinson, Jer. Belcher, Thomas Clarke, Good. White, Esther Cogswell, Goodman Varnye, Robert Crosse, Abigail Clarke, Sarah Tuttell, James White, James Coalman, Phillip Fowler, Thomas Wides mentioned.

John Cogswell's bill of cost, 6li. 19s. 6d.

Copy of the record of the Court of Assistants, Mar. 7, 1675-6, in an action of Wm. Cogswel against John Cogswell, in appeal from the judgment of the Ipswich court, with judgment for defendant, made by Edw^{d} Rawson,* secretary.

Copy of papers in a similar action brought, Sept. 20, 1675 in Ipswich court, made by Robert Lord,* cleric.

Receipt, dated 20 : 2 : 1656, given by Mordecai (his mark) Larcom and Eliz. (her mark) Larcom, his wife, late wife of Wm. Clarke, for 3li., which was the award of Mr. John Appleton, George Gittings and Moyses Pyngrum, to John Cogswell and Wm. Cogswell, executors, which he promised to Wm. Clark, deceased, that if he made use of the house which he built upon his land, he was to pay him for it, etc. Wit: Humphrey Verny* and Elizabeth Cogswell.*

"M^{r} Coxwell my kinde loue remembred unto you this is to let you understand that Thomas louell gave your sonn a letter of aturney to fell a house and little ground which he receiued thirtene pound of it and I will take my oathe of it that he said upon his death bed that he receiued thirteen pound and that the said thomas louell should be paid out of his goods here but that the magistrates were gone to cambridge else I would haue sent you a deposition under there hands, and I would intreat you to send me the biggest of the lads with all speed else you must pay me for his time. george Stimson. thus in hast I rest your louing friend

Theodore Atkinson."*

Bond, dated Dec. 20, 1671, given by Samuell Cogswell* of Ipswich to his uncle William Cogswell of Ipswich, for enough white oak timber to make 10,000 barrel staves and heading, said timber growing on the pasture land on the southeast side of Jebaco river, etc. Wit: William Thomson*

*Autograph.

and Edward Cogswell.* Samuell Cogswell's* receipt. "also Paied by youre order to youre brother John 25s"

Elizabeth Cogswell* certified that she and her husband John Cogswell had received of their son John 10li. for nursing and maintaining his young child which he put to them in 1652 before their said son went to England. Wit: Symon Tuttell.*

Debts "of my brother John which we found paide on sergent belsher's booke," and certified to by Jere Belcher:* to the ferryman of Nubery, 3s. 6d.; decon Pingre, 10s. 8d.; twifoot west, 1s. 6d.; gorg hadly, 10s.; goodman Englis, 3s.; samuell tailer, 2s. 6d.; goodman bradstreet, 2li.; John Androse, 2s.; ould Rofe, 3s.

"London this 30th of march 1653:

"Most loveing father & mother I haueing an oppertonity to send to newingland: Could not but write to yo^{u} to certifi yo^{u} yt I am through gods goodnes to me safe arived in ingland: & haue had my helth well & my freinds are in ginerall well: my sister haith two Children: I am as yit un married: & litele hopes I have to marry here: but I intend to make haist over to newingland with som servants as fast as I Can my Condishon at present is veary lowe & I am in greate straite: the lord in mercy help me: M^{r} deane haith dealt kindly with me & haith taken bond of me to Receive for 84li. here. 100^{li} in Boston: I pray father will yo^{u} bee Asistant to my Brother willem & booth to my Brother Armitage in the payement of this 100^{li}: for I haue writen to my Brother Armitage to paye it for me: be Cause he Lives in Boston. I haue not yit Agreed with my Cossen stevens nor M^{r} goad I owe y^{m} about 53^{li}: bee sides intrest I pray father & mother & Brother willem be Carefull of that litell Corne, Cattel, goods & my house & Land that it bee not forfiteed: for I am in A very lowe & sad Condishon heare & haue nothing to paye my depts with all. nor to mainetaine my poore motherles Children with all but what is in y^{r} hands. I preye will yo^{u} haue A fatherly & a motherly Care of my 3 dere motherles babes & at present fatherless: I haue bin with my Brother Waldoes freinds. his mother lives in Carrik. his Brother John is deade. his Brother Thomas is in Ireland & his Unkel Borron is deade. the Rest are in helth I preye bee Ernest with my sister woldo to bee loveing & tender to my 3 babes. for she knowes not how sowne hers maye bee left to the world. I would haue John & Elisabeth go to scoole this summer. thus on my knees Craveing y^{r} prayers to god for me in theese my undertakings that i maye be brought safe to you againe: Remembring my duty to you booth my love to my 3 children: & to my Brothers & sisters & Cosens. with my servis to M^{r} Rogers &

*Autograph.

m^r norton & my love to goodman lord & my Respects to all my frinds Humbly Craveing all y^r prayers I Commit yo^u all to god & Rest yore obedient soun & very loveing father & brother frend & servant John Cogeswell: this letter i wroght in greate haist.

"The superscripction is:

"To his very Loveing father M^r John Cogeswell at his house in Ipesridge theese be dd in Esex.

"This is A true Copy: of a Letter that my Brother John Cogeswell sent to my father from London 30^th of march 1653." Copy made June 26, 1676.

Goods lent to his tenant Henry Muddell:* One Iron pot, 1 payr pottucks, 1 payr pot hangers, 2 spoones, 7 trayes, viss, spleete, 1 firkinge, 1 cherne, 2 barels, 1 payle, 1 powdring tub, 1 beere barell, 1 sive, 1 buter firkinge, 1 bed, 1 boulster, 2 Coverings, 2 blankets & ye Cart & 3 chaires, one rope for a cart, 1 plow & irons, 3 yoakes, 1 chese presse, 1 grid iron, 4 dishes, 1 stroying dish, 1 Cheese. All were to be used upon his farm and to be returned when he came again, or at the year's end. Also 13 december 1653, 1 oure glass, 2 beetle rings & wedges.

Lent to brother Waldoe, 1 feather bed, scillet, 1 payre of pot hangers. Debts due in Ipswich, to Goodman Scot, Abraham Foster, ould Foster, Mr. Wade, Mr. Batholimew, etc.

Lent to my brother William, 1 payre of pot hooks, 1 booke, 2 chayers, course cloth, 1 cheese moale, 2 trays, 1 suck botle.

Lent to my mother to be returned, one Chamber pott.

Copy of indenture, dated Jan. 16, 1650, between Daniell Denisson, Robbert Payne, William Payne & William Barthol-mew, all of Ipswich, and John Cogswell, jr., of Ipswich, the former "farm letten" all the land commonly called the Neck, beyond Chebacho river, in Ipswich, "bounded by said River on the one side and by two great Creeks on the two other sides, and from the heads of the s^d Creeks w^ch was formerly bounded upon a streight line from either doth extend within two rods of the line that Divideth Ipswitch from Gloucester bound," which land was granted to the four men before mentioned by the town of Ipswich for the use of a free school in Ipswich forever, to John Cogswell, jr., for one thousand years; he was to pay annually 14li. in butter, cheese, beef, pork, and corn, at the meeting house in Ipswich, etc. Wit: Joseph Payne, Francis French, Joseph Noyes and John Payne.

Abygarl Clarke, aged thirty-five years, and Sarah Tuttell, aged thirty years, testified that their mother Elizabeth Cogs-well said that her daughter Cogswell, her son John's wife,

*Autograph.

upon her death bed gave her charge of several small things to give her children, one gold ring, a silver spoon, a small silver heart and a small bundle of childbed linen, which she told deponents she faithfully delivered to said children, all but the silver spoon which was lost, she knew not how nor where. Also that her son John Cogswell gave her a cradle and child's chair before he went to England. Sworn, June 20, 1676, before Daniel Denison.*

Wm. Story, aged about sixty-six years, deposed that the house now in controversy was in a very bad condition, that cattle passed through it, and people were afraid that it would fall upon the cattle. About two years ago William Cogswell repaired the house on charge of Jno. Cogswell, in ground-selling and all other needed repairs without one cent of charge to said William. Sworn in court.

Theoder Atkinson, aged about sixty-two years, deposed that the debt Jno. Cogswell, jr., owed him was paid by his brother William Cogswell about 1654. Sworn, May 13, 1676, before Edward Tyng,* assistant.

James White, aged about thirty-nine years, deposed that after John Cogswell was of age the fence from the long bridge to John Burnum's bridge was standing, which at that time deponent considered worth 18d. per rod, and also two corn yards fenced, about a hundred rods, which was standing after John Cogswell was of age, and worth about 5li. After John was of age, the house and barn were standing and made use of by him. Sworn, 22 : 4 : 1676, before Daniel Denison.*

Bill of sale, dated Dec. 30, 1670, John (his mark) Cogswell of Ipswich to his uncle William Cogswell of Ipswich, eight pine trees and twelve white oaks growing on the farm on the other side of Chebaco river wherever he pleases to take them, with liberty to cart them over the farm to a convenient place, also to cart away the logs that the town gave him, in consideration of 40s. received in part pay for a horse said John bought of Mr. John Hacks of Lin. Wit: John Hawkes* and Roberte Crosse.*

Thomas Varny, aged thirty-five years, and James Whit, aged thirty-nine years, testified that after the death of John Cogswell, jr., his son John lived with his uncle William and was very sickly a greater part of the time. Said William and his wife had a fatherly and motherly care in teaching him in learning and in instructing him in the fear of God. Said Varny had heard John say that he had never wanted for meat, drink or apparel and said James while living in the house with him part of the time never heard John complain, etc. Sworn, 22 : 4 : 1676, before Daniel Denison.*

*Autograph.

Joannah Smith testified, she being with Mrs. Cogswell the mother of John Cogswell at the birth of her last child, that she had a great deal of very good childbed linen and the house was well furnished with good household stuff, also silk gowns and petticoats, very good linen, costly laces and deponent observed a very good carpet, as she remembers it was a turkey work. Sworn in court.

John Palmer, aged about thirty years, testified that Mr. Theodore Atkinson sold him to Mr. John Cogswell, jr., in London, for twelve years, and when he sent him to this country said Cogswell told him that he had paid for his passage, but upon arrival he understood that his master was dead and he was assigned to Mr. John Cogswell, sr., where he served part of the time until he was sold to Mr. Eps. Also that Elizabeth and Samuel Cogswell, then children, lived there at the same time, yet Elizabeth was competent to earn her own living and the boy was a sound, hale lad, both very ill-used as to diet and clothing, going very ragged and thin, barefooted and barelegged. There was a lad who came over in the ship with deponent named Georg Stimson, who said he was Mr. John Cogswell's servant and who came to Shebaco with them. Sworn, June 16, 1676, before Samll. Dalton,* commissioner.

William Cogswell* certified as to the schooling which the three children of his brother John Cogswell had: "in the sumer 1653 to of the childering John and eleazbeth went to skoole to goodde Collenses by his order in a letter from Ingland to put them to scoole and we the exseceters in trust paide her for theyer scooling: and in nouember 1653 and in the yeare folowing 1654 we kept ascoole dame in my fathers house: to teach my brother Cogswells Children and some other Children we keept her at our one cost: and after 1654 to September 1659 we indevered to teach these childring in reading and in structing of them in the fear of god and in september 1659 my mother came and liued in howcse with me in my family and made it her implyment to teach the children in the family whearof my cousen John Cogswell wase one of them: and in nouember 1659 my father and the rest of his family came and lived in the house with me in my family untel that time twelve muntes after: which was in 1660 and the rest of thayre implyment was to teach the children in the family to write and to reade: and from 1660 to 1663 my cousen John was instructed in writing and reading with the best indeuores we could in the family and he could read a chapter in the bible uery well and also in 1663 I had a man liueed with me which I gaue 12^{li} a yeare unto: that could wright and reade very well and I aded to his wages 8 or 10^{s} and alowed him what

*Autograph.

time he would to perphect my cusen John in his writing and spelling and of saruing his stops in reading: and in 1664 the Court in September gaue my cusen John leaue to chuse him selfe a gordion: which I apprehend a gordion is not to pay wages besides maintenance of the orfanc."

William Story, sr., testified that at one time when John was in a cradle his uncle Waldo came to the house of William Cogswell and found fault with his attendance and deponent heard Waldo tell his sister Cogswell that if he died his blood would be required at their hands. Further that deponent had taken notice that his employment had been according to his age and going to his house on a cold morning, he saw said John eating turnips with none of the family with him, yet he never heard his uncle complain of any misbehavior nor of his being sickly. Sworn, June 26, 1676, before Daniel Denison.*

Robert Cross, aged thirty-three years, deposed that when John Cogswell took possession of his land the house and barn upon it were tennantable, etc. Also that he bought eight choice trees, pine and oak, for 15s. of Samll. Cogswel, etc. Sworn, Nov. 2, 1675, before Daniel Denison.*

James Whit, aged thirty-nine years, deposed that he felled three white oaks on the other side of Jebaco river. John Cogswell challenged them to be his and would not let him carry them away without paying 12d. a tree, which he paid him for them. Sworn, 22 : 4 : 1676, before Daniel Denison.*

Thomas Lovell deposed that he gave Mr. John Cogswell a letter of attorney to sell a house and a little land in old England and said Cogswell went to England to deponent's friends, as they later wrote him. The said friend gave Cogswell 13li. in silver to deliver to deponent, but Cogswell died on shipboard in coming to New England. Then deponent went to old Mr. Cogswell and demanded the money, but he refused to pay it. Then he went to Bostowne to Mr. Atkinson, who gave him a deposition taken by Mr. Bellingham, then deputy governor, from John Cogswell that he had received the money and it should be paid from his estate here, etc. Sworn, 22 : 4 : 1676, before Daniel Denison.*

James Coleman, aged about thirty-five years, deposed that he had lived nearly twenty-one years near the house in controversy and that the house was not groundselled until John Cogswell had it done, neither was the barn repaired except when Wm. Cogswell had occasion to put some corn into it. Then he would put a board up to stop a hole or a little thatch with straw, etc. Sworn in court.

Hannah, wife of Cornelius Waldo, deposed that John Cogs-

*Autograph.

well, deceased, her brother, had but one feather bed which he left with her and which she returned to the executors, and that there were but two brass kettles and a skillet, and a very little pewter. She saw after her sister Cogswell's death very little linen which was damaged by mildew and she had but one silk gown much worn and worth but little. Sworn in court.

James Collman testified that he lived with Mr. William Cogswell and carried away timber, etc. Sworn, Apr. 15, 1675, before Daniel Denison.*

James White testified that John Cogswell told him at his house that when he came home from Exetor he found a writing in his window, an account between his uncle and himself, which if his uncle could prove would make him 130li. in his uncle's debt. Sworn, 22 : 4 : 1676, before Daniel Denison.*

Elisebeth (her mark) Wellman's receipt, dated June 30, 1676, for a gold ring, childbed linen, three lace handkerchiefs and a pair of lace coifes from her grandmother Cogswell. Wit: Cornelius Waldo* and Hannah Waldo.*

Jno. Kimball, jr., aged thirty years, deposed that he lived in the house with Elizabeth Cogsdell at John Wiat's for four years, and when she came from her grandmother's she could not read any chapter in the Bible, neither had she any other learning. She had very few clothes, especially shoes, which her dame Wiat was forced to buy for her immediately, etc. Sworn in court.

William Story, sr., and Reienald Foster, jr., deposed that John Cogswell showed them three score pine trees on his farm which they upon measuring found would make seven hundred boards per tree, and thirteen white oaks which would make two hundred two-inch planks per tree. Sworn, Apr. 15, 1675, before Daniel Denison.*

Cornelius Waldo and his wife Hannah testified that when they took the farm there was only one dwelling house of their brother's upon it. Sworn in court.

William Thomson, aged twenty-seven years, deposed that he lived with Mr. John Cogswell, sr., etc. Sworn, June 29, 1676, before Daniel Denison.*

Edward Bragg testified that he had seen John go in a very beggarly condition both as to stockings and clothes, etc. Sworn, June 26, 1676, before Daniel Denison.*

Thomas Varny, aged about thirty-five years, deposed that John Cogswell told him that he had sold his uncle William two pine trees at 4s. to Deacon Haskell of Gloster, etc. Sworn, June 22, 1676, before Daniel Denison.*

George Stimpson, aged about thirty-one years, deposed concerning his coming from England and that he lived here

*Autograph.

with Mr. William Cogswell a quarter of a year and then went to Mr. Theodore Atkinson's in Boston but as to the terms, he knew not. Sworn, June 24, 1676, before Daniel Denison.*

Thomas Low, jr., aged about thirty-six years, deposed that he has lived not far from Mr. William Cogswell's, etc. Sworn, June 26, 1676, before Daniel Denison.*

William Butler, aged about twenty-two years, deposed that when he was a servant of Mr. William Cogswell, etc. Sworn, Apr. 15, 1675, before Daniel Denison.*

John Atkinson, aged about forty years, deposed that John Palmer and George Stimson were servants of Mr. Theodore Atkinson in 1653, etc.

Esther Cogswell, aged about nineteen years, daughter of William Cogswell, testified. Sworn, June 22, 1676, before Daniel Denison.*

Thomas Varny and Abigal, his wife, both aged about thirty-two years, deposed that at their own house, etc. Sworn, 22 : 4 : 1676, before Daniel Denison.*

Thomas Wade, aged about twenty-six years, testified. Sworn in court.

Walter Roper, aged about sixty-five years, deposed that he was employed by John Cogswell's father to build him a house on the north side of Chebacco river and did "bed & board there" for a good space of time until a little before his mother died. That the house was well furnished with household stuff, pewter and brass, three feather beds, a flock bed and suitable furniture, which he had cause to notice, being employed to take down and set up the bedstead. There were two good feather beds, one upon another which they laid upon before they came into the great house and deponent laid upon a feather bed also. There was a good store of table linen diaper and damask, and she had good clothes and change of linen, also plate, silver spoons, brass pans for milk used sometimes to cool wort in. Sworn in court.

James Coleman, aged about thirty-four years, deposed that when John Cogswell was a boy of sixteen years he had to sweep the house, tend the children, wash the dishes, milk the cows and clean the cattle at Mr. Wm. Cogswell's, etc. Sworn, June 8, 1676, before Daniel Denison.*

James White testified that he heard Samuel Cogswell say after he was of age that he sold his uncle a parcel of white oak timber to make cooper's ware, etc. Sworn, 22 : 4 : 1676, before Daniel Denison.*

Robert Powell, aged about forty years or upwards, deposed that Mr. John Cogswell, jr., caused him to be brought into this country being bound to him in London for six years, and that

*Autograph.

he lived here with William Cogswell after said John's decease a part of his term. The remainder of his term he redeemed by paying William 15li. Further that he heard his master John Cogswell say that he had two boy servants in another ship which accompanied them, and had seen him receive 19li. from Mr. Dean in London to pay for their passage to New England. Deponent by indenture was to receive 10li. at the expiration of six years which he never received, said William subtilely getting an acquittance from him, etc: Sworn, June 16, 1676, before Samll. Dalton,* commissioner.

Thomas Fowler, aged about forty years, testified that Mr. John Cogswell, jr., caused him to be brought into this country, being bound to him in London for seven years, and afterward was forced to live with Mr. John Cogswell, sr., for seven years, and he redeemed part of his time by paying 15 or 16li., etc. Sworn, June 16, 1676, before Samuell Dalton,* commissioner.

James White deposed. Sworn, 22 : 4 : 1676, before Daniel Denison.*

Samuell Gedding and Joseph Gidding testified that they heard their father Gidding say that when they made the inventory of the estate there were no servants entered, but only two houses. Sworn in court.

Reienalld Foster, jr., aged about forty years, testified that he had lived not far from Mr. William Cogswell's ever since his cousin John lived with him, etc. Sworn, June 26, 1676, before Daniel Denison.*

Account of the executors, John Cogswell, sr., and William Cogswell, of the estate of John Cogswell, jr., which was committed to them in 7 mo. 1653: Paid to Mr. Theodore Atkinson for discharging in part certain bonds given by Jno. Cogswel, jr., to three men in England, Mr. Deane, Mr. Stevens and Mr. Goad, said Atkinson being their attorney, 100li.; to Mr. John Cogswel, executor, 19li.; to goodman Lovel, for so much of his estate received in England by John Cogswell, jr., to be paid here, 13li.; to Mr. John Cogswel, sr., for keeping and nursing Samuel Cogswell, younger son of John Cogswell, jr., in 1652 before our Executorship began, the child being then 1 year old, and his father alive but in England and dying in coming over, 10li.; to Mordecai Larkam for arbitration, 3li.; to Mr. Pain, 3li. 1s. 10d.; paying debts at Boston, 3li. 8s.; to goodman Bradstreet, 2li.; to Mr. Bartholmew, 2li.; to Abraham Foster, 1li. 3s.; constable, 1li. 3s.; to Mr. Wade 1li.; to Mr. Baker, 18s.; to old goodman Scot, 18s. 6d.; to goodman Archer, 12s.; to old goodman Foster, 3s. 3d.; to goodman white, 3s.; to goodman Andrews, 2s.; serving an execution on Joseph Armitage, with nothing recovered, 11s.;

*Autograph.

serving an execution on Anthony Day at Gloster, 4s.; By these and other trials was found that striving to get these desperate debts did but wast the Estate Received, and no waies adde thereto: nor countervail charges disbursed about y^{m} and as they crept into the Inventory without our approbation, except they were recoverable, so proving no real Estate to us; they may with better reason be discounted by the Executors, then they were entered by another hand for which is to be deducted out of the Inventory, 28li. 3s. 4d.; total, 190li. 11s. 7d.

Other debts due from the estate from the book of John Cogswel, one of the executors, now deceased: paid to Mr. Atkinson of Boston, 3li. 11s. 8d.; to Mr. Scottaway of Boston, 4li.; to Mr. John Cogswel, sr., for tokens which Jno. Cogswel, jr., received for him in England of Doctor Tomson, 1li. 2s.; to goodman West, 2li. 10s.; to deacon Knolton, 15s. 6d.; to deacon Pengriff, 10s. 8d.; to George Hadley, 10s.; to goodman Coy, 4s. 6d.; to goodman Roff, 3s.; to goodman Duglass, 3s.; to Samuel Tailor, 2s. 6d.; to Twifoot West, 1s. 6d.; total, 13li. 14s. 4d. These real losses, deductions, etc., amount to 204li. 5s. 11d., which deducted out of the whole inventory, 341li. 10s., leaves 137li. 4s. 1d. Which is all the Estate left for defraying of future charges of the Executors, and bringing up the children in the fear of God, and to Learning, at school, till the 2 sonnes Jno. and Samll. were 10 yeers of age and the daughter 14 yeers old as expressed in the will. For my own charges, care, trouble, loss of time, etc., 40s. per annum. For children's diet, clothing, washing, lodging, tending and teaching: for the daughter Elizabeth, her first year being then six years old, 10li.; second, 9li.; third, 8li.; fourth, 7li.; fifth, 6li.; sixth, 5li.; seventh, 4li.; eighth, 3li.; ninth, being then fourteen years old, 2li.; total, 54li. For the younger son, Samll., for his first year, being then three years old, 10li.; second, 10li.; third, 8li.; fourth, 8li.; fifth, 6li.; sixth, 6li.; seventh, 4li.; eighth, then ten years old, and to be put out apprentice, 4li.; total, 56li. For the elder son John, his first year being then four years old, 10li.; second, 10li.; third, 8li.; fourth, 7li.; fifth, 6li.; sixth, 5li.; seventh, 4li.; total, 50li. For John's boarding and schooling with Mr. Andrews, 2li. Sworn, 29 : 1 : 1676, by William Cogswell.* John Cogswell,* Apr. 7, 1676, denied the truth of the foregoing account and did not accept it according to the judgment of the Court of Assistants at Boston. William Cogswell* added to the former account: to the ferryman of Newbery, 3s. 6d.; constable of Salem, 4s. 10d. Also that the entry of 14li. for two houses should have been two servants, which was a mistake of the scribe.

*Autograph.

Capt. Wm. Gerish v. Mr. Thomas Woodbridge. Defamation or slander. Verdict for plaintiff. To pay a fine unless he acknowledge his offence before the court in saying that the Capt. had cheated him and lied, and also make a like acknowledgment at Newbery on a lecture day within five weeks, openly in the meeting house before the congregation. Appealed to the next Court of Assistants. Mr. Thomas Woodbridge bound, with Mr. Dudly Bradstreet and Thomas Chandler as sureties.*

Mr. Thomas Woodbridge v. Capt. Wm. Gerrish. Review

Account returned by William Cogswell,† June 14, 1676, giving detail of the credits each year from 1653 to 1670 on account of Cornelius Waldo's lease of the farm, and the debits for charges of the children, the substance of which is contained in the foregoing testimony.

Thomas Wade† and Thomas Varny† certified that they were present with Mr. William Cogswell several times at the dwelling house of Mr. John Cogswell on June 15, 1676, and inquired for him to give him an account according to the Court of Assistants' judgment, but he could not be found and so they left it there. Wit: Cornelius Waldo, jr.† and Edward Cogswell.† Sworn by Varny before Daniel Denison† and by Wade, in court.

*Writ, dated 19 : 4 : 1676, signed by Hilliard Veren,† for the court, and served by Joseph Webb,† marshal of Boston. Bond of Tho. Woodbridge.†

Bill of cost, 3li. 13s. 4d.

Daniell Luntt, aged about thirty-four years, deposed concerning what Woodbridge said about Gerrish, etc. Sworn, 24 : 4 : 1676, before Wm. Hathorne,† assistant.

Robert Lord, sr., aged about seventy-five years, deposed concerning a bill which Capt. Gerrish acknowledged and then denied, etc. Sworn, June 23, 1676, before Daniel Denison.†

Henry Jaques,† aged about fifty-six years, testified that he was one of the jury in the action of defamation brought by Capt. William Gerrish against Mr. Thos. Woodbridge, and their verdict against Gerrish was given on account of the contradictory and untrue statements of said Gerrish. Wit: John Wells† and Dudley Bradstreet.† Abraham Perkins testified to the same. Sworn, June 26, 1676, before Daniel Denison.†

†Autograph.

of a case tried at the last Ipswich court. Verdict for defendant. Appealed to the next Court of Assistants. Said Woodbridge bound, with Mr. Dudly Bradstreet and Ensign Tho. Chandler as sureties.*

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*Writ, dated June 17, 1676, signed by Dudley Bradstreet,† for the court, and served by Joseph Pike,† constable of Newbery, by attachment of a dwelling house, land, shed, ten acres of upland between Mr. Jno. Woodbridg's and Mr. Perses land, belonging to defendant, also his part of the bark of which Daniell Lunt is commander, sixteen or twenty acres of marsh and meadow, eastward of and near Newbery mill at the little river, six or eight acres between Ant. Morse's house and Richard Brown's pasture, also seven cows, a dung-fork, two yokes and a chain at Capt. Gerrish's usual dwelling place, a cupboard, a great chair, table and a dog.

Bill of cost, 4s.

John Knight and Thomas Knight deposed that there were many particulars behind for which Woodbridge had not given the Captain credit, and upon Woodbridge demanding what they were, John Knight replied that cousin Thomas Noyce's 11li. 10s. was one and the old bark of Badger's which he sold for 10li., was another and the third was an interest in Sterling's vessel, all of which Woodbridge owned. Thomas Noyce testified that the 11li. 10s. was to be paid in barley at his father Peirce's, etc. Sworn, 26 : 4 : 1676, before Wm. Hathorne,† assistant.

Tristram Coffine, aged forty-four years, testified concerning the accounts. Sworn in court.

Richard Dole, aged fifty-two years, deposed concerning the ossenbrige purchased, etc. Sworn in court.

Daniel Lunt, aged about thirty-five years, testified concerning taking on his boat to Boston ninety-eight bushels of malt worth 3s. 6d. per bushel which he delivered to Mr. Thomas Woodbridg. Sworn, 24 : 4 : 1676, before Wm. Hathorne,† assistant.

Ricd. Dole, aged fifty-two years, testified concerning discussion of the account at Hugh Marches house. Sworn in court.

Nicholas Noyes deposed. Sworn in court.

Henery Tuckexbury, aged about fifty years, deposed that he being indebted to Capt. Gerrish for 5li., Woodbridge desired him to work about a "wessel" which he had building, he agreed to pay the 5li. to Gerrish, etc. Sworn, 26 : 4 : 1676, before Simon Bradstreet.†

†Autograph.

Mr. Tho. Woodbridg v. Capt. Wm. Gerrish. Unjust molestation. Verdict for plaintiff.*

Jno. Dole, aged about twenty-seven years, deposed concerning witnessing the payment of goods by Mr. Woodbridge to Capt. Gerrish. Sworn in court.

Tristram Coffin, aged forty-four years, deposed. Sworn in court.

Caleb Moody deposed that by order of Capt. Gerish he paid malt to Goodman Chease of Hamton, boatman, to the value of 20s. or 30s. for freight of a parcel of goods, which Gerish told him were Woodbridge's goods. This was two years ago the last spring. Sworn, 27 : 4 : 1676, before Wm. Hathorne,† assistant.

Richard Dole, aged about fifty-two years, deposed. Sworn in court.

Hugh March,† aged about fifty-four years, deposed. Sworn, 26 : 4 : 1676, before Wm. Hathorne,† assistant.

John Atkisson, aged about forty years, deposed that the malt delivered at Boston was sold by Mr. Woodbridge to Mr. John Viall.† Sworn in court.

Richard Dole, aged fifty-two years, deposed. Mr. Deane and Mr. Dudley Bradstreet mentioned. Sworn in court.

Joseph Gerrish testified that his father paid him 36s. in money for Mr. Thomas Woodbridge which he said Woodbridge owed deponent on account of a horse. Sworn, 27 : 4 : 1676, before Wm. Hathorne,† assistant.

Moses Gerrish, aged twenty years, deposed that Woodbridge had 3li. of powder of his father, etc. Sworn, 26 : 4 : 1676, before Wm. Hathorne,† assistant.

Tho. Woodbridge's† order to Capt. Gerrish, May 4, 1674, to let Goodman Sawer have eight thousand shingle nails and two thousand board nails, and Will. Sayear's† receipt. Sworn in court.

Tho. Woodbridge's† order to Capt. Gerrish, May 2, 1674, to let Joshua Boynton have 1 M. shingle nails and 1 M. board nails. Sworn in court.

Nails delivered by Wm. Gerrish,† on order of Woodbridge, Mar. 1673-4, to Samuell Mody, Goodman Somersby, Joseph Bointon, Wm. Sayre, Mr. Pearce, Thomas Rogers, Ensign Greinleife, Mr. Dumer, John Indian. Sworn in court.

Tho. Woodbridge's† order to Capt. Gerrish to let Goodman Somerbee have 3 M shingle nails and 1 M board nails, with Anthony Somerby's† receipt. Sworn in court.

*Writ, dated June 17, 1676, signed by Dudley Bradstreet,†

†Autograph.

John Clifford v. John Hoeman. Debt. Verdict for plaintiff.*

John Clifford v. John Legroe. Debt. Verdict for plaintiff. To be paid in fish.†

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for the court and served by Joseph Pike,‡ constable of Newbury.

Thomas Woodbridge's bill of cost, 17s. 8d.

Theophilus Willson, aged about seventy-five years, testified that about eight days before the last Ipswich court Capt Gerrish arrested Mr. Woodbridge for slander in an action of 1,000li., and not giving security said Woodbridge was brought to deponent who was keeper of the prison, and was kept imprisoned eight days. Sworn, June 26, 1676, before Daniel Denison.‡

John Knight, aged fifty-one years, deposed that the last spring the constable of Neubery attached a parcel of iron of Mr. Woodbridge's which the latter shipped aboard Daniell Lunt's boat. Immediately after the iron was attached, Capt. Gerrish sent deponent to Woodbridge to tell him what iron he had present use for about his vessel he should have, weighing it. Sworn in court.

Joseph Pike, aged about thirty-seven years, testified concerning serving the attachments, the first time on two tons which proved to be Mr. Page's etc. Sworn in court.

Joseph Pike,‡ aged about thirty-seven years, deposed that he weighed out for Ensign Greenleif 300li. of the iron which he delivered to Woodbridge's men who were employed on the vessel now called Mr. Dumer's, etc. Sworn in court.

Stephen Grenlef, aged about forty-seven years, deposed that the constable brought the iron which was attached to deponent's shop, etc. Sworn in court.

Major Denison and Marshal Lord affirmed in court that Woodbridge was put in prison.

*Writ, dated June 15, 1676, signed by Hilliard Veren,‡ for the court, and served by Henery Skerry,‡ marshal of Salem, by attachment of fish in piles and on flakes.

John Clifford's bill of cost, 1li. 5s. 4d.

Bond, dated Feb. 20, 1673, given by John (his mark) Homan to John Clifford of Salem, for 3li. 9s. 8d., to be paid in refuse cod fish. Wit: Jacob Allin‡ and Elizabeth Allin.‡ Sworn by Jacob Allin, 19 : 4 : 1676, before Wm. Hathorne,‡ assistant.

†Writ, dated June 15, 1676, signed by Hilliard Veren,‡ for the court, and served by Henery Skerry,‡ marshalof Salem, by attachment of fish in piles on the Island and on flakes.

‡Autograph.

Maj. Samuell Apleton v. Oliver Purchas. Verdict for plaintiff, the defendant to give possession of the Iron works, land, etc., according to mortgage.*

John Clerferd's bill of cost, 1li. 10s. 4d.

Bond, dated Feb. 26, 1674-5 given by John (his mark) Loegro of Salem, fisherman, to his master John Clifford, for 10li., and in consideration of a maid bought of his said master having three years and two or three months to serve; said Legro was to pay in fish. Wit: John Beckett† and Elizabeth Allin.† Sworn in court.

*Writ: Maj. Samuel Appleton of Ipswich v. Oliver Purchas; for keeping him out of possession or refusing to yield him possession of that part of the Iron works and lands, belonging to Mr. John Paine of Boston, now deceased, which works are in Lynn and now the property of said Samuel, by mortgage, etc.; dated June 19, 1676; signed by Robert Lord,† for the court; and served by Robert Lord,† marshal of Ipswich, by attachment of Indian corn, English corn, swine, a horse, mare, yokes, plow, chain and timber of the fortification, etc.

Demand, dated May 15, 1676, of Samuell Appleton, jr., of Ipswich, one of the legatees of his grandfather Mr. William Payne of Boston, merchant, deceased, who bequeath to him 500li. by will, which sum was secured by John Payne of Boston, merchant, executor of Mr. William Payne's estate by mortgage of the Iron works at Lyn, with all appurtenances, to said Samuel's father, Mr. Samuell Appleton of Ipswich, in behalf of him, who had now reached the age of twenty-one years and now desired his legacy from Mr. Oliver Purchase of Lynn who was now in possession of the Iron works, etc. Wit: Hugh March,† John (his mark) Trask and John Dodg.†

Mr. Samuell Apleton's bill of charges, 1li. 15s.

Lift. Samuell Appleton and Hanah Paine were married Apr. 2, 1651. Hannah, daughter of Samuell Appleton, was born Jan. 9, 1651; Judeth, their daughter was born Aug. 19, 1653; and Samuell, their son, was born 3 : 9 : 1654. Copy from the vital records of Ipswich made, June 24, 1676, by Robert Lord,† recorder.

Copy of mortgage deed, dated Jan. 20, 1663, given by John Paine of Boston, merchant, in consideration of several legacies amounting to 1,500li., payable according to the will of "my Deare father William paine," to the three children of Samuell Apleton of Ipswich, gentleman, all his interest in the Iron works at Linn, except the wool, coal, ore, sows, pigs, bar iron, scales, weights, etc. Wit: Thomas Danforth, Joell Tatooins,

†Autograph.

John Brimblecom v. Mary Kemball, widow and administratrix of her late husband Henry Kemball. Debt. Verdict for plaintiff.*

Mr. Maxemillion Gallop [assignee of Wm. Bartholmew. — *Waste Book.*] v. John Barber. Debt. Verdict for plaintiff.†

Caleb Cheshehte and John Evens. Sworn, Jan. 21, 1663, before Daniell Gookins. Copy made by Hilliard Veren,‡ cleric.

*Writ: John Brimblecomb of Marblehead v. Mary, widow of Henry Kemble of Boston, and administratrix of his estate; debt; dated at Boston, May 31, 1676; signed by Edward Tyng,‡ assistant; and served by Joseph Webb,‡ marshal of Suffolk. Bond of Mary Kemble.‡

Bond, dated June 4, 1675, given by Henry Kemble§ of Boston to John Brimblecomb of Marvellhead, fisherman, for 12li. Wit: Thomas Kemble‡ and Samuell Severans.‡ Receipt, dated Oct. 9, 1675, for 6li. of the foregoing, signed by Phillip (his mark) Brimblecom, for his father. Wit: John Daves‡ and Marke Round.

Edward Hoeman, aged about thirty-five years, testified that he saw Henry Kemball write upon the back side of the bill the amount paid in part. Sworn in court.

Jno. Brimblecomb's bill of charges, 1li. 1s. 8d.

†Writ: Maximilian Gallop, assignee of Wm. Barthelmew of Boston v. Jno. Barbor, bodicemaker; debt; dated June 21, 1676; signed by John Davenport,‡ for the court; and served by Returne Waite,‡ deputy marshal. Bond of John Barber‡ and Josiah Cooper.‡

Returne Waite, aged thirty-four years, deposed that he saw Barbar pay Gallop, etc. Sworn, June 26, 1676, before Edward Tyng,‡ assistant.

Copy of bond, dated Dorchester, Feb. 6, 1663-4, given by John Barber and Hannah (her mark) Barber of Dorchester, Dorset, bodice-maker, and Hannah Barber, wife of said John, "fully resolueing both our selues & fouer of our children to take passage this season on the ship John of weymouth, now bound for new England in America, & haueing not at p^{r}sent wherewithall to satisfie for our seuerall passages ere wee goe hence," to Maximillian Gallop of Dorchester, merchant, "who goes on the s^{d} shipp," for 30li., in New England money or fish, to be paid within fifteen days after arrival, at the house of Mr. John Croade, merchant, in Salem. Wit: John Cole and Thomas Meggs. Max. Gallop assigned this bond, 21 : 9 : 1674, to Anthony Chickley. Wit: John Tamor. Anthony Checkley

‡Autograph. §Autograph and seal.

John Legg took the oath of a sealer and searcher of leather for the town of Marblehead.

John Millett was sworn constable of Gloster.

Administration upon the estate of George Gettings (also, Geddings) was granted to Jane, the relict, who was ordered to bring in an inventory* to the next Salem court.

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reassigned the foregoing assignment, Jan. 19, 1675 to Maxamillion Gallop. Wit: Returne Waite. Max. Gallop assigned the amount of the bond not paid, Apr. 14, 1676, to William Bartholmew. Wit: Jno. Couper and Jno. Butler. William Bartholmew assigned the assignment, June 19, 1676, to Maxamillian Gallop. Wit: Jno. Greene and Returne Waite. Receipts given by Max. Gallop for payments. Copy made by Hilliard Veren,† cleric.

*Inventory of the estate of George Giddings, late of Ipswich, appraised June 19, 1676 by John Whipple, sr.,† Henry Benet† and Nathaniell Wells:† his waring Clothes, wollin & Linon, 7li.; money & platte, 4li. 10s.; housing with Comonidg, 60li.; in the parlor, a beed sted with a fether beed & what belongs to it, 11li.; cubbord with drawers, 2li. 10s.; table, two chayers 4 cushins, 1li. 18s.; boxe, one baskit, truncke, 12s.; 6 yds. of Cloth, 1li. 10s.; more of the same, 7s. 6d.; pewter, 4li.; a table cloth & 6 napkins, 1li.; two payer of pillowbeers, two towels, tablecloth, 1li. 6s.; one payer of sheetes, 1li.; fower payer of sheets, small table cloth, 1li. 10s.; 3 payer of pillow beers with other linen, 1li. 10s. 6d.; beedsted with a fetherbeed & three blankits, 7li. 10s.; an old table, one old chest, 5s.; trundle beed with what belongs to it, 2li. 15s.; sheeps wooll, 140lb., 7li.; flax, yerne & flaxe with som tooe, 1li.; old tubes, 2s. 6d.; 10 bush. of Indian Corne, 2 bush of malt, 2li. 3s.; 3 sackes, one bush. of wheat, 12s. 6d.; one sadle and bridle & pilion, 1li. 4s.; tubes & Keelers, 1li.; pailes, trayes, other wood dishis, 1li. 1s.; old Cubbard, 10s.; smalle table & 4 Chayers, 10s.; a Copper, one cetle, 2li. 5s.; two Iron potes, 1li. 7s.; two tramels, two payer of pott hooks, 11s.; an Iron barr, payer of Andjrons, 16s.; slice, paire of tonges, 4s.; morter & two scillits, 10s.; tin ware, 10s.; one worming pann, one payer of belis, 7s. 6d.; one smothing Iron, with heaters, 3s.; Chespres, 8s.; gridiron, 11s.; two spining wheels with cardes, 11s.; Ches moats & sives & spits, 13s. 6d.; powdering tub, two barrels, 7s. 6d.; a Cherne, a runlit, 7s.; bookes, 2li.; seed plow, 9s.; two Chaires, two yoacks with Irons, 19s.; Cart & wheeles with spanshakle, 2li.; beetle with ringes;

†Autograph.

Tho. Kemboll being slain by the Indians, administration upon his estate was granted to Mary, the relict, who was ordered to bring in an inventory to the next Ipswich court.

Elyas Henly was appointed administrator of the estate of Peter Baroone, who was slain in the war against the Indians, and was ordered to fulfill the mind and will of deceased as expressed in that writing given in and proved as his act and deed.*

Vinson Stilson, jr., being complained of for abusive and uncivil carriages toward Elizabeth, wife of Charles Gibbs, the latter asked for trial by jury. The jury found said Stilson guilty of great incivility to divers women and he was fined.†

Nicholas Pickett and Damoris his wife, presented for fornication before marriage, were to be whipped or pay a fine.

[Bartholmew Foster, for going in his boat on the Lord's day loaded from the head of the little river, was fined. — *Waste Book.*]

Marra Hathorne, presented for fornication, was sentenced to be whipped or pay a fine.

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5 wedgis, one axe, 14s.; 9 Cows & 3 hayfers, 36li.; thre two yer old hayfers, 4 oxen, 27li.; one yearling, 6 Calves, 3li. 10s.; 60 sheep, 40 Lames, 27li.; one hors, 3 maares, one year old, coult & two foales, 8li.; 6 swine, 4li.; poark, backen & cheese, butter, 3li. 10s.; 152 accers of Land, 760li.; 6 accers of march at Plom iland, 12li.; total, 1021li. 12s. 6d. Debts owing from the estate, 24li.

*Inventory of the estate of Peter Barron, appraised Nov. 26, 1675, by Nathanel Walton‡ and James Dennes:‡ one wascotte, pare of breshes & Jakett of stufe, 2li.; a pare of ould stufe briches & 2 pare of wolling drayers, 7s. 6d.; ould carsy cotte & breshes & one wascot of penestone, 16s.; one hatte & cape, 4s.; 2 fishing Linnes, 4s.; one pare of stockins & gloves, 3s.; two long neckcloth & hancershers, 9s. 6d.; one winter shirt & drayers, 14s.; 2 cors shirts & one ould pare Drayers, 10s.; one green ruge & one blankett, 1li. 8s.; one cheast, 5s.; mony sellver, 3li. 7s.; total, 10li. 8s. Debts due: to vini vinson, 17s.; to Mr. William Browne, sr., 1li. 16s.; to Cristopher Lattemore, 1li. 12s.; to John Furbush, 15s.; total, 5li.

†Charles Gibs' bill of cost, fees to witnesses, Joan Roads, Elizabeth Smith, Sarah Roads, Rebeckah Hewett, etc., 2li. 4s. 9d.

‡Autograph.

Rebecka, wife of Robert Ingolls, presented for fornication before marriage, was sentenced to be whipped or pay a fine.

Court gave judgment upon the settlement of the estate of Capt. Thomas Lothrop, of which Bethiah, the widow, was administratrix, being moved by the petition of Mr. Ezekiell Cheevers, as follows: that all the estate remain in the widow's hands during her life; after her decease, the farm called Maj. Hathorn's to be Sara Gott's; the housing, ten acre lot and appurtenanc, after the widow's decease, to be for the use of the ministry in Beverly forever; that the debts and legacies were to be paid, and the lands and meadows expressed in the inventory, being understood to be the lands in the woods, after the decease of the widow, were to be given to Ellenor, wife of Mr. Eze. Cheevers and her heirs; the rest of the estate to be sold for the benefit and disposal of the said Bethia.

Upon further consideration, court found that Capt. Lothrop intended the legacies of 40li. bequeathed to Noah Fisk and the four youngest children of Joshua Rea should be paid out of the land in the woods towards said Rea's farm, which is part of that land assigned by the court to Mr. Cheevers. It was therefore ordered, with the consent of Mr. Grafton and his wife, the relict of the said Capt. Lathrop, that Mr. Cheevers should have present possession of all the lands formerly allotted to him by this court, excepting only the land in Beverly belonging to and now used with the house there, said Cheevers paying the legacies of 40li.; also that what disbursements should be laid out upon the house and land in Beverly by Mr. Grafton, should be repaid by the said town to whom the house and land were given, after the death of Mrs. Grafton. This judgment was to be submitted to the General Court for approbation.

Administration upon the estate of Tho. Allexander, who was slain in the war, was granted to Samuell Ebborne, sr., who brought in an inventory* which was allowed.

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*Account of what Thomas Alexander left in Salem when he was pressed away with Captain Lathopp upon the country's service, appraised June 30, 1676, by John Loomes and William Traske, and allowed 30 : 4 : 1676, in court: six bushell of corne, 18s.; due from John Mecarter, 10s.; a young

Remember Samons being bound over to this court to answer for committing fornication, confessed and charged Thomas Greene with the act, and was ordered to be whipped.

Thomas Greene bound over to this court, denied the fact, but was adjudged the reputed father of the child, lately born and was ordered to pay for the maintenance of the child in corn at 3s. per week.*

Mr. Thaddeus Riddan had license granted him to keep a public house of entertainment to sell beer, wine and cider.†

Capt. Richard More had his former license renewed that was granted him at Ipswich, with this addition, to sell wine to strangers only.

Upon Wm. Curtice's complaint against Tho. Preston, the parties concerned were to be summoned to appear at the adjournment, Goodman Holt, Tho. Preston and his brother.

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horse, 1li. 10s.; another very good horse prest upon the countrey service, 3li.; eight yards of irish cloth, 12s.; a coat, 7s.; 3 shirts & 2 pair of drayrs, 7s.; 3 coats, 5s.; one capp, 1s. 6d.; due to him for his time in the country service, 1li. 16s.; 3 old horse shoes, 1s.; total, 9li. 7s. 6d.

*Christopher Waller, aged about fifty-six years, deposed that upon a lecture day he went into the house of Benjamin Felton to speak with him, but both he and his wife were gone to the meeting. Deponent saw there Thomas Green sitting by the bedside smoking tobacco, also Remember Salmon and Elisabeth Felton who went in immediately before him. When lecture was ended he went in again and found them still there. Sworn, 22 : 9 : 1675, before Wm. Hathorne,‡ assistant.

Elizabeth Felton, aged twenty-one years, deposed that she, going into her uncle Benjamin Felton's house to inquire for a pair of shoes left there for her, saw Thomas Greene and the widow Salmon, her mother and father having both gone to the meeting. Sworn, 22 : 9 : 1675, before Wm. Hathorne,‡ assistant.

Elizabeth Kitchen, aged fifty-three years, and Rebecka Downton, aged forty-five years, deposed that they were with Remember Samons when her last child was born and she declared that Thomas Greene was the father of it, etc. Sworn, 1 : 5 : 1676, before Wm. Hathorne,‡ assistant.

†Moses Mavericke,‡ Richard Reith and William Beale,‡ selectmen of Marblehead, June 26, 1676, granted the license upon request of Mr. Thaddeus Riddan.

‡Autograph.

Humphry Woodbery was licensed to sell wine at retail out of doors.*

Administration upon the estate of Hen. Coleborne was granted to Sara Coleborne, the relict, who brought in an inventory.†

Several of the constables of Salem complaining that there were several persons in their town so very poor that they were not able to pay their rates, court advised that the selectmen take care that their country rates be made good without rating such as are not solvent.

Henry Jackman, complained of for living from his wife in an uncivil and disorderly way, was admonished for attempting to marry and ordered to return speedily to his wife upon the penalty which the law requires.‡

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*John Rayment, sr.,§ Samuell Corning§ and Peter Woodbery,§ selectmen of Beverly, July 12, 1676, approved the request of Humphry Woodbarey.

†Inventory of the estate of Henry Colburne, appraised June 26, 1676, by Richard Croade§ and Henry West, and allowed 30 : 4 : 1676 upon oath of the widow Sara: a bed, being an old bed & but half feathers, a coverled & blanket well worne, 1 pr. of sheetes, 4 old pillowes, an old sett of Curtains & vallents & ye bedsteed very little worth, 3li. 10s.; a Trundle bed being a straw bed with ye old Rugg & Blankett & ye other Small matter belonging to it, 15s.; 5 old pillowbeers, 5s.; 2 paire of sheetes well worne, 1li.; one Table cloth above half worne out, 2s.; one chest, 8s.; an old Trunke, 3s.; an old warming pan, an old kettle & an old skillett, 12s.; Iron pott & pott hangers, fire shovell & a broken paire of Tongs, a grid Iron, an old pr. bellowes & Fryeing pan, 13s.; old beare vessell, 3 Tubbs & a Little salt beefe, 6s.; 3 qrt. earthen Juggs, 2 old Candlesticks, 2 old pewter potts, a Little old pewter & old Jarr, 5s.; 4 Small pewter platters, 10s.; 2 earthen platters, 2s.; an old Cubbard, 2 Joyne stooles & an old Table, 5s., an old cradle, 2 old Sea chests, & 4 or 5 old chaires, 4s.; 2 old Sives & a little old Woodden ware, 3s.; an old hatchet & 2 henns, 2s.; debts owing from Henry Frend, 10s., Richard Richards, 4s.; Wm. Shaw, 2s.; Nathaniel Felton, 1s. 6d.; total, 10li. 2s. 6d. "What my husband carried with him to Virginea but it being I am sure ye most of his estate I cannot giue acct. of Neither can I giue an Exact acct. of what my husbands debts are."

‡Edward Peggey, aged about thirty years, deposed that he

§Autograph.

Court being informed that Mary Knights of Manchester was very poor and herself and children were in great need, it was ordered that the committee of militia of Beverly and the selectmen of Manchester forthwith take care that they may be relieved and not suffer.

[George Dorland had his license granted to sell beer and cider to travellers. — *Waste Book.*]

Theophilus Bayly, Ellinor Hollingworth and Richard Norman had their licenses renewed for keeping an ordinary.

Steephan Haskett, Mr. Jon. Higgenson, Mr. Moses Maverick, Mr. William Browne, jr., Capt. John Corwin, Mr. John Gedney, Mr. Timothy Lindoll, Mr. Wm. Bowditch and Mr. Samll. Ward had their licenses for drawing strong water renewed.

Mr. John Hathorne and Mr. Christopher Lattamore had their former licenses renewed.

Daniell Cleark of Topsfeild was licensed to keep a public house of entertainment for the ensuing year.

Joseph King being slain in the wars against the Indians, administration upon his estate was granted to Mr. John Ruck, who brought in an inventory* which was allowed.

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being bound for England, Henery Jackman "desired me to carey a Letter for him to his wife which acording to his desire i ded and when I came to deliuer it to y^e^ wife of Henery Jackman shee asked me how hur husband did taking up a Littell Child into her aremes saing though my hosband is ashamed of me he nede not bee ashamed of his Child with maney other wordes to that purpos and she desired me to carry hur a Letter to hur husband wich this deponent did and deLiuerd it to him then I was informed that he kept Compeney with y^e^ dafter of goodman Stanton that Liueth at brushe hille I went to his hous and tould y^e^ maid that Henery Jackman was a maried man in England She semed to me to be troubled wishing that she had neuer seene him and since y^e^ deponent see y^e^ aboue said Henery in person and bought a saruant maid of dockter waldon of boston and it was reported that he bought hur with an intent to marey hur I hearing of it went to him and tould him that I would acquaint the magstraits ore Goufernor with it and I haue not senn him since tell this very day seing him by accedent I called to him and he would giue me no answar but after wardes he came to M^r^ Gedneys where I was I asked him wether he was maried he answared that it may be hee was or to that porpos." Sworn in court.

*Inventory of the estate of Joseph King, who was slain with

Richard Sibly dying intestate, administration upon his estate was granted to Hanna, the relict, who made oath to the inventory* brought in. She was to pay to the seven children, Samuell, Hana, Sara, Damaris, John, Mary and Elizabeth, 3li. each, at age or marriage, Samuell to have a double portion, the house and ground to be security.

Capt. Lawtrup in the wars against the Indians, taken 13 : 4 : 1676 by Hilliard Veren, sr.† and John Rucke, sr.,† and allowed 30 : 4 : 1676, upon oath of Mr. John Ruck: one ould Cloath Coate, 10s.; 2 pair of shoues, 9s.; 3 pair of women drawrs, 7s.; a large wascote & Briches Worne, 16s.; Coate & Briches of stuf, 2li.; 2 Colard & 1 white neckcloth, A hankecher, 1 pr. glovs, a card buttens & 2 yds. Inkle & a feue tobaco pipes, 5s.; hatt, 5s.; 3 pair ould stockens, 4s.; 10li. Tobacco, 4s. 4d.; 1 pair pocketts, 6d.; 6 shirts, 15s.; 2 pair wore Cloth Briches, 12s.; 2 wascoats, 10s.; 4 Rubstons, 12d.; 1 pair ould drawes, 12s.; cash, 22s.; 2 chests, 8s.; 3 ould seithes, 4s. 6d.; due from the widow Spooner for work, 2li. 10s.; total, 9li. 4s. 2d. Due from the country for the time he was out upon the service with Captain Lawtrup, 6 weeks, and 3 dayes at 6s. per week, 1li. 18s. 6d. Debtor for his diet had of the widow Spooner for 40 weeks at 4s. per, 8li.

*Inventory of the estate of Richard Sibley, allowed 30 : 4 : 1676, upon oath of the widow: dwelling house and barn with the Ground belonging to it, 60li.; two feather beds wth Cloths belonging to them, 8li.; Bedsteds, 18s.; one hat & wearing Apparell, 3li. 2s. 6d.; pewter, 14s.; earthen ware, 5s.; Brass, skellets, worming pan & spoons, 14s.; Glasses, 2s.; two old seives, a frying pan & Smothing Iron, 6s.; two Iron pots, 14s.; one Iron Ketle, 14s.; two Ruggs, 15s.; a pr. of Andiarns, 8s.; fire shovell, tongs, hakes, pot hooks & Gridiron, 1li. 3s., spitt, 2s.; 3 saws, 8s.; pr. of Bellows & a pail, 2s.; five old Axes, 11s.; two drawing knives & two round Shaves and a hollowing tool, 10s.; two old ladders & Meal vessells, 5s. 6d.; two adsess, 7s.; two Smal frows, 2s.; two bigger frows, 3s.; one Auger, 2s.; & three hammers, 4s.; paire of Chezells & Goudge, 4s.; a hollowing tool & pincers, 4s.; three old hoes, 3s.; 6 old chaires, 6s.; looking Glass, 2s.; one Winscot chest, 15s.; another chest & box, 12s.; an old Trunke, 3s.; two spining wheels & a p of cards, 10s.; smal table, 4s.; an old smal bed & Covering & pillows, 20s.; five sheets, 24s.; parcel of house lining, 16s.; 6 pound of yearn at 2s. p pound, 12s.; 5 pound of cotten woll, 3s. 9d.; 9 pound of flax, 6s. 9d.; 3 pound of

†Autograph.

Mr. Edmund Batter, administrator of the estate of Abell Oseer, swore to the inventory* which he brought in, and was ordered to pay the remainder of the estate after the bills were paid to the brother of the deceased, John Oseef (also, Osuf), who acknowledged satisfaction.

John Silsby dying intestate, Bethia, the relict, was appointed administratrix, and she made oath to the inventory† which she brought in. She was ordered to pay to her son John, 20li. at age, and the house was to be given for security.

Elizabeth Pickman, relict of William Pickman, was appointed administratrix of her husband's estate and made oath to the

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woolen yearn, 6s., and a brish, 6d.; 2 Bed Curtains, 10s.; one Cow & a heifer, 5li. 10s.; total, 94li. 1s.

*Inventory of the estate of Abell Osier, who was slain in the fight with the Indians, taken by Simon Horne‡ and William Ropes,‡ and allowed 28 : 4 : 1676 upon oath of Mr. Edmond Batter: serdge suet & fustian drawers, 2li.; shirt & other linen, 7s.; 2 p gloves, 2s., & old stocking, 12d., 3s.; 1 Bible, 2s.; knife & Inckhorne, 6d.; 20 bisket, 16d.; Chest, 4s.; carpenters Tools, 4s.; total, 3li. 1s. 10d. To worke don for the new meeting house for Mr. Nicolet, 5li. 1s. 6d. Debts, to Mr. Phill. Cromwell, 4li. 6s. 6d.; Rats pd. to Constable Marsten, 1li. 3s.; Symon Horne, 1li. 10s.; to Jno. Norman, 2s.; total, 6li. 1s. 6d.

†Inventory of the estate of John Silsby, taken June 26, 1676 by Hilliard Veren, sr.,‡ and Edmond Feveryeare,‡ and allowed 30 : 4 : 1676, upon oath of Bethiah, the widow: dwelling house with ground belonging, 50li.; fether bed, rug, curtains, bedsted, 5li.; 2 pr. sheetes, 20s.; 1 doz. napkins & 6 towells, 1li. 15s.; 3 shirts, 12s.; 3 pc. old linen drawers, 5s.; 3 pr. pillow beers, 5s.; a carpett, 15s.; 4 pr. old & 1 pr. new stockens, 10s.; 2 pr. old cards, 3s.; wearing apparrell, 50s.; a hatt, 4s.; 5 old neckcloath, 2s. 6d.; 3 chests, 20s.; marrenrs Instruments & callender, 14s.; 6 flag chaires, 6s., a cradle, 5s., a stoole table, 30d., 13s. 6d.; 1 pr. tonges, fire pan, hake, 5s.; Iron pott, 5s.; Skillett, 3s.; pewter, 6s.; earthware, 2s.; spoones, trenchers & lumber, 3s.; glasses & an old case, 2s.; Corne, 24s.; a box Iron, 2s.; a gun & sword, 20s.; 3 baskett, 2s.; a bible & 2 old bookes, 5s.; the estate is creditt, 18s.; a Cow, 50s.; 5 sheepe & 2 lambs, 45s.; a mare, 20s.; more on sea bede & Covering, 10s.; total, 74li. 16s. The estate is Dr. 21li.

‡Autograph.

inventory which she brought in. She was ordered to pay to her son William 40s. at the age of twenty-one years.*

Samuell Pickworth, being slain in the wars against the Indians, administration upon his estate was granted to Sara his wife, who made oath to the inventory brought in. She was ordered to pay to Samuell Pickworth, son of the deceased, 10li., and to the other children, Sara and Hana, 5li. each, at age or marriage, the house and ground to be security.

Will† and inventory‡ of John Kitchen, deceased, were proved and allowed.

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*Inventory of the estate of William Pettmand, taken June 2, 1676 by Robt. Glanfiell§ and John Sanders§, and allowed 27 : 4 : 1676 upon oath of Eliza, the relict: one old fether Bead & Boulster & one Pelo & to old Blankets, 1li. 5s.; three pr. of sheets, 3li.; five Pello drawers & fower napkins, 15s.; small parcell of Linnin, 5s.; sutt of aparall of his, 2li.; two sharts & three neck cloths, 10s.; parcell of old Sea Clothes, 1li.; Chest & Box, 10s.; 1-2 Doz. of Chairs, 7s. 6d.; small tabell, 5s.; parsell of Earthen ware, 7s.; 1-2 Doz of bottls, 2s.; an old muscket & Rope, 15s.; sea Chest & three hamars & to Chizels, 10s.; old peuter platters, six poringers and Little bason, one Drincking Cup 1-2 doz Spuns, 15s.; tinnin poringrs, one bras Candel sticke, 1s. 6d.; cash, 5s.; one Iron pott & skellet & gred Iron, 8s.; mony, 1li. 10s.; small prcell of Land, being twelve pol or rod, 6li. 6s. Debtr to John Cromwell, 2li. 4s. 3d.

†Will of John Kitchin,§ dated Dec. 20, 1675, proved by Samuell Shattock who affirmed and Abraham Cole who made oath 30 : 4 : 1676 in Salem court: "I doe bequeth My dwelling house & land belonging to it and about an Acre of Salt Marsh by Castill hill unto my wife dureing her life time & to my Son Robert after her decease Secondly I doe giue & bequeth My Orchard and Ground behind it vnto My Son Robert Kitchen: prouided y^t y^e one halfe of y^e produce of both be for my wifes use & to her dispossall dureing her life Thirdly as for y^e rest of My estate i giue to my wife to be for her use dureing her life time & after her decease to be dispossed of to y^e rest of my children fouerthly i doe by this My will Make my wife & My Son Robert kitchen exseccetrice and exseccetor." Wit: Samll. Shattocke§ and Abraham Cole.§

‡Inventory of the estate of John Kitchin taken May 30, 1676 by Edward Flint§ and Richard Croade,§ and allowed 30: 4 : 1676 upon oath of Robt. Kitchin: A dwelling house & a

§Autograph.

Joseph Smale dying intestate, Lidea, the widow, was appointed administratrix of his estate and made oath to the inventory.* She was ordered to pay 20li. to Elizabeth, the child, at age or marriage, and the land was to stand as security.

Small Barne with the Land upon wch the said howse & barne stands being by Estimation about a qrtr. of an acre, 160li.; Orchard & another ps. of Land adjoyning to it being in whole about Two acres of Land, 60li.; about an acre of Salt marsh lyeing in the Sowth field neer Castle hill, 7li.; one Cow, 3li.; a mare, 3li. In the parlor his Lodgeing roome the goods there, a Feather bed & Furniture, 11li.; Trundle bed being likewise a Feather & Furniture, 4li.; cubbard, Table & Joyne stooles, 2li.; Small Table & 2 Carpetts, 1li. 5s.; Chest, box & a little Forme, 15s.; pr. of cast dog Irons, 10s.; Case of Bottles, 4s.; 7 chaires, 15s.; glass Bottles & small cups & a small pcs of silver plate, cushen & cubbard cloth on the Cubbards head, 1li. 5s.; his wearing Apparrell, 20li.; 3 bibles & some other bookes, 1li. In the parlor Chamber, Feather bed & furniture, 18li.; Trundle bedsteed, 6s.; 3 blanketts, Rugg & Coverled, 2li. 10s.; Cubbard with the Furniture in it, 3li.; Table & 6 Joyne stooles, 2li. 5s.; 6 Chaires, 12s.; 3 Cushens stuffd, 9s.; chest & a small Trunke, 12s.; a wiccar baskett & looking glass, 6s. In the porch chamber, Feather bed, bedsteed & furniture, 8li. In ye garret, 5 bush. of wheate, 4 bush. of corne, 1li. 17s.; Tubbs, a wheel & some other Lumber, 6s.; a hammocke, 8s. In the kitchin, In pewter & brass, 10li. 6s.; a pestell & morter, 4s.; a still, 8s.; pewter, 4s.; Letten ware, 15s.; earthen Ware, 15s.; 3 doz. Trenchars, 3s.; a Jack, Andirons, Fire Shovels, Tongs, 2 spitts & a pr. of Stilliards, 2 smoothing Irons, hakes, Fenders & chafing dish with some other small Iron Things, 3li. 11s.; 3 Iron potts & a Kettle, 1li.; 2 Iron wedges, 2s.; 2 Little Tubbs & 4 Chaires, 8s.; A meale Trough, 2s.; Bowls & Trayes, 3s. In the shop, 4 bush. malt, 16s.; 1 1-2 bush. wheate, 7s. 6d.; Tubbs & barrels in the cellar, 15s.; In Lynnen as Table cloths, napkins towels sheets & pillowbeers, 15li.; money, 40li.; debts due, 6li.; saddle & bridle & 2 pillions & pillion cloth, 2li.; 3 payles whereof Two with Iron hoopes & bayles, 4s. 6d.; a Lynning wheel, 3s.; 2 Chests, 4 Jarrs & a handsaw, 7s.; A spade & a pr. billowes, 5s.; total, 398li. 4s.

*Inventory of the estate of Joseph Small of Sallam deceased May 30, 1676 taken by Joseph Huchinson† and Jonathan Walcott,† and allowed 30 : 4 : 1676 in Salem court: four akars

†Autograph.

Tho. Smale dying intestate, Ruth, the relict, was appointed administratrix of his estate and made oath to the inventory.* She was bound with Edward Groves.

& a halfe of medowy or broshy land, 7li.; sixteen akars of vakante land, 16li.; four akars of Improved land, 11li.; a hous, 32li. 10s.; two narow axes & a broad axe, 13s.; a barkinge Iron, drawinge knife, hamer, 5s.; plow Iorns & 2 Barills, 10s.; Bedsted mate & bed Rope, 1li.; Lookinge glace, trays & brod how, 9s.; sith & takline, 2 chairs & shovell, 8s.; three hundred of bords, 15s.; hors, 6 swine & three piges, 6li.; fouer Coues & a yearline, 16li. 11s.; firepan, tonges, friing pan, tramill, 16s.; a pot, citell, feters, 1li. 10s.; fether bed, boulsters & pillows, 5li.; Ruge, blankit, & three pare of shets, 4li. 10s.; four shurts, three pare of drawers, 2li.; six boshills of Indion corn, 18s.; Bakon, 30li.; wool & hopes, 4,000 shingle nails, 18s. 6d.; bridl & sadle, 13s. 6d.; Indion corne upon the ground, 1li. 5s.; peas, barly & oats upon the ground, 2li. 10s.; pair of shoos, neckclos & three par of stokins, 15s.; four shillings in money, a belt, 8s. 6d.; a hat & waringe Clothse, 2li. 12s.; twoe Chests, a ber barill, pouder & bolits & basket, 19s. 6d.; a Bible, 4s.; total, 118li. 16s. Debts due, 50li. 4s. 7d. Debts due to her, 2li.

*Inventory of the estate of Thomas Small, who deceased Jan. 26, 1675, appraised by John Putnam† and Richard (his mark) Leach, and allowed, 30 : 4 : 1676, in Salem court: housing and land, 250li.; two oxen, 10li.; 13 cows, 48li. 15s.; 5 Cataill of 2 year old, 12li. 10s.; 5 of a year old, 6li. 5s.; 25 sheep, 12li. 10s.; 3 mares & a horse & a Coult, 5li.; sadel, Bridle, Pistolls & houlsters, Belt, Rapyer, 3li. 10s.; a Gune, 1li. 10s.; his wearing Cloaths, 13li. 2s.; feather bead, Boulsters & Pillows & Beadsteed, Curtins & valians & a Ruge & a Blanket, a pair of shets, 10li.; 3 sheets & other Linen, 1li. 6s.; mony, 10s.; 10 lb. of Coten woolle, 10s.; 17 lb. of woollen yearn, 1li. 15s.; Cheese & Boxes, 15s.; Chairs, 10s.; a Litell Table, 5s.; a trundle Bead & Beading, 2li. 10s.; Bead & Beading & Beadsteed, 3li.; 32 lb. of Sheeps woole, 1li. 12s.; a pair of stillyards, 1li.; Cart Rope & Pilion, 18s.; for a sanne, 4s.; old Barills, 13s.; 17 Bushills of Barill, 3li. 8s.; 2 bushells of Rye, 8s.; 15 bushells of pease, 3li.; 80 bushells of Indian Corn, 12li.; sacks, 12s.; chains, 1li. 6s.; shars & Coulters, 1li.; axes, 16s.; hous, 10s.; Betell & wedges & old Iron, 1li.; swin, 4li.; Keards & whells, 10s.; siths & Tackeling, 6s.; 2 Iron potes, 1li.; a friing pan & warming pan, 3s.; Barills & other wooden warr, 1li.; wooden with other things, 2li.;

†Autograph.

Jonathan Wiles dying intestate, John Wiles was appointed administrator of the estate and made oath to the inventory.*

The will† of William Pitcher was proved and the inventory‡ allowed upon oath of Andrew Tucker, one of the executors.

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meat, 2li. 10s.; Cart & whells, 1li.; 8 Bushells of Barlly, 1li. 12s.; Hemp & flax, 15s.; Glase, 4s.; total, 427li. Debtor to several persons, 135li. 7s. 4d.; debts due from severall persons, 58li. 10s. 5d.

*Inventory of the estate of Johnnathan Wills, taken June 28, 1676 by John How§ and William Aver [ill] § and allowed 30 : 4 : 1676 in Salem court: a mar and ould sadell, 2li.; a small Gun, 15s.; thre saws, 18s.; a beres, 5s.; Broad ax, 5s.; square, 2s. 6d.; mortis auger, 2s.; ould Iorans, 1s. 6d.; an ould ax, 2s.; an inch auger and a payer of Chisells, 3s. 6d. There is a parsell of Land about 15 akers which was to be Johnnathan's after his fathers decase: this to be consederd whither to be in the Inventory or no.

†Will of William (his mark) Pitcher,|| dated Nov. 21, 1675, and proved in court 30 : 4 : 1676 by the witnesses, who made oath 14 : 1 : 1675-6 before Wm. Hathorne,§ assistant: "I give and bequeath of that estate I have to my elder Brother John Pitcher living in England att Kenton in Devonshire, forty pounds to be paid to him by my Executours, or to his order here in New England, and in case of my Brothers decease to be paid to my Brothers eldest sonne living, and the remainder of the estate I give and bequeath to my loving Freind Andrew Tucker: in whose house I now ly sicke: Item by these present I doe appoint, ordaine & constitute my loving Freinds Andrew Tucker and Rich Rith to be my Executours." Wit: John (his mark) Pederick and William (his mark) Venning.

‡Inventory of the estate of Wm. Pitcher, appraised May 22, 1676 by Robert (his mark) Hooper and Edw. Humphrey,§ and allowed 30 : 4 : 1676 upon oath of the executor: For a Green Rugg, pillow & fethers, 9s.; a silver Lace wastcoat and another wastcoat with Gollon, 1li.; one Coat, 2 pare Breches and one pare Red Drawers, 18s.; Coate and Breeches, 1li. 2s.; two Remnants of stuff, 13s. 8d.; a Remnant of Ticken, 18s.; percell of Lining, 10s.; a hatt & some other Small things, 8s.; an old pare Boots and a Chest, 8s.; Little Trunk, 2s. 6d.; 2 pare stockings, 2s. 6d.; total, 6li. 11s. 8d. Debts owing to him, 77li.

Charges of Andrew Tucker on account of Wm. Pitcher:

§Autograph. ||Seal.

The will* of Jeffery Thistle was proved and an inventory† allowed.

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the first Month of his sickness Diat, tendance and Licquor and watchers & other Nessesasaryes, 6li.; 2 month for Diat tendance and Licquor & watchers & other Necessaryes, 8li.; 3 month Hee Growing worse and worse for Diate, Tendance & for watchers p 2 every night & for Brandy for y^e^ watchers, firewood and Light, 12li.; 4 Month For Diat Tendance & for 2 Watchers every Night & for Brandy for the watchers Firewood and Light, 12li.; 5 month to Diat and tendance p one whole month after the will was made & for 2 watchers Every Night To Brandy p his watchers victualls and Fire wood, 13li.; To Doct. Daniell Wells, 6li. 17s.; to Doct. Richd. Knott, 2li. 1s.; To 2 Journeys to Charlstown & pd to Doct. Checking, 1li. 10s.; 1 Journey to Boston to Doct. Snelling & wt. I had of him, 16s.; To a Journey to Lin to Goody Edmonds & by his owne Order & for horse & man to fetch her & Cary her home, 18s.; paid to ye Constable of marblehead for Countrey and towne Rate, 8s. 6d.; To his Funerall, 6li.; for my own Labour and my wife Goeing Early & Late to Marblehead, Salem, Boston & to and again & Use of my horse, 6li.; paid to Richard Reith, 17s.; to Edward Humphreys, 4s.; to Robt. Hooper, 2s.; total, 77li. 1s. 6d.

*Will of Jeffery (his mark) Thissell‡ of Abbetsbury, Dorsett, Old England, but at present in New England, being in perfect health and memory but bound to sea, dated Oct. 29, 1675, and proved 27 : 4 : 1676, in Salem court: "I make Richard Reith and Mathew Clark both of Marblehead New England to be my sole Excecutors. . . . I Giue unto my Eldest son Richard Thissell twentie shillings siluer which George Darlin of Salem is Indebted to mee and one halfe Barrill of oyl of Geo. Tuck and tenn shillings in old England Money which I leaue in one of the Excecutors hand Richard Reith as alsoe all my Fishing Craft that is in my Chest at Clem English house in Salem. I Giue vnto my Daughter Jone Thissell in Abbetsbury in y^e^ County Dorsett England a Bond that is in y^e^ hand John Hedgcock in Abbetsbury of 30^li^ pound princeple with the use of it for fiue years at this Date: as alsoe I Giue vnto her all that is Due vnto me from M^r^ Henry Feavor as alsoe all my whole propriaty that I haue In England either in Goods or any other thing what Ever I Giue to my Grand Child Jeffery my son Richards Son Twentie pounds New England mony siluer that lieth in Richard Reits hand as alsoe I Giue to him all that is Coming to me of the voyage along

†See footnote marked* on page 181. ‡Seal.

Alce, relict of Edward Ierson, was appointed administratrix of her husband's estate, he leaving a nuncupative will,†

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with John Darlin of Salem which Ezekiell watters hath y^e^ Doeinge of as alsoe I Giue to my said Grand Child Jeffery all my whole venture that I now Carey with me This voiag as allsoe what wages may be due to mee as alsoe fifteen Acres of land that lieth at Bass Riuer more or Less I Giue vnto my son Richards Daughter mary tenn pounds in siluer of New England mony which lieth in y^e^ hands of Richard Reith I also Giue vnto my Grand Child Jeffery my Chest and Bedd that is at Clem English in Salem I Doe Further order what is Coming from y^e^ voiag of Ezekiell Watters shall be paid to Richard Thessell Towards y^e^ Land for the use of the boy this to be paid at y^e^ prouing the will and that it may be put into my Excecutors hands and that y^e^ twentie pounds and y^e^ tenn pounds that I Giue vnto y^e^ Children shall be Kept in y^e^ Excecutors hand tell they Come to age and if either of the Children dieth to Goe to that as Remaines aliue and Land and all to Goe from Generation to Generation. Lastly I Giue Unto Richard Reith and Mathew Clark my Excecutors Twentie Shillings a peice more out of the voyage now in hand." Wit: Samuell Morgan‡ and Edw. Humphreys.‡

*Inventory of the estate of Jeffery Thissell, taken by Samuell Morgan‡ and Edw. Humphrey,‡ and allowed 27: 4 : 1676, in court: For the Land in y^e^ Bounds of Beaverly, 30li.; money Left in Richard Reith hand, 30li.; wages which is in ye hands of Richard Reith, 7li. 17s.; money in Ezekell waters hand, 9li. 2s.; money in Henery Haymans hand, 3li. & six pence in old England money and six Shillings in New England, 3li. 6s. 6d.; Cloase Chest & a sea Bedd, 3li. 13s. 6d.; total, 83li. 19s. As for the Land abovesd and the Cloase Chest and Bead was prised by vs at money silver of New England and it is to be vnderstood that all y^e^ Rest is silver. Debts, in silver, 17li. 10s.

Robert White‡, aged twenty-nine years, testified on June 27, 1676 that Jeffery Thistell being aboard the "waymouth marshent" sailing from Saltatudes bound for New England was taken sick on the way and on his death-bed called for Hendry Heman, whom with deponent he asked to go to his chest and take out 3li. in English money and 6s. in New England money. Said Heman brought it and Thistle told him to carry it home and give it to his daughter, which he did. Sworn in court.

†Nuncupative will of Edward Ierson, dated Oct. 26, 1674,

‡Autograph.

which she was ordered to carry out. She also made oath to an inventory* which she brought in.

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signed by Henery Sillsbey† and Henry Collins,† and proved 27 : 4 : 1676, in court: "I doe giue to my sone Sammuel forty ackkers of land which is my farme lying next to John hokes grond on one side and this land which I doe giue him is to goe to the next yares after his decease allsoe I doe giue to my sone bengamen my hose and land Joyning to It and 4 akkers of meddoe lying up in the conterry and 2 akkers of mash lying in Romely mash and this hee is not to haue tell after his motheres decease but if the sayed bengamen dost liue with his mother and improues this grond and lickwise the stock of cattell doth prouide for them then is hee to haue halfe the corne and half the cattell, allsoe I doe giue to my dafter elissybeth twenty pond to bee payd out of the stock, allsoe after my deceace I doe giue to my dafter Ruth one yow and one lame, allsoe It is my mind my wif shall haue all the moueables at the dissposing, and this hee did in parfet memory."

*Inventory of the estate of Edward Ierson of Lyn, taken 20 : 11 : 1675, by Thomas Laughton,† Henry Collins† and Henry Sillsbey† and allowed, 27 : 4 : 1676, in court: one dwellinge house & barne and orchard and five acres of upland adjoininge to the house and tow Acres of salt march, 70li.; tow oxen, 8li.; foure cowes, 12li.; Tow steers, 4li. 10s.; tow Heifers, 3li.; tow caulfes, 2li.; tenn sheepe, 4li.; five swine, 3li. 10s.; one Horse & one mare & colt, 5li.; Fourty Acrse of up Land in the countrey, 10li.; Foure acres of Fresh meadow in the countrey, 8li.; One Bedstead and Beding and curtaines & vallance belonging to it, 9li.; Eight paire of sheets, 5li.; Tow table cloathes and fourteen Napkins, 1li. 10s.; five pillowbears, 10s.; Tenn yeards of course cloath, 15s.; Fifteen yeards of new cloath, 1li. 18s.; Five yeards of new cloath, 1li.; wearing cloathes, 3li. 12s.; a paire shoos & stockings and tow old shirts & a old coat, 14s.; one Bedstead and bedinge & curtaines & valance belonging to it, 6li. 10s.; one Bedstead and Bedinge, 4li.; Three score Bushill of Indian corn, 10li. 10s.; tow Bushill & half of rye & one Bushill & halfe wheat & a bushill pease, 1li. 1s. 6d.; Barley, 3li.; oats, 2li. 4s.; sheeps woole, 1li.; flax, 1li. 10s.; Hay, 10li.; chairs and cushens, 1li.; table & forme & tow old cubbards, 1li.; Iron pots and scillets and other Iron tooles & axes & wedgs & tonges, 3li.; pewter dishes and Pewter pots & poringe dishes & other pewter & cups, 3li.; musket & sword & powder & Bulletts, 1li. 10s.; Earthen

†Autograph.

Edward Bishop, having been appointed at the last Salem court administrator of the estate of Will. Dewe, made oath to the inventory* which he brought in to court.

Agnes, relict and administratrix of the estate of Andrew Alger, presented the will† and inventory of her said husband which were proved and allowed.

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dishes & pots, 6s.; spininge wheels & woole cards & a hatt, 9s.; pork, butter & cheese, 2li. 10s.; chests, boxes, chirnes, tubs, pailes, a chees presse & woden trayes, 1li. 16s.; a briddle and saddell & a cart saddle, 1li. 6s.; a Bible & other bookes & yearne & lookinge glasses & tow old stoles, 16s.; one cart & wheeles and a chaine & plough & cart rope, 2li. 6s.; In old sackes & winnow sheets & a fork & old tools, 14s.; debts owing to him, 2li. 13s.; debts to be paid, 6li. 12s.

*Inventory of the estate of Will. Dewes, taken by Edward Bishop,‡ and allowed 30 : 4 : 1676, in court: Recd in Marchandabel Fish, 4li. 17s. 3d.; for ye contrey Servis under Capt. Page of Boston, 2li.; for ye countery Servis under Capt. Thomas Lawthrope, 1li. 10s. 6d.; by his Cloaths and Chist, 2li.; 3 sheepe, 1li. 1s.; 3 gall. Traine oyle at 2s. pr. Gall., 6s.; mony of Ephraim Fellowes, 6s.; mony of Marke Haskoll, 2s.; total, 12li. 2s. 9d.

†Will of Andrew (his mark) Alger, sr.§ of Scarborough, County of Yorke in New England, fisherman, dated Mar. 23, 1669-70, and proved 30 : 4 : 1676, in court: after payment of debt "I bequeath unto my dear & loveing wife Agnes, fully, wholy, & solely to enjoy & dispose of, according as unto her shall seeme meet, & covenient (wheresoever any & every pcell of y^e^ s^d^ Estate, shalbe found being & lying) & if so be she dyeth as my widow, hereby she shall have full power to bestow upon leave unto & distribute among whom of my children she shall find to be most ready to be pforming their filiall duty unto her. To w^ch^ end I hereby bequeath unto each & every one of my children y^e^ summ of five shillings. viz To my sonn John, five shillings Andrew five shillings, Mathew five shillings, Elizabeth five shillings, & Joanna five shillings. Onely it is to be understood, y^t^ it is my will y^t^ my interrest at blacke point Neck, my aforesd wife shall not have liberty to dispose of although she depart in her widdowhood, but after her decease, my will & bequeath is y^t^ it shall fall into y^e^ hands of my sonn John as his Inheritance. But if it shall seeme meet unto my aforesd wife to enter into Wedlock then my will is that she shall have onely her thirds of the aforesd Es-

‡Autograph. §Seal.

An Alger, relict of Arthur Alger, was appointed administratrix of her husband's estate, and she brought in an inventory* to which she made oath.

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tate, my sonn John as is abovesd my house & land to be equally devided betweene my other two sonns abovesd, & my two daughters an equall portion of y^e^ remainder. my intent being that the two thirds of y^e^ estate shalbe equally divided among my aforesd five children, although I expresse it as my will, that all my sonnes should & shalbe thus seated as above. To w^ch^ end & purpose I doe hereby make constitute & appoint my aforesd wife to be my whole & sole Executrix, unto this my last will & Testament & that this my sd will to all true intents & meanings may be in all things fulfilled I doe hereby request my deare brother Arthur Alger & my loveing Neighbour Andrew Brown sen. both of y^e^ Towne abovesd to supvize & to looke that this my last will & Testament be pformed." Wit: She. Fletcher† and Roger (his mark) Hill.

Inventory of such goods as Agnis, widow of Andrew Algar, had in her keeping, allowed 30 : 4 : 1676 in court: 2 beds, 1 boulster, 2 Ruggs, 4li.; 3 Iron potts, 1li. 16s.; 2 paire of pott Crooks, 3s.; a frying pan, 2s. 6d.; A grid Iron & old Iron, 3s.; meale sieve, 10d.; 2 bucketts & two Tubs, 5s.; 1 Hatt, 1 old wheele, 9s. 6d.; Cloth for a Coat & a paire of breeches, 1li.; 1 paire of shooes, 3s.; A copper, 1li. 9s.; 1 Chest, 5s.; total, 8li. 16s. 10d. "There is to y^e^ Estward by report butt I cannott make oth of itt:" 1 Heiffer fower yeares old, 1 Steere fower yeares old, 1 old Horse, Land & Marsh, 40li.; House & Land Upon black point neck, 30li.

*Inventory of the estate of Authur Auger of Scarbrough, taken June —, 1676, by Giles Barg and Ralphe Allison at Scarborough alias Blackpoint, who made oath June 10, 1676 before John Scottow,† commissioner: land improved, 40li.; Marsh & land in Comon, 30li.; 4 oxen, 22li.; 1 Cow, 4li.; a yearling, 1li. 10s.; 2 Mares, 7li.; 1 hors Colt year old, 1li. 10s.; 1 gun without a lock, 16s.; Coulter & share & staple & Crooke, 10s.; 7 reap hookes & sickles, 7s.; 1 pitch fork, 6d.; 1 fouling peece, 1li.; 2 nib rings & one staple & too paire of broken Crooks, 5s. 3d.; total, 108li. 3s. 6d. Also a parcell of upland & meddow which was Brother Geles Roberts, in controversy, 30li.

Inventory of the estate of Arthur Augar of Blackpoint wounded by the Indians and dying of his wounds Oct. 14, 1675, taken at Marblehead June 26, 1676, by Thaddeus Riddan† and Beniamin Redknap:† his apparrell, 2li. 15s.; three

†Autograph.

Elizabeth, relict of Henry Kemboll, was appointed administratrix of her husband's estate, and she brought in an inventory* to which she made oath.

Featherbeds, 3 bolsters & 4 pillowes, 10li. 15s.; Six blanketts, 2 rugges & 1 coverled, 2li.; Two bearskins, 5s.; A sadle, pillion & two bridles, 1li. 12s.; sword & belt, 9s.; Eleven yds. Irish cloth, 13s.; pr. stockins, 3s.; Four Pewter dishes & 1 bason, 4 porringers, 1li.; one pewter pot, candlestick, 2 beakers, 7s.; Two salt sellars, 2 sawcers & 2 Lamps, 4s.; one hatt, 6s.; Two bushels, 1-2 wheat & 3 Indian, 1li. 1s. 6d.; Eight old bags, 8s.; Four iron potts & 4 pothooks, 2li. 5s.; One old frying pan & trammell, 4s. 6d.; one smothing iron, 2 heaters, 3s.; one brass ketle & 1 skillett, 1li.; one warming pan & 1 flesh forke, 15s.; Tinnen ware & 2 pr. old wool cards, 12s.; morter & pestle & 1 old candlestick, 7s.; Trenchers & spoons, 5s.; Four chests, & two boxes, 1li.; Two seives, 2s.; 1 Linnen wheel, 4s. 6d.; four pound cotton wooll & ye baskett, 3s.; Bucketts & 2 small tubs, 7s.; wooden ware, 15s.; one old chair, 15d.; Two pr. sheets, 2 tablecloths, 1 doz. napkins, 2li.; one shirt, 1 pr. drawers, 4 towels & 2 pillarbears, 12s.; sixteen yds. linsey woolsey, 1li. 4s.; three remnants of dinnin, 15 yds., 1li.; six yds. blew Linnen, 6s.; An old axe & 2 bagges, 7s. 6d.; one small Indian gun, 10s.; Powder & shott, 3s.; a chamb. pott, 4s.; 1 bagge silpee, 12d.; total, 35li. 1s. 9d. Debts due from ye estate: To Mrs. Walker att Boston, 3li.; to the portion of ye 3 children of Brother Giles, Abraham Roberts, 5li. 12s., David Roberts, 5li. 12s., Giles Roberts, 5li. 12s.; total, 19li. 16s. Due to ye estate if it can be recovered: from Richd. Wilbire, 1li.; Mathew Augur, 1li.; John Augur, 16s.; Christopher Pickett, 6li.; total, 8li. 16s.

Robeart Elliot, aged about forty-four years, deposed that about Oct. 14, 1675, Arthur Allger was at Wm. Sheldon's house in perfect sense and memory and he desired deponent and the rest standing by to take notice that he gave all his goods to his wife An, she to pay the children their portions. Sworn, Oct. 26, 1675, before John Wincoll,† associate.

Christopher Picket, aged about sixty years, deposed the same.

Wm. Sheldon and John Cocke deposed the same. Sworn, Oct. 26, 1675, before John Wincoll,† associate.

*Inventory of the estate of Henery Kemball, taken 16 : 4 : 1676, by Thos. Fiske† and Richard (his mark) Hutton, and allowed 30 : 4 : 1676 in court: house and twelve akrs of Land which was the widow's before shee maried with him, 40li.;

†Autograph.

Whereas administration was granted to Hen. and Richard Kemboll of the estate of Caleb Kemboll at the last Salem court, and since then said Henry had deceased, court granted to Richard sole administration, and ordered him to pay to the twelve children of said Caleb, 18s. at age.*

Neate catle, 25li. 10s.; one old horse, 1li. 5s.; sheep, 2li. 10s.; swine, 5li. 12s.; Graine upon the land, 4li.; 6 Bushels of Corne, 1li. 1s.; Beding & Bedsteads, 7li. 10s.; wearing Clothes, 4li. 18s.; Iron & Brass, 5li. 14s.; workeing Tools, 3li. 2s.; sword & Belt, 10s.; Ammunition, 3s.; Lumber, 3li. 15s. 6d.; books, 5s.; yarne, 2li.; Hemp & flax, 8s.; sheep's wooll, 15s.; hoops & Boxes & other Utensils, 1li.; Debt due from his son Caleb late deceased upon the account of howse & Land, 25li.; to ye Remnant of a Legicie given him by his father yet in the execetrs hand, 40li.; debt due from Thomas Fiske, 3s.; timber, 1li. 15s.; a Grindstone, 10s.; warming pan & old pewter, 6s.; two Bags, 3s.; total, 177li. 11s. Debts: to Mr. William Browne, 3li. 1s. 1 1-2d.; county Treasurer, 2li. 5s.; Mr. Georg Corwine, 16li. 9s. 7 1-2d.; Mr. Georg Corwine, a payer of wheels with hoops & Boxes, 2li. 12s.; to be paid to him according to a note under his hand for ye widow White, 1li. 1s.; Richard Dodg, 1li. 10s.; the Remainder of Legacies to Humphery Gilbert's childrin, 6li. 11s.; two oxen & two Cowes mentioned in humphery Gilbirt's will, 20li. 5s.; two akers of Land belonging to Humphery Gilbert's farm which William Rayner Recd. of Thomas Fiske & gave bond that the Heires should Give a deed of it wn. he Come of Age, 5li.; to Jno. Carpenter, 14s.; Daniell Killim, 1li. 6s.; Goodman Rix, 7s.; Daniell Killim sr., 7s.; Osmond Traske, 3s.; Goodman Stackhouse, 14s.; William Rayner's children according to an order of Ipswich Court, 1li. 15s.; to ye Constable of Ipswich for ye war rates & others, 3li. 14s. 2d.; to Thos. Ives, 1li. 7s. 5d.; Richard Gooldsmith, late deceased, 1li. 10s.; Deacon Goodhue, 1li. 5s.; Mr. Wainewrite, 2li. 10s.; Mr. Wade, 1li.; Samuell Fiske, 12s.; Mr. Browne, 3li. 8s. 11d.; total, 76li. 8s. 3d.

*Inventory of the estate of Caleb Kemball, slain with Captain Laythrop in the country service, taken 25 : 9 : 1675 by Charls Gott† and Walter Fayerfield† and allowed 30 : 9 : 1675 in Salem court: one hous and twenty-four akers of land, 34li. 5s.; one hors, 3li.; one mare, 2li. 10s.; 15 bushells and 1-4 of inden corn, 2li. 5s. 9d.; tools, 17s. 6d.; one muskett, 1li. 5s.; by 7 wekes wadges dew from the country, 2li. 2s.; one chest and boox and on par of shoes, 10s.; tining ware and

†Autograph.

Samuell and Tho. Kemboll, sons of Richard Kemboll, deceased, were appointed administrators of their father's estate, and made oath to the inventory* brought in.

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other small things & bible, 10s. 6d.; wearing clothes, 3li. Debts due from the estate: to the hayers or administrators of Henery Kemball his father, 25li.; to Deakon Goodhew, 4li. 3s.; Walter Fayerfeld, 2li.; Ezekell Woodward, 2li. 3s.; Master Batter, 1li. 5s.; Thomas Ives, 1li. 2s.; Peeter Chevers, 2s. 6d.; Mr. Phillip Cromwell, 6s.; Mistres Newman, 5s.; Goodman Hayward the hatter at Ipswich, 13s. 6d.; to John Baker of Ipswich, 4s. 6d.; John Safford, 5s. 6d.; Cornitt Whipple, 9s.; John Sparks, 1s.; his unkle Richard Kembal's estate, 4s. 6d.; to Leweie Elford, 2s.; that his father Henery Kemball had in money, 17s.; delivered to Elizabeth Norten by Caleb's order a chist and box and tin ware, 8s.; four bushels and half of Indien corne that henery Kemball his father had of Caleb Kemball's corn, 15s. 9d.; debts that are dew and out of my hand of Caleb Kembal's estate, 38li. 7s. 3d.; the 17s. in money and 15s. 9d. in corne is dew from the estate of his father henery kemball and a paile the widow kemball hath, 1li. 13s. 9d.

*Inventory of the estate of Richard Kemball, taken June 17, 1676 by Walter Fayerfeld† and Thomas Patch:† the dweling hous and 132 Akers of Land and 17 Akers of meddow belonging, 370li.; 40 Akers of upland at Lords hill with meddo, 92li.; at Lords hill 21 Akers of upland and one of meddow, 40li.; 20 Akers of upland lieing by Mr. Newmans, 28li.; 6 Akers of Land caled poulands and 12 of medow, 71li.; 200 Akers of Land in Rowly village, 164li. 10s.; corne in the hous and corne in the grass, 13li. 15s.; cattell, shep, horses and swine, 79li. 1s.; beads and beding and aparcell of yerne, 8li. 15s.; Arms and ammunition, 5li. 5s. 6d.; peuter and brass and Ioron potts, 7li. 5s. 6d.; chests and bookes and bedsteds and a cord, 2li. 18s.; earthen ware and other Implements in the hous, 2li. 12s. 6d.; fether bead and other beding and a bedsted, 4li. 16s.; a weavers loom and tacleng, 2li. 5s.; a percill of yern and tubbs and other Lumber, 4li. 1s.; husbantre Implements, 7li. 9s.; dew from his fathers exsecitors, 35li. 10s.; cattell and houshould goods which his wife brought to him, 19li. 16s.; his wearing clothes, 6li. 7s.; dew from daniell gott by a bill that he gave to Richard kemball of 23 pounds ther being but 4li. 5d. paid, 18li. 15s.; dew from daniell gott for Rent thre pownds per yer during the naturall life of mary the wife of the Late Richard kemball of wenham more severall small debts dew to this estate, 3li. 9s.; dew

†Autograph.

COURT HELD AT SALEM, JULY 18, 1676, BY ADJOURNMENT

Benjamin Felton, keeper of the prison at Salem, was allowed for keeping two Indians committed to him by authority, one for seventeen weeks and the other for twenty-four weeks at two shillings per week, 5li. 16s., which court ordered the County treasurer to pay.*

Administration upon the estate of Mathew Legroe, who was slain in the wars against the Indians, was granted to Nathaniell Brickett, who brought in an inventory,† and was bound.

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from the contry for wages and other debts, 2li. 16s.; total, 980li. 16s. 6d. Debts due from Richard Kemball's estate: to Mr. William Browne, sr., 21li. 4s. 8d.; Docter Avery of Dedham, 31li.; Docter Endicote of Salem, 6li. 4s.; Rebecah Bondfield of Marblehead, 1li. 10s.; Deaken Goodhew of Ipswich, 16li. 10s. 9d.; Mr. William Browne, jr., 4li. 3s.; Mr. Georg Corwin, 3li. 16s. 6d.; Mr. Edmond Batter, 1li. 14s. 7d.; Thomas Ives, 18s.; Andrew Wodbery, 5s.; Mr. Joseph Gieresh, 1li. 19s. 3d.; Captin Nathaniell Saltinston, 3li.; Captin John Corwin, 6s.; Timothy Lindall of Salem, 8s.; Thomas Kirks, Salem, 6s. 8d.; David Perkens, 8s.; John Safferd, 8s. 6d.; Mr. Francis Wainwrit, 11s.; Andrew Ellet, 1li. 10s.; John Lovet, cooper, 7s.; Walter Fayerfeld, 12s.; Thomas Patch, 5s.; Hayward, the hatter of Ipswich, 8s.; other debts, 1li. 4s.; debts, 18li. 5s. 8d.; by the warr rate and Elizabeth Brooks, 7li.; total, 123li. 5s. 7d.

*Bill of Benjamin Felton,‡ goal keeper, dated Salem, July 17, 1676, for keeping in the Goale Two Indians Committed p ye Wors. Maj. Hathorne 17 weeks at 2s. p week each, 4li. 5s.; for one of the Indians Twenty fower weeke, more, Since the other dyed, 3li.; total, 7li. 5s.

†Moses Litell, aged about nineteen years, and Joseph Poore, aged about twenty-two years, testified that Mathew Legro was a servant to Elisha Ilslie when he was pressed for the war, that he was a covenant servant and was bound to serve as an apprentice from about the beginning of May, 1675 for two years and six months to learn his trade. Sworn, June 22, 1676, before Daniel Denison.‡

Owing to Mathew Logrow: by Mr. Short, 10s.; by Jno. Celly, 5s.; by Peter Tapon, 6s.; by Dan. Lunt, 4li. 4s.; by his wages for his being a souldier, 14li.; mony in his Chest, 1li.; clothing in his chest, 2li.; total, 22li. 5s. Account of

‡Autograph.

Moses Vowden and his wife, presented for fornication before marriage, were sentenced to be whipped, the man twenty stripes and the woman fifteen, or pay a fine.

Whereas an account* was brought into court of the estate of Ellenor Robinson, deceased, by Mr. Henry Bartholmew, administrator, there being 25s. left of the estate, said administrator was allowed 15s. for his pains and the other 10s. was to be paid to Mr. Edmund Batter toward his debt.

Peeter Cheevers and his wife, presented upon suspicion of perjury in taking an oath about a lock upon the door of Robert Stone were fined and disenabled from giving oath during the court's pleasure. They were to pay costs of witnesses, Mr. Batter, Hilliard Veren, George Hacker and Benjamin Smale.†

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what he owed to Mr. Adkinson, 3li.; Capt. White, 12s. 3d.; Mr. Thomas Woodbridge, 4s.; George Major, 19s.; widdow Moody, 17s.; total, 5li. 12s. 3d. Nathaniell Bricket‡ declared that what was due to Mathew Lougrow he had given to him.

William Fannen, aged about thirty years, deposed that immediately before Mathu Groe went away toward Hadly as a soldier, he was witness to a will made in favor of Nathaniell Bricket of Newbery, but he did not have time to finish it and told deponent that he gave his estate to said Bricket in consideration of his kindness and charges during his sickness. John Michell, aged about twenty-five years, testified to the same. Sworn, June 26, 1676, before Daniel Denison.‡

Richard Dole testified that he was also a witness to the same and that Grow asked him at deponent's house just as the soldiers were marching away. Sworn in court.

*Edmond Batter's‡ account of the estate of Elinor Robinson deceased, dated 21 : 5 : 1675: Creditor to mony Received of Goody Mascall, 1li. 16s.; to mony Recd. of my wife, 3li. 19s.; for hire of 2 Cowes, 1li. 8s.; to 2 Cowes that being killed come to 4li. 5s.; total, 11li. 8s. Debter: to Capt. Joseph Gardner, expense of her buriall, 7s. 8d.; paid for her, 15s. 4d.; total, 1li. 3s. Edmund Batter's‡ receipt for 9li. in silver, dated Aug. 6, 1675, from Mr. Henry Bartholmy for a debt due from Elinor Robinson.

†Edmund Batter, aged about sixty-eight years, deposed that with the key presented unto the honored court, he did lock and unlock and open and shut the door of that house

‡Autograph.

Giles Cory, presented upon suspicion of abusing the body of Jacob Goodell by beating, was fined, and ordered to pay witnesses, Mr. Endecott, Elisha Cabee, Lott Kellom, Wm. Benett, Jon. Procter and Samll. Pope.*

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that was lately in the possession of Willm. Reevs before Mr. Veren and George Hacker.

Ed. Batter† testified, 28 : 4 : 1676, that he unlocked the door of the house in which William Reeves lately dwelt in order to take possession.

Benjamin Small,† aged about thirty years, testified on July 17, 1676, that there was a great new lock on the door when Mr. Batter came, but shortly after the great lock was taken off and a small lock that was on the stable door was put on. Sworn in court.

Peter Cheever and wife Lidia testified that when Mr. Batter on 8 : 12 : 1675 went into the house, etc. Also that the lock that is now upon deponent's cellar door was at that time upon the cellar door or in the house that said Cheever now lives in. Sworn, 13 : 1 : 1675, before Wm. Hathorne.† Copy made by Wm. Hathorne,† assistant.

Hiliard Verin, sr., deposed that going along in the street, he saw Mr. Batter coming from Peter Cheever's house, etc. He heard the bolt go by as he turned the key, etc. Sworn, 13 : 1 : 1675, before Wm. Hathorne.† Copy made by Wm. Hathorne,† assistant.

Georg Haker testified.

*Mary Gory, aged about fifty years, testified that Elizabeth, wife of Zakarrey Goodell, "being at my house I axed har wether har brother in Loy Jacob goodell had not bene att har house and she sade yese I asked har what mischef he ded thare and she sade he got in to the seler and got apels she sade har housband was a Coming in with a Loge of wood he Lade dound the Loge and tooke up a stok and pade hem to som porpos that she thot he wold never Com thare agane this was about ten dayes before he hort his arme John Parker being thare a ciling of hoges and dous testyfi to the same wordes that is above Righen."

Elisha Kebee,† aged about twenty-eight years, testified at Salem, June 28, 1676, that a little before Jacob Goodall's death, he saw Gills Core unreasonably beat said Jacob with a stick of about an inch through and that with the great end of the stick he struck him nearly a hundred blows which so grieved deponent that he ran to Corie and told him he would knock him down if he did not forbear. Sworn in court.

†Autograph.

Thomas Clearke, presented for cursing his wife, was fined. Josia Sothwick was fined upon his presentment for bringing

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Lot Killum* affirmed at Salem, June 28, 1676, before the grand jury that Jacob Goodall told him upon his death bed that John Parker, Corie's son-in-law, struck him with the side of a bed.

Nathanel Felton, Francis Nurse, Anthony Buxton, Michel Shaflin, Jeremy Meacham, John Traske, Thomas Smal, Samuel Very, Thomas Preston, John Cooke, Joshua Rea, and Eleazer Giles, chosen by the constable to view the body of Jacob Goodale, made return that "we finde seueral wrongs he hath had in his body as upon his left arme and upon his right thigh a great bruise w^{ch} is very much swold and upon the reynes of his backe in colour differinge from the other parts of his body we caused an incision to be made much bruised and Run wth a gelly and the skin broke upon the outside of each buttocke." This return was made to Wm. Hathorne,* assistant.

Jno. Procter, aged about forty years, deposed that Giles Coarye owned to him that he beat Jacob Goodale while Elisha Kebbe was present. Also that the sixth day before the soldiers went to Narrigansett, deponent noticed that Jacob looked very lusty and well, as he had been for many years. On the third day of the week following Zachary Goodale and Goody Coary brought the said Jacob to deponent's house and said that Jacob went "very ravel," stooping, with his eyes sunken in his head and looked very pale. Sworn in court.

Zeckary Goodall, aged about thirty years, deposed that about the beginning of last December, it being the time that the soldiers went out against the Narragansetts, Giles Corey came to his house and desired him to go with deponent's brother Jacob to the town to Mrs. Mole, for he had had a fall and he was afraid had broken his arm. Because the way was slippery and his horse not caulked, said Corey could not ride himself. "So I went home to Giles Coreys, & finding after we were going to y^{e} towne, that he went so badly, I asked him if he had no other hurt besides his arme but he would not tell me, whereupon I went back to Giles Coreys, & desired that somebody might goe along with us to towne, for I would not goe with him alone, whereupon goody Corey went with us, but how M^{rs} Mole found him, she is best able to testify her selfe but for my owne part, I Cannot say that euer I saw him beat or wrong my brother, but he hath beene very much beaten & wronged to by report."

*Autograph.

the wife of John Smith on Lord's day to speak to the people to the great disturbance of the people, and upon penalty of 30s. was ordered to bring Goody Smith tomorrow in the morning before the court.

The wife of Henry Traske was fined upon her presentment for making a disturbance among the people as they came out of meeting.

John Whitterig, being slain in the wars against the Indians, dying intestate, administration was granted to John Baxter, who was to bring in an inventory to the next court.

The selectmen of Marblehead, petitioning to this court that one Phillip Welch, an inhabitant of Topsfeild, had lately removed into their town, who was very poor and likely to be chargeable to their town, declared that it was without the consent of the selectmen and most of the inhabitants and they disowned him as an inhabitant.*

John Bly and George Thomas, for frequent absence from the public worship of God, were admonished.

John [Thomas. — *Waste Book.*] Buffington, Moses Aborne, John [Robert. — *Waste Book.*] Wilson and John Whiffin were dismissed upon their presentments.

John Robinson confessing that he had attended a meeting [at Josiah Sothwick's house — *Waste Book.*], also at Joseph Boyce's several times, was fined, and being convicted for not

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*The men chosen by the selectmen of Marblehead, Moysese Mavericke, Ambrose Gale, Richard Norman, Richard Rieth and William Beale, to inspect private houses: Nathaniell Walton, Thomas Smith, Thomas Pitman, Richard Reede, Edward Holeman, John Waldron and Edward Reade.

Petition, dated July 14, 1676, of William Beale and Richard Rieth, for the selectmen of Marblehead, to the court: "whereas the lawes of this common wealth ordereth that euery Towne shall prouide for their owne poore; phillip welch of Topsfeild being reputed A very poore man & of late com with his Family into our Towne of Marble Head without Leaue obtained from either Towne or selectmen, also, beeing ackcording To our towne order warned either to depart or giue bond for ye Townes secuitie hee refusing to doe either, wee doubte not but this honnoured court will giue releeffe against this iniust intrusion."

frequently attending the public worship of God, was admonished.

Isabell Pudeater, wife of Jacob, was sentenced to be whipped with fifteen stripes, upon her presentment for drinking, unruly carriage and abusing her husband and his goods.*

William Bowditch, by his letters and answers, gave such satisfaction to the court for not going home to his wife, that he was dismissed.

Goody Bates, upon her presentment, was admonished.

Edward Bringell, presented for abusing and challenging Goody Bates out of her house and calling her vile names was ordered to be whipped ten stripes. They were to pay charges equally, to Samuell Golthwrite, 3s., Tho. Cooper, 3s., Will. Adams, 3s., horse hire, 1s., Constable Giles, 3s.†

Whereas there was a complaint made against Mr. John Blanoe by Mrs. Elizabeth King that said Blanoe withheld a parcel of land that belonged to his children, which were by her daughter the said Blanoe's late wife, but not appearing, he was ordered to appear at the next Ipswich court, and not to make any waste of the wood or timber growing upon said land.

Whereas there was a complaint made by Wm. Curtice

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*John Baker, aged about thirty-six years, and his wife Jone, aged about thirty years, deposed that living near Isable Pudator, wife of Jacob Pewdator, they knew her to be a brawling and contentious woman, & "how y^{t} she carieth both to her husband & her neighbours in her Liue & conversation neither as y^{e} Law of god or man requireth." Also that they had heard her threaten to be the death of her husband and burn his house. Sworn in court.

†Jno. Vpton, aged twenty-one years, deposed that as he was going along the highway, he saw Goodman Shafflin's servant passing along before him about ten rods distant and as he went by Bateses house, Bateses wife went out and beat him. After the boy cried out, she beat him again several times. Sworn in court.

Samuell Goldthwait, aged thirty-seven years, testified that he saw Edward Pringell (or Tringle), servant to Mihell Shaflin, fling a stone violently at the door side of the house of Goody Bates and heard him call her vile names, etc. Sworn in court.

against his servant Jacob Preston, for leaving his service, court ordered that said Jacob serve out his time according to indenture, and also three months more in consideration of the time lost. It was to be understood that said Curtice was to keep him at work at the trade of a blacksmith, and each party to pay his own charges. Tho. Preston was to bear said Jacob's charges.*

Thomas Greene, the reputed father of Remember Samons' child, bound over his ten acres of land that he had lately received from the town, as security for the payment for the keeping of the child from the time it was born until he should take away the child into his own keeping at the rate of 3s. per week, which is to be within one month's time.

Edward Berry and Betteris his wife, presented for not living together as man and wife, were ordered to live together

*William Cortis' petition: "about 22 months since I bought a saruant of Thomas Chandler of Andouer Jacob Prasson by name for about three yares and a halfe time my saruant continued with me about alauen months my family at that time being very sick and Jacob not being very well I gaue him leue and lent him my horse to goe to Andouer to be a while amongst his friends but being taken sick by the way at his Brother there he lay for som time after he recouered he went to Andouer to his father Holts where I was willing he shud be a while: but in the begining of the last winter I sent for my man to com hom and he came hom and there told me that while he was at his father Holts he had groned 3 : or 4 bushells of corne for me and it was thire redy so I let him haue my horse to fech it hom thire he keept my horse about on weeke and then sent hom my horse without corne and also sent me word he whould not com agan to me and ever senc at times I haue ofen sent to him and som times by axsident I haue meet with him and spake to him to com to me and follow my ocasions, which he hath from time to time refused so that I ame gratly damnyfied for wont of his || labor || my dependenc being upon him to help me here in: as also that this honoured court whould be plesd to send for Thomas Presson who hath the couinent or indentuer that showes the right I haue in my saruant it being commeeted to him to keep till it was caled for by partyes consarned and now altho I haue myself and Thomas Chandler togather demanded the indentter of the s^{d} presson yet he refuseth to deliuer it for which rong I humbelly crafe the help of this honnored court."

according to God's ordinance within one fortnight upon penalty of 5li. fine.*

Isasack Williams, petitioning to be freed from the troop because of his bodily weakness, was dismissed provided he attend the foot company.

Whereas there was entered in the inventory of Jeffery Thistle, deceased, 3li. 6d. in old England money and New

*Betterice Berry's petition, concerning not living with her husband Edmond Berry: "I can proue by Testimony verbally & also by writing under his hand ye conditionall covent made Between us before or marriage, ye wch Covent at ye Tyme of or marriage was acknowledged before ye honored Major Hathorne; & likewise I can make proofe by John Glouer whom he employed to come to me as a Friend to speake in his behalf; that ye sd Edm. Berry desired nothing of my estate he desired nothing but my person; but alas how he carried it to me afterwards I know ye Towne & Country hath rung of it, & that it cannot otherwise be but yor worships must of necessity haue heard of his base, brutish & Inhumane carriage to me being truly such as was Impossible for any poore woman specially a woman of my Age to liue with such a person & this I can bring proof of to ye honord Court that he did tell Jno Glouer that if I would not giue up ye writings that were made between us he would make me weary of my life & so indeed I found it; & so at Length with his consent we parted; & now I haue declared myself as breifly as I could; & doe desire to ly at ye mercy of ye court, for what euer I suffer I am not able to liue with such a Tyrant."

Christopher Waller, aged about fifty-seven years, deposed that having been in discourse with Goodman Plummer, the former husband of Betterice Berry, he told deponent that he lived as comfortably with her as a man could desire and if he had sought all the world over he could not have had a better wife. Deponent also knew that she lived comfortably with both husbands, but he heard Edmond Berry say to her that she should never live a quiet hour with him unless she burned the writings, etc. Sworn in court.

Elizabeth Price, aged about sixty years, and Elizabeth White, aged about seventy years, testified that being at the house of Edward Berry and being sensible of Goodwife Berry's want of help and conveniences, they asked him whether he were willing that she should leave him and go elsewhere. He replied yes, with all his heart.

Richard Croad, aged about forty-nine years, deposed.

England coin, which money was left in the hands of Henry Hayman and there being testimony given in that the said money was ordered before the death of said Thistle to be delivered to his daughter in England, and Hayman promising to do so, it was ordered that the said sum be discounted as so much paid upon the said inventory.

Fined by Major Hathorne from June, 1675 to June, 1676:*

Verdicts brought in for the June term, 1676.

On 6 : 7 : 1675, Mordecay Larcum, for taking a canoe.

James Shaw, for drunkenness the second time.

Edward Counter, for abusing the constable.

On 22 : 11 : 1675, Wm. Curtice, for affronting the constable.

John Guppy, for abusing "one the preson^{m}," and John Dicer for the same but with more violence and entering the house.

On 5 : 4 : 1676, Jon. Williams' wife, for breach of the peace.

Nathaniell Pitman, jr., for breach of the peace.

COURT HELD AT IPSWICH, SEPT. 26, 1676.

Judges: Mr. Symonds, Dep. Gov., Major Genrll. Denison and Major Hawthorne.

Grand jury: Lift. Jonath. Wade, Edward Chapman, Thomas Low, sr., Daniell Hovy, Walter Roper, Robert Long, James Ordway, John Keyly, James Bayley, Georg Kilbourne, Abraham Redington, George Abbott, Isaack Comings, and Samuell Worster.

Jury of trials: Capt. Jo. Whipple, Daniell Warner, Wm. Story, Joseph Goodhue, Tho. Low, jr., Sergt. Tho. Waite, Sergt. Dan. Pearce, Sergt. Caleb Moody, Wm. Morse, John Palmer, Sam. Platts and Wm. Averill.

On Apr. 17, 1676, Laurance Clenton acknowledged judgment to Mr. Francis Wainwright in wheat, pork or barley.

Jonathan Hart, in behalf of himself and sisters v. John Peach, jr. Review of a case tried at Ipswich in March, 1673. As this case had been heard at the General Court, court would not allow it to be heard here, but ordered them to repair to the

*List of persons fined, returned by Wm. Hathorne,† assistant.

†Autograph.

General Court for a new hearing or to have it referred to some other court by the General Court for a hearing.

Thomas Gardner v. Mr. Shuball Walker. Debt. Verdict for plaintiff.*

John Emery v. Benjamin Thomson, administrator of the estate of John Godfry. Debt. Verdict for plaintiff. Appealed to the next Court of Assistants at Boston. Benjamin Tompson bound, with Moses Chadwell and Lift. Richard Way as sureties.

Steephen Crose v. Moses Chadwell. Verdict for plaintiff.†

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*Writ: Thomas Gardner, jr. v. Capt. Shuball Walker; debt; dated Sept. 13, 1676; signed by Hilliard Veren,‡ for the court; and served by Henry Skerry,‡ marshal of Salem. Bond of Shu. Walker.‡

Thomas Gardnar's bill of cost, 1li. 6s. 5d. Mr. Dudly Brodstret mentioned.

Bond, dated Andover, Oct. 16, 1672, given by Shu. Walker‡ of Bradford, gentleman, to Thomas Gardner, jr., of Salem, shoemaker, for 3li. 10s. in provisions, in satisfaction of all debts between said Gardner and George Cross, said Gardner's servant. Wit: Dudley Bradstreet‡ and Benjamin Gerrish.‡

†Writ: Stephen Cross v. Moses Chadwell; for not performing his part of a covenant concerning the sloop called the Adventure; dated Sept. 14, 1676; signed by Robert Lord,‡ for the court; and served by John Lee,‡ deputy for Robert Lord,‡ marshal of Ipswich, by attachment of a piece of pasture land of defendant's.

Steven Cross' bill of cost.

Robert Lord, marshal, deposed that he served the attachment which was for work done on Cross's sloop in Quartermaster Perkins' new room, etc. Sworn in court.

Robert Duch, sr., testified that he was in Boston the last February when there came one William Hamelton, a merchant, to him and inquired where he might hire a small vessel of 20 tons or thereabouts. Deponent directed him to Steeven Crosse with whom he bargained, agreeing to pay him 12li. 10s. per month in current silver of New England. Sworn, Sept. 22, 1676, before Daniel Denison.‡

Samuell Duch, jr., aged about twenty-four years, deposed. Sworn, Sept. 22, 1676, before Daniel Denison.‡

Robert Crosse, jr., aged thirty-four years, deposed that the covenant between his brother Steeven and Chadwell was never

‡Autograph.

Robert Crose v. Jo. Cogswell, administrator of the estate of Samuell Cogswell. Debt for a steer, in corn and money. Verdict for plaintiff.*

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fulfilled, for the latter was bound to gunwale the sloop and make it fit for the sea which he never did but kept the vessel a long time. Sworn in court.

Benjamin Chadwell, aged about thirty-four years, deposed that there was a bargain between Moses Chadwell, Steeven Cross and Samll. Cogswell for the rebuilding of the sloop and that Cross and Cogswell provided iron work, tar and okum. Sworn, 18 : 7 : 1676, before Wm. Hathorne,† assistant.

William Bateler, aged about twenty-five years, deposed that in 1672 about the middle of the winter, he was in Boston and met Steeven Cross buying nails and speeks which deponent took to Line where the sloop lay, according to Cross' request. Sworn, Sept. 21, 1676, before Daniel Denison.†

Thomas Kemble, aged about fifty-six years, deposed that he wrote the covenant in which Cross was to deliver to Chadwell boards at Mr. Ralph King's cove or landing place, which boards they said were to have been delivered at a creek called Driver's creek. Deponent further remembered that upon signing the covenant they agreed that the old covenant which was in one Domingo White's hand was to be void. Sworn 23 : 7 : 1676, before Thomas Clarke,† commissioner.

Ezekiell Needham, aged about thirty years, deposed that being in Boston he was a witness to the second covenant, etc. Sworn, 25 : 7 : 1676, before Wm. Hathorne,† assistant.

Domingoe White deposed. Sworn in court.

Samuell Tarbox, aged about twenty-nine years, deposed that Stephen Crosse lodged at Lynn on account of the sloop not being finished from the middle of March to Apr. 22, 1673. Sworn in court.

*Writ, dated Sept. 20, 1676, signed by Robert Lord,† for the court, and served by Robert Lord,† marshal of Ipswich.

Agreement, dated Nov. 23, 1672, between Steeven Crosse† and Samuell Cogswell† of Ipswich on one part and Moses Chadwell† of Lynn on the other part, the latter "to build upon a Sloop Caled y^e^ aduent^r^ which now Lays in ,Drivers Creak Y^t^ is to say one streak of nine inches broad Round fore & haft & to bring on a Rayle & leaue an opening of fowr Inches betwix y^e^ planke & y^e^ Rayle & to gonell out to y^e^ Rayle fore & hafet & to sporkett her worke man Lik & to greaue her & mak her fitting to y^e^ sea," Crosse and Cogswell to provide

†Autograph.

Edmond Marshall v. Mr. Thomas Saxton. For withholding 12li. Verdict for plaintiff. John Jacob, attorney to Mr. Daniell and Mr. Saxton, appealed to the next Court of Assistants at Boston and was bound, with Capt. John Whipple and Quartermaster Perkins, as sureties.*

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all iron work, tar and okum and to pay 6li. in pine boards delivered at Driver's creek at Lynn at 1li. 15s. per M. Wit: Domingoe White† and Samuell Tarbox.† Owned in court.

Bond of Roberte Crosse,† dated Oct. 29, 1675 to pay to John Cogswell the income of 29li. for ten months provided the court recovered against him. Wit: John Andrewes† and William Goodhue.†

*Writ: Edmond Marshall v. Mr. Tho. Saxton; for withholding 12li. for wages in the ship Apollo of which he is commander; dated Aug. 22, 1676; signed by Elias Stileman,† for the court; and served by Israell Phillips,† constable of Portsmouth. Capt. Thomas Daniell bound for said Saxton's appearance.

Thomas Saxton's bill of cost, 18s.;

Edmon Marshall's bill of cost, 5li. 1s. 3d.

Bill, dated Barbadoes, July 1, pd. to Edmond Martial in Barbadoes, being Money Lent By Mr. Abraham Bartholomew, 8 peeces of 8, 2li.; pd. By Thomas Saxon To sd Martiall 20 p in money in Barbadoes to pay 25 p Cent, 1li. 5s.; pd. to Mr. Marsh Innkeper in Newbery, 1li. 15s. 11d. Pd. To sd. Mr. Marsh for Benjamin Martial, 1li. 12s. 6d.

William Esset and Oliver Penney testify that Benjamin Marshall worked at carpenter's work and caulking from the time that his brother Edmand Marshall came to work upon the ship Apollo at Nubery until the ship went to sea on May 11, of which Mr. Thomas Saxton is master. Sworn at Great Island, Aug. 21, 1676, before Elias Stileman,† commissioner.

William Isset, aged about forty-nine years, deposed that he being boatswain of the ship Apollo, Thomas Saxton, commander, bound for Barbadoes, and which set sail May 11, 1676, Edmund Martiall and Benjamin Martial also by order of Mr. Abraham Bartholomew being on board, the latter did not perform the part of seamen but contrary to expectation were not fit for the performance of their duty and absented themselves several days in Barbadoes. Sworn at Great Island, Aug. 25, 1676, before Elias Stileman,† commissioner.

Oliver Penny, aged about twenty-two years, deposed that he was shipped on the ship Apollo and he heard the Martialls

†Autograph.

Nathaniell Chapman v. Wm. Healy. Debt. Verdict for plaintiff.*

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say that they were no seamen, etc. Sworn at Great Island, Aug. 25, 1676, before Elias Stileman,† commissioner.

Thomas Saxon, aged about twenty-eight years, testified that he was commander of the Apollo which set sail from Newbery river and he did not ship the Martialls as seamen. Also that they absented themselves eight days and nights in Barbadoes, and when the ship arrived in the river of Piscataqua in New England on July 31, both men left the ship. Sworn, Sept. 8, 1676, before Richard Martyn,† commissioner.

Samuell Loell, aged about twenty-nine years, testified. Sworn in court.

James March, aged about thirteen years, testified that when he was in Barbadoes he heard Mr. Saxton say that he would pay said Marshall his wages when he came to New England, etc.

William Carr of Salisbury, aged about twenty-eight years, deposed that about Mar. 13 or 14 last, Thomas Saxton came aboard the Apollo, which was lying ashore on Marymack Island, with the two Martials and came up to deponent on the deck and said that he had two carpenters now. Also that Saxon and Bartholmew were to give him seven shillings per diem in money to work upon the ship. Sworn in court.

Benjamin Marshall, aged about twenty-five years, testified that Edmand Marshall went to work upon the ship at Nubary some time between Mar. 10 and 13. Sworn in court.

Benjamin Marshall deposed. Sworn in court.

William Issett and Oliver Penney testified that Edmand Marshall was to have 50s. a month. Sworn, at Great Island, Aug. 21, 1676, before Elias Stileman,† commissioner.

James Carr, aged about twenty-six years, deposed that he having occasion to go aboard the ship on Mar. 13 or 14, she lay by the Island side at deponent's father's where the ship was graving. Also that he was paid 5s. 3d. for work which he did. Sworn in court.

*Writ, dated Aug. 14, 1676, signed by Robert Lord,† for the court, and served by John Heywood,† constable of Concord.

Nathll. Chapman's bill of cost, 1li. 7s. 6d.

Summons, dated Aug. 14, 1676, for William Healy's appearance, signed by Robert Lord,† for the court. Bond of William Healy,† with Samuel Jones,† as surety.

†Autograph.

Benjamin Marshall v. Mr. Thomas Saxton. For denying a debt. Verdict for plaintiff. John Jacob, attorney to Mr. Danill and Mr. Saxton, appealed to the next Court of Assistants at Boston and was bound.*

Bill of sale, dated Oct. 18, 1675, given by Nathanell Chapman of Ipswich to William Healy, jr., of Cambreg, a horse for which he was to pay 3li. in silver; signed by William Healy.† Wit: John Chapman† and Samuel Chapman.† Sworn in court.

*Writ: Benjamin Marshall v. Mr. Thomas Saxton, commander of the ship Apollo; for detaining a debt due for work upon the ship in Rowley; dated Aug. 22, 1676; signed by Elias Stileman,† for the court; and served by Israell Phillips,† constable of Portsmouth.

Thomas Saxton's bill of cost, 18s.

Benjamin Marshall's bill of cost, 4li. 14s. 2d.

Tho. Woodbridge, aged about twenty-eight years, deposed that last March Mr. Abram Bartholomew came up to his house in a rage, saying "I wounder you doe not dispatch us away For I am at great charge hear, for as long as Benj. marshall works on the vessill ashoar I am to pay him so much pr. the mounth as I paid him for you before the uessill was Lanched." Deponent had heard Bartholomew many times commend the Martials for their work, etc. Sworn, Sept. 26, 1676, before Nath. Saltonstall,† commissioner.

Edmand Martiall, aged about twenty-seven years, testified. Sworn in court.

William Issett and Oliver Penny testified. Sworn at Great Island, Aug. 21, 1676, before Elias Stileman,† commissioner.

Hugh March, aged about fifty-five years, deposed that he found by his book that Bengamin Marsell and Edward Marsell came to his house for diet and lodging from Mar. 12, 1675 to Mar. 25, "and his wife to the last day of March, 1676. The bill was 1li. 16s. 9d. which Mr. Abraham Barthellomew discharged. Sworn, Sept. 23, 1676, before Daniel Denison.†

Samuell Lowell, aged twenty-nine years, testified that Mr. Thomas Saxton sent him to Ipswich to hire Benjamin Marshall, etc. Sworn in court.

Edmund Marshall, aged about twenty-seven years, testified that when he was in Barbados, etc. His brother Benjamin mentioned. Sworn in court.

William Esset, aged about forty-nine years, testified that Benjamin Marshal was hired for 30s. per month, etc. Sworn

†Autograph.

Benjamin Marshall v. Mr. Thomas Saxton. For withholding money. Verdict for plaintiff. John Jacob, attorney to Mr. Daniel and Mr. Saxton, appealed to the next Court of Assistants, and was bound with Capt. John Whipple and Mr. John Perkins, as sureties.*

Moses Pengry v. Steephen Hascott. Debt. Verdict for plaintiff.†

Jonathan Haines v. Peter Tappan. Unjust molestation. Withdrawn.

Benjamin Lowle v. Capt. Wm. Gerrish. For withholding a true account. Verdict for defendant. Appealed to the next Court of Assistants at Boston. Benjamin Lowle bound with Mr. Richard Dumer and Caleb Moody, as sureties.‡

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at Great Island, Aug. 21, 1676, before Elias Stileman,§ commissioner. Edmund Marshall testified to the same. Sworn in court.

James Carre, aged about twenty-six years, deposed. Sworn in court.

*Writ, dated Aug. 22, 1676, signed by Elias Stileman,§ for the court, and served by Israell Phillips,§ constable of Portsmouth.

Bengamen Marshall's bill of cost, 4li. 15s. 4d.

Thomas Saxton's bill of cost, 18s.

†Copy of bond, dated Mar. 17, 1674, given by Stephen Haskott of Salem, soapboiler, to Moses Pengry, sr., of Ipswich, for 60li., in money, English, French and West India goods, in consideration of a sloop bought of said Moses not yet delivered. Wit: Moses Pengry, jr., and Aron Pengry, jr. Owned in court. There was received in money 10li., of which he had a receipt from John Pengrye. Upon agreement made by Moses Pengry and Steeven Haskett to alter the vessel by said Steephen's account, 10li. were abated, and said Moses discharged of the former engagement, only providing timber work for launching and plank that the vessel needed for her fitting out. Wit: Moses Pengry, jr. and Aron Pengry, jr. Owned in court. Copy made by Robert Lord,§ cleric.

‡Writ: Benjamin Lowle v. Capt. William Gerrish; for withholding a true account of plaintiff's father John Lowle's estate, as executor, and his mother's estate, as overseer, and for disposing of some of the estate contrary to a court order dated Oct. 20, 1658; dated Sept. 20, 1676; signed by Dudley

§Autograph.

Bradstreet,* for the court; and served by Joseph Pike,* constable of Newbery, by attachment of a parcel of cabbages or collards in a garden at or near Capt. Gerrish's dwelling house in Newbery, and the hay in the old barn.

Capt. Gerrish's bill of cost, 2li. 8s.

Benja. Lowle's bill of cost, 10s.

Benjamin Lowle's declaration.

Copy of the record of the General Court of Oct. 19, 1658, allowing the overseers of the will of Mrs. Elizabeth Lowle to let out the real estate for the benefit of the children, signed by Edward Rawson,* secretary.

Copy of the record of the General Court of Oct. 18, 1648, upon petition of Edmund Moores to confirm the sale of some land of the estate of John Lowle, deceased, sold him by the executors, signed by Edward Rawson,* secretary.

At a meeting of a committee appointed by the town on Jan. 10, 1652, Mr. John Lowle was acknowledged to have two freeholds, Samuell Plumer was acknowledged to be a freeholder from Mr. John Lowle's one privilege and Georg Litle from another privilege that was said Lowle's. Copy from the town book of Newbury made by Anthony Somerby.*

Benjamin, son of John Lowle, was born Sept. 12, 1642. Copy from the register book of Newbury made by Anthony Somerby.*

Copy of receipt of Elizabeth Lowle of Newbery, dated 18 : 10 : 1648, from the overseer what was left her by her husband's or mother Goodal's will for herself and her two children, Elizabeth and Banjemin. Wit: Percivall Lowle, Margarett (her mark) Lowle and Wm. Gerrish. Capt. Wm. Geerish, aged fifty-six years, and Margarett Lowell, aged about sixty years, made oath to this writing. Sworn Nov. 6, 1673, before Daniell Denison. Copy made by Hilliard Veren,* cleric.

Philip Nellson* and his wife Elizabeth Nellson* gave up, Aug. 7, 1673, to their brother Benjamin Lowle, their right in a freehold which was given to said Elizabeth's mother by her husband's will. Wit: Thomas Nellson* and John Acie.*

Letter of attorney, dated Sept. 22, 1676, given by Wm. Gerrish† of Newbury to John Knight, sr. of Newbury. Wit: Robert Long.*

William Pulsbury, aged about seventy-one years, deposed that at Mr. Woodman's house he heard Capt. Gerish say that the freehold held by Gorg Littell was never sold but still belonged to Mr. John Lowel's children. Sworn, Sept. 25, 1676, before Nath. Saltonstall,* commissioner.

*Autograph. †Autograph and seal.

Joshua Boynton v. John Young. Debt. For 6,000 feet of merchantable boards. Verdict for plaintiff, in pine boards to be delivered at Edmond More's landing place.

Peeter Tappan v. Jonathan Haines. Review. Verdict for defendant.*

Bethia Longhorne chose her uncle Thomas Longhorne as her guardian.

John Wainwright and Left. Wade were licensed to sell liquors as a trader for a year.

Quartermaster Perkins had his license renewed for a year also his license to draw liquors.

John Sparke, Deacon Wm. Goodhue, Francis Wainwright and Samuell Bishop had their licenses renewed for a year.

Thomas Judkin had his license renewed for a year, also his license for liquors.

The selectmen of Nubury, complained of at Salem court by Capt. White for over-rating him, and the case referred to this court, the said selectmen not appearing, court ordered that they appear at the next Salem court.

Ossman Dutch attaching Samuell Bishop to this court and not prosecuting was allowed costs.

Thomas Millett dying intestate, court granted administration of his estate to Mary Millett, relict of said Thomas.

Marey Godfrey, aged forty-one years, testified. Sworn, Sept. 25, 1676, before Nath. Saltonstall,† commissioner.

Phillip Nelson, aged about forty-years, deposed that after he married one of Benjamin Lowle's sisters, he had trouble with his uncle Lowle, Capt. Gerrish and Nicholas Noyse concerning her portion. Deponent called John Pickard and they came to an agreement and there were 150li. more due. Sworn May 6, 1675 before Samuel Symonds, Dep. Gov. Copy made by Isa. Addington,† cleric.

Margaret Loul, aged seventy years, and Samuell Lowl, aged twenty-nine years, deposed. Sworn in court.

*Bond, dated 22 : 7 : 1676, given by Johnnathan Haynes† of Newburey to John Webster of Newbery, deputy to the marshal of Ipswich, for appearance at Ipswich court. Wit: John Kally† and John Michel.†

†Autograph.

Francis Wainwright renounced his administratorship of the estate of Freegrace Norton granted in March last.

John Wainwright was appointed administrator of the estate of Freegrace Norton. He was to allow the widow her thirds of the land and to pay no debt except to his satisfaction due and legally proved; also to pay as far as the estate could be sold for.*

Benjamin Roff's negro woman Dina, presented for fornication, was ordered to be whipped or pay a fine.

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*Thomas Borman, sr., Walter Roper, Abraham Tilton and Elihu Wardal, chosen to appraise the work done by Freegras Norton for Docter Dane, found it to be worth 24li. 12s. 6d. Approved by the court, Mar. 30, 1676. Robert Lord,† cleric.

Inventory of the estate of Freegrace Norton, taken Mar. 28, 1676: by 1 orchard of three quarters of an acre, 15li.; 1 bedsted curtains & valins, 3li. 10s.; 1 Cubbord & Cubborp Cloath, 3li. 4s.; 1 table & one forme & one Carpit, 1li.; 6 chairs & 3 Cushins, 14s.; one Chest with Locke & key, 5s.; 2 pr. sheets, 2li.; 2 table Cloaths & 6 napkins, 10s.; one Bible & one sermon booke, 7s.; one silver dram cupp & 1 pr. shooe buckles, 7s.; 1 settle & 1 small table & 1 Inkhorne, 10s. 6d.; 1 brass skillet, 1 Kettle, 1 warminge pann, 1li. 10s.; 3 pewter Dishes & 3 porringers, 14s.; one Pewter pot & 3 Cupps, 5s.; one Tin kettle & 4 Tin pans, one tunnel & 1 sass pan, 7s. 6d.; 1 pr. tonges, fire shovell & Grid Iron, 10s.; one fryinge pann, 1 pr. Bellows, 5s. 6d.; one spitt, one Jacke & waite, 1li. 5s.; 3 pailes & 1 pigen, 5s.; 2 boules, 3 dishes, 6 trenchers, 3s.; Earthen ware, 2s.; spoons, 12d.; 4 barrels, & 2 halfe barrels & 1 meshinge tubb, 1li.; 3 Keelers & one trucklebed sted & 2 Chests, 6s.; one broadax & one Narrow ax, 7s.; working tooles & 1 pr. beetle rings, 19s.; 1 Candlesticke, 2 hookes & staples, 2s. 6d.; one seate in the meetinge house, 1li.; total, 36li. 10s. What Charge Freegrace Norton was in repaireinge the house, by 1,000 foote pine Boards, 3li.; Laying 2 floors, findinge all nailes & sleeprs., 15s.; 2 doors, 2 pr. hooks & hinges, one Locke, pettel, &c., 15s.; stoninge a seller, 5s.; 2 pr. staires, 8s.; 1,000 brickes, 20s.; for whiteing ye roome, 9s.; Glass, 14s.; Ensigne Tho. Burnum, Walter Roper, Abra. Tilton & Elihu Wardell being Chosen p Docter Deane & Goody Norton to apprise the worke Freegrace Norton did for ye sd Deane & thay finde it worth 24li. 12s. 6d.; Goodman Bridges is dr. to the estate, 6s.; total, £68. 3s. 6d.

†Autograph.

Hanah Lovill was admonished upon her presentment.*

Richard Woolery being the reputed father of the child of Abigaill Morse, court ordered that he pay to her 3s. per week in corn toward the maintenance of the child, and to give security or be committed to prison.

Joseph Browne was discharged of his first presentment and Rich. Shatswell, who caused him to be presented, was allowed costs.

Joseph Browne, presented for rescuing cattle, was fined.†

Mary Greely, presented for fornication, was sentenced to be whipped.‡

Roger Darby and his wife were presented for not coming to meeting on the Lord's days. Court declared that they had forfeited 5s. a week each since the last court in September and ordered that they pay 50s. presently or be committed to prison, being 12d. a day for each of them.

Thomas Ayres was discharged of his presentment.§

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*Presented for excess in the manner of her attire and hair. Wit: Walter Roper and Daniell Hovie.

†Timothy (his mark) Haris, aged about seventeen years, deposed that he saw Joseph Browne take away his oxen from Richard Shatswell by force when the latter took them from Marke Quilter's rye and was driving them to the pound. Also that the oxen had fed in the rye and had lain down in it a pretty while before Shatswell came. Richard Shatswell affirmed the same. Mr. Norton, Andrew Peters and Mr. Tutell were witnesses. Sworn in court.

Moses Pengry, sr., aged sixty-four years, deposed that there being a necessity for a highway to and from a creek called Greene creek for hay and thatch to pass by freely, Richard Shatswell, owner of the land, petitioned to the town at a general town meeting that such a highway be laid out. The selectmen ordered Reginald Foster, Robert Lord and deponent to have it done, which they did, etc. Joseph Browne mentioned. Sworn in court.

Presented for breaking open Richard Shatswell's gate which was locked. Wit: Richard Shatswell and Samuell Cobbit.

‡Presented for fornication with Laurence Clenton. Wit: Elesabeth Abit and Nathaniell Welses wife.

§Presented for telling a lie by which he procured his horse from the pound, it being impounded by John Gamage. Wit: Mr. Wilson and John Gamage.

For the settlement of the estate of George Gittins, deceased, by agreement of the widow, administratrix and the five sons, it was ordered that all the estate be delivered into the hands of the five sons, Thomas, John, James, Samuell and Joseph Gittins, to be divided, Thomas to have a double portion. They were to give security to pay the widow during her life 25li. per annum and her living in the house, with the use of the household stuff, and to pay to their three sisters, Rebecka, Abigaill and Mary, 50li. each, deducting so much as any of them have formerly had as their portion from their father.

Zachary Hericke of Beaverly, complaining of his infirmity that he is not able to ride, was dismissed from the troop to the foot.

Nathaniell Wells having brought up George Greely from his birth, the latter was ordered to live with him or his heirs until he be twenty-three years of age.

Thomas Kimball dying intestate, Mary Kimball, his widow was appointed administratrix. An inventory* brought in, amounting to 520li. clear estate was ordered to the eight children and widow as follows: to Richard the eldest son, 80li., and to the rest of the children, 40li. each, and the remainder of the estate to the widow, the land to stand bound for the payment of the children's portions.

Given to the house, 6s. 8d.

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*Inventory of the estate of Thom. Kimball, taken May 18, 1676, by Shu. Walker and Samuell Gage,† and allowed Sept. 26, 1676, in Ipswich court: wearing apparill, all ye Indians left, 2li. 10s.; Tabel lining, 1 sheete, 3 pillowberes, 1li. 15s.; vallence and Curtaine and 4 Cushins, 10s.; 2 Rugs, 2 blankets, and a parcill of old beading, 3li. 5s.; peautar, 3li. 3s.; 1 Iron pot, 1 warming pan, 2 tubs, 2 barills, 1li. 10s.; saddle and pillion and a parcill of sheeps wool, 1li. 5s.; Tools for his traid and utensils for husbandry, 5li.; six oxen, five Cowes, two heifers of 3 yere old, 3 steres of 2 yere old, 2 yerlings, 5 Calves, 66li. 15s.; a horse and a mare and a Coult, 6li.; 12 swine, 7li.; 7 shepe, 2li.; housing and about 422 acres land and medow, 450li.; glass, 1li. 10s.; Corne and provisions, 3li.; 5 yards of Cloath, 1li.; total, 556li. 3s. Wearing cloaths of Goody kimbals, 3li. 16s.; cloaths of Joanna Kimball, 2li.

†Autograph.

COURT HELD AT SALISBURY, NOV. 14, 1676.

Major Genll. Denison, President; Capt. Nathll. Saltonstall, Major Robert Pike, Capt. Tho. Bradbury and Mr. Samll. Dalton, Associates.

Grand jury: Abraham Pirkins, foreman, Phillip Challis, Tho. Barnard, sr., John Haseltine, Daniell Hendrick, Moses Gillman, Rodger Easman, John Ilsly, John Gill, Francis Page, Joseph Dowe and Tho. Sleeper.

Jury of trials: John Samborn, foreman, Robert Swan, Tho. Barnard, jr., Samll. Colby, William Osgood, sr., Henry True, Samll. Felloes, John French, Lt. Ralf Hall, Henry Roby, Nathll. Weare and Anthony Tayler.

William More, grandjuryman from Exeter, was fined for non-appearance.

John Smith v. William Samborn, sr. Appeal from a judgment of Mr. Samll. Dalton, July 10, 1676, upon suspicion of crime for false swearing. Verdict for plaintiff, the reversion of the former judgment.

Joseph Smith v. Timothie Hilliard. Appeal from a judgment of Mr. Samll. Dalton, Aug. 3, 1676. Verdict for plaintiff, the reversion of the former judgment.

Jno. Redman, jr. v. Samll. Dalton and Henry Dow. Appeal

10s. Debts due to the estate: Gilbort Wilford's estate, 1li.; Daniell Boreman, 1li.; John Wicom, 1li.; Joseph Bond, 1li. 2s.; Ensigne Chandler, 1li. 10s.; by John Kimbal, 12li.; total, 17li. 12s. Debts due from the estate: Mr. Wainwright 9li. 18s. 6d.; Capt. Gerish, 9li. 19s. 1d.; Sergent Wait, 6li. 18s.; John Pickard, 1li. 10s.; Stephen Webster, 1li. 10s.; Will. Barker, 2li. 16s.; Decon Jewit, 18s.; David Haseltine, 1li. 1s.; Hunt of Ipswich, 1li. 2s.; Decon Goodhue, 1li.; Mr. Cobbit, 10s.; Shu. Walker, 12s.; Joseph Hardy, 1li. 10s.; Nath. Gage, 15s.; Samull Haseltine, 2li. 2s.; Francis Jordon, 2s. 6d.; Josiah Gage, 18s., John Stickne, 3li.; Mr. Buship, at present not known; Anthony Somersby, 1li. 5s.; Phillip Fouler, 6s.; total, 50li. 8s. 1d.

List of presentments, dated Sept. 26, 1676, signed by Jonathan Wade,* in the name of the rest:

Hanah Downing, Mr. John Cogswell's maid, for vile language against William Tomson, calling him devil. Wit: George Stimson and his wife.

*Autograph.

from a judgment of the selectmen of Hampton. Verdict for defendant, confirmation of the former judgment.

Mr. Tho. Bradbury v. John Huggin. For withholding a debt due for copies of evidences and records, filing evidences, etc. Verdict for plaintiff. Judgment satisfied.

Robert Ring v. William Buswell. Review of a case tried at Salisbury court in 1675 for wrong done to said Ring at the Court of Assistants at Boston in Sept., 1672 and March, 1673-4, by an appeal from Hampton court concerning meadow upon oath of said Buswell at Salisbury court, 9 : 2 : 1672, which oath was false, fallacious or unsafe, also by the evidence given before the arbitrators, Henry Palmer, Georg Brown, Samll. Dalton and William Titcum, 3 : 9 : 1674, etc. Verdict for defendant. Appealed to the next Court of Assistants. Robert Ring and John Allin bound.

From Samuel Dalton's commissioner's records. See *ante* vol. V, p. 235.

John Acey of Rowley and Hannah Greene of Hampton were married, June 5, 1676.

Ensigne John Samborn and Thomas Philbrick, on June 10, 1676, took the appraisers' oath.

Thomas Nud, chosen clerk of the military company in Hampton, was sworn on June 10, 1676.

John Foulsam, jr., on June 12, 1676, was sworn constable of Exeter.

John Smith's bond was transferred to court as per the day book.

On June 10, 1676, John Folsham, sr. v. Moses Gillman; for pulling up fence that stood between their lands or land in their possession; respitted until the next Thursday, when great endeavors of friends to persuade peace proved altogether fruitless. Judgment for plaintiff, defendant to bear the cost of the complaint and to keep up the fence against the gaps made by removal until after the next Indian harvest and they were advised to live in peace and love in the meantime as their relation and duty required.

On June 15, 1676, Samuell Fog v. John Smith, tailor; for an act of cruelty offered to a swine, using more violence than was necessary to the driving of the swine to the pound. Judgment was a fine of five groats to be paid by Smith.

On June 15, 1676, Joseph Smith was convicted of abusive carriage toward Timothy Hillyard in calling him Indian cur and shamble-hand cur and other reviling words in the presence of divers persons, and was fined.

On July 3, 1676, Henry Roby v. Aughter Bennitt; for not paying 500 white oak pipestaves; defaulted; judgment for plaintiff.

On July 10, 1676, John Smith, tailor v. Will. Samborn; suspicion of perjury; after the evidence witnesses viewed the place where they saw the swine abused, for which John Smith was sentenced, and it appearing that the place was upon the brow of the hill in John Smith's pasture in clear ground which was plainly to be seen to William Sanborn's gate, this cleared and justified William Samborn's oath; judgment for defendant. John Smith appealed to the next Norfolk court, with Robert Smith as surety.

On Aug. 3, 1676, Joseph Smith v. Timothie Hillyard; trespass; for cutting and making use of a white oak log of Smith's at or near the old sawmill,

Robert Ring v. Samll. Worcester. In a similar action. Verdict for defendant. Appealed to the next Court of Assistants. Robert Ring and John Allin bound.

Phillip Grele v. John Young. For non-payment of 4,000 feet of pine boards which he promised to pay plaintiff for Mr. Georg Person of Boston. Verdict for plaintiff. Boards to be delivered at 40s. p M to be delivered at Lampreele river landing.

Mr. John Light, assignee of Major Robert Pike, administrator of the estate of Wymond Bradbury v. Mr. Josiah Hubbard. Debt. Verdict for plaintiff.

Edward Colcord v. Abraham Drake, sr. For illegally taking away five cattle from him, two cows, two heifers and a three year old steer. John Samborne, one of the jury, was objected to and the case was referred to the other eleven. Verdict for defendant. Appealed to the next Court of Assistants. Edward Colcord, with Robert Ring and John Clark as sureties, bound.

Edward Colcord v. Abraham Drake. Trespass. For planting and improving his land by his fresh meadow westward from Hampton, having three crops. Verdict for defendant. Appealed to the next Court of Assistants. Edward Colcord and Joseph Large of Eamsbery bound.

Lieft. Ralfe Hall v. Moses Gillman. For not performing an agreement made on Apr. 10, 1674, by which Moses engaged to make good the timber due, they being in partnership, as soon as it could be procured either up or down the river. Withdrawn.

Isaac Marston v. Humphery Willson. For withholding

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which he had hauled to make planks for a vessel by cutting; judgment for defendant. Appealed to the next Norfolk court. Joseph Smith bound, with David Wedgwood as surety.

On 30 : 9 : 1676, William Lyon of Rowly and Martha Casse of Hampton were married.

On Sept. 27, 1676, Joseph Smith v .Roger Rose, boatman; for withholding 850 pine boards, remainder of 6,000 boards delivered at Exeter, to be delivered at Boston; judgment for plaintiff.

On 24 : 8 : 1676, Samuell Levett v. James Kid; trespass; for cutting his logs at Pickpockitt mill upon Exeter river; judgment for plaintiff, the damage of twelve logs.

On Nov. 8, 1676, Charles Runlett v. John Kimin; debt; for two gallons of molasses borrowed of his wife about a year and a half ago; Kimin confessed and judgment was given for plaintiff.

a debt of 4li. due for wintering four cattle in 1674. Verdict for defendant.

Willi. White v. Joseph Hutchings. Non-payment of a debt. Verdict for defendant.

Ben. Allin v. Robt. Jones. Trespass. For taking away in 1674 several parcels of pine boards, about eleven thousand which had been left in payment of a debt at Exeter, part of them in Nicolass Lissen's lot and part in the lane by Henry Magoon's. Withdrawn.

Phillip Grele v. Jno. Young. Review of a case tried at Salisbury court on Apr. 13, 1675, for spending or spoiling three loads of hay which his men had stacked and fenced in Gleeden's field near the landing place at Lampreele river on account of which plaintiff lost his logging season the last winter, in which case the jury found for said Young 37li. in board at 35s. per thousand at Wadlei's mill in Lampreele river. Verdict for plaintiff. Appealed to the next Court of Assistants. Philip Grele bound, with Andrew Grele, sr. and Ephraim Winsly as sureties.

Christopher Palmer v. Major Robert Pike, Major Richard Waldern and John Souter. For demanding of John Souter, keeper of Norfolk prison, to set Capt. Walter Barefoot at liberty, which he did in August, 1675, after he had been committed to prison upon execution obtained against him, as attorney or assignee to Georg Norton. Special verdict. If the warrants of Maj. Robert Pike and Maj. Richard Waldern for the release made them liable to be sued in one action, the jury found for plaintiff; if not, for the defendant. Court found for plaintiff. Execution respitted until the end of the next General Court.

John Young v. Phillip Grele. For not performing a bargain of hauling about 50 boards from Mr. Wadleigh's mill to Lampreele river landing place in the summer time, 1674 or 75, which boards were burned at the mill by the Indians. Verdict for defendant.

John Clark v. John Gillman. Breach of a bond for non-appearance before Major Pike. Verdict for defendant.

John Severans v. Samll. Foulsham. Debt. In board at 30s. per thousand at Exiter. Verdict for plaintiff.

Benjamin Allen v. Tho. Rawlins and Edward Smith. Trespass. For taking away a parcel of boards without plaintiff's order in 1674, which boards were left at Exeter near the house of Henry Magoone. Withdrawn.

Danll. Ela v. Benjamin Boongraine, Capt. Wm. Gerish, Jno. Knight, Tho. Woodbridg, Nathll. Clarke, Henry Jaques, Benjamin Rolfe and Steven Greenleafe. Debt. For service upon a ship and expenses at his house by Capt. Ben. Boongrain and the said company in general when building a ship in Haverhill by Willi. Starling in 1674-5 and intended for said Boongrain as commander, which ship was afterwards sold and put into Mr. John Young's hands. Verdict for plaintiff.

Jon. Allin acknowledged judgment to Moses Woster.

Wm. Samborn was sworn constable of Hampton for the ensuing year.

Tho. Marston of Hampton, presenting the will of William Estow desiring that a committee be appointed to divide and set off the land mentioned in the will, court appointed William Samborn and Nathll. Weare a committee to make return to the next Norfolk court.

The relations of Gilbert Wilford of Haverhill not appearing to take administration of his estate, no executor being appointed by any will of said Willford's, upon motion of Capt. John Whipple of Ipswich, he was appointed administrator and was ordered to bring in an inventory to the next Norfolk court.

Henry Green, bound over to this court to answer a complaint of Henry Dow and John Smith, for resisting them as pressmasters going into his house to impress his son Jacob Green, was admonished for his rough carriage.

Michaell Emerson, fined at the last Hampton court for beating his child, asked for abatement and court abated what was behind of his fine. Said Emerson first of all discounted what was due him from the county, as he was a grand-juryman.

Upon motion of Onezephorus Page, that the remainder of the estate of Tho. Hawksworth, deceased, now left, said Page having married the only child of said Hawksworth, be settled upon him as heir to the estate by virtue of his present wife, court ordered that it be so settled.

Deborah Corlis of Haverhill, presented for committing fornication and having charged one as the father whom she afterwards acquitted, also refusing to challenge any man but taking all upon herself, court sentenced her, for refusal to declare the father, to be corporally punished and to pay a fine.

John Smith's bond for good behavior was discharged.

Michaell Emerson and Tho. Rolenson were freed from their bonds for good behavior.

Robert Smart, jr., presented with Elenor, his wife, for committing fornication, confessed, but she did not appear on account of her condition. Court ordered that they be whipped or pay a fine, and he was to give bond for his wife's appearance to receive her corporal punishment.

Charles Runlet, presented for fornication before marriage and confessing, court ordered that he be whipped or pay a fine.

Mary Runlett, wife of Charles Runlett, not appearing to answer her presentment, court ordered that she appear at the next Norfolk court.

Henry Kemball of Haverhill was appointed administrator of the estate of Tho. Dow, deceased, and was ordered to proceed according to the mind of deceased as by a paper presented as a will, dated June 16, 1676, and witnessed by Henry Palmer and William White, except that the widow should have her thirds according to law or what her husband allowed if the estate were sufficient.

Upon motion of the administrators of the estate of Mathias Button that a division of the estate be made, court ordered that the estate be divided into five equal sums, a part for each child, and that the shares to the two daughters be delivered to their husbands as soon as possible and the other shares at age or marriage.

Capt. Barefoot defaulted and forfeited his bond.

Mr. Samll. Dudley demanding costs for himself, Humphrey Wilson and the widow Wall, as witnesses in a complaint of Edward Colcord, and said Colcord being called to give a reason for summoning them, produced an order of the General Court of May, 1675, referring his case to the Norfolk court, which

had referred it to the General Court more than a year since. Court judged that he had lapsed his time and he was ordered to pay the costs.

Upon motion of Tho. Chase, administrator of the estate of Abraham Chase, that the estate be divided, court ordered that the estate be divided among the other surviving brethren, Thomas, Joseph, James and Isaac Chase. Mr. Samll. Dalton and Ensign John Samborn were ordered to take an account of the administrator of what debts he had or should pay upon account of said estate.

Timothie Hilliard and his mother-in-law were appointed administrators of the estate of James Philbrick, sr., late of Hampton, deceased, father-in-law of said Hilliard, James Philbrick, jr., his own son being then at sea. Since having come home and desiring to administer the estate, court ordered that he be joined as administrator with his mother and Timothie Hilliard was discharged.

William Sawer of Nuberie acknowledged judgment to Tom, the Indian, so called, in silver money and Indian corn to be delivered at Mr. William Bradburie's house in Salisbury. The Indian was to have his wages from the country from the time he entered upon the service.

Whereas Tom, the Indian, was rated by the selectmen of Salisbury for his head to the country, upon said Indian's request to this court, he was discharged of the same.

Henry True's fine for not attending the jury was remitted.

Exeter's fine was to be returned to the Treasurer of the county.

Court ordered that there should be a rate made of 30li. to defray the county debts.

Capt. Saltonstall was ordered to call before him John Barnard and his wife and to bind them over to the next Norfolk court for committing fornication.

Court ordered the Treasurer to give 10s. according to his discretion among the servants where the members of the court who were strangers lodged.

Venire, dated Aug. 26, 1676, for four trial jurymen from Salisbury, signed by Tho. Bradbury,* recorder.

*Autograph.

COURT HELD AT SALEM, 28 : 9 : 1676.

Judges: Samll. Symonds, Esq., Dep. Govr., Majr. Genrll. Daniell Denison and Maj. Wm. Hathorne.

Grand jury: Nathaniell Felton, Sergt. Fuller, Tho. Rootes, Tho. Rix, Edw. Flint, Mr. Resolved White, Frances Skerry, Tho. Pitman, John West, Robert Burges, Richd. Hoode, John Davis, sr. and Richard Hutten.

Jury of trials: Mr. Eleazer Hathorne, Mr. Joseph Grafton, Daniell Andrews, Edward Grove, Edward Bridges, Jeremiah Neale, Richd. Norman, William Rayment, John Lewis, Nathll. Ballard, John Newhall, jr., and James Freind.

Mr. Timothy Lindall was fined for not appearing to serve on the jury.

Venire, dated Aug. 28, 1676, for one trial juryman from Exeter, signed by Tho. Bradbury,* recorder, and served by John Foullsom,* constable, who returned the name of Leut. hall.

Summons, dated Aug. 28, 1676, to John Clarke to appear upon a complaint preferred at the last Hampton court; also to Mary Parker for fornication, and to witnesses Jno. Foulsham and Wm. More; also to Charles Runled and wife Mary for fornication before marriage, and for witness, the records of their marriage and births of their children, signed by Tho. Bradbury,* for the court.

Bond of Robert Sinnott, jr. and Georg Sweett of Quampscott for the appearance of said Sinnott and Helvell, his wife, at the Salisbury court in October next. Sworn, 26 : 7 : 1676, before Samll. Dalton,* commissioner.

Joseph Page deposed that on the 9th of November, being one of the watch at Haverhill watch house with Joseph Peasely, Timothy Swan and others belonging to the watch, said Peasely made some disturbance. "I being settling to sleep I lookt up & saw Joseph Peasely lay violent hand upon Timothy Swan, & pulled him downe & then composeing my self to sleep I heard y^{e} s^{d} Joseph strike & read a copty upon him y^{e} s^{d} Timothy wth many hard blowes and at last y^{e} said Tim: cried out y^{t} Joseph Peasley did hurt him & presently after John Keyzar comeing in Peasely bid him being a Tanner looke upon or sees on Tim Swans hide he had tanned." Sworn, Nov. 13, 1676, before Nath. Saltonstall,* commissioner.

Fragment of writ, returned by Henry Dow,* marshal of Norfolk.

*Autograph.

Daniell Boreman v. Agnes Evens, widow and administratrix of the estate of her late husband William Evens, deceased. Verdict for defendant.*

John Dodg v. John Person, jr. Verdict for plaintiff, 35 yards of cloth or its equivalent.†

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*Writ, dated Nov. 22, 1676, signed by Edward Tyng,‡ assistant, and served by Returne Waite,‡ deputy marshal of Suffolk.

Copy of writ: Agnes, widow of Willyem Evens v. Daniel Borman of Topsfeld; debt; dated Boston, Oct. 6, 1676; signed by John Davenport, for the court; and served by John How, constable of Topsfield.

Agnes Evens' bill of cost, 8s.

Abraham Redington,‡ being desired by Daniel Boarman to appraise six cattle, oxen, etc., for pay to Goodman Evens for the farm he bought of Goodman Evens in 1672, and as well as he could remember the amount was 34li. which was more than the farm was worth according to his judgment. Sworn, 21 : 9 : 1676, before Wm. Hathorne,‡ assistant.

Bond, dated Dec. 20, 1665, without signature, given by Daniell Borman of Ipswich, husbandman, to William Evens of Topsfeild, yeoman, for 100li., to be paid in cattle, if lean not exceeding seven years old, if fat they may exceed, and wheat, rye, barley, malt and one firkin of butter, and delivered at Ipswich aboard some vessel bound for Boston, said Borman giving for security the meadow and housing purchased of said Evens.

John How‡ testified that he was hired by Willyem Evens to drive six cattle to Boston which Evens had from Danill Borman of Topsfeld, etc. Sworn in court.

Nathaniell Putman‡ deposed that he was present when the account between the parties was settled and saw the receipts from William Evens. Sworn, 1 : 9 : 1676, before Wm. Hathorne,‡ assistant.

Sam. Pearce, aged about twenty-three years, deposed that about Mar. 29, 1670, he received on board of their barque sixty bushels of malt and one firkin of butter, etc., which he delivered to Evens at Boston on Apr. 17, etc. Sworn, Nov. 27, 1676, before Daniel Denison.‡

William (his mark) Evens' receipt, 9 : 8 : 1669, to Danill Borman for cattle. Wit: Frances Pabody‡ and Abraham Redington.‡

†Writ: John Dodg v. John Person, jr., of Rowley; for 35 yards of cloth which he received to full and did not return but said it was lost; dated 21 : 9 : 1676; signed by Thos. Fiske,‡

‡Autograph.

John Procter v. Daniell Johnson and John Davis, administrators of the estate of Georg Coale. Debt. Verdict for plaintiff.

Mr. Elias Parkman and Tho. Andrewes v. William Shaw. Trespass. Verdict for defendant.*

Mr. Ed. Batter v. Mr. Humphry Warren. Debt. Nonsuited.

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for the court; and served by Jeremiah Elsworth,† constable of Rowley.

John Pingry, aged about twenty-three years, testified that he had carried many yards of cloth to Person, etc. Sworn in court.

John Pickard, aged about fifty-five years, testified that John Pearson, sr., had promised that his son John should be owner of the fulling mill after his decease and that the son had no other interest in it at present except that his father rewards him for his pains, etc. Sworn in court.

*Writ, dated Nov. 16, 1676, signed by Hilliard Veren,† for the court, and served by Henery Skerry,† marshal of Salem.

Samuell Very and Eliazer Gills deposed that Willyem Shaw's house and barn were within the line that Mr. Batters showed to be the bounds of the farm he lived upon and sold by him to Goodman Antrop. Said Gills testified that Isack Burnet who formerly lived on the farm also said it was the bounds. Sworn in court.

Thomas Hoogman, aged about thirty-five years, testified a black oak that stands in William Shaw's fence is the bound of Elias Parkman and Thomas Andrewes land, and so running to a white oak bounding upon the land of Robert Stone, Mickell Shafling and William Shaw, etc. Sworn, 20 : 5 : 1675, before Wm. Hathorne,† assistant.

William Shaw's bill of cost.

Copy of deed, dated June 11, 1664, given by Isaack Burnap of Salem, husbandman, and Hanna (her mark) Burnap to Obadia Antrum of Salem, mariner, for 110li., one-half of the farm that said Burnap then lived upon, 44 acres of upland and meadow, with one-half of the housing, which farm he lately bought of his father-in-law Thomas Antrum, late deceased, all of which except about twenty acres sold by grantor to William King and John Stone, lay in the Plain, so called, near the great swamp to the northwest of the said farm. Wit: Hilliard Veren and Eliezer Gyles. Copy made by Hilliard Veren,† cleric.

†Autograph.

Mr. John Gifford v. Abraham Briggs. For withholding 12li. 10s. Verdict for plaintiff.*

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*Writ, dated Nov. 21, 1676, signed by Ephraim Turner,† for the court, and served by Rich. Wayt,† marshal of Suffolk.

Letter, dated Boston, Nov. 25, 1676, from John Joyliffe† to Mr. Hilliard Verine, enclosing three testimonies to be used in this case which Mr. John Gifford desired to have sworn.

Copy of writ: Hudson Leverett, assignee of John Gifford v. Ezekiel Fogg, skinner; non-performance of an obligation; signed by Jonath. Negus, for the court; and served by Return Waite, deputy marshal of Suffolk. Bond of Ezekiel Fogg. Copy made by Isa. Addington,† clerk.

Copy of record of the county court at Boston, Jan. 26, 1674, concerning the foregoing action, with verdict for the plaintiff. Copy made by Isa. Addington,† cleric.

Copy of record of the county court at Boston, July 27, 1675, in action of John Gifford v. Hudson Leverett, for debt, which was received of Mr. Timothy Mather of Dorchester on account of said Gifford, with verdict for plaintiff. Copy made by Isa. Addington,† cleric.

Copy of record of the county court at Boston, Apr. 25, 1676, in action of Abraham Briggs v. John Giffard, for debt, with verdict for plaintiff. Appealed to the next Court of Assistants. Copy made by Isa. Addington,† cleric.

Copy of note, dated Nov. 19, 1674, given by Hudson Leverett of Boston to John Giffard of Lyn, for 48li., to be paid within three days after receipt from Mr. Ezekiell Fogg. Wit: William Grice. John Giffard assigned this bond, July 14, 1675, to Mr. Abraham Briggs. Wit: William Letherland and Thom. Matson, jr. Copy made by Joshua Chick,† who made oath, Nov. 25, 1676, at Boston, before John Joyliffe,† commissioner.

Copy of note, dated Nov. 30, 1674, given by Hudson Leverett of Boston to John Giffard, for 16li., within six days after receipt from Mr. Timothy Mather. Wit: Abraham Briggs and William Grice. John Giffard, Apr. 16, 1675, assigned this bond to Mr. Abraham Briggs. Wit: Samuel Mattock and Sampson Shore. Copy made by Isa. Addington,† cleric.

"Naighbor Thomas Matson

"This to order and authorize yo^{u} to giue Ezekiell Fogg who is in your Custody leaue to goe abroad at large about his Concernements he haueing pmised me for to remaine whilst at liberty as my ppr goods tell he hath satisfyed me, for a prison^{r} will pay noe debts, and therefore soe yo^{u} are to deliver

†Autograph.

Moses Pengry v. Steephen Haskett. Withdrawn.

Moses Pengry v. James Davis. Debt. Verdict for plaintiff.*

John Webster, assignee of Thomas Harris v. Benjamin Smith and Richd. Haukes. Debt. Withdrawn.†

Andrew Tucker and Richard Reith, executors of the will of William Pitcher, deceased v. Phillip Rundy. Debt. Withdrawn.

John Griffin, administrator of the estate of Susana Satchwell v. William Carr. Debt. Nonsuited.‡

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him to me, and for what respects either me as assigne to Jno. Giffard or Abraham Briggs as my attorney shall be your Sufficient discharge as wittniss my hand this 18th of May 1676 he payeing the fees.

"Hudson Leverett."

Copy made by Tho. Matson, jr.,§ prison keeper, Nov. 24, 1676, and sworn to by him before John Joyliffe,§ commissioner.

Jno. Giffard's bill of cost, 1li. 4s.

Copy of note, dated Sept. 27, 1675, given by Hudson Leverett to Mr. Abraham Briggs, for 10li. 8s., which he promised to pay within ten days after his return from the army, after Sept. 25, 1675. Wit: William Phillips, George Pearson and Jo. Chick. Copy made by Isa. Addington,§ cleric.

Thomas Joy, aged about sixty-six years, deposed concerning foregoing writings. Sworn in Boston, Nov. 24, 1676, before John Joyliffe,§ commissioner.

*Writ, dated Nov. 10, 1676, signed by Robert Lord,§ for the court, and served by John Lee,§ deputy for Robert Lord,§ marshal of Ipswich.

Deacon Pingre's bill of cost, 1li. 5s. 4d.

Bond, dated Mar. 21, 1675-6, given by James Davis of Gloster to Deacon Moses Pengry of Ipswich, for 5li. Wit: Robert Lord§ and Mary Lord.§ Sworn, Nov. 27, 1676, before Daniel Denison.§

†Benjamin, son of Francis and Elizabeth Smith, was born Apr. 10, 1658, as appears by the registry of births in Boston. Copy made by Isa. Addington,§ cleric. Peter Goulding and Joseph Smith testified, Nov. 7, 1676, that the foregoing Benjamin Smith is the same that was attached by Return Wayte, marshal's deputy, to answer John Webster, assignee of Thomas Harris at the next county court at Salem, before Anthony Stoddard,§ commissioner.

‡Writ: John Griffing of Bradford, administrator of the

§Autograph.

Mr. Harlackendine Symonds v. Henry Bennett. Verdict for plaintiff. Appealed to the next Court of Assistants. Said Bennett bound, with Philip Cromwell and Philip Fowler, sureties.*

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estate of Susanna Satchwell of Haverhill v. Wm. Carr; debt, payable in silver and cattle fit for slaughter; dated Nov. 21, 1676; signed by Nath. Saltonstall,† for the court; and served by Andrew Grelee,† constable of Haverhill, by attachment of land belonging to defendant near Edward Clarke's in Haverhill, and summons left with his wife at his usual abode with Maj. Pike in Salisbury.

Copy of record of administration granted to Hananiell Bosworth and John Griffyn of the estate of widow Satchwell late of Haverhill, at Hampton court in 1672, made by Tho. Bradbury,† recorder.

John Griffing's bill of cost, 2li. 2s. 10d.

Bond, dated July 21, 1674, given by William Carr‡ of Salisbury to the administrators of the estate of Susanna Satchwell of Haverhill, for 12li. in silver or fat cattle fit for slaughter. Wit: Hanah West† and John (his mark) Robe. John Robe made oath Nov. 27, 1676, before Nath. Saltonstall,† commissioner, and Hannah West, Nov. 27, 1676, before Daniel Denison.†

*Writ: Mr. Harlakinden Symonds v. Henry Bennet; for withholding a recompense and reward due plaintiff from defendant whom he employed to go to England, promising to give him half the legacy left by Henry's brother in London, and after much charge and trouble to said Symonds and other gentlemen, obtaining permission from the executors to take the 100li. legacy, Bennet refused to send him a letter of attorney and made over the amount to another person; dated Nov. 23, 1676; signed by Samuel Symonds,† Dep. Governor; and served by Robert Lord,† marshal of Ipswich. Bond of Henry Benett,† with Phillip Fowler,† as surety.

Copy of papers in a similar action, Nov., 1675, in Salem court, made by Hilliard Veren,† cleric.

Jo. Symonds, Esq., of Yeldham magna, County Essex, deposed that about four years ago Mr. Harlakenden Symonds came to deponent's house and produced a letter which he received of one Henry Bennett of New England, directed to one Mr. Henry Jenings, then a vintner by Bishopsgate in London, asking for payment of a legacy to said Henry by the will of William Bennett, deceased. Deponent and Harlakenden travelled forty miles and more to said Jening's

†Autograph. ‡Autograph and seal.

house, and was told that the legacy would be paid as soon as a letter of attorney was received, and a whole year was spent in trying to collect the money. One Mr. William Abbott produced a letter which he said he received from Henry Bennett directing him to give Harlakenden 30 or 40 shillings upon his account. The remainder of the legacy had since been paid by order of Bennett to one Adkins. Sworn, May 9, 1676, before Ed. Lowe,* Mr. in Cancell.

William Quarls, aged about twenty-eight years, deposed that Harlakenden's father said, "Soonn doe nott goe to ingland for Neighbor benitt will nott do ony Thing nor imploy you unles I will giue in bond To secure him from you which I will nott doe." Sworn, Nov. 25, 1676, before Daniel Denison.*

William Bennet, aged about nineteen years, deposed concerning the agreement his father made with Symonds the night before the latter sailed, etc. Sworn, Nov. 27, 1676, before Daniel Denison.*

Samuel Symonds, Deputy Governor, testified that Harlakenden Symonds stood in need of some money for his voyage to England in January, 1671 and told deponent and Bennett of it, but deponent not having so much silver in his house at that time as was needed, he was troubled as to how he should get it. Sir Thomas Temple was thought of, and Bennett encouraged borrowing of him 12li., half of which Harlakinden was to pay. Deponent borrowed the money and Bennett paid deponent 6li. in malt, so Harlackinden fitted himself and went to sea, etc. Sworn in court.

Wm. Hathorne deposed. Sworn in court.

Daniell Epps,* aged about fifty-two years, deposed that he was at his father Symonds' house, etc. Sworn in court.

Samuel Epes* of London, clerk, deposed that he heard Mr. Henry Gennings, vintner, of London tell Mr. Jno. Hall of Islington, that he had a letter from Henry Bennett, etc. "May the 11th 1676 Jurat Coram me (Justiciarum pacis in Comitate Middlesex apud paroch Islington). Tho. Hariot." Sworn, by the Worshll. Thomas Hariot, Justice of the Peace in the county of Middlesex, at London, Sept. 1, 1676, before Jo. Marius,† notary public.

William Benitt, aged about fifty years, deposed concerning being at Mr. Symonds' house, etc. Sworn, Nov. 28, 1676, before Daniel Denison.*

Ephraim Fellowes deposed. Sworn, Nov. 27, 1676, before Daniel Denison.*

Jacob Bennet, aged about twenty-five years, deposed. Sworn, Nov. 27, 1676, before Daniel Denison.*

*Autograph. †Autograph and seal.

Frances Waineright v. Christopher Lattamore. Debt. Withdrawn.

Mr. John Gifford v. Abra. Briggs. For withholding a certain writing. Verdict for defendant.

Pearce Anger acknowledged judgment to John Dalin, to be paid in dry fish.*

John Hall's† bill for fees: search in the prorogative office for Mr. Bennet's will, 1s.; the master of Chauncerie for Justice Simonds' affadavit, 1s. 6d.; Justice Hariot's clerk's fee for John Hall and Samuel Epps' affadavit, 2s.; Justice Hariot's Coach to London to attest the depositions to the public notary, 1s. 6d.; to the Notaries attestations, 5s.; total, 11s.

Bill of cost, 1li. 16s. 6d.

Hennerie Bennetes bill of cost, 1li. 13s. 6d.

Henery Bennet's answer to Harlakenden Simonds' declaration; Simonds took Goodman Bennet by the hand and said in cool blood "though I haue donne some things about your buisnes in England yett not comparable to w^{t} kindnes I haue Receiued therefore I doe freely acquit you of all things betweene us," etc.

A true narration of the case: Harlakenden walking with Jacob Bennett in his father's farm gave the former to understand that he had a rich uncle in London. Harlakenden afterward went to England and looked up William Bennett, and found from his son-in-law, Mr. Jennings, that Bennett had been dead a year, etc. Harlakenden's charges were for going to England and return, 16li. 10s.; his absence from home almost two years, as his wages, 30li.; maintaining himself and horse, 12li.; his hazard by sea and land, in danger of being pressed in the war with the Dutch, charge in finding out the persons concerned, procuring a counsellor and finding the will, 4li.; total, 62li. 10s. The attorney referred to Rastell, "who wrote about 100 yeares since about the Termes of y^{e} Law fol: 28: who sayth: a contract or bargain or Covenant betweene two parties: is where one thinge is giuen for another which is called Quid pro Quo: For saith he if a man doth promise to give me 20s.: & he will not deliuer it to me: I shall haue no action to recouer this: for this promise was a bare promise & exnudo pacto non oritur actio: but if one peny had bin giuen it had bin a contract," etc.

*Bond, dated Nov. 27, 1676, given by Perc (his mark) Anger to John Dollen, for 4li. 10s. in fish. Wit: Ben—— Feton† and John How.†

†Autograph.

John Grant brought before the court to answer to setting on fire the house of John Simons of Bradford or attempting to do so, confessed that he did set up a firebrand against the house, and was ordered to be whipped and sent to the prison at Ipswich. It was also ordered that John Simons, his master, should have a year and a quarter of said Grant's time after the indenture expired. Fees were allowed Mr. Wilson and Capt. Walker.*

Benjamin Parmiter had his license renewed for the ensuing year.

George Norton, guardian of Jacob Rowell, was granted power to take into his hands said Rowell's estate which was ordered to him on 30 : 7 : 1662, at Ipswich court.†

Rebecka, relict of John Fuller, deceased, was appointed administratrix of her husband's estate and was ordered to bring in an inventory to the next Salem court.

Thomas Leonard, Mr. Purchas and Ensign John Gould were freed from their bonds.

Peeter Cheevers, upon his humble submission and confession of his offence in taking a false oath, was restored to

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*Commitment of John Grant to prison in Ipswich, signed by Nath. Saltonstall,‡ commissioner, Oct. 23, 1676, Capt. Shubael Walker having brought him before said commissioner and Robert Haseltine taking him to prison.

"Goodman Sceerey I haue sent to the court on John Grant a prissoner our deputy Govenour has the Complaint I pray do me that favour to take car for my pay he has bin here fiue weeks and upward it coms to with the sending of him all twenty and on shillings and sixe pence so I rest your louing friend Theophilus Wilson.‡
"28th nouember 1676."

†Bond, dated Nov. 24, 1676, given by George Norton,‡ Thomas Hart‡ and Samuell Hart‡ of Ipswich, as security for the estate of Jacob Rowell. Sworn, Nov. 24, 1676, before Daniel Denison.‡

George Norton's petition: that his apprentice ran away from him about a year and a quarter before his time, according to indenture, and having an estate valued at 29li. besides some household stuff due to him next May, and petitioner fearing that there might be some fradulent conveyance of it, he asked to be appointed guardian of Jacob Rowill.

‡Autograph.

his liberty and privilege of giving evidence upon oath as formerly.

Capt. Paul White complaining of being over-rated by the selectmen of Newbery, it was ordered that his rate be abated and the selectmen to pay the whole cost.*

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*Warrant, dated Nov. 18, 1676, to the selectmen of Newbery for Capt. White's appearance, signed by Daniel Denison,† and served upon Peter Cheney, one of the selectmen, by Dudley Bradstreet.†

Copy of summons and record of court, Sept. 26, 1676, at Ipswich, relating to this matter, made by Robert Lord,† cleric.

Warrant, dated 21 : 9 : 1676, for the selectmen's appearance, served by Joseph Pike,† constable of Newbery.

Delcaration of the selectmen: that they rated him conscientiously and impartially; that he never complained to them, else they might have heard his reasons, etc.

Dudley Bradstreet† and Tho. Woodbridge† affirmed, Nov. 28, 1676, that there are more than ten men in Newbery that have four times the visible estate that Capt. White has and are not rated as much as he. Sworn in court.

Letter of attorney, dated Sept. 21, 1676, given by Paul (his mark) White‡ of Newbery to Mr. Dudley Bradstreet, said White not being able to travel to court by reason of his age. Wit: Benj. Woodbridge† and Tho. Woodbridge.† Sworn, Sept. 25, 1676, before Nath. Saltonstall,† commissioner.

Paul White's petition to the Salem court: whereas the law gives a man a right to appeal to the county court if assessed more than he thinks is fair, he states that he has only two heads, a house and half an acre of land in all the town rateable; that he is rated ten rates, eight pounds, while some in town have 100 acres of land and thirty or forty head of neat cattle, beside hogs and horses which are not rated at from twenty to thirty shillings so much. "If any object that my gaines by shop keeping is considerable; I doe here affirme, (and shall readily take my oath to it being called thereto) that I haue not sold fifty pounds worth of goods this twelue months as by my books will appear, and it is like to be twelue months more before I receiue y^e^ pay for what I haue sold, and what y^e^ profit is, is soone knowne, besides I pay a penny in y^e^ pound for all my goods as soone as they come ashore." He asks that justice and equity be granted "and yo^r^ petitioner may still haue farther Cause to bless god for liuing und^r^ soe happy a Gouerment." Referred, 18 : 5 : 1676, to the next Ipswich court.

†Autograph. ‡Seal.

Paul White's petition, dated 14 : 9 : 1676, to Salem court: that he employed a friend to go to the Selectmen and inquire the reason for rating him so high, and they replied that it was because he received 700 bushels of malt yearly in town, but he stated that he had not bought 100li. worth of goods in a year for many years, except what he had come from Barbadoes, "which is my wifes childrens estate, neither am I one penny y^e^ better for it, but improue it for them as their Guardian besides it pays y^e^ costome as soone as it comes into y^e^ cuntrey, and for what I sell if it be Rum I pay as y^e^ Law directs to y^e^ Marshall Genll. for y^t^ I judge noe part of that is rateable to the Cuntrey againe, paying more at y^e^ first for it then any Cuntrey man does in ten rates for y^e^ like value, moreouer I am fain to buy euery stick of wood I burn, every inch of timber I use of some of the towne," etc.

Broadside:—order of the General Court, May 3, 1676, concerning dooming for payment of rates to defray the expenses of the war, etc.

Paull White's bill of cost, 1li. 19s.

Capt. White, debtor, from 8 : 12 : 1675 to 11 : 9 : 1676 : 308 bush. malt by Danill Lunt, 60li. 12s.; by George Dean, 10li. malt, 2li.; 115li. malt by Danill Lunt, 23li.; fish, 1s.; 105li. malt by Danill Lunt, 21li.; by Joshuah Richshen, 3s.; Mr. Wadly, 20li.; by Danill Lunt, 103li. malt, 21li.; by 60li. barly by Danill Lunt, 12li.; by 60li. malt by Mr. Wadley, 12li.; total, 171li. 16s.

Paul White's rateable estate, given to the selectmen of Newbery in August, 1675: two heads, if a man of 84 years old and a Negro be ratable, 3s. 4d.; his housing which according to common estimation may be, 1s.; Half an acre of Land which they valued at ten shillings, 1-2d.; single rate, 4s. 4 1-2d.; ten rates, 2li. 3s. 9d.; and they have rated him to ten rates, 8li. 2s. 4d.; so that we judge their error to be 5li. 18s. 7d.

A rate, dated Oct. 7, 1676, made by order of the court of ten small rates and 150li. doom, attested by Joseph Pike,* constable of Newbery: Mr. Richard Dummer, 3li. 15s. 7d.; Capt. Gerrish, 7li. 5s. 4d.; Johnathan Woodman, 4li. 14s. 4d.; Mr. Hills & John Lunt, 4li. 9s. 6d.; Mr. Lowle & percivall, 5li. 16s. 8d.; Mr. Henery Sewall, 3li. 14s. 4d.; Mr. John Sewall, 1li.; John Bartlett, sr., 4li. 18s. 4d.; Richard Bartlett, sr., 2li. 16s. 8d.; Peter Tappan, 4li. 8s. 6d.; Hugh March, 3li. 18s. 4d.; Capt. White, 8li. 2s. 4d.; Thomas Woodbridge, 8li.; Henery Jaques, 6li. 6s. 8d.; Left. Woodman, 3li. 18s. 8d.; Samuell Plumer, 8li. 6s. 8d.; Francis Browne, 4li. 16s. 4d.; Richard Knight and John Kelly, 5li. 16s. 8d.; Benj. Rolf

*Autograph.

AT A

GENERAL COURT

Held at Boſton *the* 3*d. of May*

1676

For defraying the Charges already expended upon the Warre, and other Charges ariſing in the further proſecution thereof, It is Ordered by this Court and the Authority thereof, that there ſhall be ten ſingle Countrey Rates forthwith aſſeſſed, and collected according to Law, to be paid in ſpecie as formerly, and to abate one quarter part to any that ſhall pay money. Alſo that the Select Men be allowed and impowered to rate ſuch by Will and Doom as are known to be men of ability, whoſe eſtates in a great meaſure lye out of the reach of the Law being undiſcovered, without abatement on account of any mans paying for importation of Goods, and in caſe of aggrievance by over-valuation, relief be to given to ſuch in ſuch a way as the Law provides: Provided, that ſuch frontier Towns as are conſiderably weakned in mens Perſons or Eſtates by the Enemy, be allowed a meet abatement of their proportions in the Rates, their Conditon being by their Deputyes or others appointed, repreſented to this Court at their next Seſſions: And where any Perſons in any of the Towns have disburſed for the publick relating to the Warr, they ſhall be allowed and paid the ſame out of the Rates of ſuch Towns where they dwell; and that this ſhall be in the room of all bills for aſſeſſing of Rates paſſed this Seſſions of Court.

By the COURT *Edward Rawſon* Secr.

Joseph Miles was fined for drunkenness.

Mr. Richard Croad was fined for selling beer and cider without license, and was granted a license for that purpose.

William Lake was fined for selling ale and cider without a license, but was allowed to draw what he had laid in until the first of May.

Ruben Guppy was fined for selling ale without license, and was prohibited from selling any more for time to come.

Frances Collens was fined for drawing and selling beer in the house and was prohibited from selling for time to come.

Mr. Thadeus Riddan, complained of for obtaining a license to keep ordinary indirectly and also being under some reports of keeping bad order in his house, court considering that he had formerly had a license and that he had laid in provisions for that end, was granted a license for the ensuing year, to sell beer, wine and cider. He was ordered to give bond that he would keep good order, which he did, with Mr. William Browne, sr., as surety.

Robert Lavis, complained of for drawing and selling beer in the house without license, was fined.

6li. 8s. 6d.; Daniell Lunt, 2li. 19s.; John Emery, 6li. 18s. 6d.; Daniell Chene, 4li. 15s. 4d.; Peter Chene, 4li. 4s. 2d.; William Titcomb, 4li. 15s. 4d.; William Longfellow, 2li.; Anthony Sumerby, 4li. 15s. 4d.; Joseph Bayle, 3li. 8s. 6d; John Bayle, 8li. 9s. 8d.

Henery Jaquis and Benjamin Rolfe testified that Capt. Paul White had a dwelling house, a still house, two warehouses, and a shop with liquor and goods, worth at least 100li., besides his trade of stilling and selling of goods which produces much barley, beef, pork, butter and money.

Henery Jaquis, aged fifty-six years, deposed that Mr. Thomas Woodbridge told deponent that he knew his father White's estate better than anyone in town and it was worth 500li. Also when the constable summoned Capt. White's book, the latter said it should not come for there were 1,000 li. upon his books.

Wm. Chandler, aged about sixty years, deposed that since Jan. 1, Capt. White had had three butts of wine delivered in to his cellar, and he had a butt and a half there not saleable. He also had fifteen or sixteen barrels of beef and pork and about three or four firkins of butter, besides barley.

Christopher Waler's will* was allowed and Margeret, the relict, was ordered to bring in an inventory to the next Salem court.

Josiah Roots, petitioning the court to be freed from the service of the country at common training on account of his age and weakness, was dismissed.

John Dodg of Wenham, who was not able of body to do service in the troops and petitioned to be released, was dismissed from the troop that was under the command of Capt. Corwin.

Capt. Marshall, Mr. Daniell King, Benjamin Parmiter, John Procter, William Edmonds and Mr. John Gedney had their former licenses renewed for keeping a public house of entertainment.

Mr. Edmond Batter, Capt. George Corwin, Mr. William Browne, sr., Leift. John Price, Mr. John Hathorne, Salem, Mr. Bar. Gedney, Mr. John Ruck, Capt. White, Ambrose Gale and Mr. John Turner had their former licenses renewed for selling strong water.

There being a complaint made by Erasmus James of the misdemeanors of his servant Edward Bennett in running away, court ordered that he serve his master one quarter of a year longer than his term by indenture.

Upon petition of Tho. Abbitt, for redress, he being rated for the head of a lunatic person, whom he kept in his house, to 18 rates for the charge of the late war, court declared that no lunatic person is ratable.†

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*Will of Christopher (his mark) Waller, dated Oct. 7, 1676, was proved 30 : 9 : 1676 in Salem court: "Imprimis I giue vnto Margaret my wife my dwellinge house, my outhouses, and my orchard with al my land therevnto belonginge to be hers and at her disposinge. Item I giue vnto the sayd Margaret my wife my Catle with al my moueable goods that she may be the better enabled to pay my debts. Item I giue vnto Joseph Woodrow ten pounds to [be] payd unto him out of my estate at the age of twenty one yeares he Continuinge to liue with my wife as formerly vnto that age Item I doe appoynt my wife Margaret to be executrix and my brother in law Nathaniel Felton ouerseer." Wit: Nathaniel Felton‡ and Edward Berry.‡

†Thomas Abbott's complaint.

‡Autograph.

Samuell Moore and Joanah his wife were fined for incontinency before marriage, and she was to appear at the next Salem court.

William Cockes and his wife were fined for incontinency before marriage, said Cockes confessing. His wife was ordered to appear at the next Salem court.

Mary, daughter of John Petherick, with her husband, John Searle, [a Jerseyman. — *Waste Book.*] presented for committing fornication before marriage, were fined, and said Mary was ordered to appear at the next Salem court.

A warrant was ordered to be issued against Ralph Hale and Elizabeth his wife for appearance at the next Salem court upon charge of fornication.

Administration upon the estate of Ephraim Skerry, deceased, was granted to the relict, who was to bring in an inventory to the next Salem court.

Richard Norman's case was referred to the Worshipful Maj. Wm. Hathorne to end.

Samuell Putnam dying intestate, Elizabeth, the relict, brought in an inventory* of his estate and was appointed administratrix.

John Ossgood, aged about forty-six years, deposed that Thomas Parker, who lately lived with Tho. Abbet, about five or six years ago lived with deponent about nine years. He was "a lunaticke mane one parte off the moone hee was very much out off his sences & sum times outragosly mad or distracted so as that hee oftintimes indangerd the great hurte or death of my wiff & children so that I did not dare to kep him any longer, when hee was in his well Frame he would work well with gidinge, etc.

George Abbete, aged about forty-four years, deposed that he occasionally worked with Thomas Parker at his brother's and Parker often used to roam in the woods distracted and spoil his clothes, etc.

*Inventory of the estate of Samuell Puttnam, deceased, taken Nov. 17, 1676, by Jacob Barney† and Joshua Rea,† and allowed, 29 : 9 : 1676, in Salem court: foure Cowes, 11li.; tow steers, 5li. 10s.; three yearleing, 3li.; one horse, 2li. 10s.; Eighteen sheep, 4li. 8s.; one feather Bed & bedsted And Curtains, valins, one Rug, Tow Blainkets, tow par sheets,

†Autograph.

Michaell Lambert dying intestate, administration of the estate was granted to Ellenor, the relict, who made oath to the inventory* brought in and was ordered to pay to the four children of the deceased, Michaell, Moses, Abigaile and Rebecka, to the eldest son, 40s., and to the others 20s., payable to the sons at twenty-one years of age and the daughters at eighteen years or at marriage.

John Huchenson dying intestate, administration was granted to Sarah, the relict, who brought in an inventory,† and was ordered to appear at the next Salem court.

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one pillow, one thinn Rug, 8li.; warring aprell, 5li. 6s. 6d.; seaverell lining, 2li. 17s. 6d.; waring apprel, 5li. 6s. 6d.; Table Cloathe, napkins, with other Linin, 2li. 17s. 6d.; putter, iron & Brasse, 2li. 17s.; Cuberd, Chests & Booxe, 3li.; 26 pound of yarne, 2li. 9d.; 20 pound woolle, 1li.; one gunne, 1li.; one wheell & Chair, hors takell, 7s. 6d.; iron ware, 9s.; five swinne, 1li. 10s.; one Reaper, 16s.; Cottenn wooll, Cheair tow, Tow earthen dishes, plow, 9s.; one Blankett & sive, 11s.; one Chaine & Bible with other things, 1li. 1s.; one hundred ackers of land, 75li.; one halfe of prices medow Being about tenn ackers, 15li.; one house, 5li.; total, 191li. 7s. 3d.

*Inventory of the estate of Miell Lambard, appraised by Thomas Farar and William Bassett, and allowed, 29 : 9 : 1676, at Salem court: one cow, 3li.; one hors and on mare, 4li.; 8 sheep and 2 lambs, 3li. 14s.; 2 great swin and 3 shouts, 3li. 10s.; 30 bushells of Ingen corn, 4li. 10s.; 9 bushells of barly, 1li. 16s.; 2 bushells of pees, 8s.; 3 bushells of ots, 6s.; 10 bushells of ell corn, 15s.; 4 pare of shetes, 2li. 10s.; pilobars and napkins and touells, 1s.; 12 yards of linsy wolsy cloth, 1li. 10s.; 20 pound of woll, 1li.; wearing clothes and 3 shorts and 1 hat, 1li. 10s.; in beds and beding, 3li. 2s.; 1 cobard, 1li.; 4 chests and 1 box, 15s.; 1 tabel and 2 whells and cards, 1 kneding trof, 15s.; chars and 1 cradl, 12s.; pots and ketells and Iorn ware, 3li. 15s.; putr, earthen ware and wooden weare, 3li. 5s.; flax, 10s.; 1 hous, 5li. Debts, 17s.

†Sarah Huchinson's petition: that the estate of her husband John Huchinson be divided between herself and child; that she have all the moveable goods and the bringing up of the child; that she have all the land until her child was eighteen years of age and then the child to have one-third part; that at her death to have one part more of all the land and the other third part to be at her disposing.

Inventory of the estate of John Huchison, who deceased

Will* of James Browne, glazier, was proved, and Sarah, the relict and executrix was ordered to bring in an inventory to the next Salem court.

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about Aug. 2, 1676, taken Nov. 8, 1676, by Nathaniell Ingersoll† and Joshua Rea,† and allowed, 29 : 9 : 1676, in Salem court: waring apparrell, 6li. 10s.; foure oxen, 18li.; five Cowes, 15li.; two three years old, 5li.; tow yearling, 3li. 10s.; tenn Sheep, 3li. 10s.; five Horskind, 5li.; one Horse, 4li. 10s.; tow Calfes, 1li. 10s.; five Hogges, 3li.; sevenn pigges, 1li. 15s.; two hundred ackres of land & medow & orcharde, one house & Barne, ——; in iron, 12s.; one friing pann, 1 iron pott, 13s.; tow axes & other tooles, 13s.; three parre Sheettes, 2li.; one wheell, tow pare pillowberes, 10s. 6d.; napkins, table cloth, 1li. 2s.; Bassen & putter, 17s.; wooden ware, Cheste, 9s.; one fether bed, 3li. 10s.; woollen yarne & woolle, 2li.; Rug, Blanketts new Cloath, 2li. 5s.; tow gunnes, 2li. 15s.; yokes, chaine, sheer, coulter, 1li.; cleves & pinn, foure pillowes, 1li. 3s.; Engling corn & hay, 6li. 10s.; money, 7s.; 100 ackers of land with halfe the houseing In present possesion & 100 ackers of land, Revertion as appeareth By deed of giffte, 130li. Debts due to the estate, 7li. 14s.; 250 ackrs of land, 40li.; debts due from the estate, 15li. 10s.; total, 273li. 5s. 6d.

*Will of James Browne‡ of Salem, dated 29 : 11 : 1674, and proved, 29 : 9 : 1676, in Salem court: "I giue & bequeath unto my beloued wife Sarah, my dwelling house & out housing, with the ground adjoyning lying heare in Salem, duering her naturall life, and at her decease to be disposed of as followeth, my will is that my eldest son John Browne, whoe haue had his portion giuen him formerly, And doe further will & order, of that estate, left by Henry Bright of water Towne, deceased, which is my proper right & due, in consideration of moneys lent to him or paid for him many years agoe, which said estate I leaue my son to recouer all my right & interest in that estate, or that of right doe belong to me, he the said John Browne shall haue the one half there of to himself his heires & assignes, he paying the one halfe of the charge of what he does recouer, & the other halfe of what estate he shall recouer as aforesaid to be to Sarah my said wife & to her heires & assignes for euer.

"wheare as there are certaine writings drawne betweene my said wife & my son James Browne, bearing date 10 march 1672: wherein on my wiues pt, all the houseing & land lying in Newbery, Giuen & bequeathed to my said wife, by her

†Autograph. ‡Autograph and seal.

father John Cutting deceased in his last will & testament, are made ouer to my said son James Browne, & to his heires for euer, he on his pt paying, p Annum to his mother soe long as shee liues, soe much as is exprest in sd writing, & at her decease to pay or cause to be paid thirty fiue pounds, to be paid for the use of my other children, according as is heare after exprest, which is my will with the mutuall agreement of my said wife.

"It. I giue to my son Samuell, my dwelling house & out houseing with soe much of the ground belonging therevnto, begining next to Samuell pickworth grounds & from thence, northerly, to take in one pole beyond, on the north side of the barne, & soe right cross the ground from the highways to John Gedney deceased his Ground, to haue & inioy the same, to him his heires, & assignes for euer, next after his mothers decease, he paying fifteene pounds for the use of my daughters, to be deuided as is heare after exsprest, & my will is that my son Samuell shall liue with his mother to be helpfull to her untill he come to y^e^ age of one & twenty yeares

"Item I giue to my son Abraham, about thirty two pole of the ground belonging to my dwelling house to begin at one pole beyond the barne as aforesaid & to exstend fower pole in bredth next the highway & soe to run right cross y^e^ same Bredth to the land of John Gedney aforesaid, to haue & to Injoy the same, to him his heires & assignes, next after his mothers decease, but in case the said Abraham dept this life befor he come to the age of twenty one yeares, then the said pcell of ground to fale to my son Samuell & further my will is that my son Abraham shalbe under my wiues care & dispose, the time after he haue serued his apprentice ship untill he come to the age of one & twenty yeares.

"It. I giue vnto my said wife Sarah, the rest of the ground, beyond that thirty two pole of ground giuen to my son Abraham, northward, to the ground of John Cromwell, for her to dispose of for the paiment of my debts or for her necessary use the time of her life, & in case she be not necessitated to sell the said land in her life time, for paiment of debts or for her necessary vse, then at her decease my son Abraham shall inioy it, he paying fower fifthes of the value thereof for the use of his fower youngest sisters: viz: Anna: Mary, Abigaile & Martha: equally to be deuided amongst ym or the longest liuers of ym: If any dy before they come to ye age of eighteene years or married

"It further my will is that the thirty fiue pounds, that my son James is to pay & the fifteen pounds that my son Samuell is to pay at their mothers decease, which is fifty pounds, in all be equally deuided amongst my fiue daughters,

Mary, the relict and executrix of John Porter's estate, brought in an inventory* of the estate to which she made oath.

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viz: Sarah Beasly: Anna: Mary, Abigaile & Martha Browne, that is to say ten pound each of them, to be paid at their mothers decease, at y^e^ age of eighteene yeares or marriage, & my will is that in case any of them dy before they come to age or are maryed, then her or theire pt to fale to those of my daughters y^t^ doe suruiue, to be equally deuided amongst them "Lastly I giue to my said wife all the rest of my estate when my debts are paid: & doe appoynt her my sole executrix of this my last will, & doe appoynt my Brother Nicholas Noyce And Hilliard Veren, sen. to be ouerseers." Wit: Hilliard Veren, sr.† and Samuell Pickworth.†

*Inventory of the estate of John Porter of Salem, taken Sept. 22, 1676, and allowed, 30 : 9 : 1676, upon oath of Mary, the relict: his dwelling house with the barn, outhouses, orchard and all the land thereunto belonging called Sharp's farme, 600li.; land commonly called Skelton's Neck being 200 acres or thereabouts, 400li.; land called Bishop's farme with the land belonging to it called blinde hole beinge about 500 acres whereof 45 acres meadow, 500li.; land called Smith's farme being about 90 acres 10 acres of it meadow, 90li.; land called Cromwell's farme being about 200 acres, 20 acres of it meadow, 200li.; 130 acres adjoininge to Cromwell's farme, 100li.; 10 acres of meddow called Got's meadow, 20li.; 180 acres called Gott's corner, 300li.; 70 acres bought of John Robinson, 40li.; 1 1-2 acre of land neare bass poynt, 5li.; 3 poole of land in the towne, 1li. 10s.; 12 acres bought of John Hathorne, 8li.; 12 acres of barly, 27li.; 2 acres of Pease, 3li.; 1 acre of wheate, 1li. 12s.; 12 acres of Indian corne, 24li.; 33 load of hay, 33li.; 46 ewe sheepe and wethers, fourteen lambes, 25li.; eight oxen, 35li.; fifteen Cowes, 52li. 10s.; nine two yeare old catle, 22li. 10s.; 8 yearelings, 12li.; 2 three yeare old steirs, 7li.; 10 Calves, 7li. 10s.; 1 bull, 3li.; 14 swine, 21li.; 11 younge shots, 5li. 10s.; 6 mares, 9li. 10s.; 5 horses, 15li.; 2 Colts, 1li. 10s.; 1 younge Calfe, 10s.; a feather bed, bolster, 1 pillow, a payre of sheets, a Rug and blanket, 6li.; a feather bed, 3 bolsters a coverlet, payre of blankets, 2 pillows, a bedstead, with Curtains and vallens, 8li.; a feather bed and 2 bolsters, 1 Rug, a payre of blankets & pillow, 5li. 10s.; a bed & bolster, 1 Rug, a blanket and payre of sheets, 4li.; 1 bed & bolster & Rug and blanket, 2li.; 1 bed and bolster, 2 Rugs, & 2 blanketts, 3li. 10s.; a bedstead an old Rug and coverlet,

†Autograph.

Fined by Major Hathorne, 22 : 11 : 1676:

Josiah Browne, for abusing Ensign Richard Norman in the discharge of his office for the country. Wit: Ensign Norman, Erasmus James and James Dennis.

Henry Keney, John and Thomas Rayment for telling a willful lie.

William Woods, for "wearing his haire long as womens haire."

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a bolster and pillows, 1li. 10s.; 2 Rugs, 3li.; 2 payre of holland sheets, 4li.; 8 payre of sheetes, 8li.; 8 yards of linnen cloth, 1li.; a fine table cloth, 11 Napkins, 6 course napkins, a table cloth, 2 pillow beares, 3li.; 1 old trunke, 1 case botls, a litle truncke, a box and chest, 1li. 10s.; 1 flaggon, 12 platters, 2 potts, 2 old platters, 2 old cups, 2 candlesticks, a salt, an old pestle & morter, 3li.; silver spoones, a porringer and two spoones, 1li.; 3 brasse pans, 1li.; 2 brasse pots, 2 skillets, 1li.; an iron pot and ketle, 1li. 10s.; 6 keilers, 6 payles, 16s.; 4 hakes, a fire shovel and tongs, 2 spits and a drippinge pan, 1li. 8s.; 6 Cushions, 12s.; 40li. wollen yerne, 3li.; 60li. sheep's wool, 2li.; 1 Table, 6 joynd stooles, 1li. 10s.; 1 Carpet, 10s.; 1 old Table and forme, 5s.; 1 Trundle bedstead & chest, 10s.; 3 Andirons, 1li.; a Chafeinge dish & warminge pan, 5s.; a fowlinge peice, 2 muskets, a Rapier and two swords, 4li.; Chayres, 10s.; 2 broad axes, 6 old axes, a hatchet, 12s.; 5 wedges & betle Rings, 10s.; an iron pot and brasse pan, 1li.; an old trough and old barrels, 1li.; a thwart saw, 5s.; 2 Carts with yookes and chaynes, 6li. 10s.; 6 plowes, 2li.; 5 forks & a muck forke, 5s.; a harrow, 10s.; 3 Augers, a handsaw, a tenant saw and Ads & iron Crow, 1li.; 2 sythes, 5s.; old barels & tubs, 1li.; Bookes, 3li.; 2 negro servants, 40li.; 3 Inglish servants, 30li.; his wearinge apparell, 20li.; total, 2,753li. 5s.

Jury of inquest upon the death of Samuell Adams, son of Samuell Adams reported, Sept. 29, 1676, that "by the best light by thos that wher with the cart that the child with other children set in the hinder part of the cart that the said child did go forward and the cart going down A hill the cart gav a goult and it fel of and the wheel as we conceiue went ouer his head;" signed by Theophilus Wilson,* Thomas Lovell,* John Safford,* Joseph Safford,* Nicolas Wallis,* Joseph Whipple,* John Gaines,* Thomas Clarke,* Edward Deare,* John Pinder,* Thomas French* and Josiah Clarke.* Sworn, Sept. 30, 1676, before Daniel Denison.*

*Autograph.

Execution, July 3, 1676, against Mr. Oliver Purchase, for the portion of the Lynn Iron works of Mr. John Pain of Boston, deceased, and now in possession of said Oliver, to satisfy judgment granted Maj. Samuell Appleton, 27 : 4 : 1676, at Salem court; signed by Hilliard Veren,* clericus, and served by Henery Skerry,* marshal.

Execution, dated 1 : 2 : 1676, against Benjamin Morgaine and Joseph Morgaine, to satisfy judgment granted Henry Bennett, 30 : 4 : 1674, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal, at Morgan's house in Beverly. Mr. Bradstreet mentioned.

Execution, dated 18 : 2 : 1676, against John Giffords, to satisfy judgment granted to Henry Dispaw, jr., 30 : 9 : 1675 at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* by attachment of pewter platters and plates, bason, chamber pot and one old porringer, which he delivered to said Dispaw in Mr. John Hawthorne's house.

Execution, dated 27 : 5 : 1676, against Richard Hollingworth, to satisfy judgment granted to Mr. Phillip Cromwell, 20 : 5 : 1675, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal of Salem, by attachment of said Hollingworth's orchard as appraised by Mr. Phippeny and Christopher Babage, which was next to his own land and reached nearly to the corner of Mr. Hollingwood's dwelling house.

Execution, dated 27 : 5 : 1676, against Richard Hollingworth, to satisfy judgment granted to Mr. Henry Bartholmew, July 20, 1675, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal.

Abraham Cole* and Joseph Phippen,* certified on 3 : 9 : 1676, that they appraised Richard Hollingworth's land in his orchard near the ferry to Marvelhead, upon request of Mr. Philip Cromwell and Marshal Skerry. Sworn by Abraham Cole at Salem, Sept. 18, 1690, Joseph Phippen being deceased, before John Hathorne,* assistant.

Execution, dated July 1, 1676, against Mary Kemboll, widow and administratrix of the estate of Henry Kemboll, to satisfy judgment granted John Brimblecom, 27 : 4 : 1676, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal.

Execution, dated 23 : 7 : 1676, against Benjamin Lowell, to satisfy judgment granted Mr. Richard Lowell, June 30, 1674, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal.

Henry Benet's* bond for appearance at Ipswich court, dated Feb. 15, 1675, in his action against Peeter Young.

*Autograph.

Sarah (her mark) Pyper's bond for appearance, before Major Gen. Denison, dated Sept. 18, 1676, in her action against Thomas Tredwell.

John Baker's* bond for appearance before Maj. Genll. Denison, dated Sept. 18, 1676, in his action against John Edwards.

Benjamin Newman's bond for appearance before Maj. Genll. Denison.

Bozoon Allen's charges. Abra. Jewet mentioned.

John Lee's bill of cost against John Mattone, by whom said Lee was arrested and ordered to appear, Sept. 26, 1676, at Ipswich court, 14s.

Petition of John Bridge:* "whereas I have some tymes beene a servant to Nathanaell Wells and according to my ability have served him faythfully for the space of two yeares and thre quarters and he haveing shamefully abused and beaten me, soe that it is questionable wheather ever I shall be sound againe or not, he beate me so much one Saboath day after meeting which I counted an unfitt tyme for such discipline if I had deserved it that I was sick, and uncapable to doe any worke, And at last he giving me some tyme that was due to him, turned me away without any cloathes except a few ragged ones that would scearce hang on my back, soe that I was forced to beg cloathes to cover my nakednesse, I being then uncapable to beg any though I did importune him to lett me have a sute of cloathes that I wore on saboath dayes when I lived with him, yett he was soe hard and harsh as to deny them to me. my shoes also were so bad that I was forced to ty them about my feete. These thinges being a truth, and that w^{ch} I suppose he will not dare to deny, I am forced to implore your worshipes for some releife and redresse, and doe humbly entreate and beseech this Honored Court to take into seriouse concideration my poore and meane condicion and to grant me some releife, soe your humble petitioner shall count himselfe much ingaged to your worships, and shall be forever ingaged to pray for you laying his poore petition prostrate at your feete."

Bradford births, marriages and deaths for 1676:

Benjamin, son of Will. Huchins, was killed by a sled going over him, Apr. 4.

Mary, daughter of William Huchins, born Apr. 15.

Thomas Kimball was shot by an Indian May 3.

Sammuell, son of Sammuell Haseltine, born May 30.

Ester, daughter of Nicolaus Walingford, born June 8.

*Autograph.

Son and daughter of Samuell and Faith Gage were born June 22, and died the same day.
Samuell Gage died July 20.
Son of John Wattson born ——.
Richard, son of Richard Hall, born Feb. 6.

Newbury births and deaths for 1676:

Joseph, son of John Hoog, born [Jan. 10†]
Thomas, son of Mr. Thomas Woodbridge, born [Jan. 28†]
Cutting, son of Cutting Noyes, born [Jan. 28†]
John, son of Jacob Tappin, born [Jan. 29†]
John, son of John Swett, born [Feb. 28†]
Martha, daughter of Daniel Peirce, jr., born [Feb. 26†]
Susanna, daughter of Moses Pilsbury, born Feb. [1†]
[James†], son of Peter Godfry, born Mar. 19.
[Ruth Chase†] died May 30.
[Hanah, wife†] of Steven Webster died June 3.
Anne, wife of Edmund Moores, died June 7.
Hannah, daughter of Richard Bartlet, jr., died June 17.
William Titcomb died Sept. 24, 1676.
Mary, wife of William Chandler died Oct. 3.
Debora, wife of Benjamin Goodridge, died Nov. 28.
Emma Kent, widow, died Jan. 10.
Mary, daughter of Nathan Parker, died Feb. [8†]
Rebecca, wife of William Randall, jr., died Feb. [18†]
Judith, daughter of Robert Beedle, died Mar. 2[2†]

Elisha Ilsle affirmed, Nov. 22, 1676, that there was an agreement between himself and Mathew Legro on May 1, 1675, that he should teach Legro his trade of a weaver for two years and six months' service, which he did with care until Aug. 28, 1675, and he could weave good cloth before he went away.

Free. Reves testified that sometime last husking time some words passed between William Shaw and Henary Couck and Cook got off his horse and said if Shaw wanted to fight he would, and at last Shaw knocked him down with a club, etc. Sworn, 29 : 11 : 1676, by Freeborne Reeves and Henry Cook, before Wm. Hathorne,* assistant.

William Thomsonn's complaint, Sept. 25, 1676.

George Stimsonn,* aged thirty-two years, testified that being at John Cogswell's, he heard Hanna Doowning railing against William Thomsonn, calling him a black dog, a devil and a black devil, and vowed she would be the death of him. Deponent told her to have a care what she said for the law was costly. She answered that she did not care what she said.

*Autograph. †From Court Book of Vital Records.

COURT HELD AT IPSWICH, MAR. 27, 1677.

Judges: Samuell Symond, Esq., Dep. Govr., Major Genrll. Denison, Esq., and Major Wm. Hathorne, Esq.

Jury of trials: Deacon Moses Pengry, Nehemiah Jewitt, Philemon Dane, John Lighton, Nicholas Wallis, Moses Bradstreete, Henry Short, Thomas Hale, John Pearson, Leonard Harryman, Jonathan Platts and John Comings. In some criminal cases Hen. Short, Tho. Hale and Jon. Platts, were left out and Mr. Dan. Epps, James Bayly and Dan. Hovy were put in their room.

On Oct. 17, 1676, Robert Lord, marshal, made return of an attachment of land and marsh of George Norton, lying on the further side of Chebacho river, which land was sometime Sam. Cogswell's. This was in an action of review of John Cogswell, administrator of the estate of Samuell Cogswell v. George Norton.

Ezkiell Sawyer dying intestate, having been slain in the war, administration upon his estate was granted on Jan. 11,

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Ales Stimsonn, aged about twenty years, testified that Hanna Doowning called Thomsonn an ugly witch and if all the people in Chabako were like him it were no matter if the devil had them. She also sent word by deponent's husband, etc.

John Dane, aged sixty-four years and upward, testified that "being in my owne house quiet by a good fire with my fameley about me I hard a Rattling at the dore and suddenly Danell hovey cam in groning with his hand one his head and fell flat one the flower in a most amasing maner and being got up agayne stagered and we Rose in an afrited condishon and set him in the chare he Cryd out if you can doe anything for me doe it I answered what is the matter he said John Le knoct him doune and struck him blynd I answard whare he sayd he is in the highway would you could take him, my sonn and I sudinly Run out and met with John Lee and asked him what the matter was he bed us stand of and cum at our perrill my sonn philemon folowed him he with drew backwords my sone sudinly Ran with in him and so we toke his stafe and had him to our house yet before the cunstable came (he staid so long) after we sent; that Joseph cuming to his brother and thay giueing good words we let them goe." Sworn, Dec. 4, 1676, before Daniel Denison.*

*Autograph.

1676 to Mary Sawyer, his mother, who was to bring in an inventory to the next Ipswich court.

William Pritchett dying intestate, administration upon his estate was granted to John Pritchet, his eldest son, who was to bring in an inventory to the next Ipswich court.

According to warrant from the county treasurer, Robert Lord, marshal, for several fines of court imposed upon Roger Darby and his wife, seized four acres of land which said Darby bought of Phillip Fowler.

Christopher Ossgood and Timothy Johnson were sworn constables for Andover, John How for Topsfield and Jer. Elsworth for Rowley.

Ens. John Gould v. John Cook. For withholding 4li. Verdict for defendant.*

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*Writ, dated 29 : 9 : 1676, signed by Hilliard Veren,† for the court, and served by Henery Skerry,† marshal of Salem.

John Cooke's bill of cost, 1li. 2s. 2d.

Samuell Lanord testified that John Cooke of Salem, blacksmith, brought a note to deponent's father from Ens. John Gould of 4li. in bar iron which was credited upon the book. Sworn, 5 : 8 : 1674, before Wm. Hathorne,† assistant.

Josias Bridges, aged about twenty-two years, testified that to his knowledge Samuel, son of Henry Leonard of Topsfield, transacted his father's business in his absence and kept his books after his bookkeeper, James Hansecom, went away. Sworn, 2 : 1 : 1676, before Wm. Hathorne,† assistant. Edmund Bridges swore to the same before Wm. Hathorne,† assistant.

Richard Croade, aged about forty-eight years, and Samuel Marsh, aged about twenty-four years, testified that being in John Cooke's house, he heard Samuel Leonard make up his account with said Cook, etc. Sworn, 2 : 1 : 1676, before Wm. Hathorne,† assistant.

Elizabeth Blichman deposed that in 1673 John Cooke came with a note from Mr. Gednie of Salem to her master John Gould for 4li. worth of iron, and the latter went with him to the works to get it, etc. Sworn, Nov. 25, 1676, before Daniel Denison.†

"M^{r} Lenord I would entreat y^{u} to Let Goodman Cooke haue fouer pounds in Iron one my a Count as soone as y^{u} Can and if y^{u} Could Let him haue som now et would do him a great plesure in yo^{r} so doeing I shall Rest yo^{r} Louing Friend John Gould.† Dated y^{e} 10 : of 9^{m} 1673:"

†Autograph.

Robert Pearce v. Anthony Auston and John Trumble. Non-performance of a covenant. Verdict for plaintiff. Said Pearce acknowledged satisfaction on May 7, 1678.*

John Mighill v. Samuell Plumer. Appeal from the commissioners of Newbury. Nonsuited.

Selectmen of Salem v. Nicolas Maning. Forfeiture f a bond. Verdict for plaintiff. Maning desired moderation of the bond, but the parties having gone home, execution was respitted until the next Salem court.

Mr. Waitstill Winthrop and Elizabeth Newman, executors of the will of John Winthrop, Esq., in behalf of themselves and the rest of the executors v. Richard Knight, administrator or overseer of the estate of John Paine, late of Boston, merchant. Debt. Verdict for plaintiff.

Mr. John Giffard v. Hudson Leverett. For detaining 44li. Verdict for defendant.

John Dallin v. Thomas Robinson. Withdrawn.†

On the reverse of the foregoing paper: "I Samuell Leonard‡ in the behalf of my Father Henery Leonard doe make protest against this bill," etc. Wit: Richard Croade‡ and Blaze (his mark) vinton.

*Writ: Robart Pearce v. Anthony Austin, Jno. Trumble, Timothy Palmar and Lanslart Grangur; non-performance of a covenant or charter party for the hire of the hold of a ketch called the Willing Mind to transport their goods to Conetico river; dated Mar. 20, 1676-7; signed by Robert Lord,‡ for the court; and served by Robert Lord,‡ marshal of Ipswich, by attachment of house and land of Jno. Troumbell.

Robart Pearce's bill of cost, 1li. 4d.

†Writ: John Dalin v. Thomas Robinson; for account of goods to the value of 32li. which defendant took of Dalin to carry to the southward and was to make return in provisions, which he did not do, the vessel having returned; dated 24 : 12 : 1676; signed by Hilliard Veren,‡ for the court; and served by Henery Skerry,‡ marshal.

Letter of Adam Westgate,‡ dated Mar. 6, 1677, to Mr. Henry Skerry: "S^{r} there is a parcell of Corne that was attached by you that lyeth in Doct^{r} Emeries house att the Suite of John Dallinge the which I owne to be his and therefore I desire you to deliuer it to the said Dallinge or his order and this note takinge his receipt for the same shall be a sufficient

‡Autograph.

John Dallin v. Mr. Edmond Batter. Concerning corn. Verdict for plaintiff.*

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discharge to you." Wit: James Powllen† and William Hobby.† Eleazer Hathorne made oath, 26 : 1 : 1677, to said Westgate's signature, "as he mostly write it & he beleeues it can hardly be counterfited," before Wm. Hathorne,† assistant.

William Hobby† certified Mar. 24, 1676-7, that he was in company in Boston about a fortnight since with Jon. Dallinge, now living at Salem, and James Poland, a smith, living in Salem, and wrote the paper which Adam Westgate signed, etc.

John Legroo testified that some time in February, 1676, when Adam Wesgate came from the southward, he was on board with the rest of the company. Mr. Edmund Batter came on board and Adam Wesgate proffered him forty bushels of Indian corn which Thomas Robinson had sent him. Batter said he would have nothing to do with Thomas Robinson or his corn and deponent helped to carry into Mr. Emrie's chamber, 30 bushels of Indian corn. Sworn, 24 : 1 : 1676-7, before Wm. Hathorne,† assistant.

*Writ, dated Mar. 22, 1676-7, signed by Hilliard Veren,† for the court, and served by Henery Skerry,† by attachment of some land near the corner of Mr. Batter's shop.

George Corwin, aged about sixty-five years, testified that about the latter end of February, Adam Westgate having newly come from the southward and his vessel lying at deponent's wharf, asked him if he could leave forty or fifty bushels of Indian corn in his warehouse. Deponent said he thought he could spare him room in the garret but afterward when he found it was corn in difference, he said he would not have it in his warehouse. Sworn, 26 : 1 : 1677, before Wm. Hathorne,† assistant.

Nicolas Dewrell, aged twenty-one years, deposed that he was one of Adam Wesgate's men on his last voyage to the southward, and Mr. Batter came aboard of the ketch. The 30 or 40 bushels of corn were received aboard at Milford of Thomas Robason, etc. Sworn, 26 : 1 : 1677, before Wm. Hathorne,† assistant.

Will. Carter, aged fifty years, deposed that the vessel of which Westgate was master was owned by Jno. Corwin, etc.

Henry Rich, aged about twenty-two years, testified to the same. Sworn, 17 : 1 : 1676-7, before Wm. Hathorne,† assistant.

†Autograph.

Edward Berry, who married the wife of Roger Hascall v. Wm. Hascall, guardian for the children of Roger Hascall. Review. Verdict for defendant.*

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*Writ, dated Mar. 15, 1676-7, signed by Hilliard Veren,† for the court, and served by Henery Skerry,† marshal of Salem, by attachment of farm, house and land of William Haskell of Gloster.

Jefferie Massey† certified on Mar. 30, 166[5?] that about twenty-eight or thirty years ago, he with others laid out about forty acres of land near Beaver pond to John Hardi or Roger Hascall, but he thought it was to John Hardi.

Agreement, dated Nov. 13, 1676, between Edward Berry,† of Salem and William Hascole of Jabackow, guardian of the children of Roger Hascole, deceased, concerning dividing a parcel of land called Draper's point "the eastersaid from the path which the orchard belongs to: fals to the saide Edward: and the saide Edword in consideration of Is to pay to the said william: ore his asignes tinn: pounds: at or before in selver: the last of may: which will be in the yeare of our lord god won thousand six hendard seventy seven: and the said willim: is fully satisfied of a Judgment past against the said edward for severell catell and mars: at a court past in Salem the yeare seventy fiue: for the payment of the aboue said som." Wit: William Balkwill† and William Rayment.† Owned in court by Edward Berry.

Deed, dated Sept. 26, 1653, given by Gervas Garford‡ of Salem, gentleman, to Elizabeth Hardee of Salem, widow, in consideration of a dwelling house and ten acres of land and six acres and a quarter of meadow lying near Draper's point upon Bass river, adjoining Goodman Stone's land on the east and toward the west to Francis Skerry's land; also his farm of four score acres of land lying between Lord's hill and Birt's plain on Basse river side within the precincts of Salem. Wit: Em. Downinge† and John Mitter.† Sworn, Sept. 26, 1653, before Jo. Endecott,† Govr.

William Haskell, aged about fifty-eight years, deposed that the widow Hardy told him that her son Rodger Haskell by agreement with her was to have half the house and land purchased of Mr. Gafford lying at Draper's point and was to pay part of the money to Gafford for the land. Also deponent's brother Roger Haskell, etc. Sworn in court.

William Dodg, jr., aged about thirty years, testified. Sworn in court.

Copy of will of Elizabeth (her mark) Hardinge, dated 7 :

†Autograph. ‡Autograph and seal.

6 : 1654, and proved, 1 : 10 : 1654, in Salem court: "Imp^{rs} I Bequeath to my sone Joseph Harding my now dwelling house and the two acres of Land together with the ten acres of vpland in south feild that which was m^{r} skelltons together with the one halfe of the Catch Called the Guift that the said Joseph is now in p^{r}vided that he pay to m^{r} Gafford twenty fower pounds starlinge Item I Giue my sone Joseph the table board and forme in the parlor I giue to my son Joseph Hardinge one Cow. Item I giue unto my daughter Elizabeth Hascall that p^{t} of house and Land I bought of m^{r} Garford to be at her proper disposing without haueing any Relation to her Husbands Leaue in it and one Cow according to the donation of house and land as abouesaid and I giue to my son in law Roger two Cowes Item I giue to my daughter Elizabeth Hascall the standing bedsteed and bed and all furniture belonginge thereunto according to the donation of house and Land as abouesayd together with a fetherbed and two small Ruggs at the house of Roger her son and one great Chest

"It. I giue to Joseph Swasy one heafer Calfe. It. to the wife of Joseph Swasy I giue one old ewe sheep It. I giue to Roger Haskall his chilldren two ewes. It. I giue to my son Joseph Harding's Chilldren two ewes. It. I giue my two Ram Lambs to the Chilldren of my son Joseph to be equally diuided It. I giue my weather sheep unto Nathaniell Pickman. It. I giue to John Hascall one Steere It I giue the Remainder of all my Estate within the house and without to my son Joseph & to my daughter Elizabeth & son Roger to be equally diuided only to pay twenty shillings to M^{r} Samuell Sharpe which I giue him out of my Estate And I appoynt sergent John Porter to be in the Roome and steed of a feoffe for my daughter Elizabeth for the land and Goods giuen to her And I appoint Sergeant Porter and Jeffrey Massey to be ouerseers." Wit: Edmond Batter and Nathaniell Pickman. Copy made by Hilliard Verin,* cleric.

William Haskell, aged about fifty-eight years, and Mark Haskell, aged twenty-six years, testified that seven years before the estate willed to the children of Rodger Haskell was sued for by the guardian, Josiah had been gone from Edward Bery seven years, Rodger five years and Samuell and Sarah about one year and a half. The reason why they went from Bery was because he would not bring them up as their mother by their father's will was to do. Sworn in court.

William Hascol, aged about fifty-eight years, and Samuel Gardner, aged about forty-eight years, testified that upon the trial between Edward Berrey and Nicholas Woodberry

*Autograph.

Mrs. Elizabeth Newman, administratrix of the estate of Mr. Antipas Newman v. Abraham Read. For building on, breaking up, improving and keeping a parcel of land. Verdict for plaintiff, the title to the land in controversy.*

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of Sallem, of an action of the title of four score acres of land lying near Wenham Pond, they heard Elizabeth Berrey say in open court that when her husband Rogger Hascol gave the abovesaid land to his sons John and William Hascol, that he had her will and consent and was also willing that Nicholas Woodbery should enjoy the land. Sworn in court.

William Dodg, jr., aged about thirty years, and William Dodg, 3d, aged about thirty years, deposed that Edward Berry leased out the land and cattle that were willed to the children to John Knight, sr., for less than half their worth and gave him liberty to use timber and wood which he did to the amount of 10li., besides about 12li. in cattle, etc. Sworn in court.

Mark Haskell, aged about twenty-six years, and William Dodg, 3d, aged about thirty years, deposed that Edward Bery had 33li. out of the children's father's estate for payment of debts, and also that before deponent's uncle William Haskel was appointed guardian, said Berry sent word to said uncle by deponent that he could not keep the children of Rodger Hascol any longer and for him to take away deponent's brother Josiah. Sworn in court.

*Writ: Mistriss Elizabeth Newman of Wenham, administratrix and relict of Mr. Antipas Newman of Wenham, minister, lately deceased v. Abraham Reade; for building, breaking up, improving and keeping a certain parcel of land which lay in the land that was in the possession of John Winthrop, Esq., and several years since given by said Winthrop to said Newman, which land lay on Royall side or in that land known by the name of salt house neck in Salem, and which Mr. Daniell Epps, as her attorney, demanded of said Reade and he refused to deliver it; dated Mar. 19, 1676; signed by Samuel Symonds,† Dep. Governor; and served by Daniel Andrew,† constable of Salem, by attachment of house and land of defendant.

The inventory of Mr. Antipas Newman showed a parcel of land at Royall side at 40li., as certified by Robert Lord,† cleric.

"I the subscribed doe acknowledg that the land aboue mentioned was given to my brother Newman deceased by my Father after m^{r} Newman marryed my sister, and this

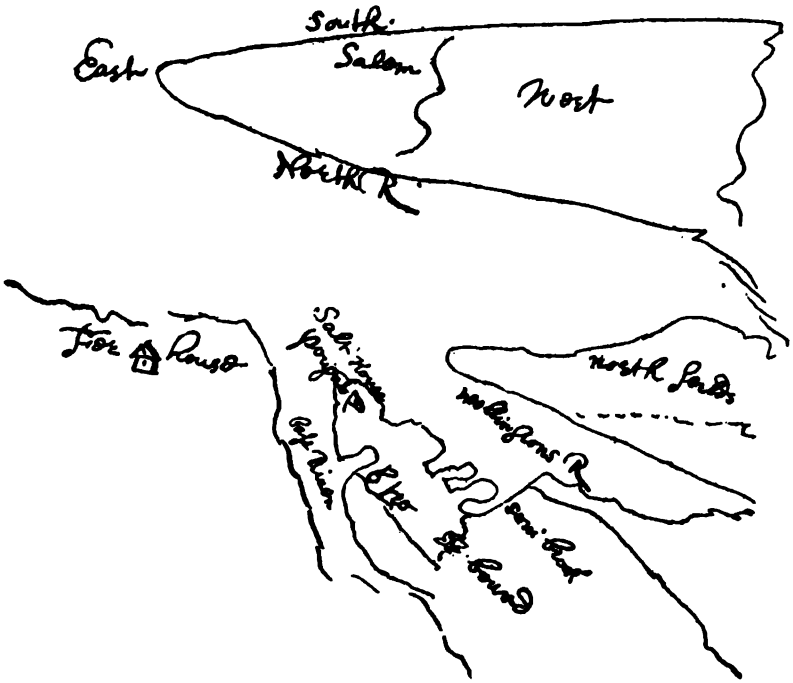
†Autograph.

I acknowledg as I am one of the executers to my Father, and know that the rest of the execut[rs] will owne the same.

"Wait Winthrop."*

Major Winthrop in open court acknowledged the foregoing, Mar. 27, 1677, as attest, Robert Lord,* cleric.

"A Draft of y[e] manner of y[e] Lying of y[e] Land of M[rs] Newmans on Royal Neck in Salem Townshipe: p mee Daniell Epps* this 28[th] March 1677: as neare as I can by y[e] Poynts of y[e] Compass"



Salt house Point and Old Ferry Landing, on what is now Rial Side, Beverly.

Robert Hebbed and Francis Nurse testified, Mar. 28, 1677, that "that parcel of Land here described on Royall necke was y[e] Land Possest & inJoyed by John Winthrope, Esqr. for some yeares about 34 or 35 yeares past according to y[e] Bounds herein described."

Letter of attorney, dated Mar. 15, 1676, given by Elizabeth (her mark) Newman of Wenham to Mr. Daniell Epps, sr., of Ipswich. Wit: Will. Norton* and Daniell Epps.*

"I Roger Conant* being desired to speake what I could

*Autograph.

remember about Mr. Winthrops Farme or land laying att the salthouse on Royals necke, doe testifie hereby that I was one that did lay it out with and by the order of Salem Towne, and Old John Woodbery was a second man apoynted to lay it out with me, and as I remember Captaine Traske was the third man for the laying it out, as for the length there of, it was along Woolistons River sid, from the salthouse corner up to a second brooke (called as I remember stonie brooke) towardes Mr. Endicots farme on the riuer side that way, and Woollistons riuer was the bound all along on that side from the salt house to the affore sayd second brooke, and wee running a lyne on the other sid next Basse riuer|| from the salthouse|| could not goe over the Cove because of the watter or tide that was in the same, the coue runing out from basse riuer into the land wee were laying out (most of the length of the coue being in M^{r} Winthrops land) wherefore wee went about the coue and on the uper, or other sid of the coue Insigne Dixie had a strap of saltmarsh lying, and there at the head of his marsh we marked a great tree for A bound, the river called basse riuer being the bound from the salt house to that tree, and from that tree at Dixies marsh|| at y^{e} west end|| the line was run to an other tree that was a bound and marked from the mouth of stonie brooke in the wood northward from Woolistons riuer, and to the utmost of my memorie (it being thirtie and od yeares past) the breadth of the land at stonie brooke was equall with the breadth from the tree at Dixies marsh to Woollistons riuer." Sworn, Feb. 24, 1673, before Samuel Symonds,* Dep. Gov.

Copy of the record of a meeting of the selectmen, 27 : 2 : 1654, Mr. Curwin, Capt. Hauthorn, Mr. Conant, Jno. Porter, Jeffry Massy, Mr. Price and Edmond Batter being present, "Graunted to Henry Scerry all y^{t} upland Lying wthin y^{e} fence of Jn^{o} Bachelder y^{t} doth fence In his Salt marsh on Ryall Side prouided, itt must Lye In Common, when y^{e} Crop is taken of from itt." Copy made by Jn^{o} Price,* recorder.

Deed, dated Oct. 8, 1673, given by Henry Skerry, sr.,† of Salem, to Abraham Reade, "a certain pcell or pcells of land or two poynts of land containing by estimation, about six acres of land in & belonging to the s^{d} two poynts or necks of land situated lying & being on Rialls side in willistones Riuer soe cal'd it being the two necks of land that lyes below the stony coue soe cal'd downe the Riuer to the sothward, it being all my Right that I had giuen me by the Towne of Salem in that place, the salt marsh y^{t} lyes at the head of the coue between the two poynts excepted, being none of my

*Autograph. †Autograph and seal.

land." Wit: Hilliard Veren, senr.* and Hilliard Veren, jr.* Acknowledged, 20 : 1 : 1677, before Wm. Hathorne,* assistant. Entered in the records in Salem, book 4, fol. 149, 26 : 1 : 1677, by Hilliard Veren,* recorder.

Nath. Pickman, sr.,* aged about sixty years, testified that "30 odd yeares past I Built a House for John Winthrope Esq^{r} at y^{e} Poynt on Royall neck and y^{t} M^{r} Winthrops Land went from y^{e} lower poynt vnto a Second Brooke called Stonie brooke which runs in to Woolistons Riuer y^{e} s^{d} Woolistons Riuer being y^{e} Bound all along on that side and from y^{e} salt house bass riuer bounded it vnto a Coue which coue ran some considerable way into y^{e} land but on y^{e} upper side of y^{e} Coue there was a small strap of Salt marsh & at or near y^{e} end of y^{e} sayd marsh towards y^{e} mouth of y^{e} Coue there was a great tree marked which was M^{r} Winthrops bound And I y^{e} sayed Pittman doe further testifie that Mr. Winthrop did make improuement of a salt house there upon s^{d} Land & kept a familie there a Considerable time and that all persons were forwarned meddling with any wood or Timber & all y^{e} while I had occasion to worke there I know not of any yt did or durst medle with any wood or timber upon y^{e} sd Land but what I and others sold & cut out for y^{e} use of M^{r} Winthrop." Sworn, Mar. 14, 1676, before Samuel Symonds,* Dep. Governor.

Daniell Epps, sr., aged about fifty-two years, and Daniell Andrews, aged about thirty-three years, testified that he demanded the house and land of Abraham Read but he claimed that the land was his, that he had had possession of it about three years and built the house then upon it, etc. Sworn in court.

Robert Hebard,* aged about fifty-eight years, deposed that about thirty-three or four years ago he dwelt with Mr. John Winthrope at the salthouse upon Royall side when the lot layers laid out the land, and saw the bounds marked. Also that Mr. Winthrope enjoyed and possessed this land all the time he lived with him. Sworn, Feb. 24, 1673, before Samuel Symonds,* Dep. Gov.

William (his mark) Bennet, aged about seventy-three years, deposed that "when John Winthrope, Esq^{r} was at y^{e} Salthouse 30 odd yeares past y^{t} I haueing occasion to worke there upon Carpintry worke some times for M^{r} Winthrope & some times hewing Timber for ship or vessells vse upon y^{e} Comon Lands Adjacent M^{r} Winthrope haueing a house and Family there some considerable time & carried on y^{e} designe of making salt," Mr. Winthrop showed him the bound marks, etc. When Mr. Epps desired deponent to

*Autograph.

Robert Crose v. Hugh Marsh. Debt. For 16,000 feet of merchantable pine boards. Withdrawn.

Selectmen of Newbury v. Capt. Paull White. Review. Nonsuited.

John Emery v. Benjamin Tompson. Verdict for plaintiff. Appealed to the next Court of Assistants at Boston. Benjamin Tompson bound, with Lift. Richard Way and Jonathan Moore as sureties.*

Hugh March v. Steephen Crose. For withholding 12,078 feet of boards. Withdrawn.

Sergt. Thomas Clarke v. John and Joseph Prockter. Debt. Withdrawn.

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show the bounds three years ago, he saw a little house built upon the land. Wit: Daniell Epps† and Lionel Epps.† Sworn before Daniel Dension.†

*Writ, dated Boston, Mar. 9, 1676-7, signed by Ephraim Turner,† for the court, and served by Samuell Davis,† constable of Charlestoun. Bond of Benjamin Tompson.†

John Knight, sr., deposed that some time the last summer he agreed with Mr. Benjamin Tomson of Charlstoune for a bill he had once due to John Godfary, and deponent paid Tomson, said bill being made to Godfary from Jams Jakman at Neubery. Sworn in court.

"That wheras there was formerly a deed of Gift of my estate drawne from me John Godfry unto Beniamin Tompson of Charlstowne, the which done by fradelant meanes, my selfe and most of the company being drunke at the same time, he engageing to pay unto me for my yearly maintenance, the full & iust sum of ten pound in silver, the which was never payd to me to the value of one farthing, though the sd ten pounds, was yearly engaged to be payd dureing my life, I also upon our agreement, was to have liberty to make use of all of it, or any part of it, if I had ocation, use of it for my nessessary use and suply of my nesessityes, all that ever he did for me, once when I was in Boston prisson he was an occation of my being let out, the truth of which I being in pfect sence and memory I do protest upon my soule before God and as I am a dyeing man. In testimony whereof I sett my hand the twenty sixt of July 1675." John (his mark) Godfry. Wit: Charles Nicolatts and Samuell (his mark) Steeven. Sworn, in Ipswich court, Sept. 29, 1675, before Samuell Symonds, Dep. Govr., and Wm. Hathorne, assistant. Copy made Mar. 27, 1677, by Robert Lord,† recorder.

†Autograph.

Deacon Wm. Goodhue v. Wm. Bennett. Debt. Said Bennett acknowledged judgment to Goodhue in wheat, pork and malt.

Major Genrll. Denison v. Richard Hutton and John Walderne. Debt.

Wm. Jarman acknowledged judgment to Richard Knott in fish or mackerel.

Mr. Jonathan Wade, foreman of the grand jury, for non-appearance, was fined.

John Hale was licensed to make sturgeon at Nuberry.

Thomas Greenslett dying intestate, court granted administration upon his estate to Ann Greenslett, who was to pay the debts as far as the inventory, which was 3li. 16s. 2d., would allow.

Mr. John Woodbridge, Nicholas Noyse and Daniell Pearce, jr., were confirmed as commissioners to end small causes for Newbury.

Court being informed that great danger and much damage had happened to divers persons by reason of the flume at the mill in Ipswich not being sufficiently secured, ordered the owner, overseer or occupier, within fourteen days, to cover the said flume closely and sufficiently with strong planks, well fastened, and that the head of the flume be well guarded with a sufficient grating to prevent all future damage, under penalty of 10li. to be levied by distress of the master or present overseer or occupier of said mill.

It was further ordered as formerly that a gate or passage be constantly left open for the passage of alewives up the river for a month's time in the season.

John Cole of Marblehead dying intestate, court granted administration to Mr. Thomas Gardner, and there being an inventory brought in contained in two papers, and one child left, court ordered that the one paper containing 25li. 6s. 6d. be for the child wholly. For the rest of the estate, court ordered that said administrator be gathering in and paying debts and account to the next Salem court.

Wm. Randall being convicted for setting a lamp on fire, court ordered that he pay 10li. to Edward Bragg, also be whipped and stand committed until whipped. He was then to be delivered to his master.

Ezekiell Woodward had his license renewed for a year, also his license for liquors.

Hugh Marsh had his license renewed for a year, also his license for liquors.

John Stone had his license renewed for a year, also his license for liquors.

Andrew Peeters had his license renewed for a year.

Edward Hassen had his license renewed for a year, also his license for liquors.

Mr. Peeter Duncan.

Sarah, widow and administratrix of her husband John Hutchenson's estate, petitioned the court for a division of the estate between herself and her child, that is, that the child should have one-half of the land when she becomes of age, as may appear by two deeds given by her father and father-in-law, and that at said Sarah's decease she should have as much of the other half as to give her two-thirds of the whole; that the rest of the estate be for Sarah's own use, the child to have a feather-bed when of age. Her father Putnam and father Hutchinson consented to this agreement and signed as witnesses. Court allowed this distribution, Sarah to bring up the child until she reached the age of eighteen or marriage.

Joseph Steevens and Ephraim Foster, for their offences about trimming the horse of Nathaniell Roper, were fined.*

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*Warrant, dated Feb. 9, 1676, for the apprehension of Joseph Stephens, Ephraim Foster and John Bridges upon complaint of Nathaniel Roper for abusing his horse about six weeks since, signed by Daniel Denison,† and returned by Nathl. Dane,† constable of Andover.

Summons, dated Mar. 15, 1676-7, to John Faukner, Francis Dane, jr., Richard Barker, Daniel Poore, Samll. Ingals and John Marstone for appearance at the next Ipswich court, as witnesses in Roper's case for abusing the latter's horse by cutting off his hair, signed by Daniel Denison,† and returned by Nathaniel Dane,† constable of Andover.

Elizabeth Smith, aged about twenty years, deposed that Joseph Stevens and Ephraim Foster came to her house the day after they had appeared before Major Generall Denison and she told Joseph that she could not imagine which of all the

†Autograph.

Ephraim Steevens, for reproaching a magistrate, was fined. Abated, upon his humble petition.

Joseph Gudridge was fined for striking Joshua Boynton.

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brothers it was who trimmed Roper's horse and he said it was he who was suspected but he did not do it. He asked deponent where Ruth Ingolls lived, "and he told me that little Tike and the Major had a list of all Andiver men; but I will asure you the Major Generall has none of those men in his list that Trimmed Nat: Ropers horse; and soe he danced and skip'd about y^e^ house as if he had beene mad." Sworn in court.

Ephraim Roper, aged about twenty-six years, deposed that being at the house of John Sparke, John Bridges being there, said that Joseph Stevens asked him where Nat. Roper's horse stood, and he said at his uncle Barnett's. He asked what manner of horse he was, and he told him a small sorrill horse, not thinking why he asked until the next morning when he heard and saw what was done to the horse. Afterward Bridges told deponent that he meeting with Stevens said to him that if he were Roper he would charge said Stevens with it, and he went away blushing and said never a word. Elisabeth Smith testified to the same. Sworn in court.

Ephraim Roper said that the reason he brought in these testimonies was because John Bridges had disowned it before the court. Sworn in court.

John Sparke and his wife Mary testified that John Bridges said he knew nothing about the trimming and Mary said she had been in the town and heard that there was one in Andiver who knew something about it. Bridges replied that it was his man, and when he should come down he would probably tell all about it for he was a very honest fellow and would tell the truth. Deponent asked him where he and Nat. Roper were that night and he said at Serjeant Ingollses, where there was a company of young lads, among them Joseph Stevens, and that the latter and two others sat whispering and laughing, until he wondered if they were laughing at him. Also that he and Roper went home at ten o'clock, the young men going a little before. Elisabeth Smith attested to the same. Sworn in court.

Thomas Dow, aged about twenty-three years, deposed that Joseph Stevens said in John Sparke's house that he who did the ugly trick was probably very sorry he had done so, but Nathanaell Roper he said had left out two of the chief ones in his list, viz., the clerk and the ensign. Sworn in court.

Ephraim Foster deposed.

The case being heard, his bond in the Deputy Governor's hand was void.

John Cooke was ordered to pay cost in an action brought against Ens. Jo. Gould and not prosecuted.

Daniell Button dying intestate, administration upon the estate was granted to John Bartlett, sr., of Newbury, who was ordered to bring in an inventory to the next Ipswich court. The estate was to be ordered according to his mind, a cow to James Kingsbury, and the rest of the estate to the rest of his brothers and sisters.

In the complaint of the widow Hasseltine against Nathan Webster about killing her mare, he was to pay costs and damages.*

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*Warrant, dated Mar. 17, 1676-7, for the appearance of Nathan Webster, upon complaint of Anna Hazeltine for suspicion of shooting her mare, signed by Daniel Denison,† for the court, and returned by Abraham Hazeltine,† constable of Bradford.

Summons, dated Mar. 17, 1676-7, to David Hazeltine, Abraham Hazeltine, Henry Kimbal, Mercy Kimbal and Robert Hazeltine, signed by Daniel Denison.†

Robert Hesseltine, aged about twenty years, deposed that the past winter when his mother Hezeltine's mare was killed, he was at the house of his cousin Nathan Webster and asked him who he thought killed her and he said he did. Deponent asked him again and he said "yea, I think it was I." The day after the mare was killed Nathan Webster was at their house and said he would carry home his plain shoes till he went to kill more horses again. Sworn in court.

David Haseltine and Abraham Haseltine, inhabitants of Bradford, testified that after they heard that their mother's mare was killed, they saw tracks where a man with plain shoes had gone into the field, a dog following him, and found a piece of tow which had been the wadding of a gun, the mare having been shot with a bullet. They tracked the man to the highway and to the house of said Webster, etc. Sworn in court.

Nathan Webster affirmed that Anna Haseltin told him that the mare was Robert's before his father died.

John Watson, aged about thirty-three years, testified. Sworn, Mar. 11, 1677, before Nath. Saltonstall,† commissioner.

Henry Kimball, aged about twenty-two years, deposed

†Autograph.

George Major, for burglary and stealing pork and beef from John Knight, was fined and ordered to be branded on the forehead with the letter B and bound to good behavior.*

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that being at Nathan Webster's house, and having heard Mr. Sims preach against the sin of cruelty and revenge, one neighbor against another, he told Nathan it was a pity that he was not at meeting to have heard it. He further asked Nathan why he killed his aunt's mare and he said to make mares a commodity for he wanted a market for his; when asked if he killed Robert Hazeltine's mare, he answered "yea," and when asked how long he had reigned in his wickedness he answered all the days of his life, etc. Mercy, wife of Benjamin Kimball testified to the same. Sworn in court.

Thomas Hardee and Caleb Hopkissen deposed that the latter end of the last year they being at Mr. Sims watching, Nathan Webster said that he killed the sheep of his uncle Robert Haselton when they went into his lot and stopped the holes where they got in with them. Sworn, Mar. 26, 1677, before Nath. Saltonstall,† commissioner.

Robert Haseltine and Girshum Haseltine testified. Sworn, Mar. 26, 1677, before Nath. Saltonstall,† commissioner.

Abigale Roffe, aged about sixteen years, deposed that she dwelling in John Heseltine's house, etc. Sworn, Mar. 26, 1677, before Nath. Saltonstall,† commissioner.

Josiah Gage, aged about twenty-eight years, deposed that being at the house of John Heseltine of Heaverhile, Webster said that if he killed the mare it must have been in his sleep. Sworn, Mar. 26, 1677, before Nath. Saltonstall,† commissioner.

Letter of attorney, dated Mar. 24, 1676-7, given by Ann (her mark) Haseltine to her son David Haseltine. Sworn before Nath. Saltonstall,† commissioner.

*Summons, dated Mar. 19, 1676-7, for the appearance of George Major, also to witnesses, John Badger, Joseph Knight, Hugh Pike, Joseph Downer, Mary and Sarah Knight, James Black, Jon. Mechill, and Ja. Mirik, and to John Tappin, John Coffin, and Robin, Hugh Marster's man, as witnesses in another case concerning the Richardsons, and William Saiier, jr., Edward Ardway, —— Seers and Tersa Tidcom, signed by Daniel Denison,† and returned by Joseph Pike,† constable, who reported that Major's wife could not leave her sick child without danger.

John Badger and Joseph Knight deposed that they went to Georg Mogior's house to look after some meat that was stolen or lost out of the house of John Knight, sr.; they found

†Autograph.

a piece which Knight said was his but Goodwife Magior said she had it of Goodwife Kely. The latter denied it and Knight sought to prove that it showed in his barrel of pork where this piece had been taken out, etc. Sworn in court.

Mary and Sara Knight deposed that they asked Mogier's girl where her mother had put the meat and the bag and she went to speak to her mother about it. Her mother struck her in the mouth and said "Husy, you shall not tell, thay shall never know whear it is and I will make it my bisnes night and day to cep her in." Later a dog was seen eating a leg of good fresh pork a little below Major's house. Sworn in court.

Joseph Knight testified that Major's wife said she had the pork of Sara Kelly, etc. Sworn in court.

Hiugh Pick testified that Major's wife told his master Knight that some of the Knight children must have brought the meat to her house and put it in her barrel or in at the window. Knight replied that would not be rational, etc. John Knight, sr., testified to the same. Sworn in court.

John Michell,* aged about twenty-six years, deposed that the year before last when he lived with Mr. Richard Kent, Georg Mogiar tried to persuade him to steal from his master a cheese now and then, saying that it would never be missed, but deponent told him he would never be a thief. Sworn in court.

Joseph Dounar, butcher, aged about thirty-six years, deposed that he killed and cut up John Knight's swine, etc. Sworn in court.

Joseph Knight, aged about twenty-five years, deposed that he went to Georg Mogier's house and asked where his meat was that was brought to his house at break of day. She turned pale and then blushed as red as a red cloth. He asked what meat she had in the house, and she replied that maybe she had forty pieces of pork and four or five pieces of beef. He asked what they had lived on all winter if she had so much left now. Also that the houses of deponent and the Major's were near together, etc. Sworn in court.

John (his mark) Whichar, aged thirty years, and Hanah (her mark) Spoford, aged twenty-one years, deposed that Georg Mogior came into their house and speaking of John Knight's pork, said "If I haue his pork I wish the devill might teare mee in pecces body and soalle as small as my tobacco pipe and I wish the devill would fech away John Knight boody and soalle and all that dou belong to him . . . . Sara Keally saide how dow you dare to wish such wishes dounot you knowe

*Autograph.

Benjamin Kimball chose Walter Fairefield to be his guardian.

Pricilla Law chose John Bayly to be her guardian and the court allowed it, upon the same terms that his father James Bayley was, to whom she was formerly committed by the court.

Ossmund Traske of Beverly dying intestate, administra-

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that god hears you: yeas said hee: but I must wish such wishes and will wish soch wishes: saide John whichar get the out of dores for if thou dust follow this coarse thou wilt Com to the gallos: saide Mogior I care not If I dow I wish I wear out of the world."

Jams Black testified that about half an hour before day when his master had gone to Boston, hearing some noise in the house, arose, took his breeches and shoes in his hand, went down stairs and saw Georg Magior carry away a sack of meat. His master kept the beef in the parlor and the pork in the kitchen. Major told him if he would say nothing about it he would give him something he liked. Deponent went to Major's house later and saw the meat on the floor and Goodwife Mogior said "thee art a good boy Jams; said I why: I good boay. my husband tell thee anon: when he Com hom." Major said "good Jams Cepe Counsel and when thy mastar coms home hell mis his meat and Charg thee for stelling it but tell him thee dide never giue any body on bit and thee speckist trou: then heell Com to mee and ask mee: why I did case his neggar to steall meat for him: and I will strongly afirm I had: nara bit of meat of thee," etc. Also Magior several times urged deponent to steal from his master powder and wool, and his wife asked him to take her little white bag to steal meal and sugar, etc.

Hugh Pick testified that Mogior asked him to steal powder, etc.

Anthony Mors,* aged about forty-five years, deposed that some time last summer "Georg Mogior cam by my houss and Ran after my boye with his gun presente at the child and hee being afraid Ran into a hogsty from him I Coming to see the matr asked him whiy he Ran aftr my bwoy: he the said Mogior gaue mee vary bad languidg and saied Ill shute the doune presently: & presente his gun at me Redy Kokd and chargd and I did loock emediatly to bee ciled: but thoro gods prouedenc wee got away his gun and then he drad his sord and swagared with it till wee got that away also."

*Autograph.

tion upon his estate was granted to Elizabeth Traske, relict and widow of said Ossmund, and an inventory amounting to 841li. 9s. 5d. was brought in. The estate was ordered according to an agreement in writing presented and allowed.

Richard Woolery was fined for cursing more than once and was ordered to pay costs to Joseph Pike, constable.

Hester Holmes, relict and administratrix of the estate of Robert Holmes, having brought in an inventory of 20li. clear estate and two children left her, court ordered the estate to her for the bringing up of the children.

Edward Maners having stolen 30s. from Wm. Damford in money and goods and being committed to prison to appear at this court, and having broken prison and made his escape, court ordered that said Damford have his things restored to him, and Manners was fined.

Abigaill Morse was ordered to be whipped for fornication unless she pay a fine.

Sarah Gowin was ordered to be whipped for fornication unless she pay a fine.

Joss, merchant Wainwright's negro, was ordered to be whipped for fornication, and to pay to Sarah Gowin or her father 2s. per week every week or 8s. per month or to be distrained for it by the marshal.

Wm. Latimore, being complained against by a testimony of Thomas Browne, was ordered to appear at Salem court.

Hanah Howard, for fornication, was ordered to be whipped or pay a fine.

John Hunkins was bound to appear at the next Ipswich court, with Joseph Lee as surety.

Thomas Leonard, Samuell Moore and Blaze Vinton for robbing upon the highway, were ordered to be branded upon the forehead with the letter B and each to pay to Wm. Lattimore five nobles and to Richard Simmons, 20s., and for affronting and abusing Bellringer and Stace upon the highway, they were fined and bound to good behavior. Court ordered the marshal to pay out of what was allowed to Bellringer and Simmons to Mr. Latimore 15s. each for their charges in prosecuting.*

*William Lattarmore testified that upon the 9th day of

this month coming from Boston in the evening near Gorg Darling's, he met with Tho. Lenard, Samuell More and Blaze Vinton in the King's highway. "The furst salutation that I had Tho. Lennard bid me stand: and Asked me whoe was thare and I made Answer we ware men: then Lenard chalinged us of our horsis to try our manhood and said that he would take me by y^e^ Iylides and make my heels strik fiar against the eliment: sum small spass aftar these words the abouesaid lennard and Samuell more folowed me and plucked me of my horse and robed me and touck from me: a gould ring tow shilings in monny of silver and Gould ribbin: and fower yards of silver twest." Sworn, 18 : 10 : 1676, before Wm. Hathorne,* assistant.

Richard Simons testified that he was with William Lattarmor and John Trevit, and was pulled from his horse, chased and forced against a tree, where they struck him as many as a hundred blows. At last someone came from Darling's and rescued him or else he might have been robbed for he had a great deal of money about him, etc. Sworn, 18 : 10 : 1676, before Wm. Hathorne,* assistant.

Lenard Bellringer testified that some time last December coming from Salem upon a Saturday night at Forris river, he laid down his net lines at the foot of the bridge. Three horsemen came along, the same who abused Latamore, and Sam. Moore stooped down with his stick, took up the lines and threw them into the river, saying, "You doge fetch them out or els I will put you in or throw you into the rivar." So he was obliged to get his lines from the river and they beat him and told him never to sit on a bridge when gentlemen pass by. Sworn, 16 : 1 : 1676-7, before Wm. Hathorne,* assistant.

John Bassay testified that about Dec. 9 in the evening he, Samuell Peeke and Mr. Blainar saw Tho. Lenard, Blaze Vinton and Samull More go into Gorg Dalings house and stay awhile, and after they went away deponent heard a great combustion, men cry out and blows pass. They went into the house and found Richard Simons down and some of the before mentioned men upon him, but when they saw them they left him, etc. Sworn, 22 : 11 : 1676, before Wm. Hathorne,* assistant.

Jno. Trevett, aged about twenty-two years, testified that the three men met with them between Darling's and Richard's houses "in y^e^ Dusk of y^e^ Euening and these men asked who Comes there we Answered friends they Bid us stand but we thought noe harm but Rid on ou^r^ way," etc. Mr.

*Autograph.

Upon strong information by divers persons that Wm. Lattimore said that Blaze Vinton did not strike him but endeavored to rescue him, court respitted that part of the sentence of branding until Salem court. Said Vinton bound for appearance at the next Salem court, with his brother John Vinton, as surety.*

Samuell More was bound to good behavior, with Richard More as his surety.

Blaney rescued them, etc. Sworn, 22 : 11 : 1676, before Wm. Hathorne,† assistant.

Jno. Stascye, aged about twenty-six years, deposed that coming from Salem in the south field, the three men overtook him, took his hat off and carried it away, etc. Sworn, 18 : 10 : 1676, before Wm. Hathorne,† assistant.

Jno. Blanye, aged about forty-six years, testified that he with Samuell Pike and Jno. Basye had some business at George Darling's house where they found the three men complained of, having two pots of cider and cakes. When they had paid, the three bade them farewell and away they went. One of the men they assaulted was from Boston and had nearly a hundred pounds with him, etc. Sworn, 18 : 10 : 1676, before Wm. Hathorne,† assistant.

Samuell Pik,† aged about twenty-two years, testified on 22 : 11 : 1676, etc.

*William Lattemor testified that when he was robbed on the highway Blaze Vinton pulled the men from him and if it had not been for Vinton, they would have murdered him. Sworn, 10 : 2 : 1677, before Wm. Hathorne,† assistant.

Thomas Browne, aged twenty-two years, testified that he being at Theophilus Baylye's house and hearing a noise upon the common, crying murder, found William Latymore fighting with a man and striking many blows, calling him odious names not fit to be spoken by men, as rogue, bastard and fool. Sworn, 10 : 1 : 1676-7, before Wm. Hathorne,† assistant.

Edmond Bridges deposed that discoursing with Belringer about the fray, the latter said that if ever he met with Blaze Vinton, "if I haue but one shilin he shall haue part of it for when more and Lenard was foule on me Vinton stood a prity way from us and leaned on his horse and nether said nor did to my damige."

Joseph Holoua, aged thirty years, testified that being at Goodman Balie's house at Lin, etc.

†Autograph.

Thomas Leonard was bound to good behavior, with Ens. John Gould and John Newmarsh as sureties.

John Lee, for knocking down Daniell Hovey and abusing the constable, was fined and bound to good behavior. Said Lee was bound, with Esaiiah Wood and Wm. Hayward, as sureties.

Joshua Richardson, Caleb Richardson and Edward Ordway complained of for breaking up the meeting house at Newbury and breaking a pew and chairs, were tried by a jury and found guilty. They were to be whipped or pay a fine and were also bound to good behavior.*

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*Tristram Coffin, aged forty-five years, testified that he saw Joshua Richisson on Wednesday, the next day after the pew or seat was broken in January, and he could go as well without limping as ever he could. Sworn in court.

Tristram Coffin, aged forty-five years, testified that the day the pew was broken, the windows of the meeting house were all fast and the window which was broken was fastened with two hasps. One hasp was broken and the glass broken. Sworn, Feb. 22, 1676, before Daniel Denison.†

Robard Carr testified that Joshua Richisson had his great coat on the night he saw him at his father's house when deponent was sent to carry a warrant to Ensign Grenlefe's house, it being the same night that the pew was broken. Sworn in court.

Anthony Morse, sr.,† affirmed, 23 : 12 : 1676, that he was appointed to look after the meeting house and had been careful to make fast all the windows and doors, but notwithstanding, the windows had been broken several times and the meeting house made common by reason of such disorders. The door was daubed with a sarrowans and the key hole stopped up with it so that he had difficulty in opening the door. Sworn in court.

Tristram Coffin testified that there was a sarrowans put in the corn which was put up in the meeting house loft for security, which was in a cask in the chamber. Sworn, Feb. 22, 1676, before Daniel Denison.†

Petition of divers inhabitants of Newberry, dated Apr. 23, 1677, that though they are far from justifying the outrageous practices of the young men sentenced by the court and they do not question the justice of the court's decision. "We do not know any of the young men have bin detected of open

†Autograph.

crimes but haue bin diligent & laborious to promote & support their parents who stand in need of their help. they haue bin imployed in publike service, haue endured hardshipps, & adventured their lives & limbs for the Country: & they haue openly, ingeniously, & solemnly made acknowledgment of their offence, before many assembled to that end," on which account the petitioners asked that their fines be abated. Signed by Paull White,* Tho. Woodbridge,* H. Shortt,* Persavell Lowle,* Nathanell Clarke,* Joseph Coker,* Caleb Moodye,* Wm. Chandler,* Stephen Greenleafe, jr.,* Benjamine Lowle,* Jonathan Woodman,* Joseph Bayley,* Samuell Poore, sr.,* Hendry Jackwish,* Jno. Dole,* Joseph Downer,* Benjmin Rolfe,* John Atkinson,* Robert Coacker,* Archelaus Woodman,* Jacob Tappen,* Edward Wodman, sr.,* Joshua Woodman,* Robt. Batlet, sr.,* Isrell Webster,* Samuel Bartlet,* Robert Long,* Robert Beadell,* George March,* Stephen Swet,* John Bayley,* John Poore, sr.,* John Webster, sr.,* Peter Toppan,* Edward Woodman,* John Batlet, sr.,* John Bartlet, jr.,* Daniel Lunt,* Edmund Mooars, sr.,* Francis brown,* Beniamen Morse,* Joseph Muzie,* Nathaniell Bricket,* Edward richesen, sr.,* Jams Ordway, sr.,* John heall,* Wm. Morse,* Anthony Somerby,* John wollcot,* Thomas Browne,* Petter Godfry, John Swett, Wilum Pilsbery,* Wilum Sayer, sr.,* John Sayor, Nathannel Merel, Danniell Merel, Moses Pilsbery, Henry Sewall,* John Sewall,* Tristram Coffin,* John Knight,* Stephen Grenlefe,* Richard Knight,* Richard Dole,* Samuell Plumer,* Recherd Kent,* John Emery, jr., Jonathan Emery,* Joseph Pike,* Thomas hale, jr.,* John Badger,* Daniell Chenie,* thomas hale, sr., John Knight, jr., Nicolas Noyse, danill Peirce, sr., Daniell peirc, jr., Antonie Morse, sr.*

James Ardoway, aged fifty-four years, and John Kent, aged about thirty-two years, deposed that they heard Franses Browne, one of the selectmen of 1676, say that the seat in controversy was set up without order from the townsmen and that Goodman Knight and Goodman Greenlefe owned that it was set up contrary to their knowledge. Sworn in court.

James Ordway and John Kent testified that the major part of the town did so justify the act of pulling down this pew that they gave a general vote that the seat should be reduced to its former station and be a common seat as formerly. This vote was taken Mar. 5, 1676-7. Owned in court.

Edward Richardson, sr., and James Ordway, sr., deposed that it was voted at a general town meeting that the seats

*Autograph.

Richard Carr, complained of for the same crime, was found not guilty and discharged.*

Upon Mr. John Giffard's complaint against Christopher Temple, it was ordered that Temple return to said Giffard within one week and serve him a year and a half or pay 6li. Abraham Martin was to pay the costs.

Walter Roper, presented by the grand jury upon complaint of Mr. Wm. Cogswell upon suspicion of a false oath and not proved, was discharged.

Benjamin Herrick dying intestate, administration upon his estate was granted to his brothers Zachry and Ephraim. The estate was to be divided among all the brothers and sisters excepting Thomas, viz., Zachariah, Ephraim, Henry, Joseph, John and Elizabeth, wife of Phillip Fowler. The mother of said Benjamin was to have the income of the land during her natural life. Zacheriah and Ephraim were bound.

Court adjourned to the last Tuesday in April.

COURT HELD AT SALISBURY, APR. 10, 1677.

Major Genll. Denison, president; Major Pike, Capt. Saltonstall, Mr. Samll. Dalton and Capt. Bradbury, associates.

Grand jury: Abraham Pirkins, foreman, Phillip Challis, Tho. Barnard, John Haseltine, Daniell Hendrick, Moses Gillman, Rodger Easman, John Ilsley, Jno. Gill, Francis Page, Joseph Dow and Thomas Sleeper.

Jury of trials: Tho. Filbrick, foreman, Wm. Fifeild, Edward Gove, Henry Moulton, Robert Swan, George Goldwyer,

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in the gallery should be made up again as they were before the pew was pulled down, and there were no votes in the negative. Owned in court.

John Topen testified that Edward Ordway told him that he was one of those who pulled down the seat. Sworn in court.

*George Carr and Jams Carr testified that on Jan. 12 Richard Carr went into the Salisbury woods with deponents to cut timber and remained with them until about ten o'clock when they went to bed at home and in the morning saw him get ready to go into the woods again. Sworn, Mar. 24, 1676-7, before Samll. Dalton,† commissioner.

†Autograph.

Willi. Buswell, Henry Browne, Jno. Clough, John Foulsham, Samll. Foot and Samll. Weed.

Daniell Ela v. Abraham Whitticker. Appeal from a judgment of Capt. Saltonstall. Verdict for defendant, confirmation of the former judgment.

Edward Gove v. Jno. Griffyn. Appeal from a judgment of Capt. Saltonstall about a horse. Verdict for plaintiff, the reversion of the former judgment. Appealed to the next Court of Assistants. Jno. Giffyn bound, with Jotham Hendrick, as surety.

Edward Gove v. John Griffin. Appeal from a judgment of Capt. Saltonstall about a saddle. Verdict for plaintiff. Appealed to the next Court of Assistants. Jno. Griffin bound, with Jotham Hendrick, as surety.

Jno. Haseltine, sr. v. Abraham Whitticker. Review of a case tried at Hampton court, 10 : 8 : 1665, concerning mowing grass and taking it away from his Spickett meadow. Verdict for defendant.*

*Abraham Whiticker, jr., aged twenty years, and William Whiticker, aged eighteen years, deposed that their father had been molested many years by John Haselton, sr., or some of his sons, once at Spicket meadow at the end next said Haselton's meadow, by carrying away grass, etc. William Whitt

From Samuel Dalton's commissioner's records. See *ante*, vol. 5, p. 235.

On 28: 9 : 1676, Charles Runlett, attorney to Alexander Gordin v. John Kimin. For withholding pay due for six days' work about two years since. Judgment for plaintiff.

On 12 : 10 : 1676, William Marston v. John Young. For withholding pay due him for wintering and keeping an ox. Judgment for plaintiff.

Ensign John Samborn and Abraham Perkins, sr., on Mar. 31, 1677, took the appraisers' oath.

Georg Pearson and Ann Taylor, both of Exeter, were married Apr. 2, 1677.

On Apr. 2, 1677, whereas Jacob Garland was convicted of disorders upon the Sabbath day night on Mar. 25, which he denied at his first examination, he now manifesting some degree of penitency and owning his fault, was fined and ordered to make the following acknowledgment in a public meeting:

"I Jacob Garland Doe Acknowledg thatt I did Acte foolishly and sinfully in being late at the ordinary on the sabath Day att night y^e^ 25 Day of march last and the same night Goeing into the meeting house & Ringing the bell aboutt ten of the Clock att night to the disturbanc of the Towne & Giveing Just Cause of offenc to the Inhabitants: for which offences I Doe Crave pardon of God & His people, and Doe Desire thatt this my Acknowledgment may be Accepted of this Assembly and a warning to others to take Heed of falling into the like or any other Evill practices."

Jno. Severans v. Ensign Buswell, Jno. Ilsly, Henry Brown and Wm. Brown, in behalf of the church of Salisbury. For withholding pay due to said Cornet Severans for providing for and entertaining divers gentlemen sent for by the said church to sit in council at Salisbury in Sept., last, they being entertained four days, which charge was about 16li., 5li. being promised to be paid in wheat or pork and the rest in provisions at money price. Special verdict. Two of the church were chosen to provide for the council and one acted, so if the act of one bound the church to pay, they found for plaintiff, if not, for defendant. Court gave judgment for plaintiff.

Capt. Walter Barefoot v. Christopher Palmer. Review of a case tried at Salisbury in 1675, in which said Palmer, as assignee of George Norton was plaintiff in an action of debt, and said Barefoot defendant. Special verdict. If in the last clause of the bill with a seal to it according to law makes void the obligation, they found for plaintiff, if not, for defendant. Court found for defendant. Appealed to the next Court of Assistants. Capt. Walter Barefoot bound, with Edward Colcord, sr., and Phillip Grele as sureties.

Peter Tappin v. Ralfe Hall and Charles Hilton. Debt. To be paid in boards and pipestaves as by bill of Nov. 20, 1667. Verdict for plaintiff.

Jotham Hendrick, assignee of Jabez Hendrick v. James Sanders. Debt, in wheat or pork. Verdict for plaintiff.

Mr. Jno. Groth v. Will. Brooking. For withholding money due for medicines, skill and pains upon defendant's leg or ankle in Dec., 1665, with forbearance. Verdict for defendant.

Henry Lamprey acknowledged a judgment of 50li. due to Major Tho. Clarke.

Robert Jones acknowledged a judgment of ten thousand feet of white pine board due Benjamin Allin at 40s. per thousand.

Upon motion of David Robinson, who was appointed by this court administrator with his mother of the estate of Jno. Robinson, late of Exiter, deceased, court ordered that he pay

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and James Daves also testified. Sworn, Apr. 9, 1677, before Nath. Saltonstall,* commissioner.

*Autograph.

the debts and return an account; also that the remaining estate be kept in the hands of the administrators during the lifetime of the widow Robinson, and then to be divided among the children who survive.

Daniel Ela's license to keep the ordinary for Haverhill for the ensuing year was renewed.

Henry Robie had his license to keep ordinary for the town of Hampton renewed for the ensuing year.

Mr. Jno. Gillman was licensed to keep the ordinary for Exiter for the ensuing year.

Capt. Thomas Bradbury was appointed guardian of his grandchild Wymond Bradbury.

Ephraim Winsly took the oath of fidelity, and was sworn constable for Salisbury for the ensuing year.

Ephraim Winsly and Phillip Grele were discharged of their bond for Ben. Grele's appearance.

Benjamin Grele was bound for appearance at the next Hampton court in an action brought by Robt. Clement concerning abuses to the latter's daughter.

Kinsly Hall was sworn constable for Exiter for the ensuing year.

Capt. Barefoot's bond for appearance, which he forfeited, was moderated.

Joseph Peasly, complained of by Peter Bruer for beating him with a chain, was ordered to pay him in corn and money, and was bound to good behavior. Joseph Peasly and Jotham Hendricks bound.

Joseph Peasly, presented for abusing Timothie Swan of Haverhill, was ordered to pay 20s. in corn to Robert Swan, said Timothie's father, and was bound to good behavior. Joseph Peasly bound, with Jno. Hendrick and Jotham Hendrick as sureties.

John Barnard and his wife owned that they were guilty of fornication, he being fined 3li. and she 40s.

Paltiell Hall, for fornication, was sentenced to be whipped unless she pay a fine.

Upon motion of Capt. John Gillman of Exiter concerning an Indian servant called John French who put himself under Capt. Gillman's tuition about the beginning of the war with

the Indians, court ordered that he return to said Gillman forthwith and do him faithful service.

Dorethie Rolenson, for stealing from Mr. Wm. Bradbury to the value of 20s., court ordered that she pay 3li. or treble damages according to law and be whipped with ten stripes or pay a fine.*

Upon motion of Mr. Samll. Dalton in behalf of Jno. Marian and Margerie, his now wife, formerly the wife of Dea. Willi. Godfrey, concerning Nathll. Smith, who was formerly given to said Godfrey and Margerie as their own and who also kept him from a child, court ordered that said Marian and Margerie keep him until he reaches the age of twenty-one years, and that he should do them faithful service.

Whereas Susannah Buswell, wife of Isaac Buswell, jr., was convicted of burglary and lying, court ordered that she pay to Ensign Wm. Buswell 6s. which he lost, also to sit in the meeting house in lecture time about the middle of the alley with a paper pinned upon her head written with these words "FOR BURGLARY & LYING" in capital letters.

Ensign Buswell and Ephraim Winsly were appointed administrators of the estate of Mrs. Anne Winsly, widow.

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*John Cottle testified that Goodwife Rowlingson coming to his master Bradburies house when there was nobody at home but himself, asked if he had nothing to give her. Deponent said that he had not; then she went to the drawer, took out a pair of Holland sleeves and asked if she might not have them. He told her no, that his mistress would want them, for she used to wear no other to meeting. She said it was no matter, his mistress would not know who had taken them if he would but deny it stoutly. She carried them away and after some space of time his mistress missed them and deponent told said Rowlinson but the latter encouraged him to deny it. Then he went to get them and she told him that she was not such a fool as to give them to him and bring shame upon herself when there was only one witness, etc. Ane Cottel† also testified "some other smal things wich your Mrs wld not miss she sayede and counseled me to get more things for her goody rouleson and some for herselfe and that she ould keepe them fore her the sayed searuante." Sworn, Apr. 10, 1677, at Salisbury court.

†Autograph.

Capt. Jno. Gillman of Exiter and Ensign Will. Buswell of Salisbury were appointed to lay out a country way from Hampton to Portsmouth as far as the bounds of Hampton or the bounds of the County of Norfolk extends, giving notice to the selectmen of Hampton of the time of their meeting and make return to the next county court of Norfolk.

Tho. Sargent took the constable's oath for Eamsberrie for the ensuing year.

The treasurer was to dispose of ten shillings to the servants according to his discretion.

A division of Jno. Dow's estate according to court in 1673, made Mar. 3, 1676-7, by Onisiphorus Mash and George Browne, upon request of Onesiphorus Page of Salisbury and Samll. Shepard of Haverhill. Approved, Apr. 10, 1677, in Hampton court.

COURT HELD AT IPSWICH, APR. 24, 1677, BY ADJOURNMENT.

Mr. Dudly Bradstreet, Lift. John Ossgood and Ens. Tho. Chandler were allowed to end small causes for Andover.

John Pearson brought an account of work done at Thurrill's bridge amounting to 30s. allowed to be paid by the treasurer.

John Whitcher, Mary Knight, Steeven Lavemer and John Michell, witnesses summoned in George Major's case, and not appearing, were fined.

Execution, dated Apr. 15, 1677, against Robert Jones to satisfy judgment granted Benjamin Allin, Apr. 2, 1677, by the commissioners of Salisbury, signed by Tho. Bradbury,* cleric, and served by Henry Dow,* marshal of Norfolk. Benjamin Allen's* receipt to John Osgood of Salisbury, in full satisfaction for this execution.

Execution, dated Apr. 15, 1677, against Robert Jones to satisfy judgment granted Benjamin Allin, Apr. 10, 1677, at Salisbury court, signed by Tho. Bradbury,* recorder, and served by Henry Dow,* marshal of Norfolk. Benjamen Allen's* receipt to William Osgood of Salisbury.

Execution, dated Oct. 12, 1677, against Robert Ring to satisfy judgment granted Phillip Grele, Oct. 9, 1677, at Hampton court, signed by Tho. Bradbury,* for the court, and served by Henry Dow,* marshal of Norfolk, who delivered him to John ——ter, prison keeper of Norfolk.

*Autograph.

George Major, presented for cursing, was fined.

John Donoger, servant to Nathaniell Tredwell, for spoiling a cow of Haniel Bosworth's for which his master paid 3li. 10s., was ordered to serve his master one year after his time was out.

John Marsh, presented for persuading Richard Carr to pull down a pew, was discharged.

Jonathan Platts complained against Mr. Samuell Phillips for charging him with the rest of the town with the sin of cheating, for calling him scoffer, an Ishmaelite and persecutor of God's people. Withdrawn.*

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*James Neill deposed that the last winter when the ministry rate was gathered, Richard Holms brought two bags of Indian corn, about four bushels in both, and was very loth to have them levied, saying it was measured and so persuaded Deacon Jewit who bade deponent carry them up into the chamber. Deponent took one of the bags on his shoulder and carried it up but when he opened it and poured the corn out there came a very fusty smell. He threw a handful down to the deacon and he told Richard Holms of it, who said he had it of one of the town, but would not tell of whom. The corn was so bad that the hogs would scarcely eat it. Deacon Jewit testified the same. Sworn in court.

John Higgison, William Hubart, Seborne Cotton, Joshua Moudy and John Hale, "being called by The Reuerend Teacher and bretheren of The church of Crist at Rowley, to giue them our advice in Relation to the vncomforthable differances amonge them haueing heard both sides as fare as time with other considerations would allow, we doe declare and advise as Followeth 1. We cannot but haue a deepe sence of the euell of your devissions in such a time of Jacobs Trubles and as they haue caused great thoughts of heart with us, soe should they cause great searchings of heart in you with deepe humelliation before the lord 2 as to the Reuerend Teacher m^{r} Phillips his actions in thes matters we cannot but obserue that he hath manifested a due regard to the churches peace and proceeded with a spirit of integrity as fare as we se humane frailtyes excepted 3 in the managing of these things as we obserue to our rejoyceing much of a spirit of tendernes and brotherly loue one towards another soe we find that through satans subtilty and humaine frailty ther is that mixture of a spirit of contention for which you ought to humble your sellues before the lord and each other 4 yet we find noe such distance in these matters but that vpon mutuall

forbereing and for guiding each other in loue you may retaine the unity of spirit in the bond of peace and returne to the injoyment of communion with crist and one another in all his ordenances Eph 4 23 collo 3.13 and seing the repeating of matters tending to strife and is as much as maybe to be avoided espessally in such an humbleing day of aduersety we doe aduise you mutually to agree by an act of forgiuenes and obliuion upon the acknowledgment of what the Lord hath discouered to each of you as matter of humeliation to bury the mention of past matters of offence and studiously to avoide all occasions for time to come pro 14 9 14 and 20 3 and 30 : 33 gen 13 And in order thervnto in a way of mutuall condecension doe aduise (all things considered) that m^{r} Shepard be againe desired to preach till may day next if he be pleased with in which time unlese the wholle church concure to voate his continuance that he then desist from further proceeding in that worke in this place that soe he may attend what call shalbe giuen him to the seruice of god else where and the church shalbe noe way occasioned or obliged to any further retaineing M^{r} Shepard by this our aduise or any former obligation." This advice was accepted and assented to by the Reverend Mr. Phillip and Mr. Shepard and also by a vote of the whole church, no man contradicting, dated Rowley, Nov. 4, 1675. Wit: John Higgison, William Hubbart, Seborne Cotton, Joshuah Moody and John Halle.

Maxemilion Jewitt and William Teny, on Apr. 24, 1677, in the name of the rest and with their consent, "being sencable that seuerall of the testemonys and pleas now presented doe much tend to Casting dirt and reproches on one whom theay and we ought to honor: and if this honored court wear as well aquainted with the triell our reuerend teacher hath sustained upon this acount as we are theay would think it good reason to stop such things as are soe refleckting ore otherwis tack as long a time whearin the whol trewth and sercumstances of the case might be better understoud and as now he sofareth on our behalf and in things whearin we haue had a shar, soe we count it our deuty to the uttermost to stand with him and for him and soe acording to god: with your honors leau for we are witneses that he hath withal fidelity and lowliness of mind serued god in that minesterial calling in this plac acording to that solem trust comitted to him which we hop haue bene profitable to some that are most hottly set against him at this day and to which our re—— rogers helped to cal him before his deseac and declared himself wel satisfied in the choic gods prouidenc had made for us notwithstanding our inabillaty of afording sewtable maintenanc to the greatnes of his family and charg and the dis-

Samuell Platts, Rich. Holmes and Daniell Wicom, as selectmen v. John Pickard. For charging them with betraying their trust. On the complaint of Daniell Wicom against said Pickard, court considering what had been alleged on both sides judged that both parties in several respects had mistaken and departed from the rule, and advised that they be more modest and peaceable in their councils and practices which would conduce more to the peace of the place, and for the present they were to bear their own charges.*

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posichen he hath to hospatality and yet we haue heard no more complaints of his wants we haue all caus to be thankfull and to bles god for him and for the comfortable yockfelow he hath in his family. finaly if it be considered what a burdon he hath had of us and others by reason of the unrewlynes of our spirits and unwillingnes to stoop to order as apears at this day we would say more in this Cind but that we are loth to burthen your honors patienc or tack up time soe we leau it to your wisdom who we fear not but you will tack care what you can to prevent our trobls and our teachers greif for nether of them will be profitable to us."

Richard Swan, aged about seventy years, deposed that divers years ago being at a town meeting at Rowley when some persons began to speak of the price of corn, deponent having attended the General Court that year, declared what price the General Court had set for Indian corn, namely eight groats per bushel, using many arguments to persuade them to let it go at that price to pay the ministry. He further told them that it would give great offence if they should raise the price. Notwithstanding, they set the price at 3s. pr bushel. Later being at a General Court, a member brought in a bill that some care might be taken for the regulation of paying ministers' rates or better providing for the maintenance of the ministry and gave that reason for it, for, he said, he heard that Rowley paid their rate at 3s. pr bushel, which several persons there did much blame. Sworn in court.

Maxemiallian Jewett deposed. Sworn in court.

*Ezekiell Northen and John Acie deposed that at a public town meeting, they heard John Pickard say the major part of the selectmen had betrayed the trust that the town had committed to them and thereby obtained a vote for the choosing of two more to add to the five, contrary to the custom of the town. Also that John Pickard said that if the town did not put Goodman Wickam out, for his part he would not serve as a selectman. Sworn in court.

Copy from the town book made by William Tenny,* keeper of the record book: "for the orderinge of publicke Towne meetings, it is agreed that there shall be thre sufficient persons to warne publick Towne meetings, each in there seuerall circuits, he which doth warne from John persons to mr. Nellsons shall haue 4^{d} a time, and he who doth warne bradforth streete shall haue 2^{d} a time."

"Att A legall Towne meetinge the 19 of January 1676 Sammuell Plats, Richard Holms Daniell wicom were chosen selectmen for the yeare ensuinge, and about a weeke after John Pickard and William Tenny at a legall Towne meetinge were chosen selectmen And at a legall Towne meetinge held the sixtenth of march 1676 John Baley and John Person Junior were chosen selectmen, that soe there might be seuen." Copy made by William Tenny.*

"An order made by the Towne of Rowley for the yeare 1648: It is ordered and agreed that the prudentiall men duringe the time of there —— shall haue full power to order and transact all the common affairs of the Town ——ley, as to make orders impose fines, for the better managinge of the affairs of the aforesaide Towne prouided that they doe nothinge contrary to the orders of the Court prouided allso that they dispose no land for inheritance without the Cause —— Towne prouided allso that they let no land but for there present yeare." Copy made by William Tenny.*

John Johnson and James Dickon testified that at a town meeting held Jan. 20 last, Daniell Wickam caused a vote to pass whether it should be voted or not that Mr. Jerimiah Shephard should have a monthly lecture, and it was voted in the negative. Wicam was asked by John Pickard to count the number and declare the vote and he said, "no I will do no more." Then the town chose a schoolmaster and afterward Wicom returned to the previous matter and said he was resolved to know the town's mind. Their teacher and the moderator opposed him and said they looked upon such a vote as very irregular and wished him to forbear, but Wicom being encouraged by Richard Holms and Samuell Plats, he put it to vote, Mr. Nelson saying, "Yea do, let it cost what it will." The vote was "that all that are for M^{r} Shephard preaching a monthly lecture stay in the house and all that are against it go out of doors," and the moderator, teacher and others said the vote was irregular and they would take no notice of it. Sworn in court.

William Tenny,* keeper of the town book, affirmed that on the same day that the two selectmen were chosen, on Mar. 16, 1676-7, the town granted land to Thomas Alley upon

*Autograph.

condition and confirmed land to Jonathan Hopkinson. Also Mr. Philip Nelson, Ezekiell Northen, Richard Swan, and Ezekiell Mickell were chosen to join with the selectmen to agree with the sons of John Spenforth about the farm that John Spenforth, sr., took of the town, and what they did was to be accounted a valid act. The men appointed to lease the farm made a covenant for three score years with the sons of said Spenforth as appears in the town book and Samuell Plats, Richard Holmes and Daniell Wickam were there and signed it.

Judgment in this action.

Samuell Platts, sr.,* Richard Holms* and Daniell Wicome,* selectmen, petitioned the court, Mar. 30, 1677: "Knowinge that the Law doth prouide that no mans life shall be taken away, no mans honor, or good name shall be stained under colour of law or countinance of Authority, unles it be by vertue of some expres lawe warrantinge the same, established by a Generall Court, and sufficiently published, and knowinge our selues to be excedingly ronged, and hopinge that this honored Court will see iust cause to doe that iustise in our Cause, as the Laws of God and man requireth . . . . and we hopinge that these complaints beinge heard, with any other Complaint, or Complaints, beinge legally put up by us, or against any of us, and testimonyes of both parties beinge heard that soe all our differeances betweene Church and Towne beinge heard, about the maintenance of m^r^ Phillips, our troubells about m^r^ Philips his charginge The Towne with cheatinge of him in the payinge of his rate, and charged euery man of the Towne of Rowley with the same cheate, we thinkinge our selues cleare of any such thinge as we are charged with, we of Rowley haue bene counted a diligent, and honest people, and we hope that it will appeare in time that we are so still."

Maximilian Jewit,* John Johnson,* Thomas Leaver, sr.,* John Trumble* and William Tenny,* in the name of the rest, affirmed "That which moved us to add two to the other selectmen was m^r^ sheppards demaund of 50^li^ p Anno which thing we look^t^ upon very unjust, yet the major part of the Selectmen then chosen exprest themselues for him and against the body of freemen & many members of the Towne in that business: wherfore wee thought it not safe to venture a sute at Law which wee expected process for euery day: unless the major part of the selectmen were willing to stand in our defence. one of the selectmen had said he would be his Atorney and doubted not but he would recover it for him: and wee haveing don for m^r^ sheppard as we thought more

*Autograph.

then duty bound us too in paying his last payment were and are determined If hee gett it he shall win it by law," etc.

Jeremiah Elsworth deposed that as constable he warned for the town meeting where the business was choosing jurymen and nomination of magistrates, etc. Sworn in court.

Ezekiell Northen, Ezekiell Mighell, Simon Chapman and John Dresser deposed that they heard Mr. Phillips at a public town meeting charge the town with trying to cheat him by raising the price of corn, etc. Sworn in court.

Jeremiah Elsworth and John Acie deposed that the meeting when John Pearson, jr., and John Baly were added to the selectmen was warned for nomination of magistrates and choosing of jurymen. Sworn in court.

Ezekell Northend, Samuell Mighell and Andrew Hiden testified that there had been but five selectmen chosen for twenty-six years in Rowley, and the election was in January. Also that they had their power given to them within a fortnight after they were chosen. Sworn in court.

John Dresser deposed that John Pickard, sr., said to Daniell Wicom in town meeting that he if had done what Wicom did, it would have cost him five pounds. John Acie affirmed the same. Sworn in court.

Henry Rila, John Dresser and John Acie deposed that Jeremiah Elsworth was desired by the selectmen of Rowley, Thomas Tenny, Will. Tenny, John Harris and John Trumble, etc. Sworn in court.

Henry Ryla, Samuell Mighell and Simon Chapman deposed that Daniell Wickam declared to the town before he put it to vote concerning Mr. Shepard's preaching a monthly lecture that he did not go about to take church work upon him but that he was resolved to clear the town of what John Pickard, sr. and John Pearson, sr., had said, which was that it was the town and not the church that turned Mr. Shepard away, etc. Sworn in court.

Abraham Jewet and John Acie deposed. Sworn in court.

Thomas Leaver, sr., and John Trumble deposed that at the town meeting, one of them making a motion to the town to go to dinner, etc. Sworn in court.

Mr. Jonathan Plats' rate to the ministry in 1667, 13s. 4d. which was paid in Indian corn, 2 bushells and a half, 7s. 6d., the rest unpaid, 5s. 10d.; in 1674, 1li. 2s. 9d., unpaid, 2s. 9d.; in 1675, 1li. 2s. 6d., unpaid, 2s. 6d.; in 1676, 17s., unpaid, 4s. 2d.; in 1665, 11s., unpaid, 3s. Copy made by William Tenny,* keeper of the ministry book. Sworn in court.

*Autograph.

Mr. Phillip Nellson v. Mr. Samuell Phillips. For charging him with breach of the fifth commandment and for being a principal cause of those unhappy divisions. Court judged that notwithstanding Mr. Phillips had used too high expressions yet in the main Mr. Nellson had transgressed the rule and he was ordered to give Mr. Phillips satisfaction.*

*Philip Nellson's† complaint, dated Apr. 24, 1677, to the Ipswich court: "Philip Nellson sendeth greeting, and wisheth happy and prosperous succes in your present sessions —— presumed to trespas so much upon your patience, as to craue a candid ——nge of this my constrained complaint, aduenturinge to make my adress to your Honors here in, which if you shall so farr entertaine, as to vout-safe an hearinge of, I hope my innocencie will challenge a uindication and I shall not thinke my aims wholy lost, perhaps I may seeme to some to pass the bounds of christian modesty in presentinge this my complaint against an elder of a Church, and one that I stand related unto by church couenant but such is your wisdome, that you can, and your honorable affection to peace and iustise, that I doubt not but you will heare with patience this my complaint especially if you consider how I am enforced to it by daily threats to be dealt with as an offender at home. whereby I may at last come to be depriued of the communion of Gods saints, and the sweete and comfortable enioyment of God in all his holy ordinances. and I seinge no other commodious way, for the present to put a barr to m^r^ Philips his resolutions to deale with me as an offender, and to uindicate my blasted reputation I doe therfore addres my case to your Honours, as patrons of peace, and fauourers of iustice, and doe present you with these accusations, charged on me by m^r^ Philips, whereby you may be some —— sensible of my sufferinge condition

"I am charged with the breach of the fift commandement disobedience to superiors, whome I desire to ascribe all dewe honor unto. I am likewise charged by m^r^ Philips with the breach of the eight commandement robbinge stealinge &c. I am charged with the breach of the ninth commandement, bearinge false witnes. I am charged to be the principall cause of those unhappie diuisions — among us, I am likewise charged with the rest of my freinds and — rid sin of cheatinge, seuerall other greiuences I might — but — of m^r^ Philips his reputation, I thought meete onely to — at those scandals that render me uncomfortable, in the dischargінge of the — office, that God and the Contrey haue placed me

†Autograph.

in Solomon in his diuine — tances tells us that a good name is to be desired aboue great riches, and those that were gided onely by the dime light of Nature, could tell us that it is as great a praise to keepe, as to get a good name. Non minor est uirtus quam quaerere parta taeri. If it be a sin to discredit another man, then much more is it a sin to discredit our selues, by not uindicatinge our good name, so farre as we can with a good conscience. If we be charged to further the good name of our neighbour, then are we strictly commanded to helpe forward our owne, so farr as we be able, the world might thinke that I did cast of the care of my owne creddit, if I should suffer such reproches to be laide on me, and neuer labour to take them of, I doe therfore humbly present my shattered condition to your honorable protection, esteeminge you no other then fathers in our Commonwealth, not doubtinge but that iustiss will take place without respect of persons."

Philip Nellson's answer to accusations: "I for my part cannot but be deeply sensible of the great displeasure of the most holy God, in those unhappie diuisions that are amongst us (especially in this day of our Jacobs Troubell) when our Cuntry is turned as it were into a feild of bloud, for those many prouocations, that haue bene, and are found among us, and I pray god that we in this place, by our unbrotherly contests, haue had no small hand in the procuring Causes, of these our desolations, and wherin my selfe haue been any way instrumentall to procure the same, I desire to be deeply humble, and in the first place to bewaile the plage of my owne hart, and as to the particulars which our Reuerend Teacher doth lay to my charge, as matter of scandall, I hope I may with all good Conscience pleade my Innocensy. And Could hartily desire satisfaction in one particular, namely whether a Church lienge under gros scandall, can conscienciusly deale with any one member, before they haue giuen satisfaction for there one offence, for if I mistake not this uerry Church as well as Towne, haue bene charged with that abominable sin of cheatinge, and that by the Reuerend m^{r} Phillips himselfe our cheife officer, who hath affirmed, and stands to uindicate the same that they haue cheated him, now to haue my case heard and iudged by a church which are charged with such a scandalous sin, I something scrupell it for I haue not knowne the like president in the Cuntry, that any church Guilty of so great a crime, haue called before them offenders to answer for lesser crimes, yet notwithstanding acknowledging it a christian duty, when called to it especially (by a Church officer) to vindicate my innocensy wherein I am ronged, and to acknowledg my faults wherin I haue offended, I doe therfore giue in these answers to my accusations

"To the first particular, wherin our reuerend Teacher doth charge me with the breach of the fift commandement, I answer that he himselfe hauinge soe lately and largly, commented upon the same, no doubt may be better acquainted with the duty thereof than my selfe (yet in submission to his better iudgment) I answer in reference to what he hath charged me with, as a breach of the saide commandement, namely not comminge to that Church meetinge, when his ninety pounds was uoated, I am no trangressor, for the onely cause why I absented my selfe was because I was informed that the Church was assembled to agree what stipend to giue him, a busines that did not belonge to them alone to determine, the Ciuill law determininge the power of such things to belonge to the inhabitants of the Towne, and I perceiuinge that this would make a difference betwene Towne and church, I thought it were best to absent my selfe, and as I conceiue if euery man had soe done, we had been at this present more in peace, both in the Church and Towne.

"Secondly whereas he doth charge me for actinge contrary to what the Counsell had agreed upon, and that I haue acted in calling m[r] Shephard my answer is that I haue acted no other wayes than the rest of my Brethren four or fiue onely dissenting as may appeare by the uoat. I doe not conceiue that I laid my selfe under any obligation, not to manifest my willingnes for m[r] Shephard preaching, by uoating for it, the act of the Counsill no way obliginge me to the Contrary. Thirdly whereas the Reuerend m[r] Phillips accuseth me of Ralinge, I answer he charged me in no particular, but onely in Generall, and therefore in generall I answer I doe not know what I haue to answer."

James Baily, sr., aged about sixty-five years, deposed that the moderator, Deacon Jewett, etc. John Johnson also testified. Sworn in court.

Sammuell Plats, Sammuell Mighill and Richard Holms deposed. Sworn in court.

Richard Holms deposed. Sworn in court.

Saummell Plats, sr., and Richard Holms deposed that at a church meeting held very lately, they heard Mr. Phillips charge Phillip Nellson with being the principal cause of all the troubles in town, as he was a leading man. Owned by Mr. Phillips in court.

Maximilion Jewit,* Richard Swan* and William Tenny,* in the name of the rest, affirmed "that the things wheirin m[r] Philip nelson were offenciue to the church and spoken to about by m[r] Philips in their name were seuerall passionate cariages tending to makeing strife and diuision in towne and church

*Autograph.

Moses Hagett, presented for taking Joseph Goodhue's mare, was admonished, and for telling a lie was fined.*

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in saying the church medled with that they had nothing to do with when they spake together about m^r^ Philipes his stipend and that the church had nothing to do to haue any such meting and that he would come at none such and at another publick meting he said he would advise the towne not to pay aboue their share of sixty pound to m^r^ Philips for his part he would pay no more and he would bear any man harmles in so doing for groat^s^ a peice and spoke to the same purpose concerning the ten war rates laid by the selectmen last yeare and that which was more offenciue was the maner of his expression which was with great heat of passion obstinacy and continued Justification and further saith in the behalfe of our teacher on whose back we conceiue ourselues beaten in m^r^ nelsons complaint about a year and halfe ago by the help of Reuerend elders it hath pleased god that we obtained a comfortable peace and accord in church and towne till this winter leift philip nelson with about fiue more of the church together with some of the towne that do usually apear in any oposition to the church and further we conceiue that their is no proceding yet against m^r^ nelson but such as agrees with the order of the gospell as in synod booke and the lawes of the country titled eclesiasticall so as that he is in no necesity to our understanding to make aplication to ciuill authority with Relation to any act that as yet hath passed against him, but it semes strang to us that when his brethren haue desired some ease to their harts in such things which they aprehend Iregular that in stead of a christian answer which hath bene long waited for he should make an acusation of it to this honoured court but we leaue it to your honours wisedome."

*Joseph Goodhue, aged about thirty-eight years, testified that he being in Andevar some time in February, Roger Markes delivered to him a young dun mare, etc. Sworn in court.

John Dane, aged about thirty-two years, testified that Moses Hagget told him that the mare he had taken up as a stray was owned by Daniell Kelham, who had sold her to him for 15s. in oats. Later being at said Kelham's house, the latter told deponent that he had sold the mare conditionally if she were not owned within a year and a day. Joseph Kelham, son of said Daniell, told him, etc. Samuell Appleton mentioned.

Mathew Perry deposed concerning the mare. Sworn, Apr. 19, 1677, before Daniel Dension.†

†Autograph.

Christopher Bowles, presented for taking a sheep, was admonished, and for telling a lie was fined.

Mrs. Smith, presented by Mr. Wm. Cogswell upon suspicion of taking a false oath, was discharged.

Wm. Story and Renold Foster, presented by Mr. Wm. Cogswell for suspicion of taking a false oath, were discharged.*

Elizabeth Jago complained against the wife of Hugh Marsh

Samuel Lummus testified, on Mar. 26, 1677, that he saw the mare delivered to Joseph Goodhue by Hagget, etc. Sworn in court.

John Dane, jr., testified. Sworn in court.

Joseph Goodhew testified concerning Roger Marks of Andover buying the mare. Sworn in court.

Thomas Killam, aged about twenty-three years, John Killam, aged about twenty-two years and Joseph Killam, aged about sixteen years, deposed that Moses Hagget came to their father's house and said he had so many stray horses that he knew not what to do with them, etc. Sworn in court.

John Gilbird, aged about twenty years, and John Killam, aged about twenty-two years, and Joseph Killum, aged about sixteen years, testified. Sworn in court.

Sarah Goodhew, aged about thirty-seven years, testified that the mare that her husband sent from Andover by Mathew Perey, etc.

John Deane, jr., deposed.

Richard Hubberd testified.

Elizabeth Gutterson, aged about eighteen years, testified that being at Moses Hagget's, etc. Sworn, Mar. 17, 1676, before Daniel Denison.†

Edmund Heard deposed that he heard John Killam, son of Daniel Killam of Ipswich, say, etc.

*William Cogswell, aged about fifty-six years, testified that Goodman Story, sr., and Reniald Foster, jr., came to his house a little before Ipswich court in March, 1675 and he heard them say that they had been on the south side of Chebacco river with John Cogswell to measure trees for him. Foster said they had measured three score and ten pines and thirteen white oaks, and that James Coalman could show deponent where they were because he was with them all day. So deponent went over the water to said Coalman to see what they had done on that side of the river, his son Edward being with him, and Coalman told them what part of the farm had been measured, etc. Sworn in court.

†Autograph.

for saying that she was whipped on shipboard for baudish carriages, feruled for thieving and coped for lying, and that she had two children, a boy and a girl. Withdrawn, upon a public confession of the wrong done her.

Mr. Daniell Epps, attorney to Mrs. Newman, relict and administratrix of the estate of Mr. Antipas Newman, late of Wenham, desiring liberty to make sale of some land for the payment of debts, court granted liberty to sell that land on Royall side in Salem.

Isaack Ringe chose his brother Daniell Ringe to be his guardian, and the court allowed it.

Mr. Henry Sewall, being freed from ordinary training and having provided arms according to order of the militia, was freed from being pressed out on service abroad, but only for defence of the town in case of any assault.

Whereas the fine of Shoreborne Willson's wife set by the court in Sept., 1675, was respitted, court now ordered that the fine be taken.

Ordered that Thomas Knowlton and John Kindrick be allowed witness fees.

Court declared that its meaning in the two years' service of Mary Cabbutt with Samuell Hunt was to be to the said Hunt and his assigns.

Laurance Clenton, being the reputed father of the child of Mary Greely, was ordered to pay 20d. per week in corn toward the keeping of the child every week or at least by the month.

Mr. Giffard, coming into court and asking execution to be granted, notwithstanding what was alleged by Richard Lee and Abraham Martin, court ordered that it be granted and if they can prove that they have paid before, they might sue him.

Given to the house, 6s. 8d.

Nicolas Richardson, being slain in the war, dying intestate, administration upon his estate was granted to Robert Kinsman who was ordered to bring in an inventory to the next Ipswich court.

Christopher Cowes dying intestate, administration upon his estate was granted on Aug. 11, 1677, to Gyles Cowes, his

brother, who was ordered to bring in an inventory to the next Ipswich court.

COURT HELD AT SALEM, 26 : 4 : 1677.

Judges: Samll. Symonds, Esq., Dep. Gov., Maj. Genll. Daniell Denison and Major William Hathorne.

Jury of trials: Mr. Ralph King, Nathaniell Putnam, Israell Porter, John Trask, Steeven Haskett, Thomas Patch, Robert Bartlett, John Fitch, Hen. Silsby, John Burrell, Thomas Browne and Leift. Wm. Dixy.

Andrew Tucker v. Philip Roundy. Forfeiture of an obligation. Verdict for plaintiff.*

Inventory of the estate of Thomas Skillin, who deceased Dec. 30, 1676, at Salem, appraised by Francis Neale† and Hen. Williams,† and allowed, Mar. 14, 1676-7, upon oath of Mary, his wife, by the Worshipfull Samll. Symonds, Dep. Gov., and Edward Tinge, who appointed her administratrix: 4 old Blanketts on Bed & Boulster & a pr of Curtaines & on sheet, 4li. 8s.; 6 smal pewter Dishes & 3 pewter plates, 13s.; 1 pewter botle & pewter Cup, 2s.; earthen vessels, 3s.; 2 smootheing Irons, 3s.; 1 Iron pot & an Iron skillet & p of an Irons, 1li. 10s.; wearing Cloaths & 2 p stockins & shoes, and a hat, 3 skives & a smale box, 2li. 4s.; 1 spit, 1 old sword, 1 p of Tongues & a Lampe, 12s.; 4 old Cheares & wooden ware, 5s.; 1 gread Iron, 1 dung forke & a p snow shose, 5s.; 4 Iron weidges, 2 Rings, 2 Iron Tramers, 14s.; old Iron & 6 old bags, 1 bushell of Indyan, 1li.; 6li. of sheeps woole & 15^{li} & ½ of yearne, 1li. 16s.; 1 frying pan & Lataine ware, 5s.; 1 old flocke bed & old Nailes & 2 old bibles, 1li.; beefe, porke, fish, 1 Cannow, 1 brase spun & 2 pecks, 2 old wheles, 1 barrell & a shoot bag & horn, 2li. 3s.; total, 17li. 3s. Goods Leift in Boston, 2 gunns, 2 Indyan swords, 1 frying pan, old Lins, 1 smal Iron pot, 2 or 3li. feathers & about 60li. of shote; 32li. of Lead, 1 grindstone, 1 bar. & 1-2 of Lead. In Piscatequa, 1-2 a barrell of melases, 2 hogshead of salte, one beare skin.

*Writ, dated 11 : 4 : 1677, signed by Hilliard Veren,† for the court, and served by Henery Skerry,† marshal of Salem, by attachment of a table and some chairs and left a summons with his wife.

Andrew Tucker's bill of cost, 17s. 6d.

†Autograph.

Tho. Woodbery v. Richard Stackhouse. For taking away or causing to be taken away part of a main course. Verdict for defendant.*

Bond, dated Nov. 28, 1676, given by Philip Roundy† to Andrew Tucker, for 3li. 3s. Wit: Richd. Oliver† and Thomas (his mark) Gagge.

Thomas Gage and Richard Olivar, as witnesses, made oath to the signature. Sworn in court.

*Writ: Thomas Woodbery v. Richard Stackhouse; for taking away a part of a main course with the bolt rope out of his warehouse; dated, 7 : 4 : 1677; signed by Hilliard Veren,† for the court; and served by Thomas West,† constable of Beverly.

Richard Stackau's bill of cost, 19s.

Timo. Lindall, aged about thirty-five years, deposed that some time the past summer coming over from Beverly in the ferry boat Richard Stackhous told deponent of a differance that there was very likely to be between Tho. Woodbery and himself about a sail or part of a sail that Stackhous sent for from said Woodbery's house which proved not to be the right piece of sail, and that he intended to return it but his wife persuaded him to the contrary, also showed the bolt rope or part of it that was for a mooring for his boat. Sworn in court.

Jno. Richards, aged about twenty-eight years, deposed concerning the sail, etc. Sworn, 25 : 4 : 1677, before Wm. Hathorne,† assistant.

Christopher Smith, aged about eighteen years, deposed that in 1675, he helped his master Benj. Small to make a mainsail for a fishing ketch for Thomas Woodbury, and that the said mainsail being split in the spring following, he helped his master make a topsail out of the said mainsail in the summer of 1676 which he had been informed had served the ketch ever since and was still whole. When the sail was split it was not above half worn and had no holes in it but the split was caused by the breaking of the bolt rope. Deponent helped his master to put the remainder of the sail into Tho. Woodbury's warehouse, the cloth hanging to the boltrope. Sworn in court.

John Sampson, aged about fifty years, deposed that Rodger Haskins was master of the vessel, who told him that the old sail was sent from Bosston to his father Stakhous and he put it into his cabin. Later Woodbery told deponent that Goodman Stakhous or Rodger had sent their maid and taken it out of the warehouse. Sworn in court.

†Autograph.

James Cary v. Mr. Humphry Warren. Verdict for defendant.

Mr. Humphry Warren v. James Cary. Debt. Verdict for plaintiff.

John Legg v. John Bowen. For shooting plaintiff's mare. Withdrawn.*

Mr. Henry Sewall v. David Wheeler. Debt. Verdict for plaintiff.†

Mr. Henry Sewall v. John Pearly. Non-performance of a contract. Withdrawn.

Edmond Bridges, attorney to Mr. Bartholmew Gedney, Mr. John Ruck, Mr. John Higgenson and George Deane v. John Griffin. Non-payment of 30li. Verdict for defendant.‡

Benj. Small, aged about thirty years, deposed that he was employed by Thomas Woodbury to make a sail and put into her sail 111 yards of new sail canvas, and into the foresail about 42 yards, etc. Before the sail was split, it was worth 9d. per yard, etc. Sworn in court.

John Richards testified that there was a parcel of sail which was a good handsome burden for a man, etc. Sworn, 19 : 4 : 1677, before Wm. Hathorne,§ assistant.

William Bradford testified. Sworn, 19 : 4 : 1677, before Wm. Hathorne,§ assistant.

Hana Travis, aged sixteen years, deposed that last summer her mother sent her to the beach for sand and told her to get the sail from Thomas Woodberie's. The latter's wife told her to go to the warehouse and take it for the door was not locked, and that she would know it because it was the whitest there. Edeth Houll was with her. Sworn in court.

Edith Hull, aged about seventeen years, testified that they took the sail away on a horse. Sworn in court.

*Writ, dated June 20, 1677, signed by Moses Mavericke,§ for the court, and served by John Stasy,§ constable of Marblehead.

†Writ, dated June 14, 1677, signed by Anthony Somerby,§ for the court, and served by Joseph Pike,§ constable of Newbery. Bond of David Wheller.§

Mr. Henry Sewall's bill of cost, 1li. 14s. 8d.

Bond, dated June 26, 1676, given by David Wheller§ of Nubery to Mr. Henery Seawell of Newbery, for 5li. in barley or wheat. Wit: Willm. Longfellow§ and Thomas Thorla.§ Sworn to in court.

‡Writ, dated Apr. 12, 1677, signed by Tho. Bradbury,§

§Autograph.

John Dalin v. Adam Westgate. For not delivering eighty bushels of corn. Verdict for plaintiff, if defendant's acknowledgment before witnesses stood good in law, if not, for defendant. Court found for defendant.*

Edmond Bridges v. Mr. Robert Paine, sr. Verdict for plaintiff, in bar iron.†

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for the court, and served by Robert Lord,‡ marshal of Ipswich, by attachment of the house and land of defendant.

George Deane's‡ receipt, dated July 2, 1675, to John Griffing of Bradford, for a bill due to himself and partner, for 1,050 pipestaves, 1,250 boards, 1,850 hogshead staves and 2,400 barrel staves, all at 12li. 17s. 09d.

John Griffing's bill of cost, 8s.

George Deane's‡ receipt, dated July 1, 1675, to Thomas Doue, on account of Steven Webster by order of John Griffin, for 1,600 white oak hogshead staves which Griffin had of John Adkison of Newbery.

*Writ, dated 17 : 3 : 1677, signed by Hilliard Veren,‡ for the court, and served by Henery Skerry,‡ by attachment of a very good square table and a very good kerchief and a piece of land of defendant's.

Adam Westcot's bill of cost, 9s. 6d.

Henery Rich, aged about twenty-two years, deposed that being at the southward last winter with Adam Westgatt, Thomas Robinson put aboard Adam's vessel in Fairefild, a parcel of corn, forty bushels of which he was to deliver to Mr. Bater, taking out the freight, and the remainder he was to deliver to John Dawland, except 8 1-2 bushels to Henery Rich, being for clothing which Robinson bought of Rich. Sworn, 25 : 4 : 1677, before Wm. Hathorne,‡ assistant.

John Carter, aged about twenty years, and William Carter, aged about fifty-five years, deposed that Thomas Robsone said to tell Dolling that if he lived to come again he would pay him. Sworn, 25 : 4 : 1677, before Wm. Hathorne,‡ assistant.

Zebalon Hell and Thomas Hasson testified. Sworn, 2 : 1 : 1676-7, before Wm. Hathorne,‡ assistant.

"M^{r} Westgitt deliuer to Henry Rich eight bus^{ls} & a half of Corne being six bus^{ls} & a half for Cap^{t} John Corwine & two bus^{ls} & a half upon yo^{r} owne account: and is all from yo^{r} Loueing friend

"31 January : 167[illegible] Thomas Robinson."‡

Henery (his mark) Riche's receipt from Adam Westgatt.

†Writ, dated 20 : 4 : 1677, signed by Thos. Fiske,‡ for the court, and served by Robert Lord,‡ marshal of Ipswich.

‡Autograph.

John Pudney v. Mr. Samuell Gardner, sr. Appeal from the judgment of Major Wm. Hathorne. Verdict for plaintiff, the reversion of the former judgment.*

John Bridges testified that about four years since Nathanil Pyper, who was master of Mr. Robart Payns' bark, came up to Topsfild to his brother Edmond Bridges and bargained for him to make an anchor of about eight score weight, which he did, and hired a cart and carried it down to master Paine. The latter said he would see that said Bridges was paid in iron for it at his own shop. Mr. Payne would have had "my brother exsepted of lenard paymastar but my brother if Lenard doth payeth me the Irone I will takit but my brother delleuared the ancors to M[r] paine apone his ingagin to pay him for it in barr Irone."

Danil Black testified. Sworn in court.

Edward Bridges' bill of cost, 1li. 17s. 8d.

John Gould and Sarah Gould testified that Piper said they could not go to sea until the anchor was done. Sworn, 15 : 4 : 1677, before Wm. Hathorne,† assistant.

Robert Payne, jr., aged forty years, testified that about the beginning of February, 1673, Henry Leonard coming to Ipswich and deponent's father seeing him, etc. Sworn, June 25, 1677, before Daniel Denison.†

*Writ: Mr. Samuell Gardner v. John Pudney; for taking down his fence, going into his enclosed land and there digging a grave without his leave, also for redigging the same grave when filled by the plaintiff, contrary to his express order and there forcibly burying their dead; dated 28 : 2 : 1677; signed by Hilliard Veren,† cleric, and served by Henery Skerry,† marshal of Salem.

John Putney's bill of cost, 1li. 15s. 6d.

Copy of the town records, made Apr. 28, 1677, by Jno. Price:† "The 15[th] of y[e] 3[d] m[o] : 1639: Granted to Thom Gardn[r] a bank of vpland neer the Strongwat[r] brook to his marsh paying : 5[s] p Acree — as Good[m] Lord hath itt." Sworn before Wm. Hathorne,† assistant.

Willm. Trask† and Hugh Jones† affirmed that they viewed the land which was fenced by Mr. Gardner and appraised it at 4li. Sworn before Wm. Hathorne,† assistant.

Judgment of Wm. Hathorne,† in an action of Mr. Saml. Gardiner v. Jno. Pudney, tried before him 30 : 2 : 1677, with verdict for plaintiff. Said Pudney appealed to the next Salem court with Isack Cook and Jno. Cook as sureties. Copy made by Wm. Hathorne,† assistant.

†Autograph.

Anthony Buxton, aged about seventy-six years, deposed that about the latter end of April he was at the burial of Jno. Pudny's child, and he saw the fence pulled down and a grave that had been dug filled up. In the meantime Mr. Saml. Gardiner came and spoke to Jno. Pudney, asking him by what order he came to bury the child, and said that he would not have any buried there, but that they should make up the fence and be gone. Deponent further said that that hill was always called Mr. Gardiner's hill for this thirty years. Copy made by Wm. Hathorne,* assistant.

John Pudney's* reasons of appeal from a judgment of Major Hathorne, 4 : 3 : 1677, in the action between himself and Mr. Samuel Gardner. Mentions kinship of Major Hathorne and said Gardner. Received, 4 : 19 : 1677, by Wm. Hathorne,* assistant.

Answer to John Pudneyes reasons of appeal, dated 4 : 3 : 1677, by Samuell Gardner.*

Hugh Jones testified that he had seen Mr. Saml. Gardiner, sr., fencing or putting up new fence about the hill called Mr. Gardner's burying place, and that said Gardiner had cut small wood and trees there before his father died. Copy made by Wm. Hathorne,* assistant.

Jno. Pudney's bill of cost, 11s. 6d. Copy made by Wm. Hathorne,* assistant.

Summons, dated 30 : 2 : 1677, signed by Wm. Hathorne,* assistant.

William Trask deposed that for these twenty-seven or twenty-eight years the land where Jno. Pudney buried his child had been a usual burying place for so many as would make use of it for that purpose and he never heard that old Mr. Gardiner hindered any from burying their dead there, but he said at several funerals, "friends & neighbours doe nott buerey your dead by such a young tree for I Doe desire to be burried there my selfe." According to deponent's knowledge, said Gardiner was buried there himself, and the draw bars that Pudney was sued for taking down stood on the town's land several feet, Mr. Gardiner having removed them several feet about five years since into the town's land. He further testified that for twenty-eight years the inhabitants of the town, as long as there were any great trees upon the land, cut the trees and carried away the timber without any molestation, and all the neighbors looked upon it as common land. Copy made by Wm. Hathorne,* assistant.

Jno. Pease, aged about forty-five years, deposed that at the burial of the child, he saw the corpse carried to a hill near Joseph Boyce's house, which hill was formerly known

*Autograph.

Hen. Dispaw, sr. and Hen. Dispaw, jr. v. Thomas Mattson, prison keeper. Appealed to the next Court of Assistants. Mattson bound with Marshall Michelson and Nathaniell Beadle as sureties.*

Robt. Crosse, sr. v. Hugh March. Debt. Nonsuited. Upon payment of one-half entry more, the case proceeded, with verdict for plaintiff.†

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by the name of Mr. Gardner's burying place, now in possession of Saml. Gardiner, sr. While the new grave was beginning to be dug, Saml. Gardiner came on horseback and ordered them to go away, etc. Copy made by Wm. Hathorne,‡ assistant.

Saml. Gardiner's bill of cost, 16s. 2d. Copy made by Wm. Hathorne,‡ assistant.

*Writ: Henery Dispaw, sr. and Henery Dispaw, jr. v. Thomas Mattson, prison keeper; for suffering John Giffards to go at liberty before satisfaction was made on an execution; dated 22 : 3 : 1677; signed by Jo. Wayte,‡ for the court; and served by Returne Waite,‡ deputy marshal of Suffolk. Bond of Thos. Matson.‡

Henery Dispaw's bill of cost, 1li. 15s. 6d.

Copy of execution, dated Boston, June 3, 1675, against John Wright, Esq., Jno. Giffard and Ezekiel Fogg, to satisfy judgment granted John Floyd, attorney to Henry Dispaw, sr. and Henry Dispaw, jr., on Jan. 26, 1674, at the Boston court, signed by Isa. Addington,‡ cleric, and served by William Green of Malden, deputy for Rich. Wayte, marshal of Suffolk. Ezekiel Fogg and Mr. John Giffard were committed to prison, the latter's wife directing the deputy to Salem, where Giffard refused to pay anything towards Dispaw's first year's wages and declared that he had no estate. Copy made by Isa. Addington,‡ cleric.

Copy of execution, dated Boston, Mar. 27, 1677, against John Giffard, to satisfy judgment granted John Floyd, attorney to Henry Dispaw, the elder, and Henry Dispaw, the younger, to satisfy judgment granted, July 27, 1675, by the county court at Boston, signed by Isa. Addington,‡ cleric, and served by Clement Coldum of Lynn, deputy for Joseph Webb, marshal of Suffolk. Copy made by Isa. Addington,‡ cleric.

†Writ, dated June 19, 1677, signed by Robert Lord,‡ for the court, and served by Robert Lord,‡ marshal of Ipswich, by attachment of the house and land of defendant.

‡Autograph.

Clement Coldum v. John Lee. Verdict for plaintiff.*

Robert Crosse's bill of cost 2li. 5s. 6d.

Agreement, dated Mar. 27, 1677, made by Robert Crosse, sr.,† of Ipswich, Hugh March† of Nubary and Steeven Cross† of Ipswich, to stand by the award of the arbitrators, Mr. Jno. Knite of Nubary and Phillip Fowler of Ipswich in the two cases between Robert Crosse and Hugh Martch and Hugh Martch and Steven Crosse. Wit: Samll. Pearce† and Symon Tuttell.† Sworn by Phillip Fowler and Stephen Cross, June 26, 1677, before Daniel Denison.†

Award of the arbitrators, John Knight, sr.,† Phillip Fouler† and Caleb Moody,† dated 28 : 1 : 1677, that Hugh March should pay to Crosse 6,000 pine boards at Exeter, by John Folsum of Exeter. Sworn, June 26, 1677, before Daniel Denison.†

Steeven Cross and Thomas Fasee testified that they went to Exeter on Apr. 20 and demanded the boards of John Foulsom, jr., by order of Mr. Heugh March of Newberey for the use of Robert Cross, sr. Sworn, June 23, 1677, before Daniel Denison.†

Steeven Crose and Thomas Fasey testified that they went the second time to Exeter, etc. Sworn, June 25, 1677, before Daniel Denison.†

Simon Tuttell and Robt. Crose, jr., made oath to being present when the bond was signed, June 19, 1677, before Daniel Denison.†

*Writ: Clement Couldum v. John Lee; for coming into his house and taking away a trunk of glasses worth 5li.; dated June 15, 1677; signed by John Fuller,† for the court; and served by Roburt Lord,† marshal of Ipswich, by attachment of a pair of oxen.

Clement Coldom's bill of cost, 1li. 17s. 10d.

Joseph Armytage, aged about sixty-nine years, deposed that on May 12, 1677, he was desired by Mr. John Gifford to go to the old Iron works at Linn to appraise some goods which John Lee of Ipswich was to attach by execution on the estate of Henry Dispaw, but there were no goods to be found, Dispaw's wife saying that the town of Linn had taken them. Then they went down to Linn town and found them at the house of Clem. Coldom, who said he had sold some of the glasses and given the money to Henry Dispaw, and taking the key of the trunk out of his pocket, gave it to John Lee and asked deponent and Sergeant Nath. Cuellen to take an account of the glasses. They found twenty-eight, which

†Autograph.

John Gifford v. Clement Coldum. Verdict for defendant.*

they valued at 1s. 3d. per glass, fifteen small glasses valued at 6d. per glass and the trunk at fifteen shillings. Sworn in court.

Sarah Downing, aged about eighteen years, deposed that living at Goodman Dispawes house, she saw the trunk with the glasses delivered to Clement Coldom, constable of Lin, for 5li. in money or corn. Sworn in court.

Sarah Hart, aged about twenty-three years, deposed the same. Sworn in court.

*Writ: John Gifford v. Clement Coldum; for violently breaking into his house and forcibly taking away his goods; dated June 19, 1677; signed by John Fuller,† for the court; and served by Benjemin Redknap,† constable of Lynn.

Goods taken out of John Gifford's house by violence by Goodman Coledum: Apr. 5, 1677, a new greene Rugg valued at 12s., cost 1li. 2s.; a coverled new, 10s., cost 18s.; new white blankett, 5s., cost, 8s. 6d.; flock bed & bolster & pillowes, 1li., cost, 3li.; trunk of glasses, 72 in number, 5li., cost 11li.; curtaines & vallens, 10s.; pair of Andirons, 10s., worth 15s.; a pestell & morter, 5s., cost 8s.; total, 10li. 12s., cost, 19li. 3s. May 10, second coming, a pair of Dogg Irons, 1li., sold for 1li. 4s.; muskett, 18s.; Iron Kettle, 18s., sold for 1li. 2s.; manchester, 15s. 8d.; Black lace, Gimp & silver lace, 2li. 2s. 3d.; money, 1li. 6s. 10d.; total, 17li. 12s. 9d. Copy made by Hilliard Veren,† cleric.

Clement Coldom's bill of cost, 15s. 10d.

Copy of execution, dated Boston, Apr. 2, 1677, against the Iron works in the hands of John Gifford, or Ezekiel Fogg, their agents, to satisfy judgment granted to Henry Dispaw, executor of the will of Henery Dispaw, sr., signed by Edw. Rawson,† for the court, and served by Clement Coldam, deputy for Edward Michelson, marshal general. Copy made by Edw. Rawson,† secretary.

John Newall and Thomas Browne, of sufficient age, deposed that they were asked to assist in serving the execution and went to John Giffords' house, and it being open they entered and demanded the goods of Mrs. Giffard, he not being at home. She refused and the constable seized some brass, iron, pewter and a gun which she took away. When Gifford came in he said the demand was unjust, but the constable broke open the door, Mrs. Gifford standing in the way and stopping him, so that he went to another door when Mr. Gifford took him by the collar or throat. Notwithstanding

†Autograph.

John Lee, the marshal's deputy and John Gifford v. Mr. Samuell Apleton, jr. Withdrawn.*

Mr. William Bowditch v. Nathanll. Sharp. Debt. Withdrawn.

Mr. Wm. Bowditch v. Jon. Taply. Debt. Withdrawn.

Martin Hall v. Wm. Bath and Elenor, his wife, relict of Ralph Ellenwood, deceased. Verdict for defendant.

Mr. Wm. Browne, sr. v. Frances Parnell. Debt. Verdict for plaintiff.†

Mr. Wm. Browne, sr. v. Frances Collens. Debt. Verdict for plaintiff.‡

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that she laid hold of him and his staff, the constable got upstairs and seized some goods. Sworn, Apr. 9, 1677, before Thomas Clarke,§ commissioner.

Climont Coldom, aged upwards of fifty years, testified concerning serving the execution. Sworn in court.

Hinery Dispaw testified. Sworn in court.

Christopher Temple, aged about twenty years, deposed that Mrs. Gifford told them to levy on the land and heap of coals and iron. Sworn in court.

John Hawks testified. Sworn in court.

*Writ: John Lee, deputy marshal, and Jno. Giffard v. Mr. Samuell Appleton, jr.; for sending away Henery Dispaw when levied upon by execution and ready to be carried away to goal; dated May 14, 1677; signed by John Fuller,§ for the court; and served by Clement Colddam,§ constable of Len.

Samyall Apeltun's bill of cost, 3li. 4s. 2d.

†Writ, dated May 24, 1677, signed by Hilliard Veren,§ for the court, and served by Henry Skerry,§ marshal of Salem, by attachment of house and land of defendant.

Mr. Brown's bills of cost, 9s. and 1li. 1s.

Benja. Browne, aged about twenty-nine years, deposed that he read Francis Parnell's account with his father to him and he did not object to an item. Sworn in court.

Henery Skerry, marshal, aged above seventy years, deposed.

Account of William Browne,§ against Francis Parnell, taken from his book: reckoned with Francis Parnell on Dec. 19, 1671, when he owed him 92li. 2s. 2 1-2d., to be paid in codfish. Wit: John Appleton. Ten days later he paid 40s. On Apr. 8, 1672, Francis Collings owed him 12li. 19s. 7d., to be paid in fish. Wit: Jno. Appleton.

‡Writ, dated May 30, 1677, signed by Hilliard Veren,§ for

§Autograph.

William Seargent was sworn constable for Gloster.

John Ballard and Eleazer Lynsey were sworn constables for Lyn.

Mr. Hen. Walker, Wm. Vinson, John Davis, Jeffery Persons, chosen by the selectmen of Gloster as tithingmen, were allowed.

William Lake had his license renewed for drawing cider and beer and entertaining strangers for the year, provided he did not suffer disorders in his house contrary to law.

Capt. John Price and Leift. John Higgenson took the freemen's oath.

Mr. John Hathorne, Manasses Maston and Hen. Skerry, jr., took the freemen's oath.*

Capt. Dudley Bradstreet, Leift. John Osgood and Ensigne Thomas Chandler, chosen to end small causes for Andever, were sworn.

James Moulton, sr., Richard Hutten and Thomas Patch all of Wenham, were confirmed as tithingmen.†

Henry Collins, sr., Ensign Fuller, Mathew Farington, sr., Hen. Silsby, Edward Baker, Francis Burrell, William Mirriam and Richard Kertland, all of Lynn, were confirmed as tithingmen.‡

Wm. Dodge, sr., Humphry Woodbery, sr., Josiah Rootes, Exercise Conant, John Hill, Robert Bradford, Robert Hibbert, Nathanll. Hayward (also, Howard), Richard Ober and John Dodge, sr., all of Beverly, were allowed as tithingmen.§

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the court, and served by Henery Skerry,|| marshal, by attachment of land of defendant on Darby fort side.

*Copy of the order of the General Court of May 23, 1677, by which these Salem men were made freemen, signed by Edward Rawson,|| Secretary.

†Appointed, June 20, 1677, at a meeting of the selectmen, Thomas Fisk, Charles Gott, Walter Fayerfield and William Fisk.

‡Summons, dated 18 : 4 : 1677, to Nathaniell Kirtland, etc., appointed by the selectmen of Lynn, 25 : 10 : 1676, to have inspection into houses unlicensed to prevent excessive drinking and tippling, according to the new law, to appear for confirmation, signed by Thomas Laughton,|| cleric, and addressed to constables Clement Coldum and Beniamen Rednap.

§Appointed at a meeting of the selectmen, June 25, 1677,

||Autograph.

Theophilus Baily had his former license renewed for keeping a house of entertainment.

Mrs. Sara Hathorne had her late husband's license renewed to her.*

Mark Pitman, James Denis, Tho. Smith, Samll. Walton, Ambross Gale, Elias Henly, John Legg, Erasmus James, Will. Nick, John Waldron, Andrew Tucker, Robt. Bartlett, and Edw. Read, all of Marblehead, were allowed as tithingmen.

Mr. Timothy Lindall, Mr. Swetland, John Williams, Frances Scerry, George Keaser, Jon. Ingerson, sr., Christopher Babodge, Thomas Rootes, Robert Follett, Mr. Joseph Grafton,† sr, William Dounton, Hen. West, Mr. White, Tho. Rix, Edw. Flint, John Marston, jr., David Phippen,‡ Sergt. Fuller, Sergt. Felton, Geo. Goldthurite, Thomas West, Left. Putnam, John Tomkins, sr. and Thomas Goold, all of Salem, were allowed as tithingmen.§

Richard Norman, George Dorland, Good. Cleark of Topsfeild, Hugh Lattamore, Edw. Richards, Capt. More and Ellen Hollingworth had their licenses renewed for keeping houses of entertainment.

Steephen Haskett, Mr. Jon. Higginson, Mr. Moses Maverick, Mr. Wm. Browne, jr., Capt. John Corwin, Mr. John Gidney, Mr. Timo. Lindall, Mr. Wm. Bowditch and Mr. Samll. Ward had their licenses renewed for selling strongwater.

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to prevent private tippling and drunkenness. Copy of record made by Paul Thorndike,|| recorder.

*Petition of Thomas Laughton,|| for the selectmen of Lynn, dated 25 : 4 : 1677, that the widow of Mr. John Hathorne, deceased, have the same liberty as her husband to keep a house of public entertainment, etc.

†Warrant, dated June 11, 1677, for ten Salem tythingmen to appear to take oath, signed by Jno. Price,|| for the selectmen, and served by Nat. Beadle,|| constable of Salem.

‡Warrant, dated June 11, 1677, for seven Salem tythingmen to appear to take oath, signed by Jno. Price,|| for the selectmen, and served by Samuell Beadle,|| constable of Salem.

§Warrant, dated June 11, 1677, for eight Salem tythingmen to appear to take oath, signed by Jno. Price,|| for the selectmen, and served by Joseph Huchinson|| and Daniell Andrew,|| constables of Salem.

||Autograph.

Upon full hearing of the case between Anthony Ashby and Abraham Haseltine, constable of Bradford, for distraining two cattle upon pretence of his proportion of ten rates imposed by the General Court on May 3, 1676, which rates the constable of Rowly had testified that said Ashby had paid at Rowley where he lived and had lived some time before, said rates were granted and the constable of Bradford could not allege that Ashby had any estate in Bradford when the assessment was made. It was judged that the act of the constable in distraining the two cattle to be illegal and that they should be returned to said Ashby.*

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*Warrant, dated Ipswich, June 14, 1677 to Abraham Haseltine for appearance at the next Salem court, signed by Daniel Denison.†

Jeremiah Elsworth,† constable of Rowley, certified, 27 : 1 : 1677, that he had received of Mr. Antonie Ashby 40s. in satisfaction for his ten rates due last summer.

Warrant, dated July 10, 1676, to the constable of Bradford, for the collection of the ten extraordinary rates from Josiah Gage, 10s. 5d., Thom. Tile, 2li. 2s. 8 1-2d., Mr. Ashby, 3li. 1s. 8d., Gilbert Wilford, 1li. 10s. 6 1-2d., signed by Shu. Walker,† John Tenny,† David Haseltine† and Joseph Baly.†

Samuel Shepard, aged about twenty-seven years, testified that Mr. Ashby about a year since turned two cattle over the river and asked deponent to look after them and he would pay him. He paid him and told him to deliver them at Abraham Haseltine's and he would send his man for them. Said Haseltine's wife received them. Sworn, June 25, 1677, before Nath. Saltonstall,† commissioner.

Shu. Walker,† recorder, certified at Bradford, Aug. 10, 1675, that Mr. Anthony Ashby was rated for 6s. 2d.

Jeremiah Elsworth,† constable of Rowley, certified that the ten war rates demanded by the treasurer, Capt. John Hull for the year 1676 were made upon the inhabitants of Rowley on 30 : 4 : 1676, Mr. Anthonie Ashbye being one of them.

John Griffing deposed that he being at the house of Abraham Hasillton, etc.

Shubael Walker and David Haseltine deposed that they were selectmen of Bradford in 1676 when the ten rates were raised, which was raised by adding the proportions of the single rate or collection of estates made in August, 1675, etc. Sworn, June 25, 1677, before Nath. Saltonstall,† commissioner.

†Autograph.

Mr. George Emory, complained of by John Lambert for shooting three children with his gun, whereby one of them was dangerously wounded, owned that he shot off a gun charged with pease, levelling upon the ground, standing about twenty yards from the children. He was bound to good behavior and for appearance at the next Salem court.

In answer to the petition of Richard Rowland to be eased in his rate by Salem, court saw no reason to do so.

George Jacob was fined upon his presentment for striking John Tompkins, John Waters and Steeven Smale being allowed witness fees.*

Copy of the records of the General Court held at Boston, May 3, 1676, made by Edward Rawson,† secretary: "This Court Considering the great Inconveniencyes that will ensue if persons be left at liberty to withdraw from the frontier Townes that are yet standing out there by enfeebling the remote parts of the Country and tending to the damage of the whole doe therefore order that it shall not be in the liberty of any person what soeuer who is by law enjoyned to trayne watch, ward or scout to leaue the Towne he is an Inhabitant of upon any pretence whatsoeuer; w^{t}hout liberty first obteyned from the Comttee of militia in the Towne to which he doth belong or in Case of their denyall then by the Council of the Cominweath uppon the penalty of twenty pounds except w^{t}hin one weke after they be required by the Comittee of militia to returne to theire station they shall accordingly returne which sume of twenty pounds upon Certifficat from the Comittee of militia to the County court of that shire or to any two magistreates shall by their warrant be forthwith levyed upon the estates or for want thereof uppon the persons of such delinquents to be disposed of either to such as will come vnto the sayd Towne to strengthen or towards the bearing the chardge of the warre, or otherwise, as those that stand it out shall see meete And It is further ordered that no person Capeable to Assist in securing the Garrison he belongeth to shall absent himselfe by going out of Towne w^{t}hout acquainting of and liberty obteyned from the Comande^{r} of the sayd Garrison upon penalty of fiue shilling for each offence in that kinde that so the danger to which the Garrison in the respectiue Townes are exposed to by frequent absence of such as are for the deffence of them may be prevented."

*John Waters, aged thirty-five years, and Stephen Small, aged

†Autograph.

Phillip Welch was fined upon his presentment for being disguised with drink, Robt. Bartlett and one Eliza being allowed witness fees.*

Will. Beale, presented for telling a wilful lie, was dismissed.†

Calebash, the negro, was ordered to be whipped for uncleanness.‡

Tho. Pickton, presented for being disguised with drink on the Lord's day and night, walking, was fined.¶

Martin Hall, for fornication before marriage, was sentenced to be whipped twenty stripes or pay a fine.||

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twenty years, deposed that they saw George Jacobs, sr., strike John Tomkins, jr., one blow and if the latter had not held him by the arms, he would have struck him more, he being in such a passion. Sworn in court.

*Warrant, dated 27 : 4 : 1677, to William Welch, and to witnesses Robert Bartlett and Elizabeth, an eastern woman, who lives in said Bartlett's house, signed by Hilliard Veren,** cleric, and served by John Stassy,** constable of Marblehead.

†Wit: Richard Rowland, Nathaniell Walton and James Denis.

James Dennes, aged about thirty-five years, deposed that being in company with Nathannell Walton and Richard Rowland on Feb. 10, he heard Rowland ask William Beale how many cattle he had kept this last summer, but he took no notice of what he said "so Richard Rowland spack to hem again and said dost not heare art thou deafe, beal replide againe I dont heare I am deafe so I ansuerd hem again that he had told a Lie for if he had ben deafe he kould not haue made hem that answer and therfore I would present hem for a Lie and bade them to tack noaties of it." Nathannell Walton testified to the same. Owned in court by said Beale.

‡Summons, dated 27 : 4 : 1677, to Calebash, negro servant of the widow Porter. Wit: Benjamin Porter and Israell Porter.

¶Summons, dated 27 : 4 : 1677, to witnesses, Exercise Conant, John Dodge, sr., Zachariah Herrick, Ensigne Corning and John Swarton, in this complaint.

||Warrant, dated May 21, 1677, for appearance of Raulph Halle and Elizabeth, his wife, daughter of John Dodge, jr., signed by Hilliard Veren,** cleric, and served by Henry Skerry,** marshal of Salem. Bond of Raulph Hall,** with Hudson Levritt** as surety. John Dodg** bound for his daughter.

Elizabeth Weeden, midwife, aged about fifty-six years,

**Autograph.

Michell Derick and Mr. Zarababell Endecott were bound in 10li. to save the town harmless from keeping the child of Calebash, the negro.*

Mr. John Gifford, having been formerly committed to Thomas Matson, the prison-keeper of Boston, by virtue of an execution to satisfy judgment to Hen. Dispaw, sr. and Hen. Dispaw, jr., and court being informed that he escaped from prison, said Matson was ordered to secure him as his prisoner, with the help of the constable, until the actions relating to said Gifford and Matson not pending were heard.

John West and John Elletrap were ordered by the court to make inquiry after the estate of John and Benjamin Pickworth, supposed to be dead, and to account to the court, and in case the widow Pickworth, mother of said John and Benjamin, be in want, she was to be supplied out of the estate.

Samuell Sothwick, son of John Sothwick, chose Frances Nursse as his guardian, and John, son of said John, chose Tho. Fuller as his guardian, which the court allowed.

There being a motion made by the farmers or villagers belonging to Salem that some course be taken for the ordering of the highways for their convenience, court ordered that Salem choose a committee to that end, who in some short time should lay out such ways as may be thought meet.

Peter Twist, presented for rescuing some horses driving to pound, was fined, which fine was later respitted.†

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testified that she was called to the wife of Ralph Hall, then at Mr. Coxes house, the begining of last winter and found her very ill. She gave birth to a son. Sworn, June 13, 1677, before Tho. Clarke,‡ assistant.

Ann Bromwell, aged about fifty-four years, and Mary Feild, aged about fifty-one years, testified that the child was born before its time, etc. Sworn, June 13, 1677, before Tho. Clarke,‡ assistant.

Summons, dated 27 : 4 : 1677, to John West, as a witness in the complaint.

Petition of Martin Hall, "now a prisoner," that being in want and having nothing to make satisfaction, he asked for an abatement of his fine.

*Bond of Zerobabel Endecott‡ and Michaell Derick.

†Warrant, dated 27 : 4 : 1677, for the appearance of Peeter

‡Autograph.

Joseph, the Indian, for coming into the house of Phillip Logee in the night and being found upon his wife's bed, said Phillip not being at home, was ordered to be whipped.*

Blaze Vinton was cleared from his bond given for his good behavior.

Mary Heard, daughter of Zacheus Curtis, complaining against her husband John Heard and asking for a separation on the grounds of insufficiency, they were ordered to continue to live together as man and wife.†

Twist, servant to Capt. Marshall, also to summon witnesses, Thomas Browne, Joseph Mansfeild, jr. and John Clerk, signed by Hilliard Veren,‡ cleric, and served by Eleazer Lins,‡ constable of Lyn.

Thomas Browne, sr., Joseph Mansfeild, jr. and John Clarke testified that driving some horses from Rumney Marsh to the pound, they were stopped by Peter Twist upon the great bridge, who violently forced away several of the horses. Sworn in court.

Peter Twist's‡ petition: that he was asked by his master to speak to the men that his horse might not be driven to pound, and that he was ignorant of the law and had no intention of disobeying authority.

*Mary Logia, aged about twenty-nine years, deposed that some time in May last Joseph Indian got into her house about the middle of the night and she awakening supposed it was her husband come home from sea. Speaking, she received no answer and in the moonlight saw an Indian, so she called to John King, a youth who was lodging there in her husband's absence, to get some one to kill him. She took the Indian by the hair of the head and beat him with her fist but he got away and ran out the window, the door being locked, which was without question the way he came in. Sworn in court.

Summons, dated 27 : 4 : 1677, to witnesses Mary Logee and John King, jr., in the presentment of William Traske's Indian.

†Warrant, dated June 25, 1677, for the appearance of John Herd and wife Mary upon complaint of Zacheus Curtise, in behalf of his daughter, signed by Daniel Denison,‡ and served by John Pabody,‡ constable.

Zacheus Curtes'‡ complaint in behalf of his daughter Mary, who is married to John Hard, etc.

Johanah Courties, aged about fifty-three years, deposed that being at the house of John Heard who was married to

‡Autograph.

Mr. Thomas Elbridg of Marblehead was licensed to draw liquor, beer and cider to sell out of doors at retail, but not within doors.

Upon an action tried at the last Ipswich court between the Town of Salem and Nicholas Manning, the jury found the forfeiture of a bond, and the moderation of the bond was referred to this court. Court moderated the bond.*

Nicholas Manning presented two papers of several persons

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her daughter, she lay in a bed on the floor in the chamber, etc.

Complaint of John Heard against his wife and her parents, etc.

Marey Herd's complaint, that her husband had left her, etc.

Zacheus Courties, sr., deposed.

Joseph Byxbe, jr., and Benjemmen Byxbe testified.

*Writ, dated Mar. 16, 1676-7, signed by Hilliard Veren,† for the court, and served by Henery Skerry,† by attachment of the shop defendant works in, the barn, outhouses and all the land from the street down.

Bill of cost of the selectmen, 1li. 8s. 4d.

Copy from the town book of records, made by Jno. Price,† recorder: "28th March 1674. Selectmen, Major Hawthorne, Cap^{t} Curwin, Cap^{t} Price, M^{r} Bartholmew, M^{r} Grafton, M^{r} Prince, Jn^{o} Curwin. 14th 12th 1675 Cap^{t} Maning D^{r} To y^{e} ministers rate seauenty pounds, Cred^{r} pseueralls pd M^{r} Browne sen^{r} 57 : 08 : 01, Rest due, 12 : 11 : 11." Dr. more upon ball. of ye towne rates made up 14 : 12 : 1675, 14li. 12s. 8d.; Cred. p disburstments upon ye meeting house, 2li. 19s.; rest due, 24li. : 5 : 7.

Copy of record of a meeting of the Salem selectmen, Mar. 28, 1674: Major W^{m} Hawthorne, Capt. George Curwin, Capt. Walter Price, Mr. Henry Bartholmew, Mr. Joseph Grafton, Mr. Richard Prince and Mr. Jno. Curwin being present, Nicholas Maning bound himself to William Browne, sr., for 23li. 11d. for Mr. Higginson's rate on or before May 1 and 28li. 5s. 8d. to the selectmen before June 10. At a meeting on Mar. 18, 1676-7, Mr. Edm. Batter, Mr. Wm. Browne, Mr. Samll. Gardner, sr., Mr. Barthol. Gedny and Jno. Price being present, it was voted that Capt. Nicholas Maning be arrested for the next Ipswich court, for the forfeiture of his bond of Mar. 28, 1674 and Mr. Samll. Gardner, sr., was appointed to prosecute the same. Major Hathorne made oath that the copies were true copies.

†Autograph.

who were not able to pay their rates, and court ordered that the selectmen of Salem abate what was just.

Edmond Bery, for being distempered with drink and for abusive carriages and speeches to his wife, was fined.*

*Bettorice Berry's petition: "It being not unknowne to this honored Court how it hath bin with me in respect of my wofull condition with liueing with my husband Edmond Berry, who in regard of his most bitter, Inhumane & most ill becomeing carriage to me, as many of my neighbors can give Testimony. I was compelled to goe away from him; liueing where I could gett harbor. ye honord Court upon Information hereof, compelld me upon ye penalty of Fiue pounds to liue with him againe wch as ye Lord knowes to my unexpressable sorrow hath bin now for about a Twelue month, as by Testimony Sufficient may speake for me & what shall a poor woman doe in the Case; if ye Lord doth not wonderfully help; as for matter of substance, I haue nothing of him neither haue I euer had but a very small matter euer since I was his wife, for such was & still is his absurd manner in eating his victualls, as takeing his meat out of ye pickle; & broyleing it upon ye coales, & this he would tell me I must eate or else I must fast so that if I had not reserved to my self a Little of myne owne I must haue perisht; neither will he allow me any necessary about house for decencey or that wch is absolutely needfull but am compelled to borrow of my neighbors; by wch it is evident that he exactly goes about to verifie what he hath reported; namely that he will haue my estate or elce he will make me weary of my Life; now ye honord Major Hathorne Knowes ye contract that was made between vs before marriage & acknowledgd before him; howeuer in hopes of my more comfortable liueing with him was willing to bring into y^e^ house what I could, & did doe it; although to be sure ill bestowed upon such a person, as you may please to Judge of him in part what he is by one late Expression of his to me who when I brought to him a cup of my owne Sugar & Beare (for he will allow me nothing of his owne) and dranke to him useing these words) come husband lett all former differences be buried & trod under Foote; why should we not liue in Loue & unity as other Folks doe, he replied to me againe, Thus; Thou old cheating Rogue; The Divell take thee if thou doest not bring me Forth this Court; but such like direfull expressing towards me are not rare with him; wch although my hard portion & very Tedious to beare, yet was rather willing to groane under it then to make a publique discovery of his wicked; & brutish carriage to me; but surely

ye Lord brings him forth, & ye grand Jury had cognissance of his Impious behavior towards me & by theire act is he now presented & it is but rationall that I should speake something before yo^r worships for y^e clearing up of myne owne Innocency, & also since ye Thing is brought forth to lay open my grievances before you althouth god knowes my mind was rather to haue borne my affection & haue waited upon him who is ye perswader of y^e heart, with my poor prayers to my good god in hopes of ye worke of his grace upon his heart & soule; whereby he might be brought to see ye evill of his wayes & so to carry it to me as becomes an honest man to his wife; but ye Lord in mercy Looke upon me; I am now past hopes of him; & ye onely wise god direct you what to doe with me in this my wofull case, for I am not onely continually abused by my husband, with most vile, threatening & opprobrious speeches but also his son who liues in howse with him hath in his Father's presence threatened me to throw me downe head long downe ye staires; & not onely so but he hath broken up my chest & taken away a part of that Little wch I had."

Deborah Winter, aged about thirty-one years, testified that she had heard Edmond Berry use very reproachful terms to his wife, as bad as possibly could be spoken and when she was sick he would also then most terribly revile her. He had said that he desired it for her good and he did not care if there were a fire in the south field and she in the middle of it. Sworn in court.

Abigail White, aged about seventy-two years, testified that Berry called his wife Jezebell, cheating rogue, etc., and told her that he could not abide her, and bade her begone. Also that his wife had proffered to do what she could for him, such as to dress his victuals, wind his quills, etc., and she would entreat him to be quiet, but he was angry because she would not join her estate to his. Also when she was sick, he said that she should have nothing of him because he had nothing of hers. Deponent had tried to persuade him to live quietly with his wife but he said it was too late. Sworn in court.

Abigail Gray, aged about twenty-one years, deposed that when his wife was sick in bed and the nurse at the same time was in bed with her, Goodman Berry asked for cider. The nurse said that she would rise and get him some. Goody Berry said he had had enough already, and he replied that he would have some more or he would pull her in pieces. Sworn in court.

Writ, dated 29 : 4 : 1677, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal of Salem, by attachment of a table and a cupboard. Also summons to Mr.

*Autograph.

Upon complaint by Mrs. Elizabeth King against John Blano, her son-in-law, who had with him several children, the grandchildren of said Elizabeth. The said children having had, by will of their grandfather King, a farm left them, which was then in the possession of said Blanoe, their father, under whose care the children suffered very much for want of food and raiment and the land for care, court appointed Elizabeth King, Daniell King, Ralph King and Ezekiell Needham as guardians of the children.*

Resolved White and wife Abigail, Abigail Gray and Deborah Winter.

*Warrant, dated 29 : 4 : 1677, signed by Hilliard Veren,† cleric, and served by Edward Richards,† deputy for Henery Skerry,† marshal of Salem.

Petition of Elizabeth, widow of Daniell King: that said Daniell left by will a house and considerable land to his daughter Hanah, wife of John Blaine, and the latter finding that he was not mentioned desired her husband to give him a right in it for life, but it was denied him. It was provided that if Blaine had the use of it he was to pay 10li. per year to herself and husband as long as they lived, which was about five years ago, and they had never received anything. That she should be relieved from the support of the motherless children and that they should have the benefit of the estate left them, etc.

Jno. Blanye's† petition: that he had received a warrant to answer for not providing for his children according to an engagement to court, but he did not remember any such thing, "but I hoape I doe not, nor never shall Forgett that god and nature requyres the uttmost of my endeavours in that respect," and he had provided according to his ability, etc.

Sarah Bartrom, aged about fifty-six years, and Elizabeth Fisk, aged about twenty-three years, testified that about four or five months since, Mistress King being informed of the suffering condition of Hanah, daughter of Hannah Blaine, sent for the child and it was so piteously clothed that it was almost naked. Further that it was covered with vermin, which had eaten into its skin, so that the child would not have lived long. Sworn in court.

Elizabeth Redden, aged about twenty years, deposed that about three months since, Elizabeth, daughter of John Blayne, who was about three years and a half old, was brought from said Blayne's to deponent's house. She was almost naked,

†Autograph.

The constables of Salem were allowed a bill of 6s. about the Indian, and 2s. 6d. for whipping.

William Swetland was appointed administrator of the estate of John White, and presented an inventory.*

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with but a small part of a shift on her, and in like condition as her sister in regard to vermin. Sworn in court.

Richard Walker, aged about sixty-five years, and William Cowdrey, aged about seventy-three years, testified that they were present when Mr. Daniell King of Lyn made his will, and afterward Mr. John Blanoe understanding that he was not mentioned was much troubled and sent his wife to her father and to them to induce him to include him. Said Daniell refused saying that Mr. Blanoe brought nothing to him and should have nothing from him, and he wished his daughter and her children to have it. Sworn, 30 : 4 : 1676, before Wm. Hathorne,† assistant.

Mark Graves, aged about fifty-five years, and Elizabeth, his wife, aged about thirty-seven years, deposed that since Hannah, wife of Mr. John Blaine died, said Blaine and six of his children came from Mr. Ralph King's to dwell at the farmhouse where deponents and they lived under one roof. When the children came they were decently clothed, but during the three quarters of a year that they lived there, he did not provide for them and they suffered very much and had it not been for their friends through pity taking some of them from him and relieving them, they might have perished. They suffered both for food and raiment and what money Blaine received for wood or timber or for the work of his team was spent in drink, he coming home late at night in a quarrelsome mood and distempered with drink. He had only one cow to provide for the family, etc. Amy, daughter of Mark Graves, aged about seventeen years, deposed the same. Sworn in court.

*Inventory of the estate of John White, tailor, appraised, Apr. 28, 1677, by Edward Grove,† Nicholas Manning† and Tho. Bridge,† and allowed 26 : 4 : 1677, in Salem court: a Coate of Cloth, & a serge paire trowsers, 15s.; 2 Cametto Coates & a pa: breeches Mutch worne, 2s.; an old Coate & 2 pa: old breeches and a Jackett, 8s.; 6 neckcloths & 1 Carvette, 5s.; 3 paire Sleeves & 3 pocket handketchers, 2s.; 3 shirtes wheareof 2 weare new, 12s.; a paier of buckein buskins, 2s. 6d.; paire old shoes, 2s.; 2 paier old worne stockins, 1s.; 2 yards galloons & a bible, 2s.; 4 small rubons, a powder Horne & An old old Rapier, 2s. 6d.; A pressing Iron, a pa.

†Autograph.

Sara Brown, executrix of the estate of James Browne, brought in an inventory.*

Will† of Jeffery Massey, and an inventory‡ of the estate, were proved and allowed.

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taylers sheeres & a yard, 3s.; and old Snapesake & 2 hatts, 12s.; a demety Wascoate & a pa. Linnen drawers mutch Worne, 2s.; an old redde wasecoate, 1s.; a walking Cane, a small old Chest, a trencher Knif, a pen knife & a bodkin, 4s. 6d.; a nutte megge grater, a needle Case & 5 needles, 6s.; a small bagge & 2 sliper linnen, 1s.; total, 5li. 1s. "Since this inventory was taken I haue found of his A paire of shooes & stockns & 2 old Rasers which in my Judgment may bee worth 5s."

*Inventory of the estate of James Browne, sr., who deceased Nov. 3, 1676, taken Nov. 30, 1676, by Nicholas Noyes§ and Nathaniell Beadle,§ and allowed 26 : 4 : 1677 upon oath of Sara, the relict: a dwelling house and barne and aboute 3-4 acre of Land in Salam, 100li.; bead and bead stead and all furniture, 5li.; trundell bead and all belonging to it, 10s.; a bybell and other bookes, 10s.; wareing Cloths, 1li. 10s.; 6 Charies and a desck, 18d. a pease, 10s. 6d.; putter, 17s. 6d.; tene ware, 1s. 6d.; a selfeer cupe and spoone, 10s.; a pare of cards, baskit and brush, 2s.; brase things, 12s.; 2 eyrene pouts & 3 weagis and tongs, spade, 1li. 14s. 6d.; woodin ware, 10s.; a uysce and other glasein toulles, 2li.; earthin ware, 1s. 6d.; a bead in ye Chamber and things to it, 2li. 10s.; 2 Cheasts and seattell, 4s.; 6 bushells of Corne, 12s.; 20li. of Corse yarne, 12d. a li., 1li.; Lining, 15s.; total, 119li. 10s. 6d.

James Browne's debts: to Mr. Edmon Batters, 7li. 17s. 3d.; to Goodwife Bonfeild for caring for Mary's Legg, 8li.; to Doctor Wells, 3li.; to Captaine George Corwin, 4li.; to Mr. William Browne, Junior, 4li. 9s. 4d.; to Mr. Jonathan Corwine, 10li. 6s. 8d.; to funerall charges, 2li. 4s.; to Mr. John Higgison, 2li. 10s.; due for Legacies for fower Children wch. Mr. John Cutting gave to his grandchildren & was James Browne's, due to pay, 6li.; to his sonn James Browne, jr., 43li.; total, 101li. 5s. 3d.

†Will of Jeffery (his mark) Massey, sr.§ of Salem, dated 6 : 9 : 1676, and proved, 29 : 4 : 1677, in Salem court: "Imprimus, I giue vnto Ellin my wiffe All my housing Lands Cattell and goods For her Maintenance during her Naturall Liffe And If Neede require to sell either Land Cattell or goods by the Advice of the oversears to witt Henry Skerry senr: and

‡See footnote page 302 marked † §Autograph.

Ephraim Scerry dying intestate, court granted administration of his estate to Martha, the relict, who brought in an inventory.* Court ordered that the estate remain in the widow's hands, except 30li. which was to be paid to the children of deceased, being daughters, in equal shares, and whereas there were 10li. due to Henry Skerry, sr., he freely gave that

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Francis Skerry. Item I giue Affter the desece of my wiffe what Estate As Lefft vnto my sone John Massey Duering his Liffe And after the desece of my sonne his wiffe Sarah Massey is to haue one thirde part of the Land and the other two thirds of the Land with the Cattell and goods is to be devided betwixt the children the Living only After her deseace the Next Eaire Is to InJoye her thirds Item I Constitute my sonne John Massey as on exsecetor of this my will and If the Corte please to Appoynt another Item my will is that my overseers shall be sufisiently satffied for what time and expenses they shall be Att In the parformance of my will." Wit: Henery Skerry, sr.,‡ and Frances Skerry.‡

†Inventory of the estate of Jeffery Massey of Salem, taken, 25 : 9 : 1676, by Henery Skerry, sr.,‡ and Francis Skerry‡ and allowed 26 : 4 : 1677, in Salem court: his dwelling house and an Aker of upland and an orchard In it with halfe a barne & an old house & fence to it, 40li.; 4 akers of salt & English gras meddo belowe the house, 40li.; 4 akers of pasture Land fenced in Neere the house, 32li.; one Ten Aker Lot over the River Against ye house, 30li.; one Fether Bed & Boulster, 2 pillowes, A Rug And thre Blancits, 6li.; a bedsted, Curtins, vallants & Bed Cord, 1li. 7s.; An ould small fether Bed with Boulstars & Coverlet & two Blankets, 1li. 10s.; An old Cow, 3li.; his waring Clothes, on Cloke & An old Cote & 2 pare of Breches & a dublit & Apare of Gloves, 4li.; a hat & thre hancarchars, 4 band & 2 Caps, 8s.; A box, Iorne & pot hucks, 3s.; a pare of AndIornes, a spit, tongs, a hake, one pot And Cettell & fier pan, one mortising Ax, & a wedg, 1li. 5s. 6d.; for old putar, a Tabell & forme & small Tabell & Joynt stoole, 1li. 2s.; 2 Chests, one of Joynar worke & one sea chest, 2 chayres & 2 Cushins, 1li. 2s.; Thre old brasse Ceettels, a brasse Candellstick, a scimer & pott Cover, 14s.; A Linin Whele & To[w] Come, 7s.; a parsell of old Lumbar, of severall Things, 14s.; total, 163li. 12s. 6d. Debts, 1li. 15s.; funeral expenses, 2li. 7s. 9d.

*Inventory of the estate of Ephraim Skerry, taken 19 : 8 : 1676, by Francis Skerry‡ and Henry Skerry, jr.,‡ and al-

‡Autograph.

to the three children to be equally divided, and their shares to be paid at age or marriage.

The will* of Mr. Ezekiell Needham was proved.

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lowed upon oath of the widow Martha, 26 : 4 : 1677 in Salem court: pleate, 5li.; 25 yds. of Carscey at 3s. pr. yd., 3li. 15s.; 22 yrds. Carcsey at 3s. pr. yd., 3li. 6s.; cash, 4li.; 3 holand sheetes, 2li. 5s.; 3 pr. of sheetes, 2li. 10s.; 5 pr. of pilobers, 1li. 11s.; 3 shurts & 4 pr. drawers, 2li.; 5 blew shurts & pr. blew drawers, 12s.; pr. very fine holand pilebers, 1li.; 8 Towles, 10s.; 20 napkens, 1li. 10s.; 4 small table clothes, 10s.; 8 neckcloths, 16s.; 2 pr. of holand sleeves, 8s.; 7 hankerchefers, 7s.; a bed quilte & eastend carpet, 2li.; a great beed, blankets, Ruge, bolsters, pillows & all to it, 11li.; a trickel beed, bolster, Ruge & blanketts, 3li.; a sea beed, two blankets & Ruge, 15s.; all his woolen waring cloths & cloke, 5li.; all his sea cloths, gloves, stockens, shoes, hatt, bible & other small books, 3li.; tinning things, 1li. 8s.; all the peuter things, 2li.; all the brass things, 2li. 16s.; all the Iron things, 1li. 14s.; a chest of drawers, two trunkes, 3 boxes & a chest, 2li. 14s.; a longe Table & 6 Joyn stolls, 1li. 2s.; two letel tables & 8 chayers, 1li.; all the earthen things, 1li. 10s.; two pr. wosted stockings, 5s.; a looking glass & slekston, 6s.; a litel box, two brushes & pr. stillyards, 5s.; a muskett & Cutlash, 1li. 8s.; 3 Sea chests & a case of glases, 1li. 2s.; all the Lumber, 10s.; all the Sea Instruments, 2li. 13s. 9d.; the house & ground, 103li.; three meale bages, 3s.; total, 177li. 11s. 9d. Debts due to ye estate: by Mr. Huske, 2li. 10s.; by Daniell Lunt, 1li.; by Henry Skerry, jr., 18s.; by Robt. Cannon, 18s. 9d.; total, 5li. 6s. 9d. Debts due from the estate: in England, 30li.; to Mr. Boudeth, 5li.; to Mr. Jno. Higgenson, 6li. 19s. 1d.; to Jno. Crumwell, 5li.; to Henry Skerry, sr., 10li.; total, 56li. 19s. 1d.

*Will of Edmund Needham,† of Lin, without date, "being Blesed be God in his perfect knowledge memory and understanding tho other wies ill in Body made & writen by min on hand & acording to min on mind to my Chilldren and Grandchilldren as follows . . . I desiar & impower my sun Ezekiell Needham my tru & Lawfull executor to this my Last will & Testament to se my body desently & Christianly Buried as neer my old wif being his on mother as may be Next I giue to my sun daniell Needham be sids all the housing dwelling house he now dwells in Barn & all y^e^ out housing all y^e^ Land that was laid out to him planting land upland & sallt marsh medo condisionally as is in a deed || to him || expresed towards

†Autograph and seal.

my maintenance while I liue in this world: & also y^e^ bedsted y^t^ stands in my last built nu roon w^t^h y^e^ bed I leue him & to blankets & the curtains & valence belonging to it and to his fiue Chilldren fiue yu sheep y^t^ is to say John Needham on & Ezekiell Needham on & iudah Needham on and Mary Needham on and Elizabeth Needham on Next I giue to my sun Ezekiell Needham all the upland & y^e^ fresh & salt medw on both sides y^e^ riuar and all the rest of my mouables on the conditions mensioned in a deed to me y^t^ he should prouide for me & my wife when then she was liuing & all things nesesary conuenient that we stood in need of for our comfortabell liuelyhood in heallth & sicknes whill we liued her in this world euery way sutabell to our old age & seuerall condisions & all my mouables I giue to him besides where as he my sun Ezekiell Needham my Lawfull Executor hath discharged y^e^ to dettars & all other if any du debtes or demands what so euer y^t^ any can iustly demand of me: allso my Chilldrens & gran chilldrens legsaies in this my will expresed & then to his to Chilldren to yo sheepe all y^e^ rest to be as hir on proper goods; that is to say my sun Ezekiell Needhams on proper goods as proper to him as euer they were proper to me: Next I giue to my dafter Hanah diuen & hur to Chilldren Twenty fiue pounds to be paied them halfe in Catell & y^e^ rest in good & honest suficient pay that is to pay fifteen pounds to hur selfe present if liuing or ellse to hur husband if he be liuing after hur & fiue pounds to her dafter Hanah Armitag & fiue pounds to hur last born son John diuen when they shall come to age but if any on of them shall dy before they com to age the longest liuer of them to haue y^e^ holl ten pounds but if they both dy then ther mother to haue y^e^ holl ten pounds at y^e^ time y^t^ if they had liued should haue com to age but if y^e^ mother & hur sun & dafter should all three dy then my sun Ezekiell Need. to haue y^e^ holl ten pounds only giuing y^e^ on hafe of it that is to say fiue pounds of it to hur || brother || my sun daniell Needham.

"Next I giue unto my sun in Laws || Samuell Harts || Chilldren first to his dafter in Law born of hur first husband Elizabeth How but now by mariag Elizabeth Chadwell on yo sheepe, next to his elldest sun Samuell Hart on Cow & on yo sheepe ye sheep not exeding four yers old next to Joseph Hart on yo sheepe next to abigall Hart on yo sheep & thirty shillings mor in good & lawfull pay for her great Car of me in my sicknes be sides the wages y^t^ I shall giue hur for y^e^ time she staies w^t^h me & to hir dafter Rebeck Hart on yo sheep all the sheep not exseding four yers old. next I giue to my sun in Law Joseph Mansfields chilldren first his son Joseph Mansfielld on yo sheep & to his next sun John mansfield w^c^h

I haue brot up euer since his Childe hood till now he is about fiften yers old to him this John mansfielld I giue on Cow & on yo sheep not exceding four yeres old & to his dafter Elizabeth wheat on yo sheepe & to deborah mansfild on yo sheep. and further this I ad as a Codasell or breefe inuentory to this my last will and Testament that my sun Ezekiell Needham my Lawfull Executor shall not be put to any oath or oaths at any Court or any man ——n what soeuer then her I haue set according to min one valuation of my holl estate & if this will not saue him from any oath abou — it he shall safly swer that || y^t^ is || all my holl estat I hauing firmly giuen him as his on proper o— as if it had neuer ben min so son as euer y^e^ breat is out of my body & I quite dead an I rest I well knowing y^t^ he canot giue any iust oath w^th^ out wronging his Consienc as I only best know how my estate lies & this min on valuation or inuentory followes

"first all my housing barn & out housing and all my Lands w^th^ all the chargs of ston wall fensing &c, 400li., to holl peses of baies on red & y^e^ other of y^e^ collar of a Chesnut on or to & forty yards a pece at y^e^ lest, 12li., one holl peese of red peniston on or to & forte yards long at y^e^ lest, 6li., 3 parselles of Canuis ner about on hundred yards & other parsells of linen cloth & Calico, 10li., my silluer wach & siluer box & other silluar cupes & spoones & other plates, 15li., my Clock y^t^ strikes & another wach & larum that dus not strike, 5li., sum puter sum old & sum new, 2li., sum parselles of Carsies & sum parselles of serges & my wering Clothes, 26li., sum potes & ketelles & trumpes & Chestes & bedsteed, 7li., beds & beding, 7li., debts in old England in suffisient Bonds & most in abell mens hands as the company of y^e^ marchant aduentorers & a nother loked at as a great rich Citizen fit for an alldar of London tho they do what they can to deseue us y^t^ is to say my brothers & sisters to whom they o us abou three thousand pounds, 600li., total, 1,090li., & on horse y^t^ was forgot, 3li., & 4 coues & to young bulloks forgot allso, 17li., allso 20 sheepe forgot, 7li., total, 1,117li.

"But as for this debt in old England y^t^ is sumthing unsartain what my to aturnies in England being my to Brothers may get for me & tham sellues w^th^ sumthing mor y^t^ may be coming both to them sellues & me I desier to leue it to my Chilldren in y^e^ best order as I can amungst them Thus first I institute my sun Ezekiell Needham my Lawfull executor & lawfull aturny in this in this busines as in min on steed & in min on nam as in mine on person to look y^e^ best after it as posibell he can & what euer shall com ouer of it w^th^ y^e^ charges about it discharged them foreuer twenti pounds y^t^ shall cum thus safe in to his hands he shall pay vnto his Brother

The will* of Mrs. Spooner and inventory† of her estate were proved and allowed.

Daniell Needham if he be liuing six pounds & to his sister Hanah diuen four pounds if liuing or ells y^e^ four pounds to hur to Chilldren Hanah armitage & John diuen if they be liuing & ther mother dead or ellse to to ether on of them if on should be liuing & y^e^ other dead.

"and further if this will not satisfi any Court or Courts man or men what so euer w^th^ out my sun Ezekiell Needham my Law full executornies oath to my wholl estate then my will is that my sun Ezekiell Needham my Lawful Executor shall safly mak oath y^t^ this my holl estate I hauing fully & wholy desposed of all y^e^ rest in my life as if had neuer ben min for other wise I can not se how he shound make oath w^th^ out ronging his Conscience my estat lying as it dus w^ch^ is only best known to myselfe." Wit: Rich. Walker‡ and Ralph King.‡

*Will of Elizbeth Spooner‡ of Salem, who had lived "vnto owld Age," dated July 22, 1673, and proved, 26: 4 : 1677, in court, it having been sworn to by the witnesses, 26 : 1 : 1677, before Wm. Hathorne,‡ assistant: "I giue vnto our Reverant pastor Mr John Higenson fiue poundes in money: & to M^r^ Nicolatt forty Shillings in Goods & I doe giue vnto my Cusen Margitt Rucke at boston ten pounds & to my Cusen Thomas Clark at Cambridg I doe Giue fiue pounds I doe Giue vnto the widow Elisabeth Owin fiue pounds I doe Giue vnto my thre Grand Chilldren daftors: Elisabath osborn & Hanna Rucke & Sarah Rucke: all my linen that I shall leue behind me: to be Equally devided among them & I doe giue vnto my young Granchild John osborn Juny^er^ too siluer spones: & I doe giue vnto my Grand Chilldren Hana & Sara & John & Thomas Rucke Ech of them A siluer spone: & The Rest of my plate to be devided Amongst them fouer: or the valewe thar of & the Rest of my Estate I doe leue with my sonne Rucke to his disscrestion for the disposing of it amonght his fiue Children Elisabeth & hanna & Sara: & John & Thomas w^ch^ he had by my dafter Hanna Sponner." Her son-in-law John Rucke, executor. Wit: Hannah Rucke‡ and John Rucke, jr.‡

†Inventory of the estate of widow Elizabeth Spooner, taken Mar. 6, 1676-7, by Hilliard Veren, sr.‡ and Thomas Rix,‡ and allowed, 26 : 4 : 1677, in Salem court: In ye Parlour, 1 bed bolster & 2 pillows, rugge & blanketts & Curtains and all other appertinances, 3li. 10s.; 1 trundle bed with all apper-

‡Autograph.

Inventory* of the estate of William Barber was brought in by Elizabeth, the relict, who was appointed administratrix, and was to have the estate for her necessary use.

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tinances, 1li. 5s.; 1 table & Carpett & 6 joyne stools, 1li.; 11 Chaires & two small stooles, 16s.; 6 Turkie Cushins, 12s.; 1 pr. Andierns & small tongs, 4s. 6d.; halle, 1 warming pan, 2s. 6d.; 2 chests & 1 bord, 8s.; waringe Clothes with a hat all giuen away, 4li. 10s.; 7 yds. searge by har grand Children, 1li. 2s.; a parcell of linning yarn, 1li.; 1 bedstead settle & rodds, 12s.; kitchen, doggs, 2 hakes, 2 spitts & tongs & slise & old brick, 12s.; pewter, 16s.; brasse, 2 candlesticks, Chafendish and 2 skimers, skillet & 2 kittles, 1li.; Iron pots & Kittle, 2 pr. pothooks, 8s.; tubs, barrells, payls, trays & boales, 1-2 bushell, pck & 1-2 peck, Skales & weights, 1 pr. bellows, with all other wooden ware & wooden grater, 16s.; ye Childs Chamber, 1 bed, boulster & 2 pillows, 1li. 15s.; barly, 7s. 6d.; 45 bushels Ind. Corn, 4li. 10s.; Chest with Iron lumber in it, 16s.; Kings Chest and waring Clothes 3li. 10s.; in ye parlor Chamber, 2 bedsteds & bedding, with ropes, matts with ruggs & blanketts, 2li. 5s.; 1 pillion & saddle, 12s.; 4 Cowes, 10li.; 1 pr. oxen, 6li. 10s.; 4 swine, 1li. 5s.; ye horse, an ould one, 1li. 15s.; 3 Calves, sucking, 1li.; body of a cart & tumbrell, 1li.; 6 1-2 bush. pease, 15s. 6d.; 2 Chaines, 10s.; forkes & rakes & iron box & all other trifling Lumber, 5s.; 1 barrell sider, 12s.; beefe & porke, 2li.; plate, 6li. 7s. 4d.; cash, 12li. 15s.; linen, 3li. 15s.; the dwelling house, out housing, orchards & in all about 7 acres of land adjoining, 110li.; about 4 acres called Cotta's lott, 40li.; 1 acre 3-4 of marsh & about 5 acres of upland in the south feild, 16li.; 3-4 an acre of marsh in ye north feild, 6li.; about 34 acres of upland in the north feild, 40li.; total, 293li. 4s. 4d. Debts due, 9li. 12s. 4d. Debts due from the estate: to legases given as by will, 27li.; to what was laid out & spent at the funerall for mornings & other wayes, 22li. 9s. 6d.; debts & Rattes to pay, 15li. 12s.; to har waring Clothes given away by her Grandchildren to poor folk, 4li. 10s.; total, 69li. 11s. 6d.

*Inventory of the estate of William Barbar, taken by Rich. Knott,† Robert Bartlett† and John (his mark) Martayn, and allowed, 29 : 4 : 1677, upon oath of Elizabeth, the widow, in Salem court: one Kow, 2li. 15s.; one Horse, 1li. 10s.; one old Sadell & 2 old Bridles, 6s.; one sord and Belt and powder & bullets, 10s.; To a snapt sack and Bullett molds, 2s.; Beed and Furnetture, 6li.; Wearing Cloaths and Hatt and Shirts

†Autograph.

John Fuller dying intestate, administration upon his estate was granted to Rebecka, his wife, who made oath to an inventory. Court approved of the disposal of the estate according to the mutual consent of the persons concerned as appeared by a writing brought in to court.

Mr. Tho. Gardner, sr., brought in an inventory* of what he found more of John Cole's estate since he carried in the first inventory to Ipswich court.

1li.; 2 Chests, one Table and A small Box, 1li.; 2 potts, one Brass skillett & a frying pan, 1li.; puter platers & potts and porrengers, 1li. 2s.; a standing Cubbard, 8s.; Books and a bible, 5s.; a payle & wooden Dishes and Trenchers, And 2 earthen potts and a Tray, 5s.; one old pillion and an axe and two smoothing Irons and fire shoufell and other old Lumber, 10s.; land lying in the bounds of Dorchester as praysed by a former Inventory, 9li.; total, 25li. 13s. Debts to be paid, 8li. 2s. 6d. Due to be paid to Goody Farnenum, 3li. 8s.; to Richard Knott of Marblehead, 2li.; to Joseph Fiske of Line, 1li.; to Michell Bouden, 1li. 7s. 6d.; to John Leeg, 6s.; total, 8li. 2s. 6d.

*The estate of John Colle debtor to several since the delivering into Ipswich court of the account by Thomas Gardner, sr., the administrator, to be added to the inventory: to Alice Peach for house Rent, Hors Hier, Beefe & Cabagges, 2li. 18s. 6d.; to Doctor Knott for Phisick & Tendance as his Bill, 2li. 4s.; to Doctor Wells, 2li. 11s. 3d.; to Richard Reith, 2li. 16s. 4d.; to Richard Norman for diet & drink, 2li. 4s. 11d.; to John Michels wife & daughter for the Childs diet & Tendance, 1li. 1s.; to Joseph Edmonds which he undertook to pay for Richard Hull, 1li. 2s.; to Edward Reed for digging the Grave, 5s., and to the Ferry Man, 4s.; to William Biggford to Ballanc his Account, 3li. 1s.; to 15s. in A Gun for Makeing of Sayles to the saied Biggford, 15s.; to Mr. John Battle of Boston by Agreement with the Administrator, 3li.; to John Dollen upon an Arbitration with the Administrator, 3li. 10s.; to Robert Hobs for Triming the Boat, 8s.; to William Forde for Salt Received by William Biggford, 1li.; to Mr. John Deverike for three Barrills, 9s.; to James Dennis, 2li. 1s. 3d.; total, 30li. 3d. The estate of John Colle, Creditor: to fish Received as his share of the smale Boat he kept out, 11li. 4s. 1d.; fish, 11li. 4s. 1d. at 15s. p. Quint & in hake & Refus Cod, 4li. 11s. 7d.; 45 Quintalles of Merchantable Fish at 16s. p Quintall, 16li. 16s.; to 12 Quintales & 1 qtr. of Merchantable Cod at 16s. p., 10li. 3s. 8d.; to 3 blls. of Mollasses

The will and inventory* of the estate of widow Charles were proved and allowed.

Returned by John Gardner For fish Adventured, 3li. 12s.; By a Quarter an Acer of Ground & left in the hand of Thomas Junior being bought of him to satisfy his debt he Returning the surplus, 6li.; 1 pr. of Smiths Bellowes & An Iron Kettle & small Anvill, 2li.; total, 54li. 7s. 4d.

Payed by the Administrator out of the Estat of John Colle, deceased, since Ipswich court last: to Mr. John Fairweather, 13li. 18s., he being 15s. in debt, 13li. 18s.; to Henery Wolfe of Boston Baker, 4li. 14s.; to Mr. John Higerson of Sallem, 37li. 12s. 4d.; to Alice Peach, 2li. 18s. 6d.; to Doctor Knott, 2li. 4s.; to Richard Reith, 2li. 16s. 4d.; to Richard Norman, 2li. 4s. 11d.; to John Michell, 1li. 1s.; to Joseph Edmonds, 1li. 2s.; to Edward Read & the Fery man, 9s.; to William Bigford, 3li. 10s.; to him A Gune, 15s.; to Robert Hobs, 8s.; to William Ford, 1li.; to Thomas Gardner, jr., 4li. 16s.; total, 74li. 13s. 1d.

*Inventory of the estate of widow Charles, deceased, Dec. 21, 1676, taken by Moses Mavericke† and Samll. Ward:† 1 petticoat & wascoat & 1 iron small ketle, 1li. 10s.; 1 gowne & 1 cloake, 1li.; 1 old felt, 2s. 6d.; 1 old cloke & apron, 2s. 6d.; 1 mans wt. wascoat & 1 Frying pan, 10s.; 1 women's coat, 2s. 6d.; suit & more old cloths, 1li. 10s.; Her Bed & covering, 5li.; 1 old warming pan, 5s.; 2 brass ketles, 1li. 3s.; 1 tin ketle, 1s.; 1 iron skellett, 4s.; 1 tongs & old fire shovel, 3s.; 1 small old Frying pan, 1s. 6d.; Wooden Lumber, 15s.; 1 old dimicaster, 5s.; 1 small brass ketle, 4s.; 1 ketle of brass, 5s.; 2 iron potts & 3 pot hooks, 1li.; 1 iron trammell, 4s.; 2 old Bibles, 10s.; total, 15li. 7s.

Mary Dennis, aged about thirty-three years, deposed that being with her aunt Charles in her last sickness, she told her on the day she died that she would like to make her will and wished to have deponent look after her burial. That "after her death she did give unto her sister Tryphena Geer, her gowne & cloake, & to Tryphena Fairfeild her daughter her red kersey petticoat and wescoat, & the litle iron ketle and to John Fairfeild her husbands w^t wascoate & y^e Frying pan, & to Sarah Fairfeild, a flannel petticoat, and to Goodw: Goldsmith an old cloak & 1 apron and to Goodw: Haggett, her felt hatt, And to Mary Dennis jun^r her warming pan, to James Dennis, jun^r the 2 Bibles, to Acnes Dennis, her Iron trammell, fire-pan & tongs: to Agnes Dennis her Bed and Covering belonging to it, and to Robert Charles his two daughters

†Autograph.

The will* and inventory of the estate of John Hathorne were proved and allowed.

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fifty shillings a peice, to be paid to him when he came over for it" and she desired to settle her accounts and what was left she gave to deponent. James Dennis and his wife Mary were appointed administrators.

*Will of John Hathorne,† dated Lynn, Oct. 19, 1676, and proved, 27 : 4 : 1677, in Salem court: "I doe will and appoynt that all my Just & honest debts that I doe owe wth the most & principall thereof according to my best memory I haue inserted in a list left for direction therein that they may bee honestly & duly paid: out of my estate, &c. And as for the remaynder of my little estate I bequeath viz It I hauing foure old fetherbeds. I giue & bequeath vnto my foure children, each of them one with || a Couerlett || a blankett. bolster pillow. & what else thereto belongeth: And my daughter Called marah to haue the choice in the first place. And my little daughter Phebe. next And my son Ebenezer Hathorne next & my son Nathaniell Hathorne. in the next place being younger It. I giue vnto my daughter Marah the new Red Rugg. And as for my houshold stuff. viz. My Brasse & pewter. & Iron vessels my will is that it bee equally diuided among them all according to y^{e} discretion of prudent freinds in conuenient time only whilest the prouidence of god shall Continue them together || to use al together || Only that my daughters Marah & Phebe shall haue each of them. one large new platter: beside or before diuision bee made Item I giue vnto my son Nathaniell a flock bed y^{t} I haue. least his p^{t} aforesaid of bedding may not bee soe good. as y^{e} rest, &c. It I giue all my housing and land vnto my two sons. Ebenezer and Nathaniell to be equall betweene them. if it be the good pleasure of god to Continue them & to giue them Issue but if it bee his good pleasure to take either of them out of this world without Issue. then that part. to fall & belong to that son suruiuing & living. But in case it should bee the pleasure of the lord to take away both my sons aforesaid: without any Issue. Then my will is That my housing & lands goe & belong to my two daughters. Marah & Phebe, Equally. I giue vnto my two Sons aforesaid. my two working Bullocks each of them one. together with my utensels for husbandry as also a steere & a heifer one to one, & the other to the other

"I giue vnto my two daughters. to each of them one Cow: I giue vnto my two daughters, to each of them one standing or high Cubbard and Marah to haue the choyce of them I

†Autograph and seal.

giue to my daughter Phebe, the finest Hollon sheete I giue to my two sons each of them a Table cloth of flaxon cloth I giue my two sons each of them a p^{r} of sheets & a p^{r} of pillowbers & halfe a dozzen of Napkins I giue vnto my two daughters the rest of my Linnen to be diuided equally betweene them in a conuenient tyme. I giue vnto my foure children each of them one table I giue vnto my foure children each of them one Chest. I giue vnto my daughter Priscilla Shore out of my estate as a remembrance of my loue the sum of Fourty shillings I giue vnto my Granchild Phebe Shore y^{e} sum of Twenty Shillings I giue vnto my daughter Marah y^{e} bedsted y^{t} I & my wife ly on I giue vnto my foure children aforesaid my horses & horse kind that are abroad to be sold & then their value to be diuided Equally amongst them all I giue vnto my two Sons Ebenezer & Nath^{l} my Gray horse I doe appoynt & ordein my welbeloued & deare wife || Sarah Hathorne || to bee my executrix to this my last will & testament and my Son Ebenezer Hathorne as Executor with her hereunto: And doe heereby bequeath & order this & my whole estate to bee to her use & Comfort for the tyme of her naturall life without Contradiction by any, &c. It. I doe ordeine & desire my louing & respected freinds & neighbours: John Fuller, Thomas Newhall & Oliuer Purchis to bee my ouerseers of this my last will & testament earnestly desiring them not only to bee my ouerseers but also to be of assistance & helpfull to my deare & welbeloued wife aforesaid & my children that they may with more Comfort & cheerfulnes, be holpen forward in their busines," &c. Wit: Robert (his mark) Burges and Oliver Purchis.* Sworn by the witnesses, at Linn, 26 : 1 : 1677, before Thomas Danforth,* assistant.

Inventory of the estate of Mr. John Hathorne, deceased, taken Feb. 21, 1676, by Quartermaster Thomas (his mark) Stocker and Robert (his mark) Burges, both of Lynn, and allowed upon oath of Sarah, the relict, 27 : 4 : 1677, in Salem court: his dwelling house with the outhouses Barne & stals & stable with the Orchard adjoyning & the land lying to it by estimation 3 acres more or less, 60li.; Two acres of Marrish in Rumney Marrish in ye lower devidend, 8li.; a pcell of land Commonly Called Bloods lott, 6 Acres, 15li.; 3 Ten acre lots neere Thaddeus Brann, 6li.; 5 acres of vacant land Called Burchams land, 2li.; 7 Cattle, viz. 2 Oxen, 3 Cowes, & 2 younger Cattle, 21li. 10s.; 13 sheep, 3li. 18s.; A Cart, & wheels, a sled, yoke & Copling & other appurt. as chayne & Ladders, &c., 2li.; old Iron & Lumber of Iron, 8s.; 2 pr. Andirons, 2 potracks & a fire shovell & tongs, 1li.; 9 Iron Vessells, pots, Kettles, morters, 1 pestl., 2 pothooks, 2li. 10s.;

*Autograph.

1 Great Iron Fornace pan, 2li.; a Jack, & two spits & two smoothing Irons, 1li. 10s.; Brasse Vessels, 1 pot, 2 pans, 1 Skillett, 1 Skimmer, 2li.; pewter vessells, all new & old, 3li.; Tinsey Vessels, 4s.; plate, 2 Cups & spoones, 1li.; 1 Brasse Chaffing dish & 1 old warming pan, 5s.; 1 Fether bed & bolster with ye bedsted & 1 fether pillow with ye Blankets & Coverlett & Curtaynes, 7li.; 1 Trundle bed with a fether bed, 1 fether pillow with a flock bolster, with ye blankets & Coverlett, 3li.; 1 fether bed, 1 fether pillow, a flock bolster, with ye Coverings, Bedsteed Vallens & old Curtaynes, 6li. 10s.; 1 Fether bed, fether bolster, 1 pillow with Coverings & bedsted with vallens & Curtaynes, 9li.; 1 Flockbed, 2 fether pillowes & two Coverings & bedsted & one blankett, 3li. 10s.; 1 Livery Cubbart, Cubbart Cloth, Cushion with a long table & 1 one old Carpett, 4li.; 1 Table, 12s.; 8 yds. wool cloth, 4s. p yd., 3 yds. 3-4 Lynsey woolsey at 3s. p., 2li. 3s. 3d.; To a Red Cradle Rugg, 6s.; Wearing apparrell of woollen & a hatt of his, 8li.; Linnen of his wearing also, 1li.; a pr. of bootes well worn, 10s.; seaven payre of sheets, 7li.; 5 Table clothes & a fine sheet, 6li. 10s.; 14 pillowbers, 3li.; 13 Napkins, 1li. 6s.; 18 Napkins, 2li. 5s.; 2 pr. of old sheets, 1 old pillowber & 3 Towels, 1li. 4s. a bundle of childs Linnen, 3li.; 4 lb. & 1-2 of Combed Wool, 1 old sheet & a pr. old drawers, 10s.; 2 Guns, 2 pistols & a Cutlas & belt, 3li.; 40 bushels of Indian Corn, 6li.; 22 lb. of Linnen yarn, 2s. p. lb., & 9 lb. of woolen, 2s. p., 3li. 2s.; 40 lb. of wool, 2li.; 34 lb. of Tallow Rough & tryed 4d. p lb., 11s. 4d.; an old pillion & pillion cloth, an old saddle, brest plate, a payre of new Bits & a Curb bridle, 1li. 10s.; a Small Hatt, 3s.; 17 lb. of yarne more, linnen & Cotton at 2s. 6d. p., 2li. 2s. 6d.; 2 lb. of Red hose yarn at 3s. 6d. p & 10 lb. Tallow, 8s. 4d.; 3 wheels, 1 p wool & 2 p Linnen & a Sweep, 11s.; 2 Swine shoats, 1li.; 2 pr. Cards, 3s. 6d.; 4 Chests, one Trunke, one Small Table, 1li. 10s.; A livery Cubbart & two small Boxes, 1li. 10s.; two old bibles & a parcell of bookes, old, 15s.; one Table, 10s.; a long Table, two Fourms, & a Carpet to ye table, 3li.; a Livery Cubbart with Cloth & a lined board, 15s.; a short rope, a horse, Collar & Traises, 9s.; 3 dozn. trenchers, 2s.; & 2 hand brushes, 2s.; 3 forkes & a shovell, 5s.; Flax dressed & undrest, 14s.; two pr. small Scales, Iron Beam, weights, earthern potts, small stone Juggs & Glasse bottles, 10s.; a churne, a small Butter Tubb, 2 Cheese fatts & one wooden Bole & two Trayes, 10s.; Beefe & porke, 4li. 10s.; Two Barrels of Sydar, 1li.; Cheeses, 5 small ones, 5s.; 2 old chayres & payles & some such Lumber, 10s.; 2 meale sives, 2s.; 5 Barrels, 10s.; 2 Runlets, 3s.; 2 wooden bottles, 2s.; Two wrought Cushion Coverings, 10s.; horses and horse kind in number eleven yt many of them have not beene seene together this twelve months, 22li.; total, 263li. 6s. 11d.

Nathaniell Putnam, presenting a writing for settling his daughter Elizabeth's estate which was drawn up by the mutual consent of parties concerned, it was allowed and confirmed.*

At Lynn, Oct. 19, 1676, a list of accounts, taken from Mr. John Hathorn's own mouth, by Oliver Purchis,† of debts due from and to him according to his best memory as he did then express being on his sick bed, when he made his will: from Mr. Richard Cutts or his executors as by a bill to Leiutennt. John Gilman, for 2,000 boards not received although demanded, 4li.; from Bonney Cowell three & four pounds & to write to Mr. Moodee to take care of both; from Mr. John Todd of Rowley, 30s.; from Mr. Joseph Jewet's executors, 3li.; from Mr. Seaborn Cotton of Hampton, who is to pay it to Capt. George Corwin, 15li.; from Mr. John Ruck, sr., if he pay 10li. 5s. for Thomas Looke, sr.; from Quartermaster Thomas Stocker, about 4 or 5li.; from Monseiur John Divan about 6li. which he is hereby assigned to Capt. Marshal; from Thomas Looke, sr., about 40s., besides Mr. Ruck's account; from Oliver Purchis who is to be examined about an old bill to Captayne Savage & a bill of 12li. Debts due: to Capt. George Corwin, 25li.; to Mr. Batters, 14s.; to Thomas Newhall, sr., 3li. 9s.; as for Mr. William Bartholmew when I paid him 20li. p Mr. Bennett then we were even; at Mr. Bennett's arbitration, Mr. Bartholmew sent me word that he would pay me 10li. for Mr. Bennett; I had a Barrell of Rhum of Mr. Bartholmew for which I paid him 40s., so there remained due to him 7s. 6d.; at one election time I scored with him, 18s.; I had of him a Barrell of Fyal wine for which I paid him 2li. 15s. and a bill of Mr. Jno. Bennet's hand of 40s.; to Major Thomas Clarke, 4li.; to Mr. Kellum, what the sum is I know not but if hee give the full price for the wood it will not be much; to Major Thomas Savage, 10li.; to Mr. Coalman, 18s.; to Thomas Fitts, shoemaker, 8s.; to Capt. John Corwin, who had Mr. John Blano's bill for 20 cord of wood, which he accepted as I understood for he took the bill and received part of the pay and had of mee a Cow of late time which I judge worth 4li.; to Mr. William Browne, sr., of Salem, I owe a debt.

*Agreement, dated Mar. 22, 1677, between Nathanell Putnam† and his daughter-in-law, Eleisabeth (her mark) Putnam: "The said Nathenniell Puttnam hath giuen unto his daughter The dwelling house with Twelve ackers of land and tow ackers of medow to Bee layed outt Conueniently

†Autograph.

Henry Dispaw's will* and inventory were brought into court and approved.

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to the dwelling house for euer allsoe the said nathenniell puttnam doth giue unto her the fenced feild with the Broken land and all the improuement of itt soe long as she liues, prouied That his daughter pay or Caues to be paide the full summe of twentie pounds in current pay: to hir daughter Eleisabeth Puttnam if she liue to be eighteene yere of age: Alsoe The saide natheinnel puttnam doth giue to his daughter fouer ackers of medow mor in prices medow for her life time And the saide nathennel puttnam doth Consent that his daughter shall haue all the Rest of the estat And he doth giue her his debts And for the Tru performance of this Agreementt of ouers Bettween us we haue interchangeablly sett unto our handes And that the house and land Be made ouer for the paiment of the aboue said twenntey pounds to her Chilld: And the Rest of the land to be att the Aboue said nathennil Puttnams disposeing. the other lands not mentioned are to returne to nathell putnam." Wit: Richard (his mark) Leech, Thomas Fuller† and Joshua Rea.† Registered with ye records for Wills & Inventorys in Lib. 1, folio 50.

*Will of Hinere (his mark) Despaw, dated Feb. 27, 1674, and proved, 26 : 4 : 1677 by John Floyd and Sarah, his wife, in Salem court: "Afftor my decese my will is that my duttefoll sonn hinnery shall have Alle my part of the bond of five hundred pounds of lafoll monie of Ingland being the forfit for non paing of my waggis: and Allso my will is that my sonn Edward shall have outt of thes bond forty shillines and the half of my Clothes and If any shall aske the Resin whi I Geve hinery so much and nott doo no mor for Edword it is becaes hinery hath bene at a grate dealle of trobell with me in tim of my lamenis and siknis and Alle soe my will is that my lovin atorne John Floyd shall be satisfied for his trobell at Cortee too Recover my Right of John write John Gifford and Ezekell Fogg: and for the performance of this my will I doe Anomant: & ordayne my loving sone hinery too be my Exceketer and I doe chues my lovin frind John Floyd too be my overser of this my will." Wit: John Floyd† and Sarah Floyd.†

Inventory of the estate of Henry Dispaw, sr., of Lynn, taken by Samuel Stocker† and John (his mark) Chilson, and allowed, 26 : 4 : 1677, in Salem court: two old Coates & a payre of Breeches, 10s.; his old Hatt & all he had, 1s. 6d.;

†Autograph.

The will* and inventory of William Woodbery, deceased, was brought in to court, the witnesses not serving, only one who was not able to appear. Mr. Hugh Woodbery, in behalf of himself and his brother Nicholas, was bound upon condition that his mother, the relict of deceased, should be maintained during her life, and then the will should be fulfilled according to the contents. Court ordered the will confirmed and allowed.

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his bed which was all declared & no thing belonging thereto was his & an old flock bed, 1li.; one shirt, 6s.; a pair of old stockings & shooes, 1s.; Two Linnen Neckclothes, 2s.; one Black Sattan Capp, 2s.; total, 2li. 2s. 6d.

To his one halfe pt. of 500li. bond due from John Wright, John Gifford & Ezekiell Fogg, for forfeiture of non-payment of his wages, 250li.

*Will of William (his mark) Woodberry, the elder, dated 5 : 4 : 1663, and proved, 26 : 4 : 1677, in Salem court, all the witnesses having deceased, save one who could not appear: "Imprimis I giue and bequeath vnto my wife Elizabeth my Dwelling house with the land adioyning vnto it as allso whatsoeuer other Land I Doe posesse and enioy, saue what I shall except in this I will to giue vnto my sonne William. It: I giue vnto my said Wife all my household stuffe and other goods debts Dews Cattle or whatsoeuer elce aperteines vnto my wife paying these Legacyes here under expressed. It: I giue vnto my eldest sonne Nicholas twenty shillings It: I giue vnto my sonne William ten shillings as allso fiue akers of land which lyes nere snake hill and adioynes vnto ten akers of his owne It I giue vnto my sonne Andrew & Hugh my sonne Isacke and Daughter Hannah Haskels to each of them ten shillings the piece Constitutetinge & ordeining my said wife Elizabeth sole Executrix of this my will." Wit: John Thorndike,† Nicholas (his mark) Pache and Richard (his mark) Brackenbury.

Inventory of the estate of William Woodbery, aged about eighty-eight years, deceased 29 : 11 : 1676, appraised by William (his mark) Dixsy and John Hill:† cotes, 1li.; lining cloth, 2li. 16s.; ticking, 12s. 6d.; shets and shirts, 1li. 12s. 8d.; 4 yds· of carsy, 1 li. 4s.; yards and 3 quarters cloth, 11s.; bags, 15s.; 4 yards sad colerd cloth, 18s.; 12 yds. penisstone, 1li. 16s.; to yards coten, 6s.; one paire stockings, 2s.; bed and furnituer, 3li.; plators, 5s.; brass pots, 12s.; 3 kitells, 1li. Debts, due from Nicolas Woodbere, 18li.; from Hugh Woodberre, 4li. 9s.; from Hana Bradford, 2li. 2s.; from John Patch, 1li. 10s.; monney, 3li.; total, 45li. 11s. 2d.

†Autograph.

Thomas Thurley had license granted him to draw and sell beer and cider for the ensuing year.

Fines brought in by Major Hathorne since June, 1676:

Joseph Armitage, for being drunk.

Mr. Hardin of Beverly, for being distempered with drink.

John Belhash, for receiving stolen goods and encouraging others.

Thorne and his wife, to be whipped.

George Williams, for taking a horse of a man at Wenham.

A Frenchman, for being drunk.

Wm. Shaw, for swearing and cursing.

James Shaw, for the third time being in drink.

Gilbert Taply, for breach of the peace.

Peeter Burnet, for drunkenness and swearing.

Martin Hale (also, Hall), miller, of Beverly, and Ralph Ellenwood, his man, for taking too much toll.

Mr. Batter, for rescuing his horse after it was impressed.

Jacob Pudeater, for not assisting the constable.

Nicho. Mory, Mr. Cromwell's man, for stealing a pig, and Greeneslad, for joining with him, and Best, the currier, for having it roasted in his house.

Isabella Pudeater was fined by Major Hathorne for being drunk the fourth time and was ordered to be severely whipped.

Warrant, dated 27 : 4 : 1677, for appearance of Thomas Cox, for often being drunk and swearing, with witnesses, Thomas Rix and James Dalin.

Summons, dated 27 : 4 : 1677, to witnesses, Christopher Babadg and John Mascoll, jr., in Richard Bradway's presentment, signed by Hilliard Veren,* cleric, and served by Samuel Balch,* constable of Beaverly, who returned that he could not find said Bradway and did not know where the witnesses dwelt.

Warrant, dated 27 : 4 : 1677, for appearance of George Michell for living from his wife who was in England, signed by Hilliard Veren,* cleric, and served by John Stassy,* constable of Marblehead, who returned that said Michell was at sea.

Venire, dated May 21, 1676, for trial jury and grand jurymen from Salem, also summons to the selectmen for neglecting their duty in not choosing several discreet persons to take

*Autograph.

COURT HELD AT IPSWICH, SEPT. 25, 1677.

Judges: Mr. Samuell Symonds, Dep. Govr., Major Genrll. Denison, Esq., and Major Wm. Hathorne, Esq.

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charge of ten or twelve families, for restraining excess in tippling houses, according to law, signed by Hilliard Veren,* cleric. No return made.

Venire, dated 22 : 3 : 1677, for Beverly trial jurymen, also summons to the selectmen for neglecting to appoint tythingmen according to law, signed by Hilliard Veren,* cleric, and served by Thomas West,* constable of Beverly, who returned the name of Lt. William Dixcy for the jury of trials.

Venire, dated May 22, 1677, for Lynn trial jurymen, also summons to the selectmen for neglecting to appoint tythingmen, according to law, signed by Hilliard Veren,* cleric, and served by Clement Coldum,* constable of Lyn, who returned the names of Ralph King, Hen. Silsby, Jon. Burrell and Tho. Browne, for the jury of trials.

Venire, dated June 1, 1677, for Gloster trial jurymen, also summons to the selectmen for neglecting to appoint tythingmen, signed by Hilliard Veren,* cleric, and served by John Millet,* constable of Gloster, who returned the name of John Daves for the grand jury and John Fitch for the jury of trials.

Venire, dated May 21, 1677, for Marblehead trial juryman, also summons to the selectmen for neglecting to appoint tythingmen, and to William Lattamore, for fighting and abusing a man upon the road, signed by Hilliard Veren,* cleric, and served by Henrie Russell,* constable, who returned the name of Robart Bartlett for the jury of trials.

Petition of Thomas Laughton,* for the selectmen of Lynn, dated 22 : 4 : 1677: "the county Bridge in our Towne beinge defective & dangerous for both man & Beast to passe over wee were constrayned to make vse of the worshipfull Maior Hathorne to Graunt a presse out for workmen to repaire the same which beinge Graunted the counstable pressed several psons to the worke which as hee giues vs an account of came to fourty shillinges," wherefore it was desired to know how he may be paid.

"the inhabetance of the farmes haue mad choyce of nathanell Ingerson for to keepe a hous of Entrment for strangers and others by seling beere and sidere and lickers and prouision this was voted by the inhabentanc dated 25 : June 1677." Consented to by Edm. Batter,* Jno. Curwin,* Wm. Browne, Junr.,* John Pickering,* Bartho. Gedny* and Jno. Price,* selectmen.

*Autograph.

Grand jury: Ens. Tho. Burnam, Tho. Lull, Tho. Jacob, Corpll. Jo. Andrews, Tho. Burnam, jr., Nathaniell Tredwell, Anthony Morse, Edward Woodman, Samuell Plumer, James Barker, John Harris, Abr. Redington, John Comings, John Steevens and Nicolas Walington.

Jury of trials: Mr. Daniell Epps, Nath. Adams, Nath. Wells, Corpll. Jo. Whipple, Robert Kinsman, Jo. Newmarsh, jr., Usuall Wardell, Jacob Tappan, John Knight, Abell Langly, John Palmer and Sam. Boswell. Sam. Gardner, Marshal Skery and Neh. Jewett, in Mr. Dumer's case. Mr. Dudley Bradstreet, Ens. Chandler and Abraham Perkins, in Mr. Shepard's case.

The constable of Newbury was fined for not making return of jurors. Sam ——, not appearing, was fined, but presently coming in, said fine was taken off.

Mr. Rich. Dummer v. Henry Jaquis, selectman of Newbury, in behalf of the town. For not making good all the land granted. Verdict for plaintiff, twenty-five acres of land. Said Jaquis, John Knight and Tristram Coffin appealed to the next Court of Assistants. John Knight, sr., and Tristram Coffin bound.*

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*Writ: Mr. Richard Dumer, sr. v. Henry Jaquish, selectman of the town of Newberry, in behalf of the town; for not making good all the land granted by the said town in 1639, for which the said Mr. Dumer laid down land, which grant was 150 acres, a considerable part of which is not set out to him by the said town; dated Sept. 12, 1677; signed by Thomas Leaver,† clarke, and served by Robert Lord,† marshal of Ipswich, by attachment of the house and land of Henery Jaquish and a part of the town common.

Bill of cost of Mr. Richard Dumer, sr., 3li. 3s. 4d.

Copy from the town book of Newbury, made by Anthony Somerby:† "the 23th of the 7th mth 1638. Henry Short & Richard Kent were released from being Lott layers & the Towne hath appointed Richard Knight & Thomas Coleman to be lottlayers in their Roomes to lay out land & to attend upon it: for any man that hath a Lawfull grant of Land upon three dayes warneing."

"At a Towne meeting June 5th 1673. That wheras M^{r} Dumer complaines that he wants measure in seuerall Grants

†Autograph.

of land that was granted to him by the Towne. It was voted that all Mr Dumers Grant shall be measured by an equall charg between the Towne & Mr Dumer, And the Towne doth engage to make good his seuerall grants both upland & meadow, And Mr Dumer doth engage that the Towne shall haue the rest of the land that is aboue his measure to be Returned to the Townes Vse."

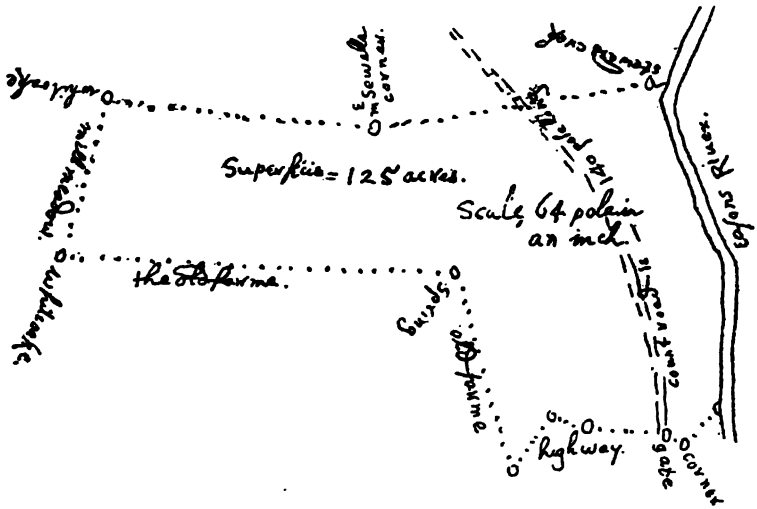
"And the Lottlayers & Leiut Woodman & John Knight was chosen mutually to see the said Land measured and done according to the said vote."

Copy from the old town book of Newbury, made by Anthony Somerby:* "January the 7th 1639 Att a generall Towne meeting There was granted to Mr Richard Dummer, an hundred & fifty acres of Land Runing in a direct Line from the creeke below mr Eastons celler to the corner of his farme allredy layd out And that sayd hundred and fifty acres are to be so layd out by the lott layers, and this in considderation of twenty two acres and a halfe in the common Resigned by the sayd Mr Dummer into the Townes hands, And that henceforth the sayd Mr Dumer doth not acknowledge the sayd Land to be his nor expect any preveledge whatsoever, which by any order of the Towne, were granted to any that left there lands there."

Jonathan Danforth,* surveyor, certified, dated Newbury, 16 : 4 : 1677, that "my self being desired to measure seuerall parcells of land by mr Dumer, yt day and year aboue written, I measured one percell called ye hundred & fifty acres. the bounds of it are as followeth. we began at a little creek or riuilit, by dunkcum stewards house, & from thence we ran to the south corner of mr Sewalls farme, to a great stub at ye corner of his fence, from thence to a great white oake marked and standing a little within mr Sewalls fence at that corner of his fence, next mill-meadow, & from thence, by mill meadow to another great white oake, which is ye North east corner of mr dumers old farme; from thence, to a place called the liuing spring, and then runing from ye said liuing spring up the south east line of ye aforesaid old farme untill you come as farr as ye highway to the house at the paster fence, then we ran acording to the said fence by the highway to ye gate of the other country road, near ye mill and so to the corner of ye fence, then turning down by the fence to ye riuer; & runing downe the said Riuer untill wee came to Dunkcums creek first spoken of, which makes a closeing line. I find The land within these lines containe one hundred & twenty fiue acres and no more so that there yet wanted twenty & fiue acres, of the hundred & fifty sought for. The exact

*Autograph.

platforme of y^e^ said land is better discerned by a plate taken of y^e^ same & is inserted underneath:"



"These are further to testify that in y^e^ 2d weeke of July, in the yeare 1674. I was at m^r^ Dumers farme suruaying seuerall parcells of land for him, and ther was at that time present seuerall men of Newbury, namely, m^r^ John Knight, m^r^ Trustum Coffin and some other of Nubury men with them, and those men then shewed these bounds mentioned to be the bounds of those farmes aboue specified; & owned these and no other to be y^e^ bounds of those farmes, after they had spent much time and labour to find out the true bounds: they shewed these bounds to Mr. Richard Dumer Jun^r^ Capt. Brocklebank & my self, with some others, that were then waiting upon the business. And this I do further testify that this tract of land abouesaid; containes that wholl quantity of land within those bounds then owned by newbury men as aforesd: that wholl parcell of land within y^e^ fence, (& acording to y^e^ aforesd bounds) being exactly measured, and y^e^ abouesaid Record & plott, is a true Record & plott of y^e^ same, acording to rules of art." Sworn, 17 : 7 : 1677, before Tho. Danforth,* assistant.

Jonathan Danforth,* certified, at Newbery, 10 : 5 : 1674, that "being desired to suruey a tract of land lying in Nubury bounds lying in the south side falls Riuer, & on y^e^ North side of easons Riuer, begining at a place called the liuing Spring

*Autograph.

(lying within y^e^ bounds of m^r^ Dummers farme,) and from y^e^ s^d^ liuing spring to a great rock, & from the sd rock to y^e^ falls Riuer, from thence to a great white oake standing in m^r^ showells fence, and running by y^e^ fence side & still continuing y^e^ sd fence by wllm Boyntons land to a stake || near Woodbridg point || standing in y^e^ marsh & so taking all y^e^ meadow on y^e^ west & north side of y^e^ said Riuer, vnto y^e^ south west end of it, at Dunkin Stewards house, & so up y^e^ sd easons Riuer to a white oake marked & standing about four pole short of easons siller & from the sd white oak running fifty eight degrees & a half west from y^e^ Northe to a stake standing in m^r^ dummers line on y^e^ south east side of his old farme, and from y^e^ said stake to y^e^ liuing spring first mentioned (excepting out of y^e^ wholl m^r^ Sam^ll^ phillips meadow as it is bounded lying for twenty fiue acres) and y^e^ superficies of y^e^ wholl is y^e^ Just sume of four hundred and seauenty acres takeing off this sume fourteen acres of m^r^ Phillips meadow accounted in y^e^ said number."

Hechelaus Woodman,* Samuell Brocklebanke* and John Knight* testified that they attended the measuring and that the foregoing is a true record of it, etc.

Richard Knight* and John Knight* testified that "wheareas thear apears to bee 14 Ackers of land wanting aboue of m^r^ phillopses land within m^r^ dumers fenc wee dou testify that wee Judge that goodman boington haue within his fenc neere 20 Ackers of m^r^ dumars land which Mr. Danford and wee did not mesuar in this fouor hondard and seuenty Ackers."

Joseph Goodrage and Richd. Dumer, jr., testified that about the middle of July, 1674, they were with Mr. Jonathan Danforth when he ran the several lines that divided Mr. Sewall's farm, Mr. Dumer's farm and the lower neck by Steward's house, from the land granted to Mr. Dumer, sr., for 150 acres that lay between these farms. The Newbury lot layers, deponents and Mr. Doell, Lieut. Woodman, John Knight, sr., Thrustrum Coffin and Mr. Dumer were also there. Sworn by Mr. Richard Dumer, jr., in court.

Richard Knight,* aged about seventy-five years, testified that in 1638, Thomas Colmon and he were lot layers for Newbury, and in 1639 laid out 150 acres of land according to the town grant, running from the little river or creek before Eston's cellar up to the corner of his old farm before laid out, and so running northerly joining to the old farm until they came to the mill lots of meadow which were ten acre lots. This 150 acres they "distinguished from other grants in full measure: which was for Resigning to the town twenty & two acker & a halfe to the toune." In 1674, he helped measure

*Autograph.

Nath. Chapman v. Edward Chapman. For withholding a parcel of land. Withdrawn.

Selectmen of Andover v. Thomas Fuller. Trespass. Verdict for defendant. Appealed to the next Court of Assistants at Boston. Left. John Osgood and Ens. Thomas Chandler bound.*

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over this land and they found enough land to make good the town grant in this now sued for, distinct from other grants. Further that Dumer had enjoyed this 150 acres for thirty years, etc. Sworn in court.

John Pickard deposed that he was with Mr. Danforth when he measured the land in the fourth month, 1677, and that in this land there is a country way laid out. Sworn in court.

John Knight and Tristram Coffin deposed that when the land was measured in 1674, Mr. Rich. Dumer was sick and Capt. Sam. Brocklebanke acted for him, etc. Sworn in court.

John Knight and Benjamine Rolf, aged about thirty-seven years, deposed. Sworn, Sept. 25, 1677, before Jo. Woodbridge,† commissioner.

*Thomas Fuller's bill of cost, 14s. 6d.

Bill of cost of the selectmen of Andover, 6li. 1s.

Copy of Andover records, Sept. 12, 1677, made by Dudley Bradstreet,† recorder:

"Andou^{r}: Att a generall & lawfull towne meeting Aprill y^{e} 9th 1677 It was uoted & passed by the towne, that the selectmen that now are, should prosecute Thomas Fuller sen^{r} of Wills hill, at y^{e} next Salem, or Ipswich Court, as a trespasser for Cutting downe & carrying away, a great many Cedar trees, in y^{e} bounds of Andou^{r}, Contrary to y^{e} towne ord^{r} & without their knowledge."

"Andou^{r}: Att a lawfull towne meeting y^{e} first of January 1676-7. Left: John Osgood Ensigne Thomas Chandler, John Frie, Jun^{r}, Stephen Johnson & Dudley Bradstreet were chosen selectmen for y^{e} year ensuing. The instructions for y^{e} select men were that they should manage all prudentialls of the towne, except the disposing of Land and timber, unless it be for defraying of charges about the meeting house."

"Andou^{r}: att Lawfull Towne meeting this 18th January 1658. For puenting y^{e} spoyle, and wast of timb^{r}: wthin y^{e} bounds of this towne it is ordered that noe person shall after this present time, sell, send or Conuey away out of y^{e} towne, any trees; timber, loggs, planks, boards, or other wares made

†Autograph.

of Timber, growing or to be growing upon y^e^ Common or any other part thereof, without leaue from y^e^ towne, or the Major part of y^e^ inhabitants thereof, under y^e^ penalty of tenn shillings for euery tree, he shall make use and dispose of as aforesd."

"Andou^r^ : att a gener^ll^: Towne meeting y^e^ 6^th^ January 1672 It is ordered & agreed that noe man shall haue libertie to Cutt downe any Cedar tree or trees w^th^in y^e^ libertie of y^e^ towne, to sell out of the towne, without libertie from y^e^ select men, but shall according to the former ord^r^ forfeite tenn shillings to the towne for euery tree soe Cutt, & sold out of towne."

"Andou^r^: att a gener^ll^ towne meeting y^e^ first of January 1674-5. It is farther ordered and declared that noe man shall haue libertie after y^e^ first of January 1675 to sell, or transport any Cedar out of the towne, either in shingles or otherwise, but shall forfeit twenty shillings for euery thousand of shingles, or quantity of Cedar proportionable, unless the towne shall upon some extraordinarie occasion graunt libertie to y^e^ Contrary.

"Layd out by order of the Gen^rll^ Court to Daniel Denison Esq Major Gen^ll^. his farme of three hundred acres, adjoyning to the farme now in the possession of Bray Wilkinson.

"Impr: eighty acres of upland Lying in a longe square bounded on the northeast by John Putnams land on the southwest by a brooke that runns out of a pond into Prices meaddow on the Northwest by the land of Bray Wilkinson on the southeast by Prices meaddoe.

"Also one hundred & forty acres beginning at a white oake marked R. B. the bounds betweene Bray Wilkinson & John Putnam & the former eight acres, and from the sd tree joyning upon Bray Wilkinson in a streight line to a rocky point where a white oake is marked, & from thence by the southerly corner of Beachy meaddow to a white oake marked at the Northwesterly angle of Bray Wilkinson's farme, and so up to Andouer six miles bounds Also from the s^d^ white oake marked R. B. upon a North & by west line, adjoyning to John Putnams land to a forked white oake marked, and so to the brooke that runs by Beachy meaddow to Andouer six miles bounds

"Also eighty acres of woodland on the Northeastside of the Brooke that runs by Beachy meaddow begining at a marked tree standing neere the brooke by a swampe & runing North east & by east about 200 rods to three white oakes marked, & then turning southward about 30 rodd to that part of the brooke where another brooke falls into the same, and a great rocke lies in the midst of the brooke." The court on Oct.

8, 1662, approved of this return which was made by Willm. Hauthorne and Thomas Howlet.

Thomas Fuller, jr., testified that he helped measure from the place that Andevere men told him were their bounds, which was a short distance from a little cedar swamp near Wils hill. From there they measured four miles toward Andevere upon as straight a course as they could by compass "and then wee found wee had aboue halef a mile unto a tree that standes near to musceatea brouck which tree Andeuere men tould mee stoud tow miles from ther towin . . . . as wee measuered along my father did Charg us to bee suere that wee made mesuere and an allowanc for the saigging of the line and farder saith that I hard my father tendere andeuere men to haue the lin rune by Indifrant men and there with to bee Contteut as they determined the Case." John Putnam testified to the same. Sworn in court.

John Ossgood, aged about forty-eight years, deposed that some time in April last, deponent and Steven Johnson went to the cedar swamp in controversy where there was a parcel of shingles made up by somebody not of their town, and found Thomas Fuller's sons at work there binding up shingles. They said that the shingles were their father's and that they owned 12,000 besides what were cut off. Deponent warned them against carrying them away and they desired him to speak to their father, who owned that he had made use of the timber in the swamp and his cart stood loaded with shingles, Said Fuller asked to go to the selectmen which he did, but refused to come to any agreement with them unless they would measure six miles with him. Steven Johnson, aged about thirty-six, testified to the same. Sworn in court.

Richard Barker deposed that by agreement between Rowley and Andover men they employed Mr. Johnathan Danfort to run their six mile line southward and the circumference line between Rowley and Redding, there being present for Rowley, Goodman Pickard and Ezekell Northen, and Ensign Howlett, John Gold, John Wiles and some others for Major Generall Denison, and himself, Left. Osgood and some others for Andover. These, with the "artist," appeared at Andover meeting house, where Rowley men would have the chain measured by the standard, which they did and took up two links. Another link broke before they had gone far. John Wiles carried the hinder end of the chain all day long and they had one man constantly at the other end, so that the line was as exactly run as it possibly could be. The circumference line was also as exactly done and Cedar swamp was nearer to Andover than a place then named Hetch hole, which was considerably within the bounds of Andover. John Osgood, aged about

Capt. James Oliver and Thomas Dexter, jr., administrators of the estate of selectman Thomas Dexter, sr., deceased v. the Town of Lynn and Thomas Layton. Review. Nonsuited, the attachment made being by a clerk of the writs in another town and not in the town whereof he was clerk of the writs. Appealed to the next Court of Assistants at Boston. Left. Rich. Way, attorney to Capt. James Oliver, and Thomas Dexter, jr., administrator of the estate of Tho. Dexter, sr., and Thomas Moore bound.*

Mr. Jerimiah Shepard v. Thomas Tenny, Wm. Tenny and

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forty-eight years, testified to the same. Sworn, 25 : 7 : 1677, before Wm. Hathorne,† assistant.

John Osgood, aged about forty years, and Stephen Johnson, aged about thirty-six years, testified that they, being appointed by the selectmen of Andover, to count the cedar trees cut in the swamp, found that there were 144 that had been carried away. Sworn in court.

John Steephens, aged about thirty-eight years, deposed. Sworn, 25 : 7 : 1677, before Wm. Hathorne,† assistant.

Johnathan Danfort, aged about fifty years, deposed concerning running the line about ten or twelve years ago and that they gave the name of Hetch hole to the place. Sworn, May 29, 1677, before Daniel Denison.†

John Osgood, aged about forty-eight years, and Thomas Chandler, aged about fifty years, deposed that about seven or eight years since, they were at Thomas Fuller's house and the latter asked them to give him leave to cut some cedar in the swamp. They told him they had no authority but if he would go to Andover, the town might, which he did, and offered to buy some but the selectmen refused to sell any, etc. Sworn in court.

*Writ: Capt. James Olliver and Thomas Dexter, jr., administrators of the estate of Thomas Dexter, sr. v. the Town of Lyn, or the selectmen, Thomas Layton, Capt. Richard Walker, Capt. Thomas Marshall, Ralph King, Samuel Cobbat, William Basset and John Lewis; review of a judgment against him at a Court of Assistants in Boston, Sept. 1, 1657, which was an action of appeal from the judgment of Salem court, 30 : 4 : 1657; dated Sept. 20, 1677; signed by William Chard,† for the court; and served by Joseph Webb,† marshal of Suffolk, by attachment of common land near the meeting house which Lt. Richard Way and Robt. Coats showed him.

†Autograph.

John Trumble, in behalf of the town of Rowley. Verdict for plaintiff. Appealed to the next Court of Assistants at Boston. Thomas Tenny and John Trumble bound.*

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*Writ, dated —— 1677, signed by Thomas Leaver,† for the court, and served by Jeremiah Elsworth,† constable of Rowley.

Letter addressed "For William Tenny, with the rest of the select men Anno. 1676, Jan. 5:"

"Beountifull and loving freinds.

"Upon the confidence which I have of your candid Acceptance of these lines, I send them to you, with an hearty salutation: having had good and grownded Information of the great care and love of this towne In passing a vote at a publiq towne meeting 74 that (by way of gratuity for my comming up to serve them) I shoold be allowed fifety pownds per Annum during my residence here In the Towne: whose love and liberality I cannot but be deeply sensible of, and doe gratefully Aknowledge the same and shall manifest my thankfullness In a gratefull Acceptance of their free will offering, which gift at this Interim calls for double Acknowledgment In that I am Incapacitated to serve your selves & my family by providing for the same In that —— to exercise my self In. Now your selves being Trustees to p—— cherfully and unanimously promised least alsoe my self shoold be deemed ungrateful to slight the Townes love In their liberall gift, and least I shoold neglect all due meanes In providing for my family (which he that doth not is reconed worse then an Infidell These Inducements premised I thought meet to take this opportunity to make a sober and honest demand of that which was soe lovingly promised now that your undertakings may be as prosperous and your enterprizes as successful as my Aimes good, and your credit great is my unfeigned wishes, who wish your welfare. Yours Jer. Shepard."†

"With respeckt to mr Shiperds paper whear of he demands fifty poonds per anum by vertew of ackt in 74: "the names of them who uotted for itt in 74, none; the names of such who are now willing it should be payd, none; the names of such who wear and are now against it, Thomas Teny, William Teny, John Haris, John Johnson, John Pickerd, —— halas Jackson, —— herd lighton, ——hn Tod, Georg Kilborn, Joseph boyntan, Thomas boukbe, ——ekell Jewit, ——acon Jewitt, ——mes barker, sene, william Jackson, James bayly, sener, Joseph chaplin, ——n person, iun, ——es Dickinson, Thomas Leauer, jr., ——hn hopkinson, ——thon

†Autograph.

hesktison, ——n borbank, seneer, ——thaniell barker, —— rzillah Barker, hn—— trumble, ——n Sawyer, Abell langle, John Pearson, senior, marke prime, John Baley, John Scails, Jeremiah Elsworh. att a leagall towne meeting held the 18 of ianewary 76 this paper was presented to the toune and thear non apeard for paying mr shiperd the 50 pound by thear hands but against it are thes names in last row."

Copy from the town book of Rowley, made Sept. 26, 1677, by William Teny,* keeper of the book: "At a legall Towne meting held the 16 of March 1676 or 77 it was agreed and voted that Richard Swan and John Johnson are chosen by the towne to manage any ciuill action or actions that may be commenced against the said Towne by m^{r} Shepard with Respect to claime of stipend or any complaint of his to the said purpose and this they may do by themselvs or any persons they shall se cause to imploy and to manage the same by way of apeall or otherwise from court to court till the cause be ended and what shall be done by them or either of them or any other that they shall imploy shall be holden good as to all true intents and purposes."

"at the same meting seuerall of the Towne did disent against this act and did declare themselues willing for to pay their shares of m^{r} shephards fifty pounds that he had demanded and were not willing to stand suit in the first place thre of the selectmen," Samuell plats, Richard holms and Daniell wicom, selectmen, and Philip nelson, Corporall northend, Jonathan plats, John acy, Abraham Jewit, —— ——, Thomas ——, Ezekell Mighell, Samuell brocklebank.

John Trumble, [John] Pickard, sr., and Ezekiell Jewit testified that of the fifteen who acted in the town meeting, the principal ones were Doctor David Benit, John Acy and Simon Chapman. The last two instructed Dr. Benit. Not any of the persons were qualified according to law to act in town business, and there were several in the house who were against the proceedings. Sworn in court.

Thomas Teny, William Teny, John Trumble and Ezekiell Jewit testified that upon Mr. Shiperd demanding who were selectmen on Jan. 6 or 7, 1676, when the town vote concerning the 50li. was taken, they desired to know who would stand by them in not laying a rate for it, whereupon Jeremiah Elsweth, constable, offered this vote: "theay that will stand by the selekt men in not laying of the said 50 pounds show it by such a sign: which uote we understood not which way it went. nether was it declard nor recorded nor desired to be recorded," etc. Sworn in court.

Copy† from the Rowley church book of an arbitration

*Autograph. †This paper is badly torn.

Wm. Bowditch v. John Pilgrim. Defamation or slander. Withdrawn.

Henry Gould and wife Sarah, the only child and heir of Abraham Warr, deceased v. Mr. John Baker. Special verdict. If entering upon the estate not having administration be according to law they found for the defendant; if it be contrary to law, for plaintiff. Court found for plaintiff.

Richard Knott v. Capt. Joseph Gillam. For abusing him. Verdict for plaintiff.*

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given in by John Higgenson, William Hubard, Seaborne Cotton, Joshua Moody and John Hale. Mr. Phillips mentioned. Copy made by Samuel Phillips.†

Mr. Phillip Nelson, Ezekiell Northernd and John Graunt testified. Sworn in court.

Ezekiell Mighell, Simon Chapman, Abell Plats, Robert Shillitoe deposed. Sworn in court.

Tho. Leaver,† clerk of the writs for Rowley, testified that the words which were interlined in the attachment written for Mr. Jeremiah Shepard were not written by him or by his order and he was grieved at the man's boldness, whoever he was. Affirmed in court.

Jeremiah Elsworth, constable, deposed. Sworn in court.

John Trumble and John Pearson, jr., testified. Sworn in court.

*Writ: Mr. Richard Knott v. Capt. Joseph Gillum; for abusing him by falsely imprisoning him and leaving him behind in a strange country, namely Lisborne, also to make it appear how said Gillum had paid said Knott's wife his wages, according to his promise in Lisborne; dated 29 : 4 : 1677; signed by Hilliard Veren,† for the court; and served by Henry Skerry,† marshal. Bond of Joseph Gillam,† with Rich. More† as surety.

Richard Knott's bill of cost, 2li. 8s.

John Blake, aged about thirty-two years, Cornelous (his mark) Runnells, aged about thirty years, and John Anderson, aged about twenty-six years, deposed at Lisborn, July 21, 1676, that on June 30, 1676, being present with one Richard Knott, surgeon, at Mrs. Martin's house at the Rominados in the city of Lisburn, there came into their company Mr. Joseph Gillam, commander of the good ship called the John and Ann, belonging to New England. Knott said to Gillam that since he had discharged him from his ship that he should pay him his wages according to promise. Gillam replied

†Autograph.

that he would pay him nothing but would pay it to his wife when he reached New England for she needed it more than he. Knott replied that he had left his wife as well off as Gillam had left his, for she had a good father and mother who would not see her want. Also if Gillam would give him a note under his hand and pay the money to his wife he should be satisfied, which Gillam refused. "then sayd Knott you promised me tenn times that you would pay it mee seing I want mony for to hire a boy to fetch up my fish, from your shipp Gillam tells him that it was not his best way to come for it when he himselfe was aboard, for if he did he then threatned the sayd Knott what he would doe vnto him; Knott maketh this answere that he did hope that he would let him come to his shipp syde in a boate, he sayd that he might doe, but hee should never sett his foote aboard of his shipp againe Knott replyes this answere, that he was very well contented, for that his sperit could not bear it to be made such a foole off, as he did make of his other doctor to be both cooke & a cabbin boy. . . . presently M[r] Gillam went out of our company, and presently cometh againe, and brought with him an officer and a Negro with him, Charges the sayd officer with him who drags the sayd Knott away through the streets of Lisburne, and carrieth him vnto a common prisson without either bayle or mainprise neither would the sayd Gillam suffer the sayd Knott to speake for himselfe, where the s[d] Knott continued in prisson || for the space || of one day and halfe & one night." Sworn, July 23, 1676, in Lisborn, before Tho. Maynard, "his Maiesties consull Gen[rll] in all the Pvince of Portugalls dominions." Copy made by Robert Lord,* cleric.

Joseph Stocker, aged about thirty years, deposed that he was carpenter aboard the John and Ann, and at sea between Madera and Lisbao he heard Richard Knott swear that when he arrived at Lisbao, he would leave the ship. Also that about a week after the ship had been at anchor there, Knott went ashore with the commander and did not return for several days or when he came aboard to take his clothes and goods. Sworn, Sept. 22, 1677, before Thomas Clarke,* commissioner.

Joseph Gillam, aged thirty-four years, testified that he was master of the ship John and Ann, of Boston, and shipped Richard Knot as chirugion to proceed in her from port to port on this voyage which was from New England to the Isle of Madera. He was to be paid at every third port of discharge. After their arrival at Madera, they went to Lisborne with the cargo, etc. When said Knott told him he

*Autograph.

would not proceed any further, he complained to the vice-consul who said he would secure him, but deponent thought that he would pay him his wages, which he did, rather than be troubled with him. Deponent being at the Ile of Shoales made oath, Aug. 10, 1677, before Peter Twisden,* commissioner.

Richard Knott, an Englishman, complained to the English consul at Lisborn, July 8, 1676, of his treatment by Capt. Gillam, and of his being confined in prison when the other ship in which he was to sail was about to depart, and "y^{u} sir as a conservator of the English nation should have care of this excesse which is done to him withoute Juditiall order but meerly of power."

"Lett the party answere the reason he has not to pay the supplicant which he shall doe in the space of two houres after being notified by any officer of Justice, and also lett the vice consull shew the grounds and reason wherfore he sent him into prisson w^{ch} he shall doe within the sayd terame otherwise this shall be dispatched acording to iustice payeing for the —— and expences in prison. [Signed] Ribeero." Copy left on file instead of the original, there being another action which was not tried, made by Robert Lord,* cleric.

Anthony Sigera, clerk of the baliffs of the city of Lisburne, certified that he notified Capt. Joseph Gillam that if he did not within two hours pay his debts, he was to appear before the magistrate.

"Lett the dispach^{r} given be satisfied in the forme wherin it is being the vice consull did not notifie himselfe Lisburn the 8th of July 1676. [Signed] Ribero."

Letter of attorney, June 13, 1674, Joseph Gillam† of Boston, mariner, to Mr. John Joyliffe of Boston, merchant. Wit: Wi. Kent,* George Monck* and Isa. Addington.* Sworn to by the witnesses, Sept. 23, 1677, before Ed—— ——. John Joyliffe,* on Sept. 23, 1677, deputed Lt. Richard Way of Boston to appear for him in this action brought by Knott. Wit: Isa. Addington.* Sworn to, Sept. 23, 1677, by Mr. John Joyliffe, before Edward Tyng,* assistant.

Timothy Armitage, aged about thirty-six years, deposed that he was on the ship John and Ann, etc. Sworn, Aug. 10, 1677, before Peter Twisden,* commissioner, said Armitage being then on the Ile of Shoales.

John Wolcott, aged about thirty-two years, testified that he was on the ship John and Ann, etc. Sworn, Aug. 10, 1677, before Peter Twisden,* commissioner, said Armitage being then on the Ile of Shoales.

*Autograph. †Autograph and seal.

Thomas Hughson v. Anthony Roope, Captain of the John Adventure. Verdict for plaintiff.*

*Writ: Thomas Hughson v. Anthony Roope, Captain of the John Bonny Adventure; for withholding six months' wages in said ship as boatswain and gunner, also for detaining his chest and clothes and turning him out of his employ; dated Aug. 2, 1677; signed by Hilliard Veren,† for the court; and served by Samuell Beadle,† constable of Salem. Bond of Charles Lidget† and Anthony Roope.†

Letter of attorney, dated Sept. 24, 1677, given by Charles Lidget† of Boston to Leift. Richard Way. Sworn, Sept. 24, 1677, before Edward Tyng,† assistant.

Tho. Huson's bill of cost, 2li. 11s. 10d.

Robert Cannon deposed that he being on board the ship Boneadventuer, Capt. Anthony Roope, commander, was between decks with the boatswain and saw the latter's chest which had cloths and a runlet in it. After Roope had turned the said boatswain out, he came to deponent at Salem, being a friend of his, and they went to Marblehead, where they found the Master at Norman's. Deponent asked him why he had sent the boatswain ashore and he said that he should never go in the ship again and refused to let him get his clothes whereby he had been prevented from entering any man's employ but has been kept in Salem. Sworn in court.

Inventory of the estate of Thomas Hewson which was detained by Anthony Roop: a Chest covered with a hide, 1li.; 1 Coate & 2 payre of Briches, 3li.; a Greeke watch Coate, 2li.; a Dowless shirt and a new blew shirt, 12s.; a Blew payre of Briches and a Canvess payre of Briches & 2 Wastcoats, 1li.; a hat and a Tennis Cape, 6s.; a bed, Blankett and fether pillar, 1li. 10s.; a Gooners Scale & hights & compases, 10s.; a payre of silver Buttons & a bill of forty shillings to bee paid in Boston, 2li. 1s. 6d.; a 4 gallon Runlett & a 3 Gallon Runlett and a Jarr, 6s.; 2 payre of stockins and a payre of shoes, 8s.; a sarge Jackett and a shollone to Line a Coate and a striped pillibare, 1li.; a Fishing line and hoocks, 3s.; total, 13li. 16s. 6d. Sworn in court.

Danil Evins, John Pagin and Thomas Griffin, deposed that when the "bossin" was discharged, he went ashore in the ship's "bott" with a couple of the ship's hands. Also Abram Mathews testified that the Master charged the mate not to suffer the boatswain to go on board, and the mate in like manner charged the carpenter. Sworn, 11 : 6 : 1677, before Wm. Hathorne,† assistant.

†Autograph.

Wm. Longfellow v. Hugh Marsh. Verdict for plaintiff.*

Daniell Evanes, Ja. Davis and Wm. Pace deposed that Tho. Huson, boatswain, came aboard the ship, Feb. 1, 1676, at Gravsend. Sworn, 18 : 6 : 1677, before Wm. Hathorne,† assistant.

Anthony Roope deposed that Thomas Huson left the ship when by agreement he was to go to Bilboa and London, there to be discharged and paid. Sworn, 31 : 6 : 1677, before Wm. Hathorne,† assistant.

Abrah. Mathews, mate of the John Booneyventure, deposed. Sworn, 31 : 6 : 1677, before Wm. Hathorne,† assistant.

Danill Evans, carpenter, aged about twenty years, John Pagan, aged about twenty-six years, and Thomas Grifing, aged about seventeen years, deposed that the boatswain absented himself at Boston and at Marblehead, etc. Sworn, 3 : 7 : 1677, before Wm. Hathorne,† assistant.

*William Longfellow's bill of cost.

Wm. Chandler, aged sixty years, deposed that about Sept. 8, 1676, he was employed to take out 2 butts of wine from a leanto of Mr. Henery Sewall's for Hugh March, sr., of Newbury, one of which was safely put into the cart. The other, a very crazy butt, was taken out of the leanto and setting the tail of the cart as near the door as they could, for want of help and the butt wanting a considerable quantity of being full, as it was being put into the cart the head flew out upon deponent. Also Mr. Wm. Longfelloe had a funnell standing upon a cask and was drawing out of said butt when deponent came and all the time he was there, until deponent undertook to remove the butt, saying he was reserving wine out of it for his wedding. The wine lost flew through the leanto into the kitchen to the fireside. Mr. Longfellow came out of the house and told deponent to take notice that he had delivered the wine. The wine was in pipes, not butts, as previously testified. Hugh March, jr., testified to the same, and also said that he was in the house about half an hour before Goodman Chandler came. The wine was drawn down about nine inches from the chine. Sworn, Sept. 24, 1677, before Jo. Woodbridge,† commissioner.

Joshua Richardson of Newberry, aged about twenty-eight years, deposed that Mr. Longfellow meeting him in the highway desired him to go with him to Hugh Marches to be a witness to the agreement, which was that if the wine should be lost in the house it was Longfellow's and if out of doors,

†Autograph.

John Lee v. Mr. John Giffard. For not paying 40li. in cash. Verdict for plaintiff. Appealed to the next Court of Assistants.*

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it should be Marches. When the cart came home he helped to unload it, etc. Sworn, Sept. 26, 1677, before Jo. Woodbridge,† commissioner. Joseph Richardson, aged twenty-two years, testified to the same.

Joseph Richardson testified that March acknowledged that the price of the Passado wine was agreed upon to be 15li. in silver money and the Phiall was 8li. in silver per the pipe, and for what was taken out that it did not arise to the full measure, Mr. Longfellow was to abate for it according to the price he gave for the pipe. Sworn, Sept. 26, 1677, before Jo. Woodbridge,† commissioner.

Thomas Woodbridge and William Chandler deposed that about ten months since Mr. March desired them to go into his cellar and guage a butt of wine that he bought of Mr. Longfellow, which measured ninety-one gallons. Sworn in court.

Henery Sewall, aged about sixty-five years, deposed that on Nov. 6, 1676, Hugh March, jr., John March, William Chandler and Robert Came came to his house where his son Longfellow was and demanded two pipes of wine, etc. Sworn in court.

Mrs. Mary Woodbridge, aged about twenty-five years, deposed that the agreement was that the Fiall wine should be at 18d. per gallon and the Pasado wine at 2s. 9d. per gallon. Sworn, Sept. 26, 1677, before Daniel Denison.†

Robert Came, aged about eighteen years, deposed that his master Hugh Marsh, sr., etc. Sworn in court.

Judeth Thurley deposed that Mr. William Longfelow said at her husband's house, etc. Sworn in court.

*Writ, without signature or service.

Clement Coldom, aged about fifty-three years, testified that last summer before Salem court John Lee and Mr. John Gifferd came to his house and the former showed an execution subscribed in Marshal Waight's name deputing said Lee to serve it on Henery Dispawe, and at the same time there was a trunk of glasses in deponent's house which he bought of Dispoye. Gifford ordered Lee to serve the execution on the trunk, but deponent prevented him, Gifford saying that he need not be afraid of Samuel Apelton, Dispaw or deponent, etc. Deponent met Lee again at the widow Hathorn's, etc. Sworn in court.

†Autograph.

Mr. Francis Wainwright v. Clement Gross. Debt. Verdict for plaintiff.*

Mr. Francis Wainwright v. Robert Cox. Debt. Verdict for plaintiff.

John Knight, sr. v. Samuell Watts. For not delivering a black horse. Verdict for plaintiff.†

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*Writ, dated Aug. 31, 1677, signed by Ephraim Turnor,‡ for the court, and served by Returne Waite,‡ deputy marshal of Suffolk by attachment of the dwelling house and grounds of defendant in Boston.

Francis Wainwright's bill of cost, 1li. 16s. 10d.

Clement Grose, Dr. June 8, 1676, to 200 bushls. of malt at 3s. 9d., 37li. 10s.; 23 : 4 : 76, to 194 1-2 bushls. of malt at 3s. 9d., p. Cows, 36li. 9s. —d.; 18 : 7 : 76, to 100 bushls. of malt at 3s. 9d., p Cows, 18li. 15s.; 21 : 12 : 76, to 100 bushls. of malt at 3s. 9d., p Cows, 18 li. 15s.; 13 : 1 : 76-7, to 29 bushls. of malt at 3s. 9d., p Cows, 5li. 8s.; total, £116. 18s. —d. Sworn by Giles Cows and Thomas Numarch before Daniell Denison.‡

Cr., Aug. 4, 1676, to money to myself and pd. Mr. Joliff, £55.

†John Knight's bill of cost, "for feching old Weats and his Sonn befor captin saltinstall neer 4 mils," etc., 2li. 11s. 2d. Bond, dated Oct. 27, 1672, given by Samuel Wates‡ and Samuell (his mark) Giell, jr., both of Havarel, to John Knight of Newbery, for 13li. 14s., in pork by barrel at Robert Clemanses now dwelling house or sent down to Newbury and Indian corn. This pay was for two oxen received of John Knight. Wit: James Pecker‡ and John (his mark) Heathe, jr. Sworn, Oct. 3, 1676, before Nath. Saltonstall,‡ commissioner.

Nath. Saltonstall,‡ commissioner, certified that as near as he could tell on account of blots on the back of the bill, there was written "This 25 of December 74 Recieved by mee Jno. Knight of y^{e} one half of this bill within written of Sam^{ll} Gild by Goodman —— of —— a steere in y^{e} possession & y^{e} other steere in y^{e} hands of Nath^{ll} Ayer, the wittnesse Received eighteen shillings." John Knight owned that he had endorsed the receipt of one steer received of Samll. Gild, sr., for his son, etc.

Robert Ayers testified that by order of the Court of Assistants he seized a black steer of four years old in possession of Robert Clemens of Samuell Gills, jr.'s estate which steer he heard Samuell Gild, sr. say he had delivered to John Knight of

‡Autograph.

Mr. Wm. Bowditch v. John Pilgrim. Debt. Withdrawn.

John Pilgrim v. Wm. Bowdish. Debt. Withdrawn.

Robert Hooper and Elizabeth, his wife v. Edward Hockman and Richwood, his wife. Slander. Withdrawn.

John Pickring v. Sergeant Thomas Clarke. Appeal from a judgment of Major Generall Denison, Esq. Verdict for defendant, the confirmation of the former judgment.*

Newbery as part pay for his son Samuel's debt to Knight. Sworn, Sept. 19, 1677, before Nath. Saltonstall,† commissioner.

John Knight's account, received 1 steer, 4li.; by Goodman Starling, 18s.; 2,006 feet of pine boards dd. at Newbery, 5li.; a great black steer, 5li.; total, 14li. 18s.

Robert Ford deposed that on Sept. 12 or 13, he told John Knight that forgery might be proved against him for writing something upon the bill which Sam. Watts gave him about the horse and read John Kent's evidence. He answered that he only mended a letter or two that were dark, and that he did not intend anything wrong. Sworn, Sept. 24, 1677, before Nath. Saltonstall,† commissioner.

Robert Clement deposed that he had in his yard a steer of Samll. Gild, jr.'s which had formerly been in the hand of Nathaniel Ayers, etc. Daniel Clement testified to the same, Sept. 24, 1677, before Nath. Saltonstall,† commissioner.

James Sanders testified that carrying a raft of boards from Jno. Haseltine's to Newbery in the summer of 1677, Jno. Knight with others of Newbery were there to receive boards and after he had gone Sam. Watts told deponent that he had some more boards at Sterling's for said Knight. Deponent received them for said Knight to the number of forty which amounted to above a thousand feet. Further at Boston being in discourse with Jno. Knight at the time of the trial of Sam. Gild, jr., for his life, etc. Sworn, Sept. 25, 1677, before Nath. Saltonstall,† commissioner.

Daniel Ela deposed that the same day that Robert Ford, constable of Haverhil, attached Samuel Watts, John Knight being at deponent's house, asked to borrow an inkhorn which he had of John Kent, etc. Sworn in court.

*Sargeant Thomas Clarke's† answer to John Pickerens reasons of appeal: "Imp: Whereas the Appealant alledgeth in his first Reason, That he never knew that he had a son so called, and a horse so detained: We say that reason is utterly falce, as doth appeere by the Testimonies of Tho. Clarke, and

†Autograph.

Jonathan Clarke at the tryall of the said Action; Therefore good reason your Appealant should be so sentenced, 2ly. Whereas y^e^ Appealant alledgeth y^t^ he thought to haue found y^e^ Plaintiff there, but as your appealant saith did not find him, it is utterly falce as did appeare by the Major Generalls Answere unto y^e^ Appealant, and the Law Cited by the Appealant, saith, If no plaintiff Appears for to prosecute then the defendant to haue cost. But the plaintiff there did prossecute upon the first call: Therefore we see no reason of Appeale. But hope y^t^ this honoured Court and Jury will so Cause to Confirm y^e^ former Judgement with an Addishion. 3ly. We answere our Attachment is rightly specific and in it briefly specifieth for what who is your Appealant and detained our horse and receiued money for keeping of y^e^ said horse as doth appear by Tho. and Jonathan Clarke, their Testimonys 4^th^ We Answere unto his fourth reason That he did detaine our horse and by so doing detained my son Freeman Clarke 3 : or : 4 : dayes as doth Appeare by ye Testimonies of Tho: and Jonathan Clarke: And therefore we humbly Conceiue this honoured Court and Jury may hereby find reason to confirm ye honoured Major Generalls Judgement which hath not give more then our damage hath been.

"5^th^. We Answer y^t^ your Appealant hath done ye defendant great wrong he having as doth Appeare taken into his Custyty our horse and money for pay for keeping ye said horse and we could not haue him upon demand which is contrary to the custume of our English Nation for goods Committee to an Inkeeper is to ye end they may be secured and returned to the owner upon demand. The horse was demanded as doth Appeere by ye Testimonies of Tho: and Jonathan Clarke at which demand, he who Commited the horse to John Pickeren and his horselour could not haue his horse in two or three dayes after nor could haue no sattisfaction for y^e^ detaining of him only bad Language. 6ly And if we may be our own Judges as your Apealant hath undertaken for to be his: we then say we are damnyfied to ye vallue of 20 : or 30 : shillings and we crave ye benifit of y^t^ Law which giues Juryes leue to augment or Abate upon Appeales. 7^ly^. whereas ye Appealant pretends great damage hath been done to him which I answere That to be utterly falce for we demand our Just due which we would haue taken with losse to ourselves And whereas he pretends that ye officer was halling of him to Jayle, it was for his doing ye Marshall wrong and not for ye Security for this Action for 5 : shillings for ye first would haue relased him from this Action: Therefore we leaue it to your honours Consideration, who is the most vexatious man."

Samuell Bishop v. Theophilus Willson. Appeal from a judgment of Samuell Symonds, Esq., Dep. Govr. Verdict for plaintiff, the reversing of the former judgment.

Ebenezer Hathorne, executor to John Hathorn, deceased v. Paul Willson. Verdict for plaintiff.*

Robert Lord, marshal v. John Vinton. Debt. Verdict for plaintiff.†

Robert Lord, marshal v. Edward Richardson, James Ordway and John Pearson. Debt. Withdrawn.

John Pritchett v. Samuell Browne. Debt. Verdict for plaintiff.‡

Mr. John Gifford, Andrew Peeters and Symon Tuttle were bound for said Gifford.

John Line dying intestate, court granted administration of his estate to John Wainwright and ordered him to bring in an inventory to the March court.

James Fooard dying intestate, court granted administration of his estate to John Wainwright and ordered him to bring in an inventory to the March court.

Tadeus Brand dying intestate, Capt. Thomas Marshall was appointed administrator of his estate and was ordered to bring in an inventory to the next Salem court.

Deacon Goodhue had his license renewed for a year.

Thomas Judkin had his license renewed for a year to keep ordinary, also his license to draw liquors renewed for one year.

Quartermaster Perkins had his license renewed for a year, also his license to draw liquors.

John Sparke had his license renewed for a year.

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*Bond, dated Mar. 22, 1674-5, given by Paul Wilson§ of Chairlese Towne, to John Hathorne of Lin, for 25s. in silver. Wit: John Pemberton§ and Isaac Smith.§

†Bond, dated Mar. 30, 1677, given by John Vinton§ of Topsfield to Robert Lord, marshal of Ipswich, for the payment of 20s. to Richard Semons and 20s. to Bellringer. Wit: John Browne.§ Sworn in court.

‡Bond, without date, given by Samll. Browne§ of Salem to John Pricket of Topsfeild, for a cow. Wit: Ephraim Dorman§ and Joseph Pricket.§ Sworn, 27 : 7 : 1677, before Wm. Hathorne,§ assistant.

§Autograph.

Mr. Wainwright had his license renewed for a year.

Mr. John Browne dying intestate, court granted administration of his estate to Hanah Browne, widow, who was ordered to bring in an inventory to the next Salem court.

Walter Roper was released from training, paying a bushel of Indian corn a year.

Mr. Thomas Woodbridge was licensed to sell wine and liquors, as other traders, for a year.

After the verdict of the jury was given in, in the case between Mr. Shepard and the town of Rowley, court understood that there were but eleven of the jury and it was ordered that the case should be heard over again with a full jury.

John Knowlton acknowledged judgment to merchant Francis Wainwright before Major Hathorne in wheat and barley.

Upon petition of Richard Kent of Newbury to have the division line run between Newbury and Rowley in Plumbe Island, court appointed Major Robert Pike, Ens. Thomas Howlett, Daniell Pearce, Ezekiell Northend and John Pickard a committee to effect the same, at the charge of Richard Kent.

Thomas Thurlah being bound over to this court for misdemeanors in his house, was convicted and it was ordered that he keep ordinary no more. For selling wine and liquor without license, he was fined.

Lawrance Clenton and Mary Woodden, bound over for fornication, confessed, and he was ordered to be severely whipped.

Mary Woodden, for fornication, was ordered to be whipped.

John Hunkins, being the reputed father of Hanah Hayward's child, was ordered to pay 40s. to Wm. Hayward for keeping the child to this day and 2s. a week by the month until the court take further order, and to be committed to prison till it be done. Joseph Lee was bound for said Hunkins.

John How, for cursing speeches against the woman, was fined, and upon the second presentment for warning meetings on the Sabbath days, was admonished.

Court ordered that no execution be served on Jonathan Platts for the bill of cost put in by Mr. Phillip's the last sessions.

Jonas Gregory, the whipper, for abusing the court, in not

performing the duty of his office upon Lawrence Clenton, was sentenced to be whipped.

Haniell Bosworth's daughter's fine was remitted.

Laurance Clenton was committed to Mr. Perkins to serve out his fine.

John Browne of Ipswich dying intestate, administration upon the estate was granted to John Browne, his eldest son, who produced an inventory amounting to about 450li. The estate was ordered to be divided as follows: besides the 50li. each, paid or designed to be given by the father to his two daughters, Jacob and Thorne, he shall pay within one year to each of them 10li.; to his brother Nathaniell who hath already received upon his marriage 200li., they see no cause to allow more; the rest of the estate, houses, lands, cattle, goods, etc., were ordered to said John Browne, provided the houses and lands were bound to pay to his mother 16li. per annum and a room in the house with necessary furniture during her life, and also pay such legacies as she shall bequeath at her death to her children, not exceeding the value of 21li.

Susanah Rogers, deceased, having made a writing as a will which was presented to this court and no executor named, court granted administration of her estate to John Rogers, son of Susana Rogers, the estate to be ordered according to the said writing.

COURT HELD AT HAMPTON, OCT. 9, 1677.

Jury of trials: John Severans, foreman, Tho. Mudgett, John Hoyt, jr., Tho. Barnard, John Samborn, Godfrey Deareborne, John Clifford, sr., Morris Hobbs, sr., Peter Foulsham, Moses Levitt, Daniell Lad, jr. and Tho. Hartshorne.

Grand jury: William White, foreman, Willi. Osgood, sr., Samll. Felloes, sr., Joseph French, sr., Willi. Barnes, John Hoyt, sr., Humphrey Wilson, Robert Page, Willi. Fuller, Nathl. Batcheller, Nathll. Weare and Tho. Whittier.

John Hendrick v. Robert Downer. For withholding three pounds due for a month's work three or four years since when he was framing or building a house for Hugh Marsh at Nuberie. Verdict for plaintiff.

Joseph Grele v. Willi. Allin, sr., and Jerimie Allin, his son. For the son's taking away a horse without his knowledge and not returning him. Verdict for plaintiff, the horse to be returned within one month if the horse be sound and well, if not to pay 5li. in corn or neat cattle.*

Benjamin Allin v. Samll. Severans. For 2,000 pine boards delivered at Exeter by Moses Gillman, to be delivered at Boston, which had not been received. Verdict for defendant.

Joseph Bond v. John Wells. Debt. For non-payment of 4li. in barley, malt or Indian corn to Capt. Paul White of Nubery. Verdict for plaintiff.

Isaac Green v. Mr. Tho. Woodbridg. Debt. Verdict for plaintiff.

Richard Morgan v. George Jones. Defamation. For calling him foresworn rogue and foresworn cur, to his great reproach.

Samll. Levitt v. Edward Hilton. Trespass. For mowing a parcel of meadow which he bought of Mr. Person lying upon Exeter river upon the first creek below Willi. Hilton's house, and for carrying away the hay. Verdict for defendant.

Samll. Levitt v. Charles Runlett. Debt. For 1,500 white oak pipestaves. Verdict for plaintiff.

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*Phillip Grely and Joseph Tru deposed that Jeremy Allin offered to give for this horse in controversy a three year old heifer and a four year old steer before he was lost. Sworn in court.

From Samuel Dalton's Commissioner Records. See *ante*, vol. V, p. 235.

Wm. Allin, sr. v. Sarah Taylor; for going from his service in a disorderly way and for accusing his wife of cruelly beating her; judgment, that the girl went away disorderly and she was found guilty of many contrary tales, that she had met with evil counsellors which was the main trouble, and that in the complaint against Goodwife Allin for cruel correction, there was found no legal conviction but considering the poverty of the girl's relatives, each party was to pay his own charges, also that Ann Person, the girl's mother, take care of her in the future to see that she be placed out in some godly family, and in the meantime to refrain from the company of Goodwife Houldredg and Susan Buswell.

On July 5, 1677, Returne Johnson appeared without summons and owned that he was much distempered with drink upon June 25, and was fined.

On 26 : 5 : 1677, Jonathan Thing and Mary Gillman, both of Exeter, were married.

On Aug. 25, 1677, Ezekiel Coffin, a soldier, was accused by Abr. Drake, sr., of stealing a new shirt from his orchard upon Aug. 24, which he owned he did, and he was fined and admonished.

Robert Smith v. Nathll. Batcheller. Trespass. For claiming his land which he had of Tho. Moulton and possessed it long before Mr. Timothie Dalton possessed the house and land that was Tho. Moulton's, which land lay between two highways in the east field near the meadows. Verdict for defendant. Appealed to the next Court of Assistants.

Robert Smith and Jno. Redman bound.

John Palmer v. Moses Gillman. For withholding satisfaction for two cows which he bought of said Palmer about eight or nine years ago. Verdict for plaintiff, to be paid in pine boards at 40s. per thousand.

Phillip Grele v. Robert Ring. For 45 bushels of Indian corn. Verdict for plaintiff.*

Phillip Grele acknowledged judgment to Capt. Tho. Bradbury.

Nicolas Lissen acknowledged judgment to John Allin.

Administration upon the estate of Tho. Barnard, sr., late of Amsberie, who was killed by the Indians, was granted to Elener, the relict, and she with as many of her husband's children as she could get were ordered to come to the next Salisbury court for a division of the estate between the children and the widow.

Ephraim Winsly was sworn sealer and searcher of leather for Salisbury for the ensuing year.

Major Pike, Mr. Tho. Bradbury and Henry Brown were confirmed as commissioners to end small causes for Salisbury, the two former being sworn, Oct. 11, 1677, before Capt. Saltonstall and Mr. Samll. Dalton.

Dorothie Hoyt, called into court upon her presentment for putting on man's apparel, made default, she having gone out of the county. Her father, John Hoyt, appeared and owned the fact, manifesting Dorothie's repentance, and desiring to fall under the penal part of the sentence. It was ordered that she be apprehended as soon as she returned, and be severely whipped unless her father forthwith pay a fine of 40s. in corn or money.†

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*Philip Grele's bill of cost, 4s.

†Warrant, dated Aug. 20, 1677, and summons to witnesses, Amos Singletary, Joseph Peasley and Mary Sargent, signed

Hanna Clement, for fornication, was ordered to be severely whipped or pay a fine.

Ephraim Marston and Abiell, his wife, convicted of fornication, were fined, to be paid in corn.

Tho. Davis, presented for speaking unseemly words, was admonished.

Mary Runlett, wife of Charles Runlett, convicted the second time of fornication before marriage, was ordered to be severely whipped or pay a fine.

All lands of Peter Jonson of Hampton, late deceased, as expressed in the inventory of his estate, were ordered to be responsible for the bringing up of her children, four in number, and for the payment of their portions when they come to age. The sureties, William Samborn and John Moulton, were discharged.

Leift. Ralph Hall owned that he had made an agreement with Ephraim Foulsham with relation to the maintenance of the child of which said Ephraim was charged with being the father of by Paltiell Hall, daughter of said Ralph, and that he now assumed the whole charge.

John Severans was licensed to keep the ordinary for Salisbury until the next Salisbury court.

Upon request of Sarah Bradbury, Mr. John Pike, her uncle, was appointed her guardian and he was ordered to put in security at the next Salisbury court.

Mr. Jno. Stockman was appointed guardian of Anne Bradbury, and he was ordered to put in security at the next Salisbury court.

Administration upon the estate of Edward Colcord having been granted by Hond. Samll. Symonds, Esq., Dep. Govr., and the Hond. Daniell Denison, Major Genll., to his father Edward Colcord, on July 7, 1677, he presented an inventory and was bound, with Richard Currier, as surety.

Mr. Thomas Thurton, attorney to his father and mother Tho. Thurton and Susanna Thurton, the latter being sister

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by Tho. Bradbury,* for the court, and served by Tho. Sargent,* constable of Amesbury.

*Autograph.

to Giles Fuller of Hampton, deceased, was confirmed by the court as apparent successor in his mother's behalf, he giving bond, with Henry Roby of Hampton as surety, to secure the estate unless some other appear with a better right, he paying what should be due to the administrators who had the estate in their hands.

Joseph Peaslie's bond for good behavior was discharged.

Upon motion of Capt. John Whipple of Ipswich, administrator of the estate of Gilbert Willford, court ordered him to make publication according to law at the several places mentioned of the death of said Wilford, and that his estate is looked upon as being insolvent, so that the creditors might be satisfied. Capt. Jno. Appleton, Deacon Wm. Goodhue and Sergt. Tho. Waite of Ipswich were appointed a committee to hear the claims of the creditors at said Whipple's house in Ipswich and settle them.

Elizabeth Parker, for stealing 16s. from Byly Dudley, as by her own confession, was ordered to pay three-fold or be whipped immediately after lecture.

Elizabeth Perkins was appointed administratrix of the estate of Abraham Perkins, jr., late of Hampton, deceased, and her father Thomas Sleeper gave security that she would attend the next court at Hampton for the division of the estate.

Hester Swett was appointed administratrix of the estate of Capt. Benjamin Swett of Hampton, late deceased.

Court ordered that a rate of 30li. be made to defray the county debt.

Ordered that 10s. be given to servants where the court lodged, at the discretion of the Treasurer.

Timothy Hilliard was appointed administrator of the estate of his brother Benjamin Hilliard, with Tho. Philbrick as surety on his bond.

Elizabeth Quenby was appointed administratrix of the estate of Robert Quenbie, deceased.

Venire, dated, Aug. —, 167—, for Eamsbery trial jury men.

Venire, dated Aug. 20, 1677, for three Salisbury trial jury men, signed by Tho. Bradbury,* recorder, and served by

*Autograph.

COURT HELD AT IPSWICH, 6 : 9 : 1677.

Obadiah Bridges dying intestate, administration upon his estate was granted to Elizabeth, the widow, who was ordered to bring in an inventory to the next Salem court.

Upon complaint of John Howard, the selectmen of Rowley from time to time are enjoined and impowered to provide a place of habitation for him and employ him to the best advantage for him and the town.

Rachell, wife of Laurance Clenton, desiring to be divorced, court declared that this court could not grant it, and asking for maintenance from him according to former engagement, court ordered that said Laurance pay her 50s. upon demand.

Jacob Addams and his wife, presented for fornication, were ordered to be severely whipped unless they pay a fine of 5li.

Mr. Roger Darbie and his wife, presented for not going to the public meeting on Sabbath days, were fined.

John Lee was freed of his bond for good behavior.

Samuell Lad was fined for misdemeanors.*

James Tenny was fined for drunkenness by the Major General.

Robert Crose, for breach of the peace, was fined.

Mr. John Paine, late of Boston, dying intestate, Elizabeth his wife was appointed administratrix of his estate, and she

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Ephraim Winsley,† constable of Salisbury, who returned the names of Cornett Jno. Severence, Ensign Wm. Buswell and Tho. Muggett.

*Franses Thurla, aged about forty-five years, and Ane Thurla, his wife, testified that in the evening after Mr. Longfelow's vessel was launched, about nine or ten o'clock, and after he and his family were in bed, having shut the door and bolted it, Samuell Lad of Haverhill and Thomas Thurla's man, Edward Baghott, came to their house. One or both of them went into the leanto where their daughter Sarah lay, and having awakened her urged her to rise and go to her aunt's, telling her that she was very sick. Whereupon deponent arose and seeing one at the door reproved him for being there, and mistrusting that there was one with his daughter, as he went to light a candle, Samuell Lad leaped out of the house. Sworn in court.

†Autograph.

presented an inventory, excepting the debts which she supposed to be many, exceeding the value of the estate. Court appointed according to the law, Capt. John Appleton, Capt. John Whipple and Deacon Goodhue to examine the claims of the several creditors and to allow such as they find clear and unquestionable debts. They were to make return to the next Ipswich court, when court would make proportionate division of the estate. This order was to be posted in Boston and Ipswich and the three next adjacent towns.

Martha Rogers, aged about sixteen years, chose her mother Mrs. Margrett Rogers as her guardian, and she was also appointed guardian of the other children of Mr. Ezekiell Rogers who were under age, Nathaniell, Ezekiell, Timothy and Samuell.

Whereas Nicolas Batt of Newbury is lately deceased and the law gives liberty to prove a will before two magistrates, the clerk John Webster, who married the eldest daughter of said Batt, came to the Worshipfull Major Generall Denison, Esq., and desired that no such will might be proved in private without his or his wife's knowledge, as they had something to say. They were so advised by the Honored Major Generall to have this caution entered.

Edith Dodge dying intestate, administration upon her estate was granted to John Dodge, and Zachariah Herrick, who were ordered to divide the estate according to the mind of said Edith declared in a paper.

COURT HELD AT SALEM, 27 : 9 : 1677.

Judges: Samuell Symonds, Esq., Deputy Govr., Majr. Genrll Daniell Denison and Major Wm. Hathorne.

Grand jury: Andrew Mansfeild, Georg Keaser, John Massey, Antho. Buxton, Jere. Meachum, Job Swinnerton [Georg Michell. — *Waste Book*], James Simonds, Peeter Woodbery, Robert Elwell, James Dennis, Charles Gott, Robert Rand, Mathew Farrington, Hen. Collens, jr., and Wm. Bennett.

Jury of trials: Mr. Samuell Ward [Mr. Timothy Lindall, Mr. Jon. Higgenson, Walter Fairefeild. — *Waste Book*], Jeremiah Neale, Edw. Flint, John Norman, Frances Nursse, Edw. Woollen, Edward Dodg, Joseph Allen, Samll. Cobbitt, Ensign Bancroft, Moses Chadwell and Theophilus Bailye.

James Browne, attorney of Benjamin Mazure v. Phillip English. Verdict for plaintiff. Appealed to the next Court of Assistants. Said English bound, with Phillip Cromwell, as surety.*

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*Writ: James Browne, attorney to Benjamin Masure v. Phillip English; for his perfidious and fallacious act in demanding 7li. of Benjamin Masure for the passage of Jane Masure, his sister, and arresting him for that amount and keeping him prisoner, until at last Masure was forced for want of sureties to compound with said English to give him a bill, which is now sued for, when it now appears that Jane Mazure was Englishes servant and was to remain his servant till her passage was paid, therefore it was a cheat, after the death of said servant to demand her passage of her brother; dated 5 : 9 : 1677; signed by Hilliard Veren,† for the court, and served by Henry Skerry,† marshal of Salem, by attachment of land of defendant near Marvellhead ferry.

James Browne's bill of cost, 1li. 12s. 6d.

Philip English's bill of cost, 9s. 4d.

Phillip Legroo, aged about sixteen years, testified that when Jane Margery came aboard their ketch, he asked her why she came to New England and she replied that her brother Benjamen Margery had sent for her to come and that he would pay for her passage. She also said that she went to deponent's father's house to meet with Mr. Philip English and agreed to go, her brother agreeing to pay 7li. for her passage, by letter which she showed. Sworn in court.

Letter of attorney, dated Oct. 27, 1677, given by Benjamin (his mark) Mazare of Salem, seaman, to James Browne of Salem, glazier. Wit: Hilliard Veren, sr.,† and Larains Masury. Sworn in court.

"escrite le 28 iour de mar 1677

"Au nom de dieu se soit mon frere benienmin ces deux petis mos sont pour vous faire savoir de ma bonne sante grace adieu ie pries dieu quel en soit ainsi de vous tous nos bons amis de Jerze sont en bonne sante grace a dieu les quels se recommande bien a vous en prians dieu qu il vous soit bien et a vos frere en general es quels vous feres mes humble baise mains en leur declarant le desir que iay de leur prosperite pria dieu iour uellement pour eux pour vostre seur Jenne elle setoit loues a philipe lenglois a mon apcence de quoy iesut marries mais il salut quelle senbarquas moy en voyans cela ie lasiste son bien de toute sorte de harde pour leutre tien

†Autograph.

de soucorps et lay baille un cofre de deus lequ ie mis plasieur petite harde que ie vous avois en voies par reconoissance.

"Autre chose pour le present sinonque ie de meure vostre humble et hobeisante seur rachel luce veuue de edouar le messarier."

Mary Morall owned in court that the foregoing was the letter that she mentions in her oath and of which she broke the seal when it was brought to her with other letters by Tho. Vely.

[Translation of the foregoing letter.]

"Written y^e^ 28 of March 1677

"In the name of god be this, — Brother Benjamin These Two Small words are to acquaint you of my good health Thanks be to god & I pray god that it may be y^e^ same of you all o^r^ Freinds of Jarse thankes be to god are in good health who recommend them well to you & to yo^r^ Brothers in generall to whom my humble baise mains, declaring to them y^e^ desire I haue of theire prosperities, prayeing God dayley for them; as for yo^r^ sister Jane, she was bound to phillip English in my absence; at w^ch^ I was troubled but I seing that shee must be embarqued, did Furnish her very well with all sorts of necessaries for her Apparrell & gaue her a coffer in w^ch^ I putt seuerall small cloaths w^ch^ I sent to you for a Token not elce for present but that I remayne yo^r^ humble & obedient sister

"Rachell Luce widow of
Edward Le messarier."

"Superscribed

"The present be giuen to Benjamin Le Messurier

"Liueing in Salem In New England."

John Massure, aged about nineteen years, deposed that he heard his father in Jersey say that he had bound Jeane Masere, sister of Bengamin Masere, a servant to Phillip English, then bound to New England. Deponent being in the same vessel at sea, heard English, then master, own that she was his servant and he saw her wear the clothes of the dead maid. Sworn, 1 : 9 : 1677, before Wm. Hathorne,* assistant.

Peeter Britton, aged eighteen years, deposed that he was a passenger on the ketch and heard Benjamin Marzeury's sister say before she was taken sick that she would be free when she came to New England for her brother had sent her a letter that he would pay for her passage. Sworn, 8 : 9 : 1677, before Wm. Hathorne,* assistant.

Mary Morell, aged about thirty years, testifieth that Thomas Velley brought her about six letters for her to read the superscription, in order to know for whom they were and this letter to Benjamen Mazare was one. Sworn in court.

*Autograph.

Tho. Woodbery v. Richard Stackhouse. Review. Verdict for plaintiff. Appealed to the next Court of Assistants. Roger Hoskins and Frances Collins, surety.*

Richard Harris, aged about twenty-seven years, testified that the maid who died at sea, sister of Benjamen Magere, he heard Phillip English say was his servant and it was his loss, but he had heard of a letter that was written by said Benjamin offering to pay for her passage and he would try to get half. Also said English divided her clothes among his other servant maidens. Sworn, 1 : 9 : 1677, before Wm. Hathorne,† assistant.

Ezekiel Cheever, aged twenty-two years, testified that he was at work in his shop on lecture day the latter end of the summer, when John Tuckerman of Boston with two strangers came to his shop and left six letters desiring him to deliver them to the parties to whom they were sent. Deponent said he did not know them but his landlord was a Jerseyman and he would deliver them to him which he did. Deponent could not read the superscription on them because they were French, but he heard his landlord say that one of them was for Benjamin Megere. Sworn in court.

Ellener Clarrke, aged about sixteen years, deposed that being servant to Mr. Phillip Ingles coming from Jersy, etc. English gave her one of Jane Mazary's waistcoats after she died. Sworn in court.

Mary Pary, aged about seventeen years, testified that she being in Jarsay at the house of Philip Lagrove with Mr. Philipe English to have her indenture made, Jane Mesure brought a letter which she said she had received from her brother, etc. If her brother were dead before she arrived, she was to serve Mr. English six years, etc. Sworn, Nov. 9, 1677, before Moses Mavericke.†

Mary Pary testified that being one of those who tended her in her sickness, Jane desired that those who tended her should have what was left in her chest of her clothes, giving the key to deponent. They were not worth 20s. Sworn in court.

*Writ, dated 20 : 9 : 1677, signed by Hilliard Veren,† for the court, and served by John Sampson,† constable of Beverly.

Richard Stackous' bill of cost, 1li. 5s.

Thomas Woodbery's bill of cost, 1li. 19s. 6d.

Copy of the record and files in this action on 26 : 4 : 1677, made by Hilliard Veren,† cleric.

Hannah Travis, aged about eighteen years, deposed that

†Autograph.

she heard her mother Stackhose call Thomas Woodbury into her house and tell him that he might take the sail, etc. Sworn in court.

John Stone, aged about fifty-five years, testified that Woodberey told him last fall in the time of the mackerel season that Roger Hoskin put ashore part of a sale in his fish house, etc. Sworn, 23 : 9 : 1677, before Wm. Hathorne,* assistant.

Susannah Stackhouse, aged about sixty years, deposed that she would deliver upon oath all the sail that Hannah Travis brought to her house, etc. Sworn, Nov. 27, 1677, before Samuel Symonds,* Dep. Governor.

Jonah Johnson, aged about twenty-eight years, deposed that he being at sea with Humpheri Woodbury in the ketch William and Mary, they split their mainsail in an ordinary gale of wind, the bolt rope breaking, and that the sail and rope were so bad that they were not fit to go to sea. Also that Thomas Woodbury owned to him that he had cut a topsail out of the middle of this old sail. Sworn in court.

Thomas Patch, aged about thirty-nine years, deposed that Woodbury said that he had taken out about thirty yards from the sail for other uses. Sworn in court.

Nehemiah Grover, aged about thirty years, deposed. Sworn in court.

William Huper, aged about thirty years, deposed. Sworn in court.

John Hill, aged about forty-two years, deposed that being at Thomas Woodbury's fish point, etc. Sworn in court.

Humfre Woodberry, Nicolus Grove and Benjamin Small appraised the bolt rope at 8 or 10s. and the mainsail at 58s. Sworn, 8 : 8 : 1677, before Wm. Hathorne,* assistant.

John Sampson, aged fifty years, deposed that when Woodbury refused to accept the sail he brought, Goodman Stackhouse put it into a sack again and bade him take his course. Sworn in court.

Roger Haskings, aged about thirty-four years, deposed that he brought a parcel of sail from Boston for Richard Stackhouse in the ketch Dolphin, which sail he landed at Thomas Woodbury's point and induced John Hull to carry it into said Thomas' warehouse, it being a good burden for a man. Sworn in court.

Hannah Harris, aged about thirty years, deposed that being at her father's house when Hannah Travis brought the sail, she judged it to be about twenty yards, etc. Sworn in court.

*Autograph.

Mr. Hen. Seawell v. Mr. Wm. Longfellow. Verdict for plaintiff.*

Elizer Keaser v. William Beale [sr. — *Waste Book*]. Withdrawn.

Hugh March v. William Longfellow. For withholding a debt. Verdict for plaintiff.†

Mr. John Baker, sr. v. Hen. Goold. Unjust and illegal depriving him of a just acquittance. Verdict for defendant.‡

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*Writ: Mr. Henry Sewall v. Mr. William Longfellow; debt, which should have been paid by bill of exchange in England to Capt. John Hull of Boston; dated Nov. 12, 1677; signed by Anthony Somerby,§ for the court; and served by Joseph Pike,§ constable of Newbery.

†Writ, dated Oct. 13, 1677, signed by Jo. Woodbridge,§ commissioner, and served by Robert Lord,§ marshal of Ipswich, by attachment of a "Neager servant" and three cows. "M^r^ Longfellow said the neager was his & the said neager said he was Longfellows whoe had bought him of his father m^r^ Sewall."

"october the 3 77. M^r^ March sir pray y^u^ be pleased to pay to M^r^ Tho. Woodbridge three pounds in silver and place it to the account of yo^r^ freind Willm. Longfellow."§ Tho. Woodbridge's§ receipt, dated Oct. 5, 1677.

Hugh Marches bill of cost, 2li. 7s. 4d.

Mary Williams, aged about sixteen years, testified that Mr. William Longfellow of Newbery usually came to her master's house, Mr. Marches, and called for wine, beer, victuals and cider and sometimes for rum, and it used to be put on an account for he never paid money. He had done this for two years, and she had carried him many a pint of liquor, so that the account must have been large. Sworn, Nov. 26, 1677, before Jo. Woodbridge,§ commissioner.

Hugh March, jr. and Jno. March testified to the same. Sworn, Nov. 26, 1677, before Jo. Woodbridge,§ commissioner.

Tho. Woodbridge, aged about twenty-eight years, testified. Sworn, 27 : 9 : 1677, before Wm. Hathorne,§ assistant.

‡Writ: Mr. John Baker, sr. v. Henry Gould; for unjust and illegal depriving him, and that with the conspiracy and aid of Sarah, his wife, of a full and legal acquittance made by the said Sarah to said John concerning accounts between them of the whole estate that said John had in his hand that belonged to her father Abraham Warrs; dated Nov. 19, 1677; signed by Samuell Symonds,§ for the court; and served by

§Autograph.

Robert Lord,* marshal of Ipswich. Bond of Henry (his mark) Gould, with Henry Benet* and Phillip Fouler,* as sureties.

Warrant, dated Sept. 20, 1677, for Mr. John Baker, sr.'s appearance at Ipswich court upon complaint of Henry Gould and wife Sarah, only child and heir of Abraham Warr, for seizing her father's estate, being neither executor nor administrator, signed by Robert Lord,* for the court.

Henry Gould's bill of cost, 2li. 4d.

Ensign Goold's bill of cost, 14s. 2d.

Robert Lord,* marshal, on Nov. 17, 1677, attached a copper at 5li. 10s., and land at 3li. per acre, in all 14li., in satisfaction of the execution.

John Browne deposed that about four years ago he wrote a full discharge between Mr. John Baker, sr. and Sarah Warr, now wife of Henry Gould, by which she discharged said Baker from all demands, she then receiving a bed and other goods, and deponent heard her declare that it was her act and deed. Sworn, 25 : 7 : 1677, in Ipswich court. Copy made by Robert Lord,* cleric.

Abraham Warr's debts, 1654: payd to Mr. John Paine, 15s.; to mee of old, 18s.; wine & cakes at her travell, 3s. 6d.; her coffin, 9s. 6d.; wine & cakes, 1li. 2s.; the midwife Mrs. Smith, 5s.; Given other women, 5s.; for makeing 2 coats & 4 shifts, 2s. 4d.; a sheete, 4s.; to Thomas Perkins, 4s. 4d.; Moses Pengry, 2s. 1d.; Goodman Morse, 2s.; Mr. Smith, 2s. 6d.; Goodman Roffe, 2s.; Goodman Preston, 2s. 6d.; Mr. Waldo, 9s. 9d.; Mr. Symonds, 3s. 4d.; Goodman More, 1s. 10d.; Mr. Browne, 4s. 6d.; Mr. Bartholmew, 1li. 11s. 3d.; Goodman Rowell, 5s.; Mr. Jewett, 14s. 3d.; John Warner, 3s. 8d.; Goodman Douglas, 2s. 8d.; Goodman Gage, 15s.; widdow Whipple, 7s. 6d.; to the Deacons, 6s.; Mr. Wilson, 10s.; John Knowlton, 6s.; Mr. Tredwell, 7s.; Goodman Lumas, 2s.; Goodman Lord, 2s.; for 2½ years keeping his daughter before he took her away, 10li.; her fine at court, 3li. 15s.; Goodwife Harris for healing her, 10s.; keeping her and her boy 2 yeares at 18d. per week, 7li. 16s.; for my son John keeping her boy 2 yeare more at 12d., per week, 5li. 4s.; for 8 barrells & pailes & keeler & 2 barralls of syder yt. Josia Clark paid, 3li.; flockbed & boulster & pillow & Rug, 3li. 6s.; 2 sheets & one Iron pot, 14s.; for 2 blanketts, 8s.; table, chest, chaire, 8s.; cord & matt bedstead, 8s.; total, 47li. 6d. Copy made by Robert Lord,* cleric.

Copy of record of the Ipswich court, Sept. 25, 1677, in a similar action, made by Robert Lord,* cleric.

Joannah Smith, wife of Thomas Smith, Elizabeth Perkins, wife of Jacob Perkins, and Jane Jordon, wife of Francis Jor-

*Autograph.

don; testified that Alice Ward, widow, upon her death bed, being of perfect memory, committed her daughter-in-law Sarah Ward, to John Baker and Elizabeth his wife. Said Sarah's estate was to bring up the child in the fear of God. She gave to Elizabeth Baker her keys and desired her to settle her affairs. Sworn, 27 : 1 : 1655, in Ipswich court. Copy made, Feb. 28, 1675, by Robert Lord,* cleric.

Copy of the inventory of the estate of Alice Ward of Ipswich, widow, taken 23 : 11 : 1654, made Feb. 28, 1675, by Robert Lord,* cleric.

Thomas Baker and John How testified that they heard Baker and Gould discussing the estate, etc. Sworn in court.

John Baker, jr., of Ipswich and Catherine, his wife, testified that about four years past, Sarah Warr, now wife of Henry Gold, gave acquittance to Mr. John Baker, sr., which was put into deponent's box but is now gone. Also that John Browne and John Pemertun were witnesses to the acquittance. Sworn, Nov. 6, 1677, before Samuel Symonds,* Deputy Governor.

Thomas Lovell, sr. and Phillip Fowler, jr., deposed that they judged the house and lands of Abraham Warrs, who is long since dead, worth 60li., if the house is as good as when Warr died. Sworn, Nov. 26, 1677, before Daniel Denison.*

Katherine Baker, wife of Mr. John Baker, jr., deposed that she was present and heard her father Mr. Baker say that there were more pounds in the account than there were in the inventory. Henry Gould said that he would not go to law and Baker agreed to give him 20s. at Deacon Goodhew's. Gould said also that if Mr. Baker would come to Mr. Symonds' house they would get the Deputy Governor to write an acquittance between them, etc. Sworn, Nov. 19, 1677, before Samuel Symonds,* Dep. Governor.

Deborah, wife of John Knolton, deposed that Sarah, wife of Henry Gould about two years ago brought a writing to her house and desired her to read it and after she had read it, said Sarah asked her if it were the acquittance that she gave to her master Baker and she said it was. Then Sarah offered to throw it into the fire but deponent told her she should not throw it into the fire in her house. She left the house and presently Henry Gould came and took the acquittance and threw it into the fire saying he was as glad to get it as if one had given him five pounds, etc. Sworn, Nov. 5, 1677, before Samuel Symonds,* Dep. Governor.

John Baker, jr., and Katherine, his wife, aged about twenty-eight years, deposed that Sarah Warr, dwelling with Corpll. Whipple desired Mrs. Baker, sr., not to get a maid for she

*Autograph.

William Beale v. Elizer Keaser. Withdrawn.*
John Martin v. John Roe. Debt. Verdict for plaintiff.†

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would come to live with her again when her year was out at Whipple's. So when the year was out she came to their house and lived with her old Mrs. Baker about three years. After that she lived with said deponents about three years more, they paying her for the first two years ten pounds, and for the third, said Sarah Warr being with child and often ill, 50s. Deponents also testified that Henry Gold and Sarah Warr living together in deponent's house, they heard Gold tell Sarah that if she lived in some houses they would make her pay 10li. per year for keeping her child. Also that Sarah Warr was upward of twenty-three years of age when she gave Mr. Baker the acquittance of the whole estate of Abraham Warr. Sworn, Nov. 19, 1677, before Samuel Symonds,‡ Dep. Governor.

Sarah Gould, aged about thirty-five years, deposed that "Sarah Wars now Sarah Gould Liuing with my Father Baker was by my mother brought up at scoule a considerable Time: and many times my Mother did bid her take a booke and read when she did Leaue and would not goe to scoule but could not p'swasd her to mind her booke and Larne with all y^e^ paynes they could take with her and the scoule dame namely M^rs^ Willson tould mee that she would haue my Mother take her home for she was discourisied with her for shee did beleue shee would not Larne." Also that when Sarah was about eighteen years old, she went to Corpl. Whippell to live a yearly servant but before her year was out she came crying to deponent's mother to take her again.

John Gould and Sarah Gould testified that the first bastard that Sarah Warr had was bound to us and it proved so troublesome that they ought to have been paid ten shillings per week.

Thomas Baker and John Gould testified that their sister Baker, etc. Sworn in court.

*Writ: William Beale v. Eliezer Keiser of Salem; for refusing to reckon and for detaining unjustly a bill given upon a mistake; dated Sept. 25, 1677; signed by Moses Mavericke,‡ for the court; and served by Henry Skerry,‡ marshal of Salem.

†Writ, dated Nov. 5, 1677, signed by Moses Maverick,‡ for the court, and served by Henery Skerry,‡ marshal of Salem. Bond of John (his mark) Roe, with Rune [Renald?] Kellie and Frances (his mark) Johnsone, as sureties.

John Martine's bill of cost, 1li. 5s. 4d.

Bond, dated Aug. 12, 1672, given by John (his mark) Roe

‡Autograph.

Frances Parnell v. Benjamin Ganson. Debt. Verdict for plaintiff.*

Edmond Bridges, attorney of George Dean, Mr. John Ruck, Mr. Bartholmew Gedney and Mr. John Higgenson v. John Griffin. Debt. Withdrawn.†

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to John Martine, for 47s. Wit: Richard Oliver‡ and John Archer.‡

*Writ, dated 20 : 9 : 1677, signed by Hilliard Veren,‡ for the court, and served by Henry Skerry,‡ marshal of Salem.

Bond, dated July 3, 1677, given by Ben. Ganson‡ to Thomas Ives, for what Frances Parnall should earn of him this year in going to sea in his employ, which was 3li. per month. Wit: Walter (his mark) Mungy.

John Lambert, jr., aged about forty-eight years, deposed that being at the house of Benjamin Ganson about the latter end of May, he heard him agree with Frances Parnell to go to sea with him upon a fishing voyage at 3li. per month, and to bear all charges, except that said Francis was to find himself craft. Sworn in court.

John Simson, aged about twenty years, testified that Franses Parnell was five months on the voyage. Sworn, 26 : 9 : 1677, before Wm. Hathorne,‡ assistant.

Thomas Ives, aged about thirty years, deposed that Parnall brought Benja. Ganson to his house and desired him to stand engaged for him to deponent and to pay him as he earned it, because he was not able to pay him at present.

Rachell Penly, aged sixty years, deposed that Master Ganson, etc. Sworn in court.

Mary Clarke, aged about twenty-seven years, deposed. Sworn in court.

Benjamen Ganson, aged about thirty-six years, deposed.

†Writ, dated 19 : 9 : 1677, signed by Hilliard Veren,‡ for the court, and served by John How,‡ deputy for Henery Skerry,‡ marshal of Salem, by attachment of land and orchard of defendant.

George Dane, aged about forty years, deposed that he had often demanded the bill, and at one time Ruck & Co., sent him in a vessel on purpose to bring home the pay but upon their arrival at Bradford, could get but little from Griffin, and they had agreed to pay him 10li. to make the voyage, whether he received the pay or not. Sworn in court.

Wm. Dicer, aged about forty years, deposed that he and Georg Dane, master of the vessel, were sent on one of Mr.

‡Autograph.

Tho. Ivery v. Henry Collens, sr. Withdrawn.*

Tho. Edwards v. Robt. Gamon. Withdrawn.†

Phillip English v. Benjamin Mazure. Debt. Verdict for defendant. Appealed to the next Court of Assistants. Said English bound, with Phillip Cromwell and Joseph Lee, sureties.‡

Ruck's vessels to receive of John Griffin of Bradford, etc. Sworn in court.

Letter of attorney, dated Mar. 23, 1676-7, given by John Rucke,§ Bartholomew Gedny,§ John Higginson,§ and George Deane,§ joint partners, to Edmond Bridges of Salem. Wit: John Putnam,|| Maneseth Marston,|| Willm. Hathorne, jr.|| and Garves Johnes.|| Sworn, 17 : 3 : 1677, before Wm. Hathorne,|| assistant.

John How, aged about thirty-six years, deposed that he went up to Bradford with Edmon Bridges to John Grefin's house and the latter told them that as they had power of attorney, he would tender pipestaves and pine boards at the landing place, etc. Sworn in court.

Bond, dated Apr. 27, 1674, given by John Griffing§ of Bradford, for 51li. 10s., payments due Ruck & Co. for goods sold for them, to George Deane and partners, to be paid in pipestaves, provisions, and pine boards, to be delivered on board a vessel at any convenient landing place in Haverhill or Bradford. Wit: Thomas Wasse.|| Sworn before Nath. Saltonstall,|| commissioner. Receipt of George Deane,|| dated Nov. 27, 1674, for six bushels of Indian corn, on this account.

*Writ: Thomas Ivery v. Henrey Collins, sr.; for cutting timber trees and barking them, laying claim to the land; dated Nov. 21, 1677; signed by John Fuller,|| for the court; and served by John Bullord,|| constable of Linne, by attachment of defendant's dwelling house.

†Writ, dated Nov. 6, 1677, signed by Ephraim Turner,|| for the court, and served by Richard Way,|| deputy for Rich. Wayte,|| marshal of Suffolk. Bond of Robert Gammon,|| with Henery (his mark) Adams, surety.

‡Writ, dated 29 : 8 : 1677, signed by Hilliard Veren,|| for the court, and served by Henery Skerry,|| marshal of Salem. Bond of Benjamin (his mark) Mazure, with James Browne|| and Edmond Bridges|| as sureties.

Bill of cost of Philip English, 1li. 2s. 6d.

Bill of cost of James Browne, attorney to Benjamen Mazary, 11s. 8d.

§Autograph and seal. ||Autograph.

Mr. Samll. Gardner, sr., attorney and joint executor with Left. Geo. Gardner to Mr. Thomas Gardner v. John Pudney. Verdict for defendant. Appealed to the next Court of Assistants. Tho. Gardner, sr. and Samll. Gardner, jr. bound.*

Henery Skerry, marshal, aged about seventy-five years, deposed concerning serving the writ. Sworn in court.

Bond, dated July 27, 1677, given by Benjamin (his mark) Marzeury of Salem, fisherman, to Philip English of Salem, mariner. Wit: Henry Skerry, sr.,† Arthur Greay† and Wm. Bowditch.† Sworn before Wm. Hathorne,† assistant.

James Browne, aged about thirty years, deposed that when Marshal Skerry arrested Benjamin Mazury for the passage of his sister Jane, he asked leave of deponent to pass through his shop and he arrested him in deponent's yard. In the evening Masury told deponent that he gave the marshal a bill for 3li. 10s., and that he would not have done so, but he was engaged on a fishing voyage and could not go to prison. Sworn in court.

Henry Skerry, marshal, aged about seventy-five years, deposed. Sworn in court.

*Writ, dated 14 : 9 : 1677, for rent of house and land, signed by Hilliard Veren,† for the court, and served by Henery Skerry,† marshal of Salem, by attachment of land of defendant near Samuell Aborn, sr.†

John Pudney's bill of cost, 8s.

Samuell Gardner's bill of cost, 1li. 7s.

Letter of attorney, dated July 14, 1677, given by George Gardner,† sometime of Sallem, now of Harford, Conniticot, to his brother Samuell Gardner, joint executor with him of their father's estate. Wit: Thomas Gardner, sr.† and Samuell Gardner, jr.† Sworn, 26 : 9 : 1677, before Wm. Hathorne,† assistant.

Lease, dated Mar. 1, 1672, given by Thomas Gardner, sr.‡ of Salem, "farm lett" to John Pudne‡ of Salem, husbandman, his now dwelling house in Salem, with all his land in North field, about 20 acres, also his 10 acres of meadow near Anthony Needham's in Salem, for seven years from Apr. 15, 1672, at 11li. per year, and two barrels of cider, said Gardner furnishing the cask, of which 4li. were to be paid in wood at 8s. per cord, 40s. in butter and cheese, with one firkin of butter, 40s. in pork, and the remainder to be paid in corn. Said Pudney was not to remove any muck, and Gardner reserved the right to take the meadow near Needham's if he so de-

†Autograph. ‡Autograph and seal.

Hugh March v. Wm. Chandler. Verdict for defendant.*
Mr. Charles Ledgit v. Tho. Hughson. Review. Verdict

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sired, abating 3li. per year for the same. Wit: Thomas Gardner, jr.† and Isack Cooke.†

John Pudney's† account of what he had paid toward the rent of the farm: Fourteen cord of wood at 8s., delivered at Mr. John Grafton's, 5li. 12s.; pork, 4li. 10s.; cheese and butter, 4li.; for carrying downe a meale Through an Iron pott, 2 crotches & a pole to sett wood against & 2 quarts Caske from Goodman Golthright's, 5s.; to a Roasting pigg, 2s.; to a doz. of pigeons, 1s.; 2 pound of Butter, 1s.; a pecke of green pease & 1 pecke of Beanes, 1s.; 2 Bush. of Turneps, 2s.; Butter & mony paid to Sam. Gardner, 2li.; 4 Bushells of Turneps, 4s.; a Leane pigg to said Gardner, 12s.; to Building a Cow house, 2li.; 4 Barrells of syder carried into old Mr. Gardner, as agreed, ——; total, 19li. 10s. Sworn in court.

*Writ: Hugh March, sr., of Newbury v. William Chandler of Newberry; for carelessly or wilfully staving a butt of Passado wine, worth 15li., which he was entrusted as a cooper to secure; signed by Jo. Woodbridge,† commissioner, and served by Joseph Pike,† constable of Newbery, by attachment of defendant's dwelling house and house lot or homestead adjoining.

William Chandler's bill of cost, 1li. 14s.

Willm. Longfellow,† aged about twenty-six years, deposed that he was present when the wine was loaded and never heard of any agreement concerning the pipe of wine. Deponent sued March for but 91 gallons at 2s. 9d. per gallon. Sworn Nov. 29, 1677, before Daniell Denison.†

Daniell Wycom testified that he heard Mr. March say that he never sent his son to call Goodman Chandler and did not employ him. Marshal Lord testified to the same. Sworn in court.

Henry Short, aged about twenty-five years, deposed that he was at Mr. Seawal's house when Mr. March sent for the wine he bought of Mr. Longfellow and as they were handling the wine, Hugh and John, sons of March being present, one of the latter told Goodman Chandler, the cooper, that if he raised the butt the way he was about to raise it, that it would burst because that was the weakest side. Nevertheless Chandler went his own way, saying he had handled many a pipe of wine and never had one break, but it did break and the wine flew out. Sworn, Nov. 22, 1677, before Jo. Woodbridge,† commissioner.

†Autograph.

for defendant, confirmation of the former judgment. Appealed to the next Court of Assistants. Mr. Tho. Woodbridg and Leift. Richd. Way bound as sureties.*

Mr. Tho. Woodbridg v. Robt. Clements. Debt. Verdict for plaintiff.†

Mr. Tho. Woodbridg v. Abraham Whittaker. Debt. Verdict for plaintiff.‡

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*Writ, dated Boston, Oct. 2, 1677, signed by Ephraim Turnor,§ for the court, and served by Henery Skerry,§ marshal of Salem. Bond of Tomas Hewson,§ with Edmond Bridge,§ William Swetland§ and John (his mark) Cooke, as sureties.

Charles Lidget's bill of cost, 2li. 5s. 6d.

Thomas Huson's bill of cost, 1li. 8s. 4d.

Copy of Ipswich court record and papers of Sept. 25, 1677, in an action, Thomas Hughson v. Anthony Roop.

Nath. Beadle testified that he being in company with Anthony Rope, etc. Sworn in court.

Richard Norman, deposed that he went with Anthony Roop to see Hewson, the boatswain, but he said he would desert the voyage and not be commanded by such a man as the master was. Sworn, Nov. 27, 1677, before Daniel Denison.§

John Harris testified. Sworn, Nov. 27, 1677, before Daniel Denison.§

Charles Lidget testified that he went with Roop to the Honble. Governor at Boston where Roop complained of some of his seamen for disorderly conduct, whereupon the Governor issued a warrant for Thomas Hewson, etc. Sworn in court.

Wm. Hathorne,§ assistant, certified that a warrant was issued for Hewson, but the constable returned that after diligent search the man was not to be found.

†Writ, dated Nov. 21, 1677, signed by Nath. Saltonstall,§ for the court, and served by Robert Ford,§ constable of Haverhill, by attachment of 20 acres of land of defendant's near the house of John Page, sr., in Haverhill.

Bill of cost of Tho. Woodbridge, 1li. 5s. 8d.

Bond, dated Mar. 4, 1672-3, given by Robert Clement§ of Haverhill to Mr. Thomas Woodbridge of Newbery, for 4li. 12s. 3d., to be paid in wheat or Indian corn. Wit: Nath. Saltonstall§ and Thomas Whittier.§ Sworn, Nov. 22, 1677, before Nath. Saltonstall,§ commissioner.

‡Writ, dated Nov. 21, 1677, signed by Nath. Saltonstall,§ for the court, and served by Robert Ford,§ constable of Hav-

§Autograph.

Mr. Tho. Woodbridg v. Ezra Rolfe. Debt. Verdict for plaintiff.*

Mr. Tho. Woodbridg v. John Simpson. Debt. Verdict for plaintiff.†

Mr. Tho. Woodbridg v. Moses Gilman. Debt. Non-suited.‡

Jon. Blano v. Mr. Ralph King. Withdrawn.§

Mrs. Eliza. King, relict and executrix of the estate of Mr. Daniell King, and Ralph King, Daniell King and Ezekiell Needham, guardians of the children of Hanna Blano, daughter of Daniell King, deceased v. John Blanoe. Special verdict. If Blanoe were a lawful heir to the estate, they found for defendant, if not, for plaintiff. Court gave judgment for

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erhill, by attachment of the house, land and a cow of defendant's.

Thomas Woodbridge's bill of cost, 1li. 9s. 8d.

Bond, dated Apr. 10, 1677, given by Abraham Whitegar of Haverill to Thomas Woodbridge of Newbery, for 5li., in corn. Wit: Peter Toppan,|| Philip Grelee|| and Henry Ambrose.|| Sworn, Nov. 26, 1677, before Jo. Woodbridge,|| commissioner.

*Writ, dated Nov. 21, 1677, signed by Nath. Saltonstall,|| for the court, and served by Robert Ford,|| constable of Haverhill, by attachment of one black cow and a young heifer.

Thomas Woodbridge's bill of cost, 1li. 8s. 8d.

Bond, dated Sept. 22, 1677, given by Ezra Roffe|| of Haverill to Tho. Woodbridge of Newbery. Wit: Richard Dumer|| and Henery Jaques.|| Sworn, Nov. 26, 1677, before Jo. Woodbridge,|| commissioner.

†Writ: Tho. Woodbridge of Newbery v. Jno. Jimpson of Emsbury; debt; dated Sept. 24, 1677; signed by Jo. Woodbridge,|| commissioner; and served by Tho. Sargent,|| comstable of Amesbury, by attachment of defendant's house and land.

Thomas Woodbridge's bill of cost, 1li. 5s. 8d.

Bond, dated Sept. 24, 1677, given by Jno. Jimpson of Emsbury to Tho. Woodbridge of Newbery, for 5li. 15s. in staves. Wit: Samll. Lowle|| and Tho. Crosbie.|| Sworn, Nov. 26, 1677, before Jo. Woodbridge,|| commissioner.

‡Mr. Gillman's bill of cost, swearing before Mr. Dallton, etc., 1li. 7s.

§Ralph King's bill of cost.

||Autograph.

plaintiff. Appealed to the next Court of Assistants. John Blanoe bound, with Edmond Bridges, Mathew Woodwell and Mathew Price as sureties.*

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*Writ, dated 19 : 9 : 1677, signed by Hilliard Veren,† for the court, and served by Henry Skerry,† marshal of Salem. Bond of Jno. Blaney.†

John Blayny's bill of cost, 4li. 1s. 4d.

Bill of cost of the guardians, 2li. 15s. 6d.

Letter of attorney, without date, given by Elizabeth (her mark) King, widow of Daniell King to her son Ralph King.

Copy of will of Mr. Daniell King, proved 26 : 4 : 1672, in Salem court, made by Hilliard Veren,† cleric.

Copy of papers in a similar action brought, July 18, 1676, and 26 : 4 : 1677, in Salem court.

Phillip Welsh and Hannah his wife testified that they had had Sarah, the youngest child of Hannah Blainer, deceased about a year and a quarter for which they were to have 4s. 6d. per week for nursing her, to be paid in money of which they had received but about 4li. 17s. 9d. and about four cords of wood at 9d. per cord as it was standing. Also that about seven weeks since the father of the child desired Ralph King to take the child and they carried her to said King who asked them to keep the child for him and he would pay it. He had paid 20s. toward the keeping since that time.

Hannah, wife of Phillip Welsh, aged about thirty years, deposed that about one week since Edward Richards came into their house in the night, it being very cold, and asked for the child that she had to nurse of Mr. John Blaine's, and she told him that unless Mr. Blaine came for it, he should not have it. Then Richards laid hold of the child's arm and head and would have pulled it from her but when he could not, she turned him out of the house. Richards told afterward that if he could have gotten the child that she might have sucked her fingers for her pay for the keeping of it. Sworn in court.

Samuell Pike, aged about twenty-three years, and Michaell Bowden, aged about twenty-five years, deposed concerning going with Edward Richards to Welch's house, and that they offered said Welch twenty cords of wood at the landing place at Forest river as pay for the nursing, or if that would not suffice a yoke of oxen to make it up, each to choose a man to value them, but Welch refused, etc. Edward Richards, aged about sixty years, deposed the same. Sworn in court.

John Lewis, aged about forty years, and William Basset, sr., aged about fifty-eight years, testified that upon request of

†Autograph.

Robt. Hooper, agent for the Town of Marblehead v. Edw. Holman. Verdict for defendant.*

Mr. Ralph King and Ezekell Nedham, he went with them to the house where John Blayne dwelt and demanded the estate, that is the farm called by the name of Darlin's farm, of which the houses and fences were ruined and the wood and timber carried away, and he refused it. Sworn in court.

Joseph Hebard and wife Elizabeth affirmed that they were living in the house of Mr. John Blano and that he hired their sister Hannah Graves to look after his family which she did to the utmost of her power, until the time when she went away. She would not have gone had it not been for her mother-in-law, and she had nothing against Blano. Also Blano hired said Elizabeth Heburd to take care of his children, and they wanted for nothing but were maintained as well as most children. He caused to be made up a piece of cloth to clothe his children. Further that little Bettie King came for his daughter Hannah unknown to Blano and never came but once since and then said Blano supplied her with what she wanted. Sworn in court.

George Darling, aged about sixty years, and Engrome Moodie, aged about sixteen years, deposed that being neighbors of Mr. John Blano that they never heard him or the children complain of not having food and raiment, and said Blano provided as well for them as any other man thereabouts. He had several times bought quarters of mutton, butter, cheese and milk for them. Sworn in court.

Samuell Pike, aged about twenty-three years, and Michaell Bowden, aged about twenty-five years, deposed that they being neighbors of Mr. John Blano, etc. Sworn in court.

Mrs. Elizabeth Purchas, aged about forty-eight years, deposed that John Blano had received of her for the use of his family linen and woolen to the value of forty-eight shillings, and she had also knit stockings for him and his children. Sworn in court.

The guardians' declaration: that Daniel King left to his daughter, Darlings' farm, so called, and she having deceased without a will, her children inherited the estate; that John Blano had spent the estate by drinking rum and strong drink, etc.

John Blanye's† answer to the declaration: that he paid 10li. per year rent for the farm; "it will be euident that I haue not nor will I dispose of it for RUM &c. as the plaintiff from his durty mouth with other filth cast at mee," etc.

*Writ, for fencing in a cove and land against Robert Hoop-

†Autograph.

er's house, appropriating the town's right, dated 21 : 9 : 1677, signed by Thos. Fiske,* for the court, and served by John Stasey,* constable of Marblehead, by attachment of the dwelling house and land of defendant.

Edward Homanes bill of cost, 3li. 7s.

Vote of the town, dated Nov. 19, 1677, to sue Edward Homan, sr., at the next Salem court, and appointing Robert Houper as their attorney. Copy made by Moses Mavericke,* Nov. 23, 1677, and signed by Moses Mavericke,* John Peach, sr.,* Nathanel Walton,* Richard Reith* and Thomas Petman,* selectmen.

Deed, dated Feb. 2, 1659, given by William (his mark) Pitts of Bostone, merchant, and wife Susanna, to Christopher Lattamore of Marblehead, all his housing, with upland, swamps, marsh and stage land in Marblehead, now in possession of said Lattamore. Wit: Hope Allen, Abraham Haukins and Richard Genett. Acknowledged, Feb. 2, 1659, before John Endecot, Governor. Copy made by Hilliard Veren,* recorder.

John Coyte of Marblehead, on 28 : 9 : 1649, sold to William Pitt, all his houses, his third part of the stages with the land adjoining, two acres of marsh, eight acres of upland upon the neck, for 11li., as by a writing dated Feb. 9, 1647. Copy made by Hilliard Veren,* recorder.

Moses Maverek, aged about sixty-six years, and John Peach, sr., aged about seventy-four years, having lived in Marblehead forty-four years, and John Peach, jr., aged about sixty years, having lived in Marblehead thirty-nine years, deposed that the land in controversy from Robert Hooper's house down to the cove, with the privileges, and the land about said cove, belonged from the time abovesaid to the time that Edward Holman fenced it in, to the town. Edward Read, aged about sixty-three years, having lived in Marblehead about forty years, testified to the same. Sworn in court.

Jams Denis, aged about thirty-five years, and John Hooper, aged about thirty-six years, and Erasimus Jams, aged about forty-one years, deposed that Holman fenced in this land the past spring. Sworn in court.

"Att A Generall Court of Election held at Boston 2^{d} of May 1649. Upon the petition of the Inhabitants of Marblehead for them to be a Toune of themselues, Salem hauing granted them to be a Toune of themselues, & Appointed them the bounds of their Toune which this Court doeth Grant you." Copy made by Edw. Rawson,* Secretary.

Edward Richards, aged about sixty years, deposed that about forty years ago he lived in Swamscott about which

*Autograph.

time John Goyt, sr., was put ashore from a ship at Capan, and upon a Lord's day by Mr. Humphryes appointment was fetched from thence in a boat and was employed by said Humphries to build a barque for him. After he had built it, he intended to go to Mittapese, but was persuaded by Mr. Winthrope and Mr. Humphryes to stay in these parts and they promised him any accommodation fit for his employment. Then he "satt downe att Marblehead," at the cove at the north of Mr. Latimor's stage, the land in controversy. He told deponent that he chose this place because it was most suitable for his employment. Sworn in court.

Henery Trivett, aged about fifty years, testified that he was a servant to Mr. Wm. Pitt thirty years ago and that all the land from Richard Reed's fence, which was formerly John Northy's, running from low water mark to the northeast to the cove which was formerly called Guoit's cove, with the house that was on top of a hill near the place where Edward Holman's house now stands, Mr. Pitts bought of old Guoit. Deponent was with Mr. Pitt when old Guoit gave him posessssion. Sworn in court.

Thomas Boan, aged about fifty-six years, deposed that John Goite built housing upon the land. Also that deponent was employed by him to help saw plank and build shallops there. Sworn in court.

Benginmen Parmiter, aged sixty-five years, deposed that he worked for old John Goit, etc. Sworn in court.

Jno. Gatchell, aged about sixty-four years, deposed that he lived in Marblehead when old Guoit first came there, forty years or more ago, and said Guoit first built a wigwam and lived there till he got a house, etc. Sworn in court.

John Northey, sr., aged about sixty-six years, testified concerning Goit's coming to Marblehead. Sworn, 3 : 14 : 1674, before Wm. Hathorne,* assistant.

Richard Hide, aged sixty years, deposed that thirty-six years ago he worked with Goodman Goite on that stony cove about shipwork, etc. Sworn 30 : 1 : 1674, before Wm. Hathorne,* assistant.

Elizabeth Houper, aged about seventy-two years, deposed that about fourteen years ago, her husband Robert Houper asked Mr. Christopher Lattemore to buy a small parcel of land, now in the possession of Roger Russell, adjoining the cove now in controversy. Lattemore said he could not sell it for it was the town's land and the cove was for the whole town for a landing place. Robert Hooper, aged about sixty-four years, deposed the same. Sworn, Nov. 29, 1677, before Moses Maverick,* commissioner.

*Autograph.

Danyell Wicum v. John Pickard, sr., Samuell Platts, sr., John Pearson, jr., and John Baily. Verdict for plaintiff, the land sued for.*

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*Writ: Daniel Wycome v. John Pickerd, sr., Samuel Plats, sr., John Pearson, jr., and John Ballie; for not laying out to him the ten acres which was due, by his privilege upon common and a privilege which belonged to his house which he lives in, by grant of Rowley in 1673 or 74, said Wycomes land to be laid out in the first place of the land to be divided according to the custom of the town in divisions of land formerly laid out; dated Nov. 22, 1677; signed by Thomas Leaver,† for the court, and served by Robert Lord,† marshal of Ipswich, by attachment of common land in Rowley near Bachellder's meadow. Bond of Samuell Platts.†

Daniell Wicom's bill of cost, 2li. 2s.

Ezekiel Mighel and John Bayly deposed that Wicom had lived in the house he now occupies these many years and lived there in 1673. Also that the house is in about the middle of the town and he is the first man in the middle of the town at the west end who has no right in "nether end ox pasture." Sworn in court.

Danniell Wicam's ministry rate for 1672 was 17s. 9d. Copy made Nov. 26, 1677, by William Teny,† keeper of the book.

To Daniell Wicom, purchased of Thomas Lambert, 2 gates; of the Towne, 2 gates; of Thomas Remington, 2 gates. Copy from the book of records for lands of Rowley, Nov. 26, 1677, by Philip Nellson,† recorder.

"At a legell towne meeting held 20th of may 1667 It was agreed and voated for the laying out of hog Iland upland and marsh according to gates be at the descretion of the men chosen to lay it out that Ezekiell Jewet should begin and John Dreser Junier next Abraham Jewit next John Trumbel next Jonathan Plats next Richard Clerke and downe Bradford street to George Kilborne Jachin Rainer next James Barker next John Stickney next uxor Wickem next william Scates next John Pickerd next uxor Broklebank next william Boynton next deccon Broklebanke next John dreser Junior next uxor Mighel next daniel wickum next uxor Hobson next mrs Rogers next." Copy made, Nov. 26, 1677, by William Teney,† keeper of the book of Rowley.

"It. To the end every man may haue an equall share in the commons according to purchase it is agreed that euery acer and halfe lot, shall have one gate and halfe a gate Also euery tow acer lott shall haue too gates and a quarter. It.

†Autograph.

euery half tow acer lott shall haue foure gates and one halfe gat. It. Euery three Acer lott shall haue thirteene gates and a halfe; If euery foure acer lott shall haue twenty tow gates; and six acer lots shall haue fourty five gates." Copy made from the town book of Rowley by William Tenny,* keeper of the book.

"At a legall Towne meetinge holden the 26 : of Nouember 1662. It was agreed and uoated that Richard Swan, Samuell Brocklebanke, Ezekiell Northen, John Pickard, and William Stickney should lay out the said land formerly agreed to be laide out to euery gate, one Acre of land, and that what the saide persons or the maior part of them did in that case should be counted a ualled act Accordinge to the foresaid agrement of the Towne, and allso accordinge to the order and agreement of the Towne, for the begininge of the said Diuision: the East end of the towne, to begin the furthest of at the nearest land and to haue each man his halfe proportion of the land laide out at first." Copy taken Nov. 26, 1677, from the town book of Rowley by Philip Nellson,* recorder.

"At a legal toune meeting held 23th March 1673. It was agred and voated y^t^ the quantity of land propounded to be devided is herby declared to be doubled according to the rules above mentioned. This pased on the Affirmative." This was joined close to the first grant dated Feb. 24, 1673.

"At a legall towne meeting held the 24th Febuary 1673. It was agred and voated that the towne commons should be deuided to the value of too thirds of it or there about be it more or les (viz) that is to every gate on the Common there shall be laid out too acors; to euery twenty shillins of the last yeares ministrey rate on every person in the toune and so proportionallely to lesser or more toune acers; and to euery Inhabitant that keepes a house and payes rates too acers, the persons paying rates and keeping houses is to be understood such whose habitation is situate within the five miles that is accounted towne common, also inhabitants keeping houses are to be understood freeholders and such whose houses are at present inhabited this voat pased on the affirmative by the mager part."

"At a legall toune meeting held 15th december 1674. It was agred and voated that that part of the commons within the five miles that is left undivided after that the grants for a division of the Commons y^t^ were granted the last yeare and fully satisfied according to the proportions therein expresed unto every man therein concerned that then the remainder of the land within the said five miles should be and soe remaine to be a free common to al those and there hires that

*Autograph.

Steephen Crosse v. John Allen. Debt. Verdict for plaintiff, 5,000 boards according to bill.*

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have a present right in the said division according to y^r^ owne proper right or interest by houses gates and estates, onely those y^t^ haue the number of six gates and upward and at present have but one house or by the said grant liberty but for one frehold at present, may have liberty for one frehold more when they haue occasion to buld another house, as those of fewer gates haue done before this grant and therby haue gotten the benefit of two freholds, and if there be any other cases worthy of tender consideration that it may be in the liberty of the selectmen to consider of them; this vote pased on the affirmatiue by the mager part of the towne. Jonathan Plats, Symon Chapman, Mickales Jackson, Charles Browne, Samuell Plats, William Tenny entred there decent against this voat at the same meeting at the same meeting it was voated and agreed that they y^t^ have noe right in ether end ox pasture should come in for one third part of there rit due unto them according to the last yeares grants in the first land that is devided." Copies made, Nov. 26, 1677, by William Tenny,† keeper of the town book of Rowley.

*Writ, dated Nov. 21, 1677, signed by Robert Lord,† for the court, and served by Thomas Clarke,† deputy for Robert Lord,† marshal of Ipswich.

Steven Crosses bill of cost, 7s. 9d.

Joanathan Hartt and Edmond Bridges testified that the current price of merchantable pine board is 45s. per thousand in money in Salem. Sworn in court.

Letter of attorney, dated Nov. 26, 1677, given by Steen. Cross† to Phillip ——. Sworn, Nov. 26, 1677, before Daniel Denison.†

Job Bushop, aged about twenty years, and Robert Cross, aged about forty years, deposed that they were at Exeter with Steven Cross, and John Allen of Salsbery was present, of whom said Steven demanded 5,000 feet of deal boards due by bill. He said he could not pay them and Cross came away without any boards to put aboard his sloop. Sworn, Nov. 26, 1677, before Daniel Denison.†

Bond, dated May 23, 1677, given by John Allin† of Salsbery to Steven Cross, for 5,000 pine boards. Wit: Luke Perkins† and Thomas Wells.† Sworn, 28 : 9 : 1677, by Perkins in court, and on Nov. 26, 1677, by Wells before Daniel Denison.†

Thomas Fosci, aged about thirty years, deposed that he was in the sloop with Steven Cross when they went into Pis-

†Autograph.

Hen. Bennett v. John Stannion. Debt. Verdict for defendant.

Christopher Lattamore v. Richard Bedford. Debt. Verdict for plaintiff.*

Edward Gove v. Henry Benet. Appeal. Verdict for defendant, confirmation of the former judgment. Appealed to the next Court of Assistants. Edward Gove bound, with John Stanian and James Browne, sureties.†

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cataqua river for the boards, and they had to return home "ded fraited." Sworn, Nov. 25, 1677, before Daniel Denison.‡

*Writ, dated Nov. 21, 1677, signed by Robert Lord,‡ for the court, and served by Robert Lord,‡ marshal of Ipswich. Bond of Richard (his mark) Bedford, and John (his mark) Gamage, as surety.

Mr. Christyfor Latemor's bill of cost, 1li. 3s. 6d.

Account of Richard (his mark) Bedford, Feb. 26, 1668, due to Cristr. Lattemer, 4li. 14s.; Bedford Dr. to Lattimer in wine and beer, 14s. 6d.; total, 5li. 8s. 6d.; July 1668, received at Monhegon, 3li.; due, 2li. 8s. 6d.

†Henerey Benete's bill of cost.

Edward Gove's bill of cost, 2li. 1s. 6d.

Receipt of William Buckly‡ dated Feb. 1, 1671, for 30s. in wheat by order of Edward Goe of Hamton due to Mr. Samuell Hall, late of Salisbury, from Henry Benet ordered by said Goe to be paid to William Bockly. Wit: Jacob Bennet.‡ Sworn before Daniel Denison.‡

John Newmarch testified that he heard the bargain made between Buckly and Bennet. Sworn, Oct. 4, 1677, before Daniel Denison.‡

Henry Bennet affirmed to the same.

Copy of warrant, dated Sept. 28, 1677, for Edward Gove's appearance before Maj. Denison on Oct. 4, upon complaint of Henry Bennet, signed by Robert Lord, for the court, and served by Robert Lord, marshal of Ipswich. Copy made by Daniel Denison.‡

Judgment of Daniel Denison for the plaintiff, Henry Bennet. Appealed. Bond of Edward Gove, with John Acy, surety. Copy made by Daniel Denison.‡

Edward Gove's‡ reasons of appeal, dated Hampton, Nov. 20, 1677: that Samuell Hall had not lived in Salsbury for fifteen or sixteen years, etc. Daniel Denison,‡ on Nov. 22, 1677, received these reasons of appeal.

Henry Bennett's answer to the reasons of appeal.

‡Autograph.

John Lee v. John Gifford. Slander. Verdict for plaintiff. Defendant was ordered to pay a fine or make a public acknowledgment in the meeting house at Ipswich on a lecture day as soon as lecture is done upon the court week in March next that he had done said Lee wrong in his name in saying that he had forged the word "and" in a covenant between them.*

*Writ, dated Oct. 23, 1677, signed by Robert Lord,† for the court, and served by Robert Lord,† marshal of Ipswich, by attachment of about nine pounds of cotton or linen yarn belonging to defendant in the hands of Jeams Sawyer; John Ballord,† constable of Linn also attached estate of Mr. John Gifford in the hands of Mrs. Sarah Hathorne and Ebenezer Hathorne, executors of the estate of Mr. Jno. Hathorne.

Jno. Lee's bill of cost, 4li. 1s. 2d.

Objections against Mr. John Lee's bill of cost.

Warrant, dated Oct. 23, 1677, for Mr. Jno. Gifford's appearance, signed by Robert Lord,† for the court.

John Gifford's receipt, dated July 12, 1677, to Mr. John Lee of Ipswich for the execution directed to him by Marshal Waite of Bostone, in which he deputed said Lee his deputy to serve the execution upon Henry Dispaw of 500li., which was denied in Salem court upon oath by Goodman Coldum of Linn and Henry Dispaw to be the act of Marshal Waite, and said Gifford was bound to pay 40li. in cash to said Lee when the execution should be returned to him again, proved and owned by said Waite, and to be left with said John Lee or at the house where he now lives with his mother. Wit: Walter Fairfeild. Steephen Cross made oath to the foregoing, 14 : 7 : 1677, before Samll. Simonds, Dep. Gov., and Mr. Gifford and Walter Fairefield owned it, 25 : 7 : 1677 in Ipswich court. Copy made by Hilliard Veren.†

Walter Fairfeld, Marshal Lord and Joseph Lee deposed concerning the verdict in Ipswich court. Sworn in court.

Walter Fayerfield, aged about forty-five years, deposed concerning the alteration of the bond. Sworn in court.

Joseph Armitage, aged about seventy years, deposed. Sworn in court.

Ebenezer Hathorne, aged about twenty years, deposed concerning the summons. Sworn, Nov. 28, 1677, before Daniel Denison.†

John Cogswell, aged about twenty-seven years, deposed that in the spring of the year being at the eastward with John Leigh, they lay in the same bed, and deponent missed money

†Autograph.

Richard Holly acknowledged judgment to Mr. John Turner.

Mr. Wm. Longfello, in open court, appointed Ed. Bridges to be his attorney in an action between himself and Hugh March.

Ellinor Hollingworth informed the court of several uncertain reports of the death of her husband Wm. Hollingworth and having wasted some time and not being able to get any certain information from all the vessels that have arrived, court ordered that the estate be placed in her hands and that she should act in the improvement of it as if her husband were yet alive until more information be received or the court order otherwise. Said Elenor was given power of attorney.

Whereas there is a mare and colt of the country's in the hands of Joseph Hutchenson, court ordered that he deliver them to Daniell Davison, who was to pay.*

John Griffing acknowledged judgment to Edmond Bridges, as attorney to Mr. John Ruck, Bartholmew Gedney, Mr. John Higgenson and George Deane.

Mr. William Browne, sr., Mr. Edmond Batter and Mr. Bartholmew Gedney, chosen by the freemen of Salem for commissioners, according to liberty granted them by the General Court, were confirmed and sworn.

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out of his pocket. He asked said Lee for it and he denied it, and after "prety many" words about it, Lee gave it back, saying that he took it while deponent was asleep. He repeated the theft, and never returned the mony. Sworn, Nov. 25, 1677, before Daniel Denison.†

Dockter Richerd Knott, aged about thirty-five years, and Edward Bridges, aged about thirty-nine years, testified that they were occasionally at Clerk Lord's house, etc. Sworn in court.

*Warrant, dated Nov. 21, 1677, for the return of the mare or upon failure, to appear at the next Salem court, signed by Daniel Denison,† Major General.

Joseph Houlton and Ben. Bolch appraised on Sept. 6, 1676, the damage done upon request of their neighbor Huchinson in his field by horses at 10s.

Nathll. Ingerson and John Buxton appraised, on Sept. 12, 1676, the damage done in Joseph Huchinson's corn by horses at 18s. They also appraised a white mare and colt which did the damage, the former at 18s. and the latter at 9s.

†Autograph.

William Benet was licensed to keep an ordinary.*

Erasmus James, Mr. Legg and Doctor Knott were licensed to retail strong waters out of doors only.

Benjamin Parmiter, Mr. Thaddeus Riddan, Mr. Richard Croad, Capt. Marshall, Mr. King, Will. Edmonds and Mr. John Gedney had their licenses renewed.

Mr. Edm. Batter, Capt. Geo. Corwin, Mr. Browne, sr., Capt. Price, Mr. Jon. Hathorne, Mr. Bar. Gedney, Mr. Jon. Ruck, Capt. White, Ambross Gale and Mr. John Turner had their licenses renewed to sell strong water.

There being a petition presented to this court by John Symonds of Pocasset in Plimouth colony for something that was due to him for keeping Mary Caly, child of Thomas Caly's, deceased, left with him by her mother. Court ordered the overseers of the will of said Caly to sell or dispose of any part for the payment of the keeping for two years and almost a half.†

Mr. Tho. Woodbridg was appointed administrator of the estate of John Joanes, with Capt. Nicholas Page as surety,

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*Certificate of the selectmen of Manchester, Samuell Allen and Samuell Freind, at a town meeting on Nov. 21, 1677, that William Bennet was chosen to keep the ordinary at Manchester.

†Petition of Jno. Simons‡ of Pacasset, in the colony of New Plymouth, who having had a child left in his keeping by one Thomas Russell and Mary his wife of Marblehead, she being formerly wife of Thomas Calley of Marblehead, deceased, and said Thomas Russell and his wife being at petitioner's house two years ago last May, and being bound for Marblehead and not being able to carry the child with them left it with him for a fortnight, promising to pay 3s. per week. But he had never come nor sent for the child nor had he maintained it. "You^{r} poor petitioner hath been Greatly Destressed and Lost all by the Late Warr with y^{e} Indians and your poor petitioner is in Great Distress yet and hath not wherwithall to subsist to keep the Child your poor petitioner hath taken this Long Journey to Come to y^{e} parents of this Child and Understand that y^{e} Child was Thomas Calley Deceased." He could get no redress from the overseers of the will, etc. Order to Mr. Browne for the overseers to sell any part of the estate to the value of 9li., signed by Hilliard Veren,‡ clerk.

‡Autograph.

and was ordered to bring in an inventory to the next Ipswich court.

Henry Goold was appointed administrator of the estate of Abraham Warr, deceased, with Phillip Fowler as surety, and was ordered to bring in an inventory to the next Ipswich court.*

There being an inventory† of the estate of Nathanll Michaell, who died intestate, presented to this court by Tho. Michell, administrator, amounting to 234li., court judged that although the estate may of right belong to the youngest children had by the mother now surviving, yet Mr. Thomas Michell, administrator, should have 34li.; Ezekiell, the eldest brother, 60li.; the daughter, viz., his sister Mary, 40li.; and the mother and other brother Steephen, 50li. each; the debts being paid first out of the whole estate, and the rest of the estate, according to proportion as above expressed.

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*Inventory of the estate of Abraham War, deceased; received by Henerey Goold of Mister Baker by judgment of Ipswich court, 10li.; more in land, 14li.; deduction by agreement with Mr. Baker, 2li.; leaving 22li.

†Petition of Ezekiel Mighel,‡ John Bayly‡ and Stevin Mighell,‡ dated Nov. 26, 1677, that the estate of their brother by will belongs to them, they being the youngest children by expressions in their father's will which says that if Thomas die under age, his portion should fall to Samuel and John, and if any of the youngest die under age, their portions to fall to the youngest children. Therefore their brother dying without a will, they considered themselves the beneficiaries, and if not they, then their mother should have it, she having put her own estate into their brother's hands to trade, having no receipt, etc.

Inventory of the estate of Nathaniel Mighell, deceased the 13 : 8 : 1677, taken, 27 : 9 : 1677, by Wm. Browne, jr.,‡ and Benja. Browne,‡ 27 : 9 : 1677: New England money in his mother's hand, 23li. 4s.; Old England money, 2li. 2s.; one Guinne, 1li.; ten fifty nine pieces of eight and six Rayalls, 16li. 7s. 6d.; in Mr. Nowel's hands in Boston, 13li. 14s.; mony received of John Endicot of Boston, part of the effects of 3,904 lb. of sugar in partnership with John Apleton, 17li.; the effects of 4,875 orringes and 7 baskets sould at Boston in mony, 14s. 4d.; In stuff, 17 yds. 1-4 at 4s. per yard, 3li. 9s.;

‡Autograph.

Robt. [George. — *Waste Book.*] Michell, presented for living from his wife, and bringing in some evidence of his having sent for her, and promising to go to England to her next year, was ordered to appear at the next Salem court.

Mr. John Gifford, prosecuted by Clement Coldam by virtue of a warrant from the Governor, for abusing him in the execution of his office as constable by striking him, was fined.*

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eleven pair of french heeld shooes left at Boston and delivered to Ezekiell Mighill, 3li. 14s.; Orringe flower butter as per invoice, 8s. 10 1-2d.; Mony in Mr. Benjamin Browns hands, being effects of sugars sould by John Appleton, 33li. 10s.; John Appleton debtor, 9li. 8s.; book debts, 30li. 16s. 4d.; a bill under Samuell Browns hands, 6li. 10s. 9d.; several things appraised at Rowly in apparel, woollen, linen, stockings and shoos, 8li. 18s.; a horse and sadle, 4li.; One inkhorne, 6d.; severall things appraised at Salem by Mr. William and Mr. Benjamin Browne, in Mr. William Jordins hand in Barbados as appears by letter, 2,000 sugar, 10li.; one chest and severall things in it, 16s.; one cabin bed, a rug, two pillows and blanket, 2li.; 29 Baskets, at 6d. per, 14s. 6d.; one chest at Mr. William Brown, sr.'s, 7s.; in that chest, a hammock, 10s., a camlet cloak, 2li.; a stuff coat and breeches, 10s., 2 pair of shooes, 12s.; a parcel of linnen clothes in a new pillow beer, 2li. 10s.; a bible, 3s.; a new pocket book, 6d.; parcell of white thread, buttons, 13s. 6d.; seven Ivory combs, 7s.; piece of red ribbon, 16s.; remnant of black ribbon, 4s. and bone lace, 13s.; fine piecis of cource cambricke, 7li.; course kenting, 8 pieces, 6li.; sugars in Mr. Bartholmew's warehouse, two hogsheads, one Terce and a barrell Judged in partnership with Mr. John Apleton and the one-half appraised at 10li.; one small case with five bottles, 5s.; one half of a barrell of Indico, 2li. 10s.; one-half of 3-4 of a hundred Ging., 4s. 6d.; 10 baskets at 6d. per, 5s.; about 700 orringes at Marblehead, 10s.; total, 224li. 7s. 3 1-2d. Due from Mr. William Brown, jr., on balance 21 : 9 : 1677, 6li. 14s. 10d.; sperma: Cati, half a pound or thereabouts at 8s. p., 4s.; a receipt of Samuell Williams, dated 12 : 10 : 1676, of seven bushels of peas at 3s. 4d., 1li. 3s. 4d.; bill of Thomas Grinslett, 1li. 13s.; total, 9li. 15s. 2d.

*Warrant, dated Boston, Nov. 7, 1677, for the appearance of Mr. John Gifford, before the Governor, signed by John Leverett,† Governor. Bonds of Clement Coldam and John Jeffords for prosecution of the action acknowledged Nov. 12,

†Autograph.

John Dodg presented for misinforming the court and speaking falsely whereby justice was obstructed, was fined.*

1677, before John Leverett,† Governor. Warrant sent to the clerk of the courts of Essex by John Ballard,† constable of Lynn.

John Ballord's charges, 6s.

Clemmence Coldum's bill of cost, 1li. 11s. 6d.

Thomas Newhall and Ebenezer Stocker testified that Mr. Jeffords being at the house of Thomas Newhall, Clement Couldam came in and demanded the reversions of rates which Jefford owed, the latter answering that he had paid more than he should. Then Couldam went out and came in with a saddle. Mr. Jefford said "w^{t} doe you doe wth my sadle" and Couldam said he attached it by virtue of a warrant. Whereupon Jeffords stood up and said he should not have his saddle, giving him several blows, and Newhall stood up and said "I will haue noe such doings in my house" desiring them to be quiet, sit down and debate the business in love. They being both very high, Mr. Jeffords took his saddle, saying he must go home, and Couldam said he could not have it for he had distrained it, whereupon Mr. Jeffords up with his hand and struck him down so that his mouth and nose ran with blood.

*John Dodge's charges, to Richard Maybe for carrying the warrant to Beverly, etc., 1li.

Abigall Stone, sr., of Beverly, testified that about ten weeks after Elisibeth Dodg was carried to Boston, as it was supposed to be married, a letter came from Ralph Hall to his father, Martin Hall, which deponent heard read, and it stated that Ralph's wife Elisibeth was delivered of a living child. Before the last Salem court, Ralph came to deponent's house and told her that the child was alive for all he knew, and that they were married that Monday that her father John Dodg took her to Boston. Upon the same day that the letter was read, a stranger came to deponent's house, who said he was a messenger from Ralph to John Dodg's wife for linen for the child. Also that Mr. Hall borrowed money to send to his son. Sworn in court.

John Hill, aged about forty-two years, deposed that John Dodge, jr., came to his house and when asked why he misrepresented the time of his daughter's marriage, said he had good advice. Sworn in court.

Abigell Hill, wife of John Hill, testified. Sworn in court.

Robert Cox and Martha, his wife, and Anne Bromen, de-

†Autograph.

[Mr. William Browne, Mr. Edmond Batter and Mr. Bartholomew Gedney were confirmed commissioners of Salem. — *Waste Book.*]

William Swetland and John Cook, sureties for Tho. Hughson's appearance, were discharged, and Edmond Bridges and Walter Fairefeild were bound in their place.

Edward Benet acknowledged judgment to Wm. Nick, in fish, and Robert Bartlet in money or fish.*

Jon. Foard acknowledged judgment to Robt. Gamon.

Michaell Dirick's bond was continued.

John Foard and Rachell Clinton, convicted by their own confession of unlawful familiarity and much cause of suspicion of uncleanness and other evil practices, and deserving to be severely whipped, considering that they have suffered a hard imprisonment above a week, they were bound to good behavior and ordered not to come to each other by night or day unless in the company of some other discreet person, under penalty of being imprisoned. Also ordered that by paying their fee to the keeper of the prison at Salem, and to the keeper and

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posed concerning the birth of the child. Sworn, Sept. 3, 1677, before Daniel Denison.†

Richard Hutten and Zackriath Hirricke testified that John Dodge testified in court that they had been married six or seven months. Sworn in court.

Mary Baret, late maid servant to Abigall Stone of Beverley, aged about nineteen years, deposed that Ralph Hall's wife had a "brave boy," etc. Sworn in court.

John Stone, sr., of Beverley, testified that Martin Hall said his son found it expensive to live in Boston, etc. Sworn in court.

Summons, dated 28 : 9 : 1677, for the appearance of John Dodg, son of William Dodg, sr., and to witnesses John West, John Hill and wife Abigaile, John Stone, sr., and wife Abigaile, Mary Barrett, John Wass, sr., Zacharia Herrick and Richard Hutten of Wenham, signed by Hilliard Veren,† cleric, and served by John Black,† constable of Beverly.

*Bond, dated Nov. 20, 1677, given by Edward (his mark) Bennett, to William Nicke, Robt. Bartlett, John Waldron, John Roades and William Pancha—. Wit: Richard (his mark) Rowland, John Legg† and Richard Oliver.†

†Autograph.

constable of Ipswich, they should immediately be set at liberty.*

Leift. Tho. Putnam's return of bounding Joseph Flint's part of land was filed in this court record.†

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*Nathaniell Rust, constable, deposed that he went to Clenton's house upon order of Major General Denison and found Ford in bed, etc., and by the bedside was a glass bottle with some liquor in it, and he ordered Rachell Clenton and John Ford to go along with him to the Major General's. Larenc Clenton testified to the same. Sworn, Nov. 26, 1677, before Daniel Denison.‡

Examination of John Ford and Rachel Clinton, Nov. 24, 1677, before Daniel Denison:‡ that she gave him a napkin and a piece of stuff and kersey, and that he paid for them because she was his wife. He understood that she was divorced last court and she said she so understood it, but they they had never lived together, etc.

†Return made by Thomas Flint,‡ Thomas Putnam‡ and John Pickering,‡ dated Salem, Nov. 28, 1677, a committee appointed to lay out Joseph Flint's part of land: "His part of y^{e} Farm that was M^{r} Higginsons upland, lyeth at the east end of y^{e} s^{d} Farme, his length lyeth the breadth of the farm & the breadth is from y^{e} Corner bound of Lott Kellums Land fifty six pole, and at the other Corner southward fifty six pole, and at the other Corner southward fifty six pole or there about, And of the Fifty Acres bought of Robert Goodell his part is 33 pole broade at ye west end bounded with two red oaks and abuts upon M^{r} Norices brook, and so runs a Cross y^{e} s^{d} fifty Acres being thirty five pole & halfe brode at the east end, bounded with a heap of rocks on the southeast Corner, & with 2 small Trees or bushes on the northest Corner, lying between the Land of Thomas Flint who posseseth the remainder of the sd 50 acres And the s^{d} Thomas & Joseph Flint are to allow each other Convenient high wayes throw their land for the private use of themselves their heires executors Administrators or Assignes, thus we haue deuided the upland & bounded itt to the sd Joseph Flint Allso three Acres and halfe of meadow more or less, lying on the eastend of the meadow formerly M^{r} Higinsons joyning to the s^{d} Thomas Flints meadow on the west, bounded with a heap of stones between two small birches on the south and a heape of stones by a willow bush on the nothe side betwen the sd Thomas and Joseph, and joynes to y^{e} s^{d} Joseps own Land on the east

‡Autograph.

John Langdon dying intestate, Steeven Haskett was appointed administrator of the estate, who brought in an inventory* amounting to 17li. 6s., and whatever more estate came to his knowledge he was to make return.

Isaack Woodbery, executor of the will of Robert Wilkes, deceased, brought in a copy taken out of the records of Boston court, and also made oath to an inventory.†

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north and south, which considering the good of the meadow we adjudge and alott him for his full proportion."

*Michaell Comes and Peter Joy, aged about forty years, deposed that they heard John Langdon say that he gave to Elizabeth Haskitt, daughter of Mr. Stepheen Heskitt, 10li., and what else there was left was to be divided among said Heskitt's children. This was said Langdon's desire when he went away with Mr. Eliezer Devenportt out of the country in December, 1676. Sworn, 22 : 8 : 1677, before Wm. Hathorne,‡ assistant.

Inventory of the estate of John Langdon: tene quintals of merchantable Cod fish, 7li. 10s.; bill of William Smaldridg, 3li.; by Lilford's bill, 3li. 2s.; by his wages and clos to portaingall, 6li. 18s.; total, 20li. 10s. Debts to Edward Bus, 3li.; to Gelbard Taply, 1li. 4s.

†Copy of nuncupative will of Robert Wilks of Salem, proved in Suffolk court Nov. 27, 1677, made by Isa. Addington,‡ cler.: "Imprimis. I give unto my Brother Isaac Woodberry's wife named Mary Woodberry my Sister, my Shop & ground thereunto belonging Lying and being neere m^r^ Higginsons house in Salem and all my movable goods, and my dwelling house being neere m^r^ Curwins warehouse neere the water side & all the Land thereunto belonging during the time & term of her naturall Life." Item. I giue unto Robert Woodberry eldest son of my Brother Isaac Woodberry next & imediately after the decease of my s^d^ Sister Mary Woodberry the s^d^ Shop & ground thereunto belonging before bequeathed unto her for Life with the s^d^ goods hee to possess & enjoy the same next & imediately after her decease. Item. I give unto my Brother Isaac Woodberry's daughter Mary, which hee had by my s^d^ sister Mary his now wife next and imediately after the decease of her my s^d^ sister, my house being neere m^r^ Curwins warehouse neere the water side & all the Land thereunto belonging shee to possess and enjoy the same next and imediately after the decease of Mary my s^d^ sister. And as concerning my Servant John Smith I Leave him to his choise

‡Autograph.

Mrs. An White presenting a written will* of John Joanes,

either to Live with my Brother Woodberry or else my Brother Woodberry to binde him over to a Ship Carpenter and if the s[d] Smith do serve out his full time with my s[d] Brother Woodberry then hee to have ten pounds at the end of his Apprentiship: And I do hereby nominate and appoint my s[d] Brother Isaac Woodberry Executor of this my Last will & testament. Wit: William Clarke and Thomas Knill, on board the vessel. Sworn by the witnesses, Nov. 27, 1677, before John Leverett, Esq., Gov., and Simon Bradstreet, Esq., Assist., who said that Robert Wilks deceased in his late voyage from Bristoll to New England.

Inventory of the estate of Robert Wilkes of Sealem deceased 24 : 7 : 1677, appraised by Bartho. Gedney† and Daniel Bacon:† twelve Ring bolts & 4 settbolts, 16s.; 5 augers, 6s., ould Ropes, 18d., 7s. 6d.; an old saw, 2s.; 1 Iron pott & a frieing pan, 10s.; 1 bible, 3s.; 1 pr. sleevs, 3s.; 1 paper book, 6d.; 1 gun, 10s.; 1 Cutlash & belt, 12s.; 1 old holbert, 5s.; a sarvant, 3li.; 1 shop & ground neer Mr. Jno. Higginsons, 30li.; horses & mares, 7li.; house and outhouse neer Corwins, 50li.; debts due the estate, by Daniell Bacon, 6li. 16s. 6d. by Bartho. Gidney, 3li.; by Tho. Greesled, 5li., one half belonging to this estate, 2li. 10s.; By Ishack Woodbery, 1li. 4s. 3d.; By Edward Wharton, 3li.; Jno. Stark, 1li. 10s.; per Benjamin Small, 1li. 10s.; By Abram Wellman, 5li.; total, 117li. 19s. 9d. Inventory taken, 29 : 9 : 1677, by John Hill† and William Woodbery:† One Cloke part worn, 1li. 5s.; 1 Cote, 1li. 15s.; 1 wastCote & 1 par trosers, 12s.; 1 Jackit & briches, 2li. 5s.; a parcell of worn Cloathes, 3li.; stokins & shues, 15s. 6d.; 5 rugs, 7li.; sea beding, 1li.; wearing Linging, 4li.; 1 sadell & Cloath, 1li. 10s.; 10 yds. 1-2 sarge at 6s., 3li. 3s.; 3 yds. & 1-2 Corce Carsi, 15s. 9d.; 5 yds. 1-4 Lining Cloath at 18d. per, 7s. 10d.; 2 yds. & 1-4 sarge, 9s.; 3 yds & 1-2 brod Cloath at 16s., 2li. 16s.; 5 yds. brod Cloath at 12s. per, 3li.; 5 yds Carsi at 6s., 1li. 10s.; 8 yds. Corce Carsie, 5s. 6d., per, 2li. 4s.; 12 dozen buttens at 2s., 1li. 4s.; 1 Caster hat, 16s.; 12 dozen gimblits at 3s., 1li. 16s.; 1 dozen falling axis at 4s., 2li. 8s.; 1 brod ax & 1 ads, 10s.; 3 drawing Knives, 5s.; 4 Cupers axis, 13s. 6d.; 10 calking Irons at 1s., 10s.; owld tools, 1li. 5s.; 1 steelbow, 1 two fut rul & 3 knives, 8s.; trifling things, 3s.; rundlits & bottels, 6s.; 1 Chist & 1 trunk, 10s.; trifling things, 4s.; 1 grinstone, 10s.; 1 par of stilyards, 18s.; total, 49li. 13s. 7d.; Indebted to several persons, 5li. 18s., leaving clear estate, 162li. 14s. 4d.

*Will of John Jones‡ of Newbery, ship carpenter, about to

†Autograph. ‡Autograph and seal.

proved by the oath of two witnesses, was ordered to bring in an inventory to the next Ipswich court.

John Collens dying intestate, Mehitabell, his wife, was appointed administratrix, and brought in an inventory.* Court ordered that Ezekiell, the eldest son, should have 6li., and the other five children 3li. each, at age or marriage, and the rest of the estate was to be for the use of said Mehitabell, the house and ground in Salem to stand bound for the payment of the children's portions.

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take a voyage at sea, dated July 17, 1676, proved, 30 : 9 : 1677 in Salem court: He bequeathed all his estate "wholly and absolutely and euery part, and pcell thereof, unto my Dear and Louing mother Anne White to be ordered and disposed of by her, as shee in her wisdome shall judge meet whoe alsoe I doe hereby make my sole Executrix of this my last will and testament. By all my estate, I mean my third part of a plantation at S^{t} Thomas his parish in Barbadoes which was left me by my father Thomas Jones his will, and alsoe whatsoeuer else of his estate there which in right belongethe to me & alsoe all my debts there or in New England together wth my tooles or w^{t}euer is mine, and I doe hereby make voyd all form wills or ingagements of this kinde either by word or writing whatsoever." Wit: Hilliard Veren, jr.,† and Hilliard Veren, sr.†

*Inventory of the estate of John Collins, jr., which he had in Glocester, appraised Sept. 18, 1677, by William (his mark) Vinson and William Ellery,† and allowed 28 : 9 : 1677, in Salem court: a House & the Land with the orchyard & Commonage, the Land about the House being an Acker together with the sayd House, 30li.; Two Acres of upland & two of meadow at Fishermans Feild, so called, 14li.; Six Acres of Land at the eastern Poynt, 6li.; a cow & calfe, 3li. 8s.; Table & forme, 12s.; Case of Glasses, 3s.; total, 54li. 3s. Inventory of what was in Salem, taken, 20 : 9 : 1677, by Hilliard Veren, sr.,† and Walter Whitford:† dwelling house with a quarter of an acre of ground belonging, 25li.; one cow, 50s.; pork, 15s.; swine, 6s.; fether bed, bolster, blanket and sheets, rugg, and all appurtenances with the bed steed & old curtains with 2 pillows, 4li. 10s.; fether bed, bolster, trundle bedsted & covering, 2li. 10s.; his arms that were left, 20s.; 2 coats, 25s.; some linen, 1 pr. stockens & 1 pr. gloves & drawers, 10s.; some lumber in the chamber, 4s.; som carpenters tooles & a wedg & betle rings, 10s.; som wooll & other

†Autograph.

Will* of Nicholas Potter was proved and allowed.

yarne, 7s.; warming pan, 5s.; sheets & pillowbers & 1-2 dozen napkins & smale table cloath & 2 or 3 old towels, 1li. 10s.; 2 old pine chests & 4 old boxes, 16s.; a hanging cubord & old case broken, 5s.; 5 or 6 old chayrs, 6s.; Iron potts & Kettle, hake & pothooke & scillett, 10s.; pewter, 22s.; tubs, pailes, earthware & lumber in the lentoo, 10s.; white earth ware, 2s.; bellowes, gridiron & som other lumber, 5s.; wooll wheele & cards, 4s.; frying pan, 2s.; a fork, old hoe & axe & such lumber, 4s.; mallasses, 12s.; a stoole table, 2s.; cash, 11s.; estate credit, 10s.; total, 47li. 3s.; a hat, 5s.; estate debtor about 15li.; total inventory, 101li. 11s. There were six children, Ezekiell, Ebbenezer, Daniell, Amos, Benjamin and Mary.

*Will of Nicholas (his mark) Potter,† dated 10 : 8 : 1677, and proved 29 : 9 : 1677, in Salem court: "first, after my debts & funerall charges be paid, the rest of my estate I dispose of as followeth, viz: wheareas I lately made a deed to my sonn Robert Potter of my house & land at linn, dated 26 of May 1675, which conveyance I doe by this my last will & testament confirme, upon the condition therein exspressed, to be observed, 2 for the land in the north feild in Salem, which I had in a former will giuen to my daughter Elizabeth Newall, but made it voyde in the aboue said conveyance, which said land I doe now giue & bequeath the said land be it more or less, to my two sons had by my last wife viz: Samuell & Benjamin, to be to them & theire heires for euer in equall part. 3 Alsoe I giue & bequeath to my said two sonns, Samuell & Benjamin all that my house & ground at Bostone, to them & theire heires, an equall part, to injoy it at the age twenty one years & if either of them dy before, the whole to be to the surviver, only my will is that out of the said house & ground, there shall be pd to my two daughters viz: Sarah & Mary each of them the value of ten pounds to be paid them within one yeare after my sons come of age to injoy the sd house & ground. 4. I giue & bequeath that which will be due to me from Isaack Williams at or after my decease, as by his mortgage to me doe appeere, which is eighty pounds: viz: to my Daughter Bethiah fiue pounds, & the reast I giue to all my six children, borne by my last wife viz: Samuell, Benjamin, Sarah, Mary, Hannah & the said Bethiah, to be equaly devided betweene them. 5. Alsoe I give & bequeath, to my said six children, viz. Samuell, Benjamin, Sarah, Mary, Hanna, & Bethiah, my house & ground adjoyning in Salem,

†Seal.

to haue each of them an equall part or the value of it, alsoe about four acres of ground caled Pigden's lot to be equally deuided. 6 I giue & bequeath to my fouer daughters, viz: Sara, Mary, Hanah, & Bethiah, all my moueables & houshold stuff &c: to be equally deuided betweene them. 7 And my will is that what I haue giuen aboue said to all or either of my children, they shall haue & injoy it to them selues & theire heires foreuer, when they come to the age the sons at twenty one years & the daughters at eighteene yeares or marriage & in the meane time the rents & profits of the whole estate viz: houses & land & efects of whateuer is elce, to be for the breeding up of my sd children, soe far as it will goe, at y^e^ ordering & discression of my executor & over seers (here after exsprest)

"8 My will is that if God should see good to take by death any of my said children before they come to age or are marryed, as aforesaid, that then there pt to be equally deuided amongst the suruiuers: that is to say respectiuely where they are all concerned, there all to share in y^e^ deceased's pt: & the sons Joyntly, the suruier to haue y^e^ whole of the deceased sons, but if both die before they com of age then the daughters to haue theire estate deuided amongst them, & where Sarah & Mary are concerned together in the twenty pound out of the house at Boston: the suruier to Injoy the whole, or if both dy before they come of age, then the whole to be equally deuided amoungst the rest of the suruiuing children, & if Bethiah dy before she be of age or married her fiue pound to be deuided amongst the suruiuing children Lastly I doe desire & apoynt my Hon^d^ father John Gedney to be sole executor of this my last will & testament, & my son Robert Potter & my brothers, Bartholmew Gidney & Elezaer Gidney to be ouerseers." Wit: Hilliard Veren, sr.* and Nathaniell Beadle.*

Inventory of the estate of Nicholas Potter, taken Oct. 25, 1677, by Hilliard Veren, sr.,* and allowed, 29 : 9 : 1677, in Salem court: his dwelling house in Salem with about halfe an acre of Ground adjoyning, being most pt an oarchard, 70li.; about 4 acres of ground called Pigdens Poynt, 20li.; about 5 acres of land in the north feild, 10li.; an old feather bed, bolster, 3 pillowes pt of a bolster, an old blankett & Rugg, 3li.; a smale old feather bead, 2 blanketts, old Rugg & old flock pillows, 2li. 5s.; severall smale lumber in a chest, 5s.; wearing apparrell, 5li.; 1 ell cloath rash, an old child's blanket & old child's coat, 16s.; an old catttaile bed, old curtaines & 2 or 3 old pillowes with an old blankett & covering, 1li. 6s.; pewter, 18s.; brass pan & warming pan, 8s.; an Iron kettle,

*Autograph.

Will* and inventory of Thomas Pickton were proved and allowed.

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2 potts, hake & fire pan, 1li. 2s.; a chest with a small pr. Doggs, 2 old swords, with some Iron lumber, 12s.; earth ware, 2s.; a wooll & linen wheele, 8s.; 3 or four old hats & pr. shooes, 10s.; 7 old chaires at 7s., a Joyne stoole & som old barrells, 2s.; linnen, 46s.; bookes, 10s.; swine, 16s.; a cow, 40s.; a cubbord & 3 bedsteeds, 30s., 4li. 6s.; a chest, 6s.; 13 B. aples, 10s.; wood, 7s.; a flock bed with feathers, with 2 Jarrs, 20s.; curtain rods & spitt, 5s.; due from Isaack Williams to be pd in 4 yeare, 80li.; one house & Land att boston apprised by Mathew Barnard & Edw. Grant, besids the house & land at linn formerly giuen to his son Robert Potter, 90li.; total, 206li. 11s. Estate debtor to severall, 15li.; several charges, 4li.

Nicholas Potter, Dr., to Capt. George Corwin, a boat, 1li. 8s.; John Milk, 2li. 12s.; Goodwife Bamfeld, 10s.; Tho. Rix, 9s.; Mr. Batter, 5s.; Mr. Wm. Brown, sr., 6li. 7s. 6d.; Mr. Neale, 7s.; Philip Crumwell, 2li. 19s.; Walter Skinner, 2s. 6d.

*Will of Thomas Pickton,† dated Oct. 19, 1677, and proved 28 : 9 : 1677, in Salem court: "Item I doe make my Loueing wife Anne pickton my whole and sole executrix and doe giue unto her all my goods and Estate that god hath giuen me in this world within doores and without to dispose of it for her Liuelyhood and Comfort in this world And I doe appointe John Galley and Henry Bayley to be overseerers to the true intent and meaning of this my will for the maintainance and Comfort of my wife." Wit: John (his mark) Galley and Henry (his mark) Bayley.

Inventory of the estate of Thomas Pickton: Debts, to Mr. William Browne, sr., 17s. 8d.; Francis Collings, 6d.; John Stone, 5d.; Edmund Gale, a bushell of Indian corne, 3s. Inventory taken by Joseph Dodge and Joseph Eaten: bill due to him, half money and half cloath, Lineing and wooling and shooes, 30li.; by Thomas Blashfeild, 8s.; by Richard Hutten, nineteen bushels Indian corne to be paid the last of Febuarie or Mar. 1 & 20 more that time next year following; Guilbard Tapley, 3li.; in his house in money, 23li.

Another inventory: due upon bill by Joseph Dodge & Joseph Eaten, 30li.; due upon bill by David Perkins, 18li.; by Gilberd Tapley in sterling money, 3li.; In his house in money, 23li.; Beding, 11li. 16s.; his wearing Cloathes, 8li. 6s.; Armes to traine with, 1li. 16s.; Pewter & Brass, 3li. 14s.; Tooles and

†Autograph.

Will* and inventory of Richard Waters were proved and allowed.

Iron, 2li. 7s.; Chests, Boxes & Coubberd, 2li. 8s.; English Corne, 2li. 16s.; Indian Corne, 9li.; all his housing, 23li.; Nate Cattle, 12li. 10s.; 2 Horses, a mare & colt, 8li. 15s.; A horse Cart, 1li. 5s.; swine, 5li.; sheep, 1li.; In Land 20 Acres, 104li.; Due by Richard Hutten 39 bushalls Indian corne, 5li. 17s.; by Thomas Blashfield, 8s.; total, 277li. 18s. Small debts to be paid, 3li. 8s. 9d.

*Will of Richard Waters,† "being ancient," dated July 16, 1676, and proved, 28 : 9 : 1677, in Salem court: "after all my real Debts be truly paid out of my estate with what charge doth arise about my Funerall, I do will & bequeath my whole Estate that God hath giuen me in this world to say house & Lands chattells, goods, Debts or what ever Estate I haue or of right belongs to mee, movable and unmovable, To Joyce my beloued Wife for her to haue and to hold after my decease the time of her naturall Life for her necessary use & Comfort, and for that end whilst she remaine a widow to haue Liberty for her necessity to sell any p^{t} of the s^{d} Estate first of the movable and afterward of y^{e} house & Land if need require (provided it be with the aduise and assistance of my ouerseers hereafter named,) but in case she be married then to haue no power to sell allinate or dispose of y^{e} s^{d} estat but to keep the housing in tenantable repair and the movables from damage to be disposed of as followeth

"It I giue what remaines of my estate at my wives decease to my Son William to be Secured in the hands of my Sonne Ezekiel for to maintain his Brother William During his naturall life, in case my son Ezekiell be not willing to keep him if my Son John undertake it then he shall haue Williams estate during his naturall life and at williams Death to be disposed of as followeth. It. I giue to my son James ten shillings, And to my son John ten shillings & to my sons Ezekiell ten shillings and to my Daughter Martha ten shillings provided there be left forty pound clear estate at my son Williams Decease Allso my will is that the rest of my children viz Abigail punchard Mary English Susana Pulsiver and Hanah Striker who neither of them haue had any pt. or portion of my estate already as my fore mentioned Children have had, shall haue the rest of my estate that shall be left at my son Williams Decease, (the Legacies The Legacies to my other Children being paid or deducted out as aforesd to be equally devided between them be the Estate more or less it being likely that

†Autograph and seal.

Capt. Thomas Marshall, administrator of the estate of Thaddeus Brand, who was slain in the wars, brought in an inventory of the estate and was bound.*

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what is left then will be most in the house & Ground Therefore my will is that my son Ezekiel shall haue the first refusall of the sd house & Ground, & next any one of my children If neither of them will not or cannot, then it may be sold to any other psons, to be devided as aforesd further I do declare and it is my will that the piece of ground for a housplott which I formerly gaue my Daughter Susana by word of mouth shee shall hold & injoy forthwith & forever hereafter. It. I entreat my Louing friends M[r] Edm. Batter, m[r] Hilliard Verine, Sen[r] & Christopher Babbidge & || John Swinerton || to be my overseers, to take care that this my will be truly & faithfully pformed. It I appoynt Joyce my sd beloued Wife to be my sole Executrix." Wit: Hilliard Veren, sr.† and John Swinnerton.†

Inventory of the estate of Richard Waters, taken 25 : 7 : 1677, by John Swinnerton† and Hilliard Veren, sr.:† the western end of the dwelling House with the brew house and about halfe an Acre of Land, 70li.; 4 Barrills of Molasses, 5li., and 36 Bush. of malt, 10li. 8s.; 8 Dozen of quart stone Juggs, 2li.; A Copper with worme and Appurtenance, Tubs, barrells with all the lumber in the brew house & wood, 6li.; Cash, 3li. 19s.; a standing bedstead with bed, bolster, 3 pillows, Rugg, blankets, sheets, vallence & Curtains withall appurtinances, 7li.; A Truckle bed and beding, 2li. 10s.; warming pan, 5s.; scales and waights, 10s.; Books and Lumber in the parlor, 17s.; wearing Apparril, woolin and linin, 5li.; 3 old Chests wheel & Cards, 10s.; in the Hall, earthen & wooden platters & pewter potts, 8s.; 4 old Chayers, Table, stooles, payles & lumber, 10s.; 7 yds. of blew linin, 7s.; swyne, 4li.; Ropes & Tacles, 4li. 12s.; Iron, viz., 2 pots, Kettle, tongs, fire shovel and hawks, 1li.; in the hal Chamber, a straw bed, 10s.; 4 Bushels of wheat & a barril of meale, 1li. 16s.; linin, 4 p of sheets, bags and lumber, 2li. 13s.; Creditor by severall psons, 28li. 7s. 4d.; total, 148li. 10s. 4d.; Debtor to several persons, 16li. 1s. 10 1-2d.

*Bill of charges about settling the estate of Thadeus Brann: to Leutenant Purchis and John Fuller for procuring the appraisers, Thomas Newhall and Roberd Potter, 10s.; to Capt. Marshall, Leut. Purchis and John Fuller, for fetching the goods down to the town out of the woods and making them safe, 7s. 6d.; to Elisha, son of John Fuller, with his cart and

†Autograph.

oxen to fetch down the goods, 5s.; to Capt. Marshall and John Fuller, as clerk of the writs, 12s.; to Capt. Marshall and John Fuller with two appraisers, Edward Baker and Thomas Stocker, and to looking up the Hogs, two men two days apiece, 8s.

Toodeas (his mark) Brain certified, Nov. 16, 1676, that he freely gave his child Mary Bran to Zacheus Courties, sr., and if he left any estate, she should have an equal portion with his other child or children. Wit: John (his mark) Towne and Zacheus Courties.*

Inventory of the estate of Teague alias Thaddeus Brann, who was impressed a soldier of Lyn for the country's service and was sent forth from Lyn on June 22, 1677 and slain in the fight at Blackpoynt on June 29, 1677, taken July 4, 1677, by Thomas Newhall* and Robert Potter,* and allowed 28 : 9 : 1677 in Salem court: A dwelling house, a little out house or Hovell, with four acres of land, a small part of it orchard, 30li.; 1 heifer, 2 yeer old & upward & one yearling heifer, 3li. 10s.; 1 mare about 5 or 6 yeers old, 1li.; 6 bo. & 1-2 of Corne in the house, 19s.; 2 Iron pots, 1 small Kettle, 2 pr. pothooks & an old frying pan, 1li. 10s.; a beetle with Rings, 4 wedges & 3 Axes, 12s.; a pitchforke with a parcle of broken Iron, a bullet or mustard bowl, 6s.; 3 Augurs, 2 Lettle chizzles & an old sickle & file, 6s.; 1 Barrell, 1 Bottle of a Gallon, 2 pailes, 3 Trayes, 7s.; 8 wooden Vessels, platters, dishes & six Trenchers, 2s. 6d.; 1 small Brass skillet, with a frame, 2s. & 1 stone bottle, 6d.; 1 glass bottle, 6d.; a little pewter bottle, 6d.; 2 seiles, 18d.; 1 wood Ladle & 3 wooden vessels, 6s.; An old Rapier & 2 pr. of old Bandileirs, 8s.; 3 old Hats, 8s.; & a pcell of old clothes, 10s.; 4 blew neckclothes, 2s.; 1 Lether Apron, 18d.; a Gimlet, 3d.; a Nal, 2d., & Knifes, 4d.; 2 pcells of wool, 18d.; a sithe, one Snead & Tugs or nebs, 3s.; a pcell of Toe, 3s. 4d.; a horne & powder, 1s.; a Box & Lumber, 3s.; 1 sack with about 2 pecks & 1-2 meal & 3 smal bags, 5s. 6d.; 1 Barrell & 1 old Chest, 3s. & a Trough, 6d., & 3 chayrs, 2s. 6d.; 1 old saddle & haire Rope, 2s.; a parcel of meat, 20 lb., 5s.; the bedsted with mat, Ticken & Coverlett, 10s.; thre Hogs and 4 pigs, 3li.

In house with Allester Dugglas; A fether bed & bolster, wa. 40 lb, with a sheet & Coverlett, 4li. 10s.; In a chest there, 2 pewter platters, 2s., 2 porringers, 8d., 1 chamber pott, 3s.; 1 Course sheet, 5s.; 1 halfe sheet finer but old, 5s.; 1 Searg Coat, 24s.; 1 pr. of searge Breeches, 8s.; 3 shirts, 24s.; 1 pr. of drawers, Linnen, 3s.; 2 pr. of stockings, 6s.; 1 pr. white Gloves, 6d.; Certayne peeces of Linnen, neckclothes, Caps & handwipers, 3s.; the chest, 2s.; Tallow at Allesters, about

*Autograph.

Nicholas Fox dying intestate, Elizabeth, his wife, was appointed administratrix, and she brought in an inventory* of the estate amounting to 16li. 3s. 10d., which she was ordered to keep for the bringing up of the children, paying to Nicholas, the eldest, 10s., and to the daughter Elizabeth and William, 5s. each, at age.

John Claye being slain in the war against the Indians and dying intestate, William Woods was appointed administrator of

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8 lb., ——; a warming pan at Josiah Rhoades, being lent; a churn & a cheese fate at Jno. Provenders; a sow & 5 pigs, 2 Hogs, abroad now; a parcell of Turmett seed, 1-2 lb., sold by Allester & d. to Mr. Appleton, 1s.

Estate disposed of July 4, 1677: To Macam Downing's wife, ye saddle & rope, as pt. of what is due them from the estate for nursing the young child, 2s.; to Allester Dugglas, 8 lb. of Tallow, 2s.; to Mr. Samuell Appleton, 1 lb. 3-4 Turnett seed, 1s. 4d. Sarra & mary were the two children of deceased. On July 24, 1677: to Macam Downing, ye 8 wooden vessels, & ye platters, dishes & 6 Trenchers, 2s. 6d.; 1-2 ye meat, 2s. 6d.; Corne 16 pecks, in ears, 2 bo., 4s. 6d.; 1 Barrell, 2s.; 1 paile, 1s.; ye sack with meal & 3 other bags, 5s. 6d.; The mans Black Hatt yt. was Teagus, 3s.; the 3 Trayes yt. were adjudged, 1s. 6d.; the old saddle, 2s.; total, 1li. 4s. 6d.; to Allistor Duggles, 1-2 ye meat, 2s. 6d.; corne, 10 pecks in ears, 5 pecks, 2s. 10d.; Oliver Purchis had: a little gallon Bottle or runlet, 1s. 6d.; the sithe, snead & Tugs, 3s.; the old sickle & ye little file.

*Inventory of the estate of Nicholas Fox, taken Nov. 16, 1677, by Samll. Ward† and John Legg,† and allowed 28 : 9 : 1677, in Salem court: 1 hous and Land, 36li.; 1 bed, 2 pillows, 3 shetts, bedsted, Curtins and vallance, 6li. 10s.; 2 Coats, 1 wastcoat, 1 paier of briches, 1li.; 1 Chest, 5s.; 1 table, 4s.; 4 pewter platters, 12s.; 1 old Chest, 2s. 6d.; 2 potts and Croks, 10s.; 1 frieng pan and grediron, 2s.; 1 Chaier, 1s.; 4 earthen dishes, 1s.; total, 45li. 7s. 6d.; due from the estate: to Mr. Bowdish, 4li. 10s.; John Elethrop, 3li. 18s.; Mr. Will. Browne, jr., ——; John Furbush, 2li. 10s. 6d.; Mr. Legg, 2li. 11s. 6d.; Mr. Gale, 2li. 6s. 8d.; Samll. Morgan, 1li.; George Harvey, 1li. 1s.; Vincent Stilson, jr., 19s. 2d.; Mr. Batters, 1li.; Mr. William Browne, sr., 10s. 6d.; Thomas Dixey, 13s. 4d.; Mr. Weld, 13s.; Mr. Rodes of Lynn, 10s.; Mr. Heath of Boston, 1li.; Thomas Hawkins, 1li. 1s.; widdow Stasey, 10s.; total, 29li. 3s. 8d.

†Autograph.

his estate, who with John Legg was bound to bring in an inventory* to the next Salem court.

Richard Cranaver dying intestate, his wife was appointed administratrix, and swore to an inventory. Hilliard Veren and Henry Skerry were commissioned to examine the debits and credits, said Cranaver being indebted more than the estate is worth and make return to the next Salem court, posting notice so that all creditors will come in to demand their debts.†

COURT HELD AT SALEM, 29 : 11 : 1677, BY ADJOURNMENT

Bridget, wife of Thomas Oliver, presented for calling her husband many opprobrious names; as old rogue and old devil, on Lord's days, was ordered to stand with her husband, back to back, on a lecture day in the public market place, both gagged for about an hour with a paper fastened to each of their foreheads, upon which their offence should be fairly

*Inventory of the estate of John Clay, being then a fisherman, killed by the Indians, appraised on Nov. 8, 1677, at William Woods' in Marblehead, by Richard Knott‡ and John (his mark) Farsbush: a muskett, otherwise a Fier Lock, 16s.; a Hangger and Belt, 16s.; a Linen Sute, 12s.; a Wastcoate, 10s.; too shirts, 3s.; too payre of old Linnen drawers, 3s.; to a Neckcloath & handkerchife, 1s. 6d.; a bible, ——; total, 3li. 4s. Debts due: to William Woods, 1li. 10s.; to Richard Reath, 17s.; to John Darby, 3li.; total, 5li. 7s.

†Inventory of the estate of Richard Craniver, taken by Edmond Bridges‡ and Peter (his mark) Cloys: two beds and furniture to them, 5li.; tow chessts and 3 boxis, 1li. 8s.; one pott, one Iron kettle, skilit, 15s.; 2 hakes, tongs, fryin pan, gridiron, fiarshuvil, 15s.; six ould chairs, 6s.; peutir, earthin ware and wooden ware, 1li.; ould lumbar, 1li. 10s.; 2 bushils of Ry, 7s.; 2 ould bibels, 6s.; warin cloethes, 2li. 16s.; lining, 2li.; total, 16li. 3s.

Richard Craniver (also, Cranifurt, Cranifud) Dr. Nov. 29, 1677, to William Andrew,‡ 23li. 16s., balance of account due to the latter's grandfather, Capt. George Corwin; to Jno. Price,‡ 66li.; to Phillip Cromwel, by John Cromwell,‡ 6li. 10s. 6 3-4d.; to Tho. Gardner,‡ 1li. 8s. 7d.; to Jno. Higginson,‡ jr., 3li. 9s.

‡Autograph.

written. Upon request of Mary West, daughter of said Thomas, who paid 20s., he was released.*

Elizabeth Wilkins, servant of Richard Adams, presented for stealing 6li. in money from her master on the Lord's day, was ordered to appear at the next court.†

Tho. Cooper, presented for calling the wife of Charles Phillips "a blare eyed witch" and for calling said Charles old rogue and [bidding him to come out of the door and he would beat both his eyes, swearing by his blood and wounds. — *Waste Book.*] was dismissed.‡

Tho. Cooper, presented for calling Samuell Ebborne, sr., old rogue and old knave and [bade him go about his business or else he would cuff his chops. — *Waste Book*] was admonished to order his tongue and carriage more regularly for time to come. [Wit: Tho. Buffenton and Samll. Eborne, sr. — *Waste Book.*]

Richad Holeman, presented for railing, opprobrious speeches against Elizabeth Hooper in calling her base old baud and spiteful old witch, was fined.§

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*Summons, dated 24 : 10 : 1677, to the wife of Thomas Oliver, and to witnesses, James Simonds, John Leach, sr. and wife of Sarah, and Benjamin Horne as witnesses, signed by Hilliard Veren,|| cleric, and served by Nath. Beadle,|| constable of Salem.

†Summons, dated 24 : 10 : 1677, to Elizabeth Wilkins, and to witnesses, Richard Adams and Johana Adams, [his wife. — *Waste Book.*], signed by Hilliard Veren,|| cleric, and served by Joseph Huchinson,|| constable of Salem.

‡Summons, dated 24 : 10 : 1677, signed by Hilliard Veren,|| cleric, and served by Joseph Huchinson,|| constable of Salem.

§Summons, dated 24 : 10 : 1677, to appear at Salem court to answer to calling Elizabeth, wife of Robert Hooper, opprobious names, and to witnesses, John Hooper and Christian Hooper, signed by Hilliard Veren,|| for the court, and served by Henry Russell,|| constable of Marblehead.

John Hooper, aged about thirty-five years, deposed that he was coming along the highway the past summer, and heard the words spoken. Sworn in court.

Christian Hooper, aged about thirty-two years, deposed that as she was near Edward Holman's house, she heard his wife Richod Holman call Elisabeth Hooper old witch, etc.

||Autograph.

Richard Haven and Clement Coldum, presented for breach of the peace in striking each other, both being bloody, upon John Farrington's testimony were fined.*

Jacob Knight and John Davis, for fraudulent or pernicious lying about a fence to the marsh [that Knight hired of Saml. Fraile, in Rumney Marsh. — *Waste Book*], were dismissed.†

Joseph Hibbert and wife, presented for giving testimony

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*Summons, dated 12 : 10 : 1677, to Richard Haven, sr., and Clement Caledume, and to Joseph Hart and John Farrington as the witnesses, signed by Hilliard Veren,‡ cleric, and served by Elezer Linse,‡ constable of Linn.

†Andrew Mansfeild and Mathew Farrington who were surveyors of fence at Rumnye Marsh made distress of 3s. upon the estate of Jacob Knight for deficiency of a fence there which land said Knight and John Newhall had leased of Samll. Fraile, which he had replevined. Before the trial, deponents and Sargent Newhall had occasion to go by the house of John Davis and one of them went in and asked him if it belonged to him to make the fence and he said it did not, for he had hired the grass for only a year and was through with it. Mansfeild told him that Knight said he had proof in writing that he was to make the fence and he said that he had seen no writing, but that Knight told him that Fraile was to make it. He said he would so testify but when the action was tried, he refused to testify on either side but later said that he was still in possession of the meadow. Then they had a meeting to debate it and they asked said Knight why he would not own to make up the fence in controversy, and he answered because he knew the owner Fraile was to do it, and when asked why he told them that Davis was to do it, he replied that he had not come "to be catched" and went away as one in a pet or rage from the selectmen. Sworn in court.

Marye, wife of Andrew Mansfeild, and Lydiah Mansfeild, aged about fifteen years, testified that Jacob Knight came to their house the day before the neighbors cut and carted wood for Mr. Whiteing, which was since Miclemas last and told her husband that distraint had been made upon a pewter platter of his, etc., and that he would show him the writing at Mr. Whiteing's the next day, etc. Sworn in court.

Summons, dated 12 : 10 : 1677, to Knight and Davis, also to Thomas Newhall as a witness, signed by Hilliard Veren,‡ cleric, and served by Elezaer Linse,‡ constable of Linn.

‡Autograph.

contrary to what others had sworn and contrary to what they had said, were dismissed.*

John Prier acknowledged judgment to Erasmus James.

Edward Winter acknowledged judgment to Mr. Edmo. Batter.

John Alford acknowledged judgment to Mr. Edmond Batter.

Lidea [wife of Peeter Cheevers. — *Waste Book*], petitioning to be released of her sentence disenabling her to make oath, was granted release.†

Edward Bridges was licensed to sell beer, bread, cakes and strongwater only to strangers.

John Codner was licensed to retail strong waters out of doors to his own fishermen only.

Thomas Russell and John Bowen, complained of for stealing and selling a horse of Maj. Will. Hathorne's, Bowen was ordered to return the horse and pay 4li. Russell, as abettor, was fined.‡

Adam Predice, having goods of Richard Oliver and Richard Read found in his house upon search, was ordered to appear with his wife before Maj. Hathorne, he not being able to appear now on account of the extremity of the weather. [Said Adam and Christian his wife were bound for appearance. — *Waste Book.*] His wife was to pay to said Predice four yards of the same coarse holland that was stolen and two yards of cotton to said Oliver and Read, and Mary Parie, the servant

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*Ralph King complained to the court that Joseph Hibbird and his wife had given in testimony contrary to what others had sworn, etc.

Samuell Penfield, aged about twenty-six years, testified that the wife of Joseph Hebbert had told of Blaine's neglect of his children and that as she had two small children to nurse she asked deponent to speak to their grandmother about it. Sworn in court.

Summons, dated 12 : 10 : 1677, to Hibbert and wife, "they dwell som wher about m^r^ Kings farme."

†Peter Cheever's§ petition: that the court would remit her sentence, etc.

‡Summons, dated 29 : 11 : 1677, signed by Samuel Symonds,§ Dep. Governor, and served by John Stasey,§ constable of Marblehead.

§Autograph.

of said Read who had conveyed the goods out of her master's house, was to pay two yards of holland and one yard of cotton.

Lynn, Salem, Beverly and Marblehead return of those who took the oath of fidelity were filed.

Whereas there were due from Edward Richards 10s. for the entry of two actions more than the first entry by law, the judgment being above 10li. in each action, it being omitted from his bill of cost before execution was granted, court ordered that said Richards pay the said 10s. to the marshal, said Richards to recover it by law of Mr. Giffords.

The marshal was ordered to sue the county officer in behalf of the county.

Obadiah Rich dying intestate, administration upon his estate was granted to Bethia, the widow, who made oath to an inventory* brought in.

Allowed the servants of Capt. John Corwin, 2s., and the servants of Mr. Gidney, 4s.

Twenty shillings of Mr. Gifford's fine was respitted.

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*Inventory of the estate of Obadiah Rich, taken 28 : 11 : 1677, by Hilliard Veren, sr.† and Henry West,† and allowed 30 : 11 : 1677, in Salem court: bed, halfe filled with feathers, the old rug & old blanketts & certaines with an old broaken bedsteed & aprtenances & 2 feather pillowes, 2li. 10s.; an old trunk & in it an old hamaker & 3 old sheets & two old pr. pillow beeres: 4 or 5 old towells & naptkins, 16s.; a little looking glass, 1s. 6d.; a little old pewter & 4 porringers, 6s.; a lattin candlestick & funell & glass bottle & 2 or 3 old peeces of tin ware, 2s.; a spitt, cottrells, a pott & litle Iron kettle, fier shovell & tonges, 10s.; a cushion & beaker & old cloath & old chest, 5s.; 3 old chaires & old little table made of a peece of pine board, broaken stoole & som lumber, 5s.; 2 piggs, 16s.; an old paile & som lumber, 2s.; due for nursing a child, 3li. 10s.; for som old codlines, 15s.; total, 9li. 18s. 6d. Estate Dr. to several men: to Mr. Batter, 5li.; to Capt. Price, 20li.; to Capt. Corwin, 10li.; Thos. Ives, ——; to Samuell Williames, 12s. 6d.; to som other men not yet known.

Writ: Henry Bennett v. John Stanion; debt; to be paid in pine boards; dated Nov. 21, 1677; signed by Robert Lord,† for the court; and served by Thomas Clarke,† deputy for Robert Lord,† marshal of Ipswich, by attachment of defendant's house which his wife owned to be his.

†Autograph.

John Stanian's bill of cost, 1li. 16s.

"Lou. Cousen John Stanyan

"After my Loue remembered to you and to my Cousen, these few lines is to lett you understand, that you will be pleased to send me the Receit that m[r] Adkeson gaue to you, for his Father will sue Abraham Perkins & he hath no way to help himself but by the Receit And I will desire you that when I send for the boards that you will doe so much as send me them, uery good, & about 18 or 20 Foott long, if you can possible & no more att present, butt my loue & respeckt I rest and remaine your

"Loueing Uncle

"Henry Bennett.*

"Cousin the boards ar for my own use therfore send them that are good."

Receipt, dated Exeter, Mar. 14, 1675-6, given by Jno. Graves* to Mr. Jno. Stanyan, for 5li. in boards due to Henry Benet.

Receipt, dated Exsitor, Apr. 5, 1671, given by Theod. Atkinson, jr.* of Bostown, for 12li. in boards, by his father's order and for his use, to Nicklas Lison of Exiter, by Edward Gove's order and upon account of Abraham Perkins of Ipswidg, by order from Henniry Benit of Ipswidg to John Stanian of Hampton, by order from Thomas Bradbury of Salsbury. "i say received twelfe pound of Nickles Leson by Edward Goues order for the use of John Stanian, acording to orders aboue specified." Wit: Thomas Philbrick.* Sworn, 24 : 9 : 1677, before Samll. Dalton,* commissioner.

"Cosin John Stanyan after the tender of my respects unto you these are to desire you to pay untoe the bearer hereof John Graves the fiue pounds worth of bords due unto me & take his recept which shall be yo[r] discharge

"I rest yor Louinge uncle

"Ipswich July the 24th: 75 Henry benitt."*

Letter of attorney, dated 26 : 9 : 1677, given by Henry Ben[ne]t* of Ipswich to Phillip Fowler, jr., of Ipswich. Wit: Robert Lord.* Sworn, Nov. 25, 1677, before Daniel Denison.*

Bond, dated Mar. 10, 1670, given by John Stanyan* of Hamton to Henerye Benit of Epsege, for 17li. in pine boards at Exeter. Wit: Jacob Bennet.* Sworn, Nov. 25, 1677, before Daniel Denison.*

John Stanian affirmed concerning the order to John Graves of Ipswidg July 24, 1675, and to Theodor Adkinson,"and I haue made payment but haue lost his order beleuing that my

*Autograph.

unkell would not proue to me a cosen though he call me so in the order which he denieth."

John Foulsum, sr., and Jonathan Thing testified that about five or six years ago, they saw a letter of attorney given by Theoder Atkinson, sr., to his son Theoder Atkinson, jr. Sworn, 23 : 9 : 1677, before Samll. Dalton,* commissioner.

Edward Gove, aged about thirty-eight years, deposed. Sworn in court.

Writ: Benjamin Ganson, master of the ketch Blessing, of which Capt. John Corwin is master v. Capt. John Corwin; for withholding about 63li. in wages for himself and company in last winter's voyage to the Madera for about six months; dated 21 : 9 : 1677; signed by Hilliard Veren,* for the court; and served by Henry Skerry,* marshal of Salem.

Writ: Capt. John Corwin v. Benjamin Ganson; for not paying the freight due plaintiff from Madera for wines brought in the ketch Blessing, also for damage through ill-storage of Corwin's wines; dated 22 : 9 : 1677; signed by Hilliard Veren,* for the court; and served by Henry Skerry,* marshal of Salem, by attachment of the dwelling house and land of defendant.

Writ: Capt. John Corwin v. Benjamin Ganson; for not delivering at Madera 70 1-2 quintals of fish and one barrel of oil, according to bill of lading; dated 22 : 9 : 1677; signed by Hilliard Veren,* for the court; and served by Henry Skerry,* constable of Salem.

Writ: Capt. John Corwin v. Benjamin Ganson; debt; dated 22 : 9 : 1677; signed by Hilliard Veren,* for the court; and served by Henry Skerry,* marshal of Salem. Bond of Benjamin Ganson.*

Edmond Bridges' bill of cost, as attorney to ye Worshipful Maj. Hathorne, for going to Topsfeld to replevin the horse, etc.

Execution, dated Ipswich, Mar. 31, 1677, against the estate of Mr. John Payne of Boston, in the hands of Mr. Richard Knights of Boston, administrator, to satisfy judgment granted Mr. Waite Winthrope and Mistress Elizabeth Newman, executors of the will of ye Honored John Winthrope, Esq., late Governor of Conecticott Colony, on Mar. 27, 1677, at Ipswich court, signed by Robert Lord,* cleric, and returned by Robert Lord,* marshal of Ipswich, by attachment of marsh land at Plum Island, sea wall and beach, which with two small lots, were delivered to Mr. Daniell Epps, appointed by Capt. Wayte Winthrop to received them. Return also made by John Waite, of Boston* deputy for Henery Skerry,* marshal

*Autograph.

of Salem, by attachment of land in Paine's orchard, two warehouses nearby, the flats and a passagway to them purchased of Mr. John Hull and Mrs. Mary Norton, also 3li. in money which marshal Webb attached in the hands of Richard Knight, and deposited in the hands of Capt. Winthrop. Mr. Richard Knight refusing to appoint an appraiser, Capt. Wait Winthrop chose Mr. John Saffyn and John Waite* marshal, chose Mr. James Whetcombe, who appraised the estate at 345li.

Execution, dated Aug. 20, 1677, against the estate of Mr. Robert Paine, to satisfy judgment granted Edmund Bridges, 26 : 4 : 1677, at Ipswich court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

Execution, dated 11 : 10 : 1677, against John Allen, to satisfy judgment granted Steephen Crosse, 27 : 9 : 1677, at Salem court, signed by Hilliard Veren,* cleric, and served by John Williames,* deputy for Henery Skerry,* marshal of Salem, by attachment of 7,500 merchantable boards.

Execution, dated 19 : 10 : 1677, against John Roe, or Runne Kelle and Francis Johnson, as sureties, to satisfy judgment granted John Martin, Nov. 27, 1677, at Salem court, signed by Hilliard Veren,* cleric, and no return made. John (his mark) Roods and Peerse (his mark) Angell.

Execution, dated 29 : 9 : 1677, against Mr. William Longfellow to satisfy judgment granted Mr. Henry Sewall, 27 : 9 : 1677, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal of Salem, who for want of estate attached his person, and he was appraised by Hilliard Veren, sr.* and Thomas Mighell* to be Mr. Henry Sewall's servant for six years.

Execution, dated Salem, 28 : 4 : 1677, against James Cary to satisfy judgment granted Mr. Humphry Warren, June 26, 1677, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry, jr.,* deputy for Henery Skerry,* marshal of Salem, who delivered him to Mr. Warren to serve him twelve months.

Execution, dated 7 : 11 : 1677, against Edward Bennett, to satisfy judgment granted William Nick and Robert Bartlett, 27 : 9 : 1677, at Salem court, signed by Hilliard Veren,* cleric and served by Henry Skerry,* marshal of Salem, who delivered said Bennett to Nick and Bartlett as their servant for two years, he being appraised by Resolved White* and Hilliard Veren, sr.*

Execution, dated 6 : 5 : 1677, against John Lee and Mr. John Giffords, to satisfy judgment granted Mr. Samuell Apleton, jr., 26 : 4 : 1677, at Salem court, signed by Hilliard Veren,* cleric and served by Henery Skerry,* marshal of Salem.

*Autograph.

Execution, dated 24 : 10 : 1677, against Robert Clements to satisfy judgment granted Mr. Thomas Woodbridge, 27 : 9 : 1677, at Salem court, to be paid at Newbery in wheat, Indian or pork, signed by Hilliard Veren,* cleric and served by John Williams,* deputy for Henry Skerry,* marshal of Salem.

Execution, dated July 2, 1677, against Hugh March to satisfy judgment granted Robert Crosse, sr., June 26, 1677, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem. Phillie Fowller acknowledged satisfaction.

Execution, dated July 24, 1677, against Frances Parnell to satisfy judgment granted Mr. William Browne, sr., June 26, 1677, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem, by attachment of house and land, appraised by Mr. Henry Bartholmew and Nathaniell Pickman, which he delivered to Mr. Benjamine Browne son of Mr. William Browne "by word of my mouth," and "in y^e^ house quietly alone & he locked himselfe in: & then by turfe and twige ye land."

Execution, dated 24 : 9 : 1677, against Abraham Whitticker to satisfy judgment granted Mr. Thomas Woodbridg, 27 : 9 : 1677, at Salem court, to be paid in pork or Indian, signed by Hilliard Veren,* cleric, and served by John Williams,* deputy for Henry Skerry,* marshal of Salem.

Execution, dated 28 : 9 : 1677, against Richard Haly, to satisfy judgment granted Mr. John Turner, 27 : 9 : 1677, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem, who delivered him to Mr. Turner as his servant.

Execution, dated 18 : 12 : 1677, against John Briers, to satisfy judgment granted Erasmus James, 29 : 11 : 1677, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem, who delivered him to said James to be his servant seven years until the execution be paid.

Execution, dated 12 : 12 : 1677, against John Bowen, to satisfy judgment granted William Hathorne, Esq., 29 : 11 : 1677, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem, who delivered him to said Hathorne to be his servant for one year.

Execution, dated 5 : 9 : 1677, against Nicholas Manning, to satisfy judgment granted Mr. Samuell Gardner, one of the selectmen and attorney for the town of Salem, 26 : 4 : 1677, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

*Autograph.

Execution, dated 14 : 12 : 1677, against Mr. John Giffard, to satisfy judgment granted John Lee, 27 : 9 : 1677, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

Execution, dated July 2, 1677, against David Wheeler, to satisfy judgment granted Mr. Henry Sewall, 26 : 4 : 1677, at Salem court, signed by Hilliard Veren,* cleric, and served by Henery Skerry,* marshal of Salem.

Execution, dated Dec. 3, 1677, against William Longfellow to satisfy judgment granted Mr. Hugh March, 27 : 9 : 1677, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry, jr.* and John Williams,* deputies for Henry Skerry,* marshal of Salem.

Execution, dated 11 : 10 : 1677, against Richard Bedford, to satisfy judgment granted Mr. Christopher Lattamore, 27 : 9 : 1677, at Salem court, signed by Hilliard Veren,* cleric, and served by Robert Lord,* deputy for Henry Skerry,* marshal of Salem, who delivered said Bedford to Mr. Nathaniell Wells, as his servant for eight months.

Execution, dated 24 : 9 : 1677, against Ezra Rolf, to satisfy judgment granted Mr. Thomas Woodbridg, 27 : 9 : 1677, at Salem court, signed by Hilliard Veren,* cleric. John Williams was appointed deputy by Henry Skerry,* marshal of Salem, but no return made.

Rowley births, 1677:

Abel, son of Abel Langley, Mar. 31.
Jonathan, son of Joseph Chaplin, Apr. 4.
Elizabeth, daughter of Samuel Pearson, Apr. 25.
Martha, daughter of Samuel and Mary Palmer, Apr. 24.
Ichabod, son of John and Hanah Boynton, Apr. 19.
John, son of Nathaniel Harris, June 12.
Dorothy, daughter of Isack and Martha Colbee, June 15.
Dameris, daughter of Thomas Leaver, July 30.
Mary, daughter of John and Hanah Acy, Aug. 5.
Sarah, daughter of Benjamin Scot, Sept. 12.
Samuell, son of Samuel and Sarah Spofford, Sept. 15.
Margret, daughter of Caleb Boynton, Sept. 23.
Thomas, son of John and Mary Bally, Oct. 7.
Joseph, son of John and Mary Pearson, Oct. 22.
Richard, son of John Clarke, Nov. 10.
John, son of John and Abegail Wycome, Nov. 23.
Timothy, son of Caleb Burbanke, Jan. 24.
Ann, daughter of Jonathan Hopkinson, Feb. 15.
Mary, daughter of Simon Chapman, Mar. 12.

*Autograph.

Rowley marriages, 1677:

Joseph Jewit and Rebekah Law, Mar. 2, 1676-7.
Samuel Smith and Mary Elethrop, June 21.
James Scails and Sarah Curtious, Nov. 7.
John Haris, sr., and Elizabeth Wells, Oct. 24.

Rowley burials, 1677:

Nathaniel Mighel, Oct. 14.
Rebeckah Lambert, daughter of Thomas, Mar. 12.

Returned by Tho. Leaver,* clerk.

Deed, dated Jan. 7, 1677, given by William (his mark) Longstaff† of Salem, cordwainer, to Benjamin Horne of Salem, tailor, for 30li., one-half "of the dwelling house I now liue in," with one-half the land upon which the said house stands, about 1 1-2 acre, which he lately bought of Ezekiell Fogg on May 5, 1676, lying in Salem near the North river, bounded southerly by a ridge that was made by the digging of a ditch formerly by Ralph Fogg, the line running according as the fence now stands, and bounded on all other sides by the highway and the river. Wit: Phillip Veren* and Hilliard Veren, sr.* Acknowledged, 10 : 11 : 1677, before Wm. Hathorne,* assistant. Recorded in Salem records, book 4, folio 177, by Hilliard Veren,* recorder. On Nov. 7, 1677, Mr. Paine, the Treasurer, brought in an account of the expenses of the county as 97li. 10s. 11d., and as the charges at the ordinaries of Ipswich and Salem are far above the agreement made with them, it was ordered that the clerks and marshal retrench expenses to 18d. per meal for the magistrates and 1s. for the other officers, and that more frugality be practiced.

John Dalin and Edmond Bridges deposed that they heard Gartrud Pope affirm that about a year since she delivered to Thomas Russell of Marbellhead two cows and he was to give her two cows at the end of four years, not more than ten years old nor under four. He was to pay her 16s. per year. Sworn, 15 : 4 : 1677, before Wm. Hathorne,* assistant.

Mary Holdred testified that about two years ago being near the house of George Joanes, she heard him call Richard Morgan foresworn devil and foresworn dog, and said he was a highway thief and a foresworn rogue. Said Joanes' wife also spoke to the same purpose. Sworn, Oct. 6, 1677, before Daniel Denison.*

John Jacob's bond, dated Dec. 14, 1677, to prosecute an action against Francis Thurrill.

James Travers was bound, Sept. 23, 1667, to prosecute an action against Joseph Everley and Abraham Robinson, before Samuel Symonds.*

*Autograph. †Seal.

Samuel Hart, aged about thirty-one years, deposed that he was the company's servant, etc. Copy.

James White's* bond, dated May 10, 1677, to prosecute his replevin against Thomas Spark.

Richard Bedford and Goodman Duch, sr., owned to —— concerning delivering the barrel of pork to Steven Hascall for Mr. Latemor upon Bedford's account. Sworn, Nov. 25, 1677, before Daniel Denison.*

Return of a jury of inquest, dated July 13, 1677, Tho. Lovell, John Caldwell, John Kimball, John Browne, Edward Chapman, Edmond Deere, John Gaines, Thomas Lull, John Harris, George Norton, John Edwards and Thomas Smith, upon the death of Joseph, son of Robert Lord, sr., of Ipswich, who was killed in the woods about two miles and a half from Ipswich meeting house, that he with others was felling a tree and a limb, as it fell, hit another tree, breaking it and it fell upon said Lord, killing him. Sworn, Mar. 15, 1676-7, before Daniel Denison.*

Return of a jury of inquest, Thomas Jonnes, John West, John Wallcut, sr., William Bennet, Thomas Bushep, Moses Bennet, Aron Bennet, Onesephars Allen, William Allen, Robert Leach, John Knights and Samuell Leach, constable, all of Manchester, upon the death of one John Roberts in Manchester bounds who was found by John Woollecut, jr., hanged upon a tree by his neckcloth, that it was self murder.

Letter addressed, "To my Dear Brother Robert Lord at Ipswich in New England:"

"Dear Brother and sister our kind loues presented unto you and your children and grandchildren hopeing and wishing your temporall and spirituall wellfare, wee receud yours dated in July with your leter of aturney and note for your goods and its no small trouble to us that we can now only send you words in answer to it so it is the Reason we canot giue you, for still there is nothing don by the trustees, for all our going and sending nothing but it shall be don very speedily I supose M^{r} paine can Giue you a better acount of things then I he hauein bin so long at Ipswich, we haue sent you a copy of the will yet we heer cossen Gotty hath sent one we could never get it till now: I supose it is som what disputable wether Broth sam children will haue a share by Reason of y^{t} word then suruiueing yet me thinks I should be glad they might though poor Joseph yet remains a prodigall, yet we would hope not all so bad as formerly, we shall do what we can in it: though not by m^{r} paine yet by the first opertunity we can, we heard by sister Bill from you that the lord hath taken our dear cossen Mary out of this sinfull world, we long to hear how it is with

*Autograph.

you in reference to your war, and though as yet the sword is at quiet amongst us, we are in a very sad confussed condition and sin growed to a desperate height without controwl our parliament is mett once againe what the lord will do for us by them we know not, we may well say lord help us for vaine is the help of man o y^{t} we could look to him as we ought; so far as I know our relations are well, Cossen Hellen had 2 boyes at a birth about decemb last but both dead, Brother Bill hath had a thistilo in his face but we hope in a way of cure, I purpose this night to write to Cossen Gotty once more to hasten the bissness, to the lord I comit you my time to write being very short and rest

"Yo^{r} loueing sister

"March 2, 1676-7 Susan Redington.

"pray present our kind loues to broth John and wife to whom I canot now write pray send me word which of the Parkers widows she was

"Deare sister I thank you for your letter and as to sister Abigail her second match she hath a very loueing careful husband who I hope minds the best things though we should be glad to se more hopes of the maine in him; we beg your prayers that we and ours may be the lords, inabled to do and suffer his will.

"I thank you for my childrens tokens though they yet haue them not."

Those who took the oath of fidelity, Dec. 18, 1677, before Samll. Ward,* commissioner [of Marblehead]: Richard Harvie, John Darbie, William Pow, Gorg Williams, Edward Damon, Edward Hoallman, John Norman, Joseph Doliver, sr., Joseph Doliver, jr., John Doliver, John Haris, Robert Knight, Jaems Pittman, Gorg Memorie, Thomas Waiemoth, William Littfot, John Bartoll, Samuell Bartoll, Richard Croker, John Abitt, Mosis Pittman, John Hoiell, Ralf Eaiers, Jaems Skilton, William Bartoll, Robert Laveranc, Georg Godfrie, Richard Clatterie, Joseph Pickworth, Peter Hortin, Richard Smith, John Lattine, Mathew Clark, Thomas Hawkins, Jaems Stilson, Benieman Gall, Nickolas Pittman, John Furbush, William Peach, Umpherie Deverix, John Lemoriner, Phillip Gavitt, Edward Umpheries, Richard Rith, Thomas Dixe, Josiah Brown, Orrin Hendie, Samuell Waltown, Jaems Watts, Griffen Joans, Richard Joans, John Harod, Umpherie Williams, Elias Fortin, John Curtis, Eprim Joans, Thomas Bowin, John Williams, Thomas Whitt, Steven Grigs, John Bowin, Thomas Flowin, Jaems Beall, John Beall, Samuell Beall, Vinson Stilson, David Shaplie, William Boron, Wil-

*Autograph.

liam Huitt, Samuell Scarlett, Denis Bartlot, John Robins, John Basitt, Edword Sebrill, Thomas Horrid, Eliezer Engolls, John Pedrik, Thomas Pittman, William Pears, Edward Bas, Andrew Severie, Thomas Orvin, Robert Bartlett, Henerie Rusell, Robert Bond, Thomas Frind, Richard Rusell, Samuell Rusell, Cristover Nick, John Nick, William Woodlie, John Hoper, John Mear, Robert Hoper, Thomas Rusell, Thomas Hoar, Arther Neall, Charls Gren, William Gover, William Forman, Samuell Lee, William Blackler, John Codner, Petter Severie, Thomas Tainer, John Waltown, Thomas Stanford, Elias Whiet, John Legro, Thomas Corndidg, Edword Bodier, Thomas Northie, Nickolas Pickett, Phillip Welch, Thomas Frost, Richard Downing, Richard Rowland, Laomie Simson, John Tuckerman, Thomas Edwords, John Cool, Gorg Michell, John Martin, John Roads, John Wilkot, John Pamer, Edword Benit, Moris Chamlet, John Haskins, Lawrenc Borenc, Auther Churchwel, Jams Skiner, William Punchir, Richard Wolten, Richard Gulbie, Phillip Gudin, Pearc Angell, Johnathan Gachell, Thomas Dod, Thomas Powsland, Roger Vickorie, Richard Glas, Richard Peord, William Cock, John Briars, Gorg Pick, Mickell Coas, Adam Predies, Josep Gachell, William Venine, John Prows, Elias Trick, Richard Mek, John Alin, Phillip Angill, John Bream, Thomas Edwords, Robert Hobs, Edword Wede, Cristover Huckston, John Meltos. Those who refused to take the oath were Thomas Baker, Edward Venton, Robert Codner and Robert Nickolls.

The list of those who were sworn by Captayne Thomas Marshall of Lynn according to Generall Court order who took the oath at a general meeting on Feb. 26, 1677, many of them, and some since, and are here mentioned according to their several squadons of tithingmen and constables. Ensigne Jno. Fuller's and Mathew Farrington, sr.'s squadron: Samuell Verry, Joseph Rhoades, James Robinson, John Newhall, jr., Nathl. Newhall, Nathl. Kertland, jr., Henry Wormwood, Andrew Townsend, Joseph Farr, John Clarke, Ely Rhoades, Saml. Rhoades, Joshua Rhoades, John Witt, Joseph Mansfeild, jr., Joshua Wheat, John Fuller, jr., Edward Fuller, Elisha Fuller, Samuell Hart, sr., Saml. Hart, jr., Joseph Hart, Richard Haven, sr., Nehemiah Goodale, William Longley, Thomas Browne, sr., Thomas Browne, jr., Joseph Browne, John Newhall, sr., Joseph Newhall, Robert Burger, Henry Trevett, Robert Pottar, sr., Robert Pottar, jr., Ebenezer Hathorne, Nathl. Hathorne, Isaack Ramsdell, Richard Haven, jr., Aquilla Ramsdall, Moses Hudson, John Mower, Saml. Mower, John Newhall, 3d. Henry Collins, sr.'s and Henry Selzby's squadrons: John Lewis, sr., Ezekiell Needham, Thomas Brewer, John Linzey, Thomas Farrar, jr., Thomas Beal, Richard

Hood, sr., Richard Hood, jr., Will. Bassett, jr., John Lewis, jr., Robert Engoles, sr., John Engoles, Robert Engoles, jr., Saml. Engoles, Nathl. Engoles, Ben. Ireson, Jonathan Selzby, Saml. Selzby, Ephraim Selzby, Henry Collins, jr., Henry Collins, 3d, Ben. Collins, Robert Rand, jr., Zachary Rand, Richard Richinson, Robert Coats, jr., Thomas Graves, jr., Samuell Graves, Willm. Smith, Mathyas Farnworth, jr., John Farnworth, John Richards, Griffin Harris, Nicholas Hutchens, Ben. Farr, John Blano, jr., Joseph Collins, John Marks. Sergeant Nathl. Kertland's and John Burrell, sr.'s squadron: John Burrell, jr., Thomas Ivory, Henry Stacey, Moses Chadwell, John Brade, Allin Brade, jr., Allin Brade, 3d, Timothy Brade, Joseph Brade, Joseph Hall, Daniell Needham, Jacob Knight, Nathaniell Ballard, John Tarbox, John Ballard. Mr. Laughton's and Francis Burrell's squadron: Hugh Alley, Samuell Laughton, Samuell Mansfeild, Abraham Roberts, John Coats, Jno. Neck, Robert Drivar, jr., Joseph Burrell, Thomas Laughton, jr., John Daues, Benjamin Redknap, Samuell Jonson, Samuell Tarbox, Elezaer Lynzey, Daniell Jonson, Domingo White, Mr. Samuell Cobbett. William Bassett, sr.'s and Eleazer Lynzee's squadron: Mr. Ralph King, John Ally, Phillip Dory, Richd. Cowdeck, Joseph Fisk, Walter Phillips, sr., Walter Phillips, jr., John Phillips, George Oakes, Samuell Pike, Thomas Purchis, Thomas Haynes, Robert Haynes, Joseph Hibbard. Edward Baker's and William Mirriam's squadron: Joseph Edmunds, Willm. Pasly, Joseph Hollowey, John Edmunds, Joseph Mirriam, Ebenezer Stocker, Josiah Rhoades, Joseph Hutchens, Sam. Edmunds, Daniell Hutchens, John Divan, jr., Edward Baker, Thomas Baker, Peeter Twist, Macam Downing, Henry Dispaw, Edward Dispaw, Macam Macallom, John Glide, Samuell Jenckes, John Jencks, Allester Dugglas, John Chilson, John Severn. Thomas Bancraft's squadron: Edward Marshall, John Peircon, jr., Francis Hutchinson, John Hawckes, Moses Hawckes, Daniell Gowen, Nathl. Gowen, Daniell Eaton, John Coale, Thomas Huchenson, Samuell Stocker, William Clemons, Samuell Penfeild, Nathl. Lewis, John Dean.

Those who have taken the oath of fidelity in Beverlee, Dec. 3, 1677: Lieutenant Paul Thorndike, Richard Stackhouse, ferryman, Andrew Tarris, yeoman, John Sampson, yeoman, Alexander Candide, yeoman, William Leavermore, yeoman, Robert Bradford, fisherman, John Sworton, tailor, John Edwards, Richard Ober, fisherman, William Clearke, fisherman, John Bennett, weaver, William Cleeves, fisherman, Mathew Taylor, carpenter, John Whitefoot, fisherman, John Stone, seaman, Henery Herrick, yeoman, Mordecai Larkum, sr., husbandman, Mordecai Larkum, jr., husbandman, Rice

Edwards, pavior, Samuell Corning, husbandman, Joseph Eaten, tanner, William Simon, husbandman, John Jackson, fisherman, Giles Parnell, fisherman, James Widger, fisherman, James Taylor, fisherman, Humphery Woodberre, fisherman, William Woodberre, fisherman, Robert Cooborne, husbandman, John Salis, fisherman, Solomon Cole, fisherman, Leanard Austin, fisherman, James Patch, seaman, Peter Murrell, fisherman, Jonathan Boyles, carpenter, Joseph Lovett, weaver, Marks Tricker, husbandman, Isaac Woodberre, fisherman, William Hetherd, fisherman, William Ferreman, fisherman, Thomas Stamford, husbandman, William Hooper, fisherman, Thomas Cock, fisherman, Jonas Johnson, fisherman, Richard Haynes, husbandman, Thomas Baker, fisherman, Nathanell Houard, carpenter, Roger Hascole, carpenter, Richard Woodberre, husbandman, William Gill, weaver, John Woaker, tailor, Isaac Hull, cooper, Joseph Batchelor, seaman, Samuell Bolch, yeoman, John Bolch, carpenter, Robert Cue, husbandman, John Herrick, husbandman, Thomas Parlo, husbandman, Cornelius Larkum, husbandman, Robert Stanford, husbandman, Gollood Barthrum, husbandman, Richard Thirstle, fisherman, Edward Alfridge, ship carpenter, Anthony Bennett, carpenter, John Knight, husbandman, John Pride, fisherman, George Stanlee, fisherman, Thomas Woodberre, fisherman, Anthony Williams, fisherman, Richard Weaver, husbandman, John Traske, husbandman, Marke Hascole, carpenter, Anthony Wood, weaver, Thomas Club, husbandman, David Perkins, blacksmith, John Wellior, feltmaker, Thomas Blashfield, fisherman, William Hoare, fisherman, John Lovett, cooper, John Lambert, fisherman, Roger Haskin, seaman, William Bath, fisherman, Samuell Harris, fisherman, John Rayment, husbandman, John Tuck, fisherman, Nathanaell Conant, cordwinder, William Chub, carpenter, Andrew Elliott, cordwinder, William Elliott, cordwinder, Zachariah Herrick, carpenter, Edmund Grovver, cordwinder, William Bradfort, fisherman, Jeremiah Butman, husbandman, Philip Deland, miller, William Dodge, husbandman, Isaac Davis, husbandman, Christopher Browne, fisherman, John Coy, husbandman, William Rayment, yeoman, John Whitcheare, husbandman, Robert Roundy, seaman.

Manchester men who have taken the oath of fidelity before Capt. William Dixie: William Benit, Samll. Alein, Samll. Friend, Samll. Leach, John Sible, Robert Leach, Will. Alein, jr., Moses Benit, Aron Benit, Jenking Williams, John Ellitrop, John Crow, Thomas Bishop, Nicolas Vinson, John Knights, Francis Weenwright, Onesiphorus Allen, Peeter Runno.

List of persons in Gloster who took the oath of fidelity re-

COURT HELD AT IPSWICH, MAR. 26, 1678.

Judges: Mr. Symonds, Dept. Govr., Major Genrll. Denison and Major Wm. Hathorne.

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turned by Wm. Haskall,* Sergt.: Thomas Elwell, seaman, Hugh Row, seaman, Moses Dudy, husbandman, Thomas Prince, jr,. seaman, Robert Scott, husbandman, Thomas Babson, seaman, John Curney, seaman, Isaac Elwell, seaman, John Walles, fisherman, Josiah Walles, seaman, Robert Skamp, fisherman, Samuell Elwell, jr., fisherman, Tho. Prince, sr., husbandman, Abraham Robinson, seaman, Edward Harradin, jr., seaman, Bartholomew Foster, seaman, James Persons, husbandman, Jephery Persons, jr., husbandman, William Stevens, ship carpenter, Temothy Day, husbandman, John Day, husbandman, John Stainwood, husbandman, Phillip Steinwood, husbandman, John Roberts, seaman, John Bray, husbandman, Nathaniell Bray, husbandman, Raph Turner, fisherman, Joseph Allen, smith, Samuell Stainwood, shoemaker, Moris Smith, husbandman, John Millett, seaman, Nathaniell Somes, husbandman, Joseph Clarke, carpenter, Willi. Sargeant, jr., Samuell Sargent, Jacob Grigs, John Batcheler, John Davis, jr., William Grigs, Nathaniell Coitt, Raph Andrews, Jonathan Stainwood, John Jacson, Nathaniell Hadlocke, Joseph Haskell, Marke Haskell, Josiah Haskell, Josiah Kent, Thomas Loufkin, Richard Gooding, John Pearce, jr., Andrew Harradein and Henry Witham, all husbandmen, and John Haskell, seaman.

At a general town meeting held at Salem, 6 : 3 : 167–, "The Towne being mett togeth^{r} to Consider of M^{r} Higginsons motion about M^{r} Nichollats Staying here: doe honnestly desire y^{t} M^{r} Nicholats would bee pleased to stay wth us one year for triall & to Exercise his guifts amongst us, & y^{t} wee may haue a Lecture once euery week & for his maintainance to haue itt by a free Volluntary Contribution euery Lords day.

"Att a generall Towne meeting 14th 1 : 1673 M^{r} Charles Nichollett is desired to stay att Salem for another year, when y^{e} form^{r} year is Expired upon y^{e} same tearmes

"Att a Generall Towne meeting : 24th : 1 ^{mo} 1674 M^{r} Charles Nichollett is Called by y^{e} Towne to Continue wth us a year for to help to Carry on y^{e} worke of y^{e} ministry as formerly

"Att a Generall Towne meeting : 28th 8th : 1674 It is Agreed by a full & free Voat of y^{e} Towne for M^{r} Nicholletts Continuance Amongst us dureing his Life." Copy from the town book of records, made Apr. 13, 1677, per order of the selectmen, by Jno. Price.*

*Autograph.

Jury of trials: Mr. Daniell Epps, John Denison, Sam. Ingalls, Joseph Whipple, John Caldwell, Jacob Foster, Ens. Stee. Greenleafe, Edmond Moore, John Poore, John Palmer, Thomas Wood and Tobiah Perkins.

Constables, Sam. Howlet of Topsfield, Sam. Martin, and Tho. Ossgood of Andover.

Jacob Tapan, Rich. Bartlet, Mr. Rich. Dumer, jr., and Henry Short took the freeman's oath.

Mr. Wm. Norton v. Phillip Fowler. Trespass. Verdict for plaintiff, the land in controversy.*

Walter Fairefield v. Mr. John Giffard. Slander. Verdict for plaintiff.†

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*Bonas Norton testified that Phillip Fowler, jr., told him that he would advise deponent's father not to go to law about the land in controversy before Mr. Hubbard came home, "for ses hee I haue been at Boston & speake with The Gover^r & Capt. Hall & I know so much that your Father will Get nothinge of mee by Goeinge to Law, for I shall (ses fowler) haue all my Charges borne." Sworn in court.

Thomas Ears, aged about twenty-three years, deposed that Phillip Fowler employed him to cut wood upon this land and they felled three trees and that the last load was brought away about sun an hour high at night. This was since Mrs. Norton's death. Sworn in court.

Lease, dated June 25, 1670, given by Mary Norton,‡ to William Hubberd, clerk, teacher of the Church of Ipswich, whereas Mr. John Norton, late teacher of the Church of Boston, now deceased, was possessed of divers parcels of land in Ipswich, besides his farm of 150 acres given to the children of his brother Mr. William Norton of Ipswich, after the decease of his wife, Mary, who was executrix of his will, 40 acres of meadow and upland, bounded by a creek on the southwest and on the northwest by land formerly given to Mr. Bilingham, deceased, now in possession of Mr. John Payne of Boston, which was not disposed of by will and which is the property of the widow; for twenty-one years beginning Apr. 9, 1670, said Hubberd paying 40s. yearly rent. Wit: Peter Brackett§ and Jacob Elliot.§

†Writ: Walter Fayerfeild v. John Gifford; slander; for reporting that he or John Lee forged the word "and" in a writing; dated Boston, Mar. 5, 1677-8; signed by Ephraim

‡Autograph and seal. §Autograph.

Mr. Daniell Epps v. Henry Bennett. Trespass. Verdict for plaintiff, the land in controversy. Appealed to the next Court of Assistants. Henry Bennet bound, with Abraham Perkins and Jacob Bennett as sureties.*

Turner,† for the court; and served by Returne Waite,† deputy marshal of Suffolk. Bond of John Geffard.†

Walter Fairefeld's bill of cost, 2li. 1s. 10d.

James Browne, aged about thirty-one years, deposed that he had been in several towns in this country where he dwells, and other countries as well, and since the report had been spread by Gifford, Walter Fayerfield had suffered very much in name and credit, especially among strangers. Sworn, 23 : 1 : 1677-8, before Edmund Batter,† commissioner.

Sarah Hawks testified that Lee and Farefeild came to her house from Mr. Giffards, and one of them took a writing out of his pocket, reading that Mr. Giffard was to pay 40li. cash. They seemed to be discontented about the writing, and she heard Fairefeild say that it wanted but one word to make it cut. Sworn, 19 : 1 : 1678, before Wm. Hathorne,† assistant.

John Lee, aged about thirty-three years, deposed that he kept the writing and that Fairfield only signed his name as a witness. Also that the word "cash" was the only word that Fairfield objected to in the discourse at John Hawks' house, he thinking it might be read "catch." Sworn in court.

John Hauks testified. Sworn, 4 : 1 : 1677-8, before Wm. Hathorne,† assistant.

Edward Bridges, aged about forty years, deposed that in John Turner's house at the last Court of Assistants at Boston, he told John Gifford that Walter Fairefield intended to sue him for reflecting upon him in his reasons of appeal in charging said Fairefield or Lee with forgery and Gifford replied that he did not care a straw for him, for one of them did it. Sworn in court.

Joseph Lee, aged about thirty years, deposed. Sworn in court.

John Giffard's reasons of appeal dated Feb. 27, 1677, from the Ipswich court to the Court of Assistants, etc., John Lee, Henry Dispaw, Clement Coldam, Marshal Waite, Mr. Rawson, Mr. Epps and Andrew Peeters mentioned. Copy made by Robert Lord,† cleric.

*Writ: Mr. Daniell Epps of Ipswich v. Henry Bennet, sr., of Ipswich; trespass, in that Bennet's son Jacob felled trees and conveyed twenty of them away from said Epps' land at Castle Neck, which land he had from the town of Ipswich;

†Autograph.

dated Mar. 21, 1677-8; signed by Robert Lord,* for the court; and served by Robert Lord,* marshal of Ipswich, by attachment of a part of the farm of Henry Benitt.

Daniell Epps' bill of cost, 2li. 9s. 6d.

Summons, dated Mar. 21, 1677-8, to Henry Bennitt, sr., of Ipswich, signed by Robert Lord,* for the court, and no return made.

"At a generall Towne meeting the 14th of feb. 1664 "1. Voted that Plumb Iland Hogg Iland and Castle neck be devided to such as have right to commons acording to law, acording to the p portion of four six and eight. 2. all that doe not exceed six shillings eight pence there pson and estate in a single country rate to be of the first devission of four, all that exceed not sixteene shillings to be of the second devission of six, All those that exceed sixteene shillings in a single country rate, together with our maiestrates, Elders, Mr. John Rogers, Mr. Thomas Andrews to be of the highest devission of eight. 3. John Gage was voted and granted to be of them of the middle number. 4. Voted that it be left to the selectmen to have those places veiwed measured & devided." Copy from the Ipswich town book, taken Mar. 16, 1677, by Robert Lord,* cleric.

"Att a meeting of the selectmen November 24, 1665 wheras upon a mistake in the devision of Plumb Iland &c some psons were forgotten that had right & some fell short of there due proportion, The selectmen doe order them there alowance acording to Towne order, viz. To qu^{r}t master John Perkins one acre and halfe at Perlyes meadow. To John Ayres for M^{r} Nortons Farme three acres. To Wm. Pritchett for serg^{t} Jacobs farme thre acres. To John Newmarsh for y^{e} house y^{t} was Tho. Hardyes 3 acres. To John Newman Jun^{r} for the house y^{t} was Roger Langtons three acres. To Nehemiah Abbott 3 acres adioyneing to goodman Hows farme. To John Layton an acre & halfe that he fell short promised him." Copy from the Ipswich town book, taken Mar. 16, 1677, by Robert Lord,* cleric.

"At a generall Towne meeting 27 feb. 1654. Left to the seaven men to take order concerning the way over the gut cut.

"Att a meeting of the seaven men 21 (1) 1655–56 ordered that the surveighers are to mend the way to castle neck at the Bridge and elce where.

"Att a meeting of the select men 10 (12)' 1656 ordered that the surveighors shall fill up the ends of the Bridge over the gutt that is cutt in m^{r} Epps his marsh so as it may be possible for carting and to require the Towne proportion acording to

*Autograph.

there quantity of common of the highway leading to castle neck

"Att a generall Towne meeting 18th of June 1658 voted by the Towne that George Gidding, Henry Bennett and John Gage view the way leading to Castle neck and apoynt wch part the Towne is to mend and wt part mr Epps is to mend acording to an order of the selectmen made in 1656.

"At a genrll meeting 16th feb 1665. Granted to mr Epps to make use of the residue of castle neck, untill the Towne give him satticefaction for the loss he hath sustained in his Marsh by cutting the cutt through, and his loss in the Townes not makeing and mending the Bridge over it, and the highway on each syde of it.

"At a generall meeting the 16th of february 1665 voted to leave it to the selectmen to Judge of the right of comonage of such as have & do claime right acording to Justice and to considder of a place to satticefie such as want.

"At a Towne meeting the 20th of february 1665 voted to leave it to the selectmen to Judge of the Right of comonage of such as have and doe claime right acording to Justice and to consider of a place to satticefie such as want.

"At a meeting of the selectmen the 30th of Aprill 1667 wheras John Newmarsh wanted a devission to be layd out to him for the house that was Thomas Hardyes & there being a lott that was layd downe by John Layton in Plumb Iland, granted the sd lott to John Newmarsh but after it was concluded Maxemilian Jewett should haue that lott And John Newmarsh had one layd out to him at castle neck for his devission for Hardyes house abovesd

"At a meeting of the selectmen the 27 of november 1668 ordered that those that layd out the devissions of Plumb Iland castle neck & hogg Iland, and some wanting lotts, the select men, order that shall alow it them out of the remainder that was not layd out as castle neck, To Thomas Lovell, John Newmarsh, John Ayres, Kill. Ross and any other yt appeare to have a right

"Those that were apoynted layd out four lotts in castle neck begining at the marsh the first was drawne by Thomas Lovell, the second by John Ayres, the third by John Newmarsh.

"Att a Towne meeting the 16th of feb. 1668 voted that Thomas Bishop, Symon Tompson & John Andrews on the Townes part to considder of the damages mr Epps sustaines by the high way and cut through his marsh, and Report to the Towne what satticefaction they Judge meet. Mr. Epps chose quarter mr Perkins, Nathaniell Wells & Mr. John Deni-

son on his pt the neck to remaine as before tell then." Copies made by Robert Lord,* cleric.

"At a Generall Towne meeting 16 february 1668 Voted by the Towne that Mr Epps should haue sattisfaction giuen him out of Castle neck for his damages & charges & if there were more of the neck then would be for sattisfaction, that then he should haue the refusall of it in case the Towne should sell it or dispose of it before any other, he paying as much as any other would for it. William Norton,* Robert Lord, jr.* George Smith* and Arthur (his mark) Abbot." The first three sworn, June 24, 1674, before Samuel Symonds,* Dep. Gov., and the latter sworn, July 6, 1674, before John Leverett,* Governor.

"Att a Towne meeting the first of october 1677 Granted by the Towne that mr Epps shall have all the piny land that lyes betweene castle Hill and the wiggwam Hill that was not layd out in the first devission, and the feed of all the remainder of the neck that was not layd out in the first devissions the Towne Reserveing free for common use all the wood that lyeth beyond the duck pond and the wiggwam Hill, Mr Epps discharging the Towne from all charges & damages yt the sayd Epps hath sustained, and sd Epps doth also resigne up to the Towne, two four acre & halfe lotts of marsh, viz. Robert Cobornes and John Addams lotts, leaveing the cutt to the fre use of the Towne and doe excuse the Towne from any more charge of the highway, the propriaters in castle neck only excepted.

"At a Towne meeting 15 of march 1669 wee whose names are under written being chosen by the Towne on the one ptie & Mr. Epps on the other ptye, to considder the damages that hath beene to Mr Epps by cutting a gut through his marshes and mending of the highwayes & satticefaction for the same upon the considderation of the abovesayd premisses doe Judge for his satticefaction that he shall have fifty five acres of land next castle Hill, runing along by the marsh leaveing a high way, to those lotts in the neck, and this to be layd out by those men that layd out the divissinall lotts. Thomas Bishop, Symon Tompson, John Perkins and John Andrews. Voted by the Towne that this returne is accepted as is above written."

"At a meeting of the select men the 23 January 1673 There being no lott to Corpll. John Andrews for his devission for house at Averills Hill the selectmen alowed him to haue thre acres next to Sergent Burnam at the head of the great pasture And Mr Symonds for Killecres Ross his house 3 acres next unto John Andrews Cornett Whipple (Joyned with Robert

*Autograph.

Kinsman & Robert Lord) who are to apoynt to lay out Sergt. Burnams to lay these out."

"Att a Towne meeting the 13 of february 1676 voted to leave it to the selectmen to considder w[t] is upon the neck M[r] Epp propounded for, and what damage M[r] Epps haue beene at and report to the Towne." Copies made Mar. 21, 1677-8, by Robert Lord,* cleric.

Deed, dated Apr. 5, 1669, given by John Ayres† of Ipswitch, husbandman, to Henry Bennet of Ipswich, all his division lot granted by the town of Ipswich, situate in the upland at Castle Neck, having the upland lot of John Numarch on one side and Thomas Lovell's on the other. Wit: Thomas Bishop* and John Perkins.* Acknowledged, Nov. 5, 1672, before Daniel Denison.* Recorded Jan. 24, 1672 among the records of lands for Essex at Ipswich, book 3, folio 240, by Robert Lord,* cleric.

Fragment of a deed to William Goodhue, land at Ipswich, in the devision lots, etc., Hog Island river mentioned.

Archelaus Woodman certified at Newberry, Sept. 26, 1677, to the survey made by Mr. Damfort and others 10 m. : 1674, he being employed by the town, except to the expression concerning the degrees which he did not thoroughly understand; also that whereas it is said to a stake standing in Mr. Dummer's side line, it should be expressed as the southeast end line. Sworn, Sept. 26, 1677, before Jo. Woodbridge,* commissioner.

Thomas Lovell, sr., deposed that he was one of the lot layers chosen by Ipswich to lay out Plum Island, Hog Island and Castle Neck, and at the first laying out of Castle Neck they laid out only Wiggwam hill and the marshes. On Mar. 23, 1677, he went with Goodman Lord, sr., to Castle Neck where he saw many trees felled. Also that he would not have taken his lot at Castle Hill only that Goodman Benite would buy it. Sworn in court.

Joseph Epps, aged about twenty-four years, and Henry Gould, aged about thirty years, testified. Sworn in court.

Joseph Epps, aged about twenty-four years, and Henry Gould, aged about thirty years, testified on Jan. 7, 1677 that they were sent by Joseph's father Epps to see what damage was done and they saw Jacob Bennett and some of his folks cutting wood. They told him to forbear but he refused. They also testified that said Jacob owned that he cut the wood at Major General Denison's and that his father had a title to the land, etc. Sworn in court.

John Newmarch* of Ipswich certified, Mar. 26, 1678, that, he had sold all his right in the division granted to him by

*Autograph. †Autograph and seal.

Ipswich at Castle Neck, belonging to the house that was Thomas Hardye's.

Tho Lovell* certified, Mar. 26, 1678, that he had sold to Henry Benite all his interest in the Castle Neck land laid out to him by virtue of his father Hassell's house.

John Newmarch, sr.* and Tho. Lovell, sr.,* declared that they went to the selectmen of Ipswich to demand their divisions and they answered that they would not make any division upon any of Ipswich common except that which was already voted to be divided and what it lacked in quality it should be made up in quantity, four to one. Sworn in court.

Isrrell Hunewell deposed that in June last he went over the river to Hog Island to work as usual, and at one time he found the cattle that were kept at the Island, in the corn field where the house stands and the cattle laid in the corn doing much damage. Sworn in court.

John Newmarch* of Ipswich, certified, Mar. 26, 1678, that he had sold his interest in his division granted him by Ipswich, the upland at Castle Neck, belonging to the house that was Thomas Hardye's.

Tho. Lovell* certified, Mar. 26, 1678, that he sold to Henry Benite his right in Castle Neck, by virtue of his father Hassell's right.

John Newmarch* and Tho. Lovell, sr.* testified that they went to the selectmen of Ipswich to demand their divisions, and were told that they would not make up any of Ipswich common but that which was already voted and what it wanted in quality should be made up in quantity. Sworn in court.

Moses Pengry, sr., aged about sixty-six years, deposed that many years ago, about the time that the farm was granted to the feoffees of the free school and by them conveyed to John Cogswell, he and John Gage and others were sent to view if not to lay out the bounds of the said farm from the rest of the common there. They went on from the head of a creek, now called Whitrige's creek, till they came to the end of a swampy meadow, and not being willing to go over it, they sent a man over to mark a tree on the other side, but whether it was recorded at time, this deponent could not remember. He further said that he with others was sent in late years, the line being unknown, to run between the common and said farm, but having no certain rule to go by nor point to run on from the head of the creek to Glouster line, it caused a question among them. Some said they must take the distance between the heads of the creeks and give the same breadth on the head line and so run to Whitridge's creek, to which they could not fully accord, yet being on the place they made a trial, ran a

*Autograph.

John Croomwell v. Robert Cannon. Debt. Verdict for plaintiff.*

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while and then gave it up. At another time they ran from the said creek as right as they then could and lighted on the petition fence that was set up by the first tenant, they running by many old posts that were standing there this week, but this did not satisfy the farmers.

*Writ: Mr. John Cromwell v. Robert Cannon; debt; dated 12 : 10 : 1677; signed by Hilliard Veren,† cleric, and served by John Williams,† deputy for Henery Skerry,† marshal of Salem, by attachment of defendant's sloop, a table and a chair.

Writ: John Andrews v. Robert Cannon; for security, said Andrews having given bond for said Cannon's appearance at Ipswich court in an action brought by John Cromwell for debt, and having left his family and attempting to go out of the country; dated 12 : 12 : 1677; signed by Hilliard Veren,† for the court; and served by Thomas Andrews,† deputy for Joseph Webb,† marshal of Suffolk, who "attached the body of Rob^{t} Cannon at the house of Abraham Adams and said Adams layd hold on mee, and held me so as that said Cannon escaped."

Thomas Cromwell, aged about fifty-five years, and Edward Mould, aged about forty-six years, testified that being in said Thomas's shop with Robert Cannon, Jon. Cromwell came in and Cannon acknowledged that he owed a debt to him but he said he was not able to pay it and so he might do his worst. Sworn, 14 : 1 : 1677, before Wm. Hathorne,† assistant.

John Cromwell's bill of cost, 1li. 12s. 6d.

Bond, for Robert Cannon's appearance, dated Jan. 1, 1677-8, given by Robert Cannon† and John Andrews†. Wit: Francis Neale† and Ephraim Marston.†

Robert Cannon, Dr., for meate to be pd, in 1-4 pt. money, July 22, '76, shd. veale, 15d., (24) 1-4 lam, 2s. 4d., 3s. 7d.; 29, 1-4 veale, 4s., 1 August 1-4 lam, 2s., 6s. 6d.; 5, 8li. beefe 3d., 2 p. 1-4 lam, 1s. 8d. (8) 1-4 lam, 2s., (10) 1-4 lam, 2s. 4d., 8s. 4d.; 12, 8 lb. 1-2 beefe, 3d., 2 1-4 lam, 2s. (14) 1-4 lam, 2s. 6d. (16) leg veal, 1s. 8d., 8s. 7 3-4d.; (20) 1-4 lam, 2s. 6d., (21) nec mott, 14d. (26) 1-4 lam, 2s. 6d (28) 1-4 lam, 2s., 8s. 2d.; 2 Sept. 11 lb. 1-4 befe, 3d 1-2, (8) leg lam, 14d (9) leg mott, 2s., shd. mt., 20d., (11) leg lam, 15d., 9s. 4 1-4d.; (16) a marabone, 10d., 1-4 mott, 4s. (19) leg lam, 15d. (22) leg motton, 1s. 8d., 7s. 9d.; (23) 12 3-4 lb. befe, 3d. 1-2, (25) shd. mott, 15d. (30) 17 lb 1-2 befe, 3 1-2 lb. motton, 16d., 11s. 4 3-4d.;

†Autograph.

Thomas Woodbridge v. Moses Gillman. Verdict for plaintiff, in boards to be delivered at Nubury.*

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7 Octto., 9 1-4 lb. befe, 3d., pc shd. mott, 18d., (14) leg mott, 18d., 11 3-4li. befe, 3d., shd. motton, 16d., 9s. 7d.; 27, 1-4 befe, 161 lb. at 2d 1-2 pr. (9 Nov) leg motton, 2s.; nec motton, 14d., 1li. 16s. 8 1-2d.; 23 Nov. shd motton, 18d. (28) 1-4 lam, 2s., 1-4 befe 141lb., at 2d. 1-2 pr., 1li. 12s. 10 1-4d.; 21 December, nec motton, 2s. 4d.; 17 January leg mott, 1s. 10d. (22) shd. mott., 1s. 8d. (27) nec. motton, 12d., 4s. 6d.; (30) shd. motton, 18d., leg mutton, 1s. 10d., 10 Feb., br. nec. veale, 2s., 5s. 4d.; (17) leg motton, 15d., 1s. 3d.; (22) shd. veale, 14d. (29) leg veale, 20d., 2s. 10d.; 9 March 1-4 beefe, 116 lb. at 3d., 1li. 9s.; 8 May '77, leg veale, 18d., (14) nec veale, 10d. (17) pluck, 8d., shd. veale, 15d., 4s. 3d.; 9 June leg motton, 2s. (17) shd. veale, 14d., (26) 1-4 lam, 2s., 5s. 2d.; 26 June Reced 1 pr. mens falls (10) & 1 pr. plaine shoes, (10), (30) lams hd., 8d., shd. veale, 16d., 2s.; (30) leg veale, 16d., sheps hd & pluck, 10d., 2s. 2d.; 2 Jully leg mott, 2s. (6) 1-4 motton, 3s. 6d., hd. and pluck, 12d., (14) 1-4 lam, 1s. 10d., 8s. 4d.; (16) 1-4 lam, 2s., lams, hd. plu, 8d. (21) leg beefe, 16d., shd. motton, 20d., 5s. 8d.; (24) Hd. & pluck, 12d. (25) leg motton, 1s. 10d. (28) 7 1-4 lb. befe, 3d. 1-2 (8 Aug.) 1-4 lam, 2, 6s. 11d.; 25 July Rese. 2 pr. plaine shoos; 8 Aug. 1-4 lam, 1s. 8d. (30) sh. hd. plu., 10d. (15) shd. motton, 14d., 3s. 8d.; 2 Octto. leg motton, 1s. 10d., nec. motton, 12d., head & pluck, 3s. 8d.; (5) nec motton, 12d., (6) 9li. 1-2 befe, 2 lb. suit, 12d., shd. motton, 20d., 6s. 5d.; (9) leg motton, 1s. 8d. (13) shd. motton, 1s. 8d. (17) 2 lb. suit (20) 10li. 3-4 befe, 3d., 7s. 5d.; 20 – 6 lb. 1-4 befe, 1d., suit, 6d. (24) 1 lb. suit, nec motton, 14d. (27) 11li. 3-4 befe, 3d. 1-2, 7s. 5d.; 30, 1li. suit 2 Nov. leg mt., 1s. 8d., 3 Nov. 8 1-4 lb. befe at 2d., 3s. 10d.; (7) hd. & pluck, 8d., shd. motton, 16d., hd. & pluck, 8d. (12) leg motton, 1s. 8d., 4s. 4d.; nec. motton, 10d., 1-2 lb. suit, 3d (20) lams hd & plu, 8d., 1s. 9d.; creditor p dressing & a Calf skin; total, 13li. 7d. Copy made by Robert Lord,† cleric.

*Writ: Mr. Thomas Woodbridge v. Mr. Moses Gillman of Exeter; debt; dated Mar. 19, 1677-8; signed by Jo. Woodbridge,† commissioner; and served by Henry Dow,† marshal of Norfolk, by attachment of the house and land of defendant.

Tho. Woodbridge's bill of cost, 2li. 17s. 6d.

Bond, dated Mar. 14, 1675-6, given by Tho. Woodbridge,† to Mr. Moses Gillman, for 12li., to be paid in silver at Newbery. Wit: Samuell Dalton, sr.,† and Samuell Leavett.†

Receipt, dated 13 : 4 : 1673, given by William Marston†

†Autograph.

of Salem, to Moses Gillman of Exeter, for 5,600 feet of merchantable pine boards to be delivered at Boston to James Whittcome, merchant, the danger of the sea only excepted, upon account of Mr. Thomas Woodbridg of Nubri. Wit: Humphery Willson* and John Smith.* Sworn, 26 : 9 : 1677, by said Willson, who said he saw Will. Marston, boatman, sign it, before Samll. Dalton,* commissioner.

"Louing wife Elisabeth Gillman these are to desire you to speake to John Gillman & James Perkins and so orde^r the matter thatt Mr. Tho. Woodbridge may haue twelue thousand foott of merchantable bords Rafted by thirsday night or sooner if poseble they Can for I haue Absolutly sould them to him & if John Clough sen or any other doe deliuer bords to make up the sum Giue Receits of whatt you Receiue of him or any other man and lett no bote bee prest or other ways disposed of untill I Returne being from

"Him who is yo^u till Death

"Moses Gilman."*

Receipt, given by Steven Swett* to John Gillman, upon account of Moses Gilman, for 12,000 pine boards for the use of Thomas Woodbridge. James Perkins and John Gilman, jr., testified that they delivered these boards. Sworn, 26 : 9 : 1677, before Samll. Dalton,* commissioner.

"Newbery 13 May 1676

"M^r Moses Gilman, Sir

"According to your promise to me I would Intreat you to be helpfull to me in Getting Downe my Raft of Boards pray Aduise the bearer of this Steuen Swet who ar the best hands to help Down with the raft and pray engage to pay them For me and what you shall expend I will se it paid. pray hasten that they may be goeing with them to morrow and in the mean time if you or any man elce haue any boards that will part with you I will pay for them prouided you put them aboard the raft pray sir Do For me in this Case as well as you possibly Can and if at any time I can serue you in the Like I shall gladly Doe it in the mean time I rest Yours at Command

"Tho Woodbridge."

Moses Gillman of Exiter, Dr., Mar. 25, 1672, to 19,600 foot of boards p assignment of 2 bills from Capt. White, 39li. 4s.; to 6 yds. striped silk, 2li. 1s. 6d.; to 2 pcells buttons to yorself & Steph. Huzee p order, 9s.; '76 Aprill 10, to a pcell lace for money, 12s.; Apr. 25, to Mr. Noise p order, 2,500

*Autograph.

foot boards with charges, 7li. 10s.; to Mr. Noise pd. in money, 2li.; to Benja. Raufe, pd. p order in money, 4li.; to money pd. yourself, 4li.; to money pd. your order to John Allen, 8s.; to money pd. yourself, 6s.; 26, to 20 1-2 lb. sugar, 10s. 3d.; Septemb. 23, to 30 yds. fine yd. broad red Cotton in money, 4li. 10s.; to one fine Blankett to John Gillman, 17s.; to 2 3-4 yd. prunello & 6s. in money, 16s.; to 2 yds. 1-4 green sey, money, 11s. 3d.; total, £67. 15s. Cr., '73 June, by 19,000 foot of boards dd. Jona. Tyng & James Whetcomb in Boston, I paying freight, £39. 4s.; by John Atkinson, £2.; '76, Aprill, by 12,000 foot of boards bought of you for wch I was to pay £15, twelve pounds in money for which gave my bill & three pounds in goods at money price p agreement; June, by expense & helping down with a wraft, £3; total, £59. 4s.; due to balance, £8. 11s. Copy made by Robert Lord,* cleric.

John Barber, aged about forty-eight years, and James Perkins, aged about twenty-nine years, deposed that in May 1676 they were hired by Moses Gillman with three or four others to carry down a raft of about 80,000 boards for Mr. Thomas Woodbridge of Newbury and they delivered it to Mr. Thomas Woodbridge's man, Steven Swett, at Great Island in Portsmouth. Also that the usual price of rafting and carrying down was five shillings per thousand and the carrying down was the greatest part of the work. Sworn, 26 : 9 : 1677, before Samll. Dalton,* commissioner.

Samuell Lole, aged about thirty years, testified that he was called up into Mr. Thomas Woodbridge's chamber when Moses Gillman reckoned accounts with him and said Gillman owned all the account except eight shillings which Woodbridge had not paid to John Allin, etc. Sworn, Mar. 24, 1677-8, before Jo. Woodbridge,* commissioner.

Stephen Swett, aged about twenty-six years, and Henry Bodwell, aged about twenty-four years, testified that they were in the chamber, etc. Sworn, Mar. 24, 1677-8, before Jo. Woodbridge,* commissioner.

Benja. Rolf, testified. Sworn Nov. 26, 1677, before Jo. Woodbridge,* commissioner.

Jno. Adkinson testified. Sworn, Nov. 28, 1677, before Jo. Woodbridge,* commissioner.

Paull White, aged about eighty-four years, deposed concerning a bill for boards which he assigned, some of which were for Mr. Whitcome of Boston. Wm. Chandler, keeper of Mr. Paul White's book, testified to the same. Sworn, Nov. 26, 1677, before Jo. Woodbridge,* commissioner.

John Allin, aged about twenty-eight years, deposed con-

*Autograph.

Richard Dole v. Robert Swan. Debt. Verdict for plaintiff.*

John Burnam v. Mr. Jonathan Wade and Symon Stace. Verdict for plaintiff.†

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cerning the payment of the 8s. by Woodbridge. Sworn, Mar. 24, 1677-8, before Jo. Woodbridge,‡ commissioner.

Daniell Wickum deposed concerning what Woodbridge said at Salem court. Sworn in court.

John Gillman, jr., aged twenty-seven years, deposed that being with his uncle Moses Gillman at the house of Thomas Woodbridge at Newberie, etc. Sworn, 26 : 9 : 1677, before Samll. Dalton,‡ commissioner.

Thomas Noyes of Newberry deposed. Sworn, Nov. 26, 1677, before Jo. Woodbridge,‡ commissioner.

John Atkinson, aged about forty years, testified that he received of Moses Gillman 3li. in boards at 40s. per thousand upon account of Mr. Thomas Woodbridge. Sworn, Nov. 26, 1677, before Jo. Woodbridge,‡ commissioner.

*Writ: Richard Dole of Newbery v. Robert Swan of Haverhill; debt; dated Mar. 19, 1677; signed by Nath. Saltonstall,‡ for the court; and served by —— Ford,‡ constable of Haverhill, by attachment of land near the corn mill of John Heseltine, sr., in Haverhill.

Richard Dole's bill of cost, 1li. 18s. 2d.

†"Att a Generall Towne meeting the 14th of January 1650 Granted to John Burnam and John Andrews all that small tryangle lyeing betweene them, beyond Chebacho River." Copy from Ipswich town book, Mar. 14, 1662, by Robert Lord,‡ cleric.

Also at the same meeting, "Granted to Mr Robert Paine & mr Wm. Paine and such others as the Towne shall apoynt for the use of the scoole all that neck beyond Chebaco River and the rest of the ground (up to Gloster Line) adioyneing to it. Maior Denison & mr Bartholmew chosen by the Towne and added to the two Mr Paines." Copy from Ipswich town book, taken Mar. 25, 1678, before Robert Lord,‡ cleric.

"The 16th of february 1677 The line from a great Rock at the head of Clarks creeke within two rods of Gloster lyne was p fected as followeth cutts upon 58 degrees and 126 rod at the end within twenty two rods of three heapes of Rocks in gloster Lyne A stake at the corner next Gloster Lyne. mr Wade Symon Stace & the rest aboue named (that run the other lyne) were those that p fected this line also with the con-

‡Autograph.

Wm. Andrews v. the town or selectmen of Ipswich. Replevin. Verdict for defendant.*

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sent of John Cogswell." Copy from Ipswich town book, made Mar. 21, 1677-8, by Robert Lord,† clerk.

Edward Harridine, aged above fifty years, deposed that he knew before the year 1652 those trees shown in the map to be bound trees between the land of John Burnam, sr., and the new pasture given to the school's use, which trees are a white oak that stands by the head of Clark's creek and so upon a line that runs south southeast according to the compass; a black birch tree marked on the same line; and further another tree that was John Burnam's corner bounds which on the map may be seen to have been felled. Also that Goodman Lovel and Goodman Gage, the then lot layers, showed Burnam these trees as his bound trees, and Goodman Peabodie was also there and delivered Wood's lot, etc. Sworn in court.

John Burnam, jr., deposed concerning the bound trees of his father's land, which he remembered ever since he could remember anything and about fourteen years since Goodman Lord and others came to divide the land that was bought of the town, etc. Sworn in court.

Thomas Lovell, sr., deposed that he drew a true map of the laying out of the land of John Burnam, etc. William Goodhew, jr. deposed. Sworn in court.

William Goodhew, jr., deposed that John Cogswell desired him to go with him to meet with Mr. Jonathan Wade and Simond Stasy to run the line and they ran it up to within two rods of Gloster line. Sworn in court.

*Writ of replevin, dated Feb. 20, 1677, on a kettle taken by distress from John Kindrick, to be returned to him provided that William Andrews give bond for the prosecution of the action, signed by Robert Lord,† for the court, and served by Robert Lord,† marshal of Ipswich.

Warrant, dated Feb. 14, 1677, to collect 30s. of John Kindrike for felling three trees on the town common, contrary to town order, signed by John Whipple,† for the selectmen, and served by Nath. Rust,† constable of Ipswich, by attachment of a brass kettle.

Bill of cost of the selectmen, 1li. 14s. 6d.

Letter of attorney, dated Mar. 26, 1678, given by the selectmen of Ipswich, John Whipple,† Danill Warner† and John Brewer,† to Mr. Jonathan Wade and Symon Stace. Wit: Samuell Appleton† and William Goodhue, sr.†

†Autograph.

Copy of William Andrews' bond, dated Feb. 20, 1677, made by Robert Lord,* cleric.

"the towne meeting the 29th februwary 1671. It is ordered that no wood or timber shall be falled at Jeffires neck nore in any of the sheepe wallkes neare the towne nore in any place that is above three myles & a halfe from the meeting house under the penallty of ten shillings for every tree fallen Contrary to this order." Copy from the town book of Ipswich made Mar. 2, 1678, by Robert Lord,* cleric.

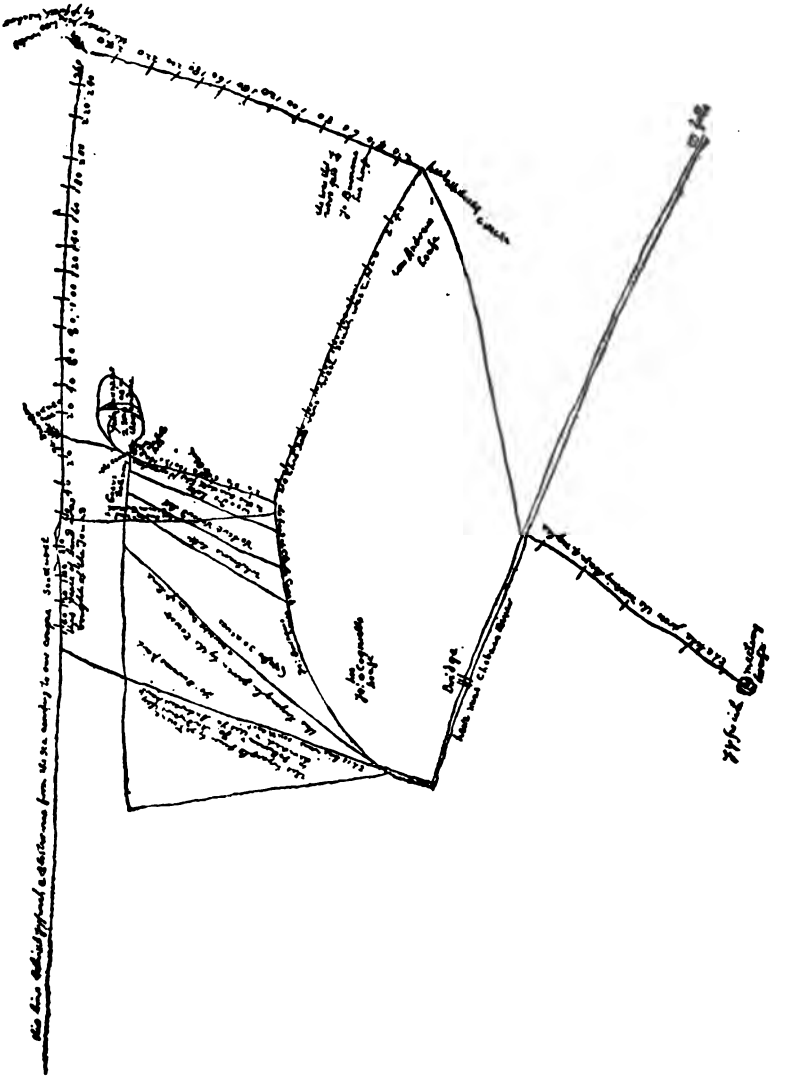
"At the Towne meeting the 13 of feb 1676 voted to leave it to the selectmen to take order about Thomas Wells &c and that no Incrochments be made upon the commons." Copy made from Ipswich town book by Robert Lord,* cleric.

The last year they went with a better instrument, but by reason of the various marking of the trees in Glouster line, they were not satisfied. Sworn in court.

James Whitt, aged about forty years, deposed that before merchant Bushep died, deponent went beyond Chabaque river and felled there white oak trees to make staves, which trees stood fifteen or sixteen rods beyond John Burnam, jr.'s house. When he went with a team to fetch away the staves, John and Samuell Cogswell forewarned him and said the staves were upon their land, but if he would pay them 12d. per tree he could have them, which deponent did at merchant Bushep's. When deponent told the latter what he had done, he said he believed most of that plain was in Cogswell's bounds, and that he had been employed by the town of Ipswich to lay out that land. Sworn in court.

John Androws, sr., aged about fifty-seven years, testified that he came to the seven selectmen of Ipswich with Samull Cogswell, bringing the lease of the new pasture with him. They sent Deacon Pingrin, Insin Burnam and Walter Ropar to measure the breadth of the new pasture between the heads of the two creeks, and then to go to the head bounds between John Burnam and said pasture, and so to go that same breadth upon Gloster line as it was between the two creeks. They came to the east end of the fresh meadow to a little pine tree which they marked and there they set their compass to go to the head of Whitredg's creek; so they steered by the compass till they came to a great pine tree, which they marked for the corner bounds. Then they bade those who were present lay a heap of rocks at the said tree that it might be seen to be a bound tree, which they did. Then they marked another tree between these two trees and night and foul weather coming on, they could not finish the line to the head of Whitredg's creek. Sworn in court.

*Autograph.



JOHN BURNAM'S LAND.

Mr. Robert Paine v. Edmond Bridges. Review. Withdrawn.

Mr. John Giffard v. John Lee. Review. Nonsuited.

John Lee v. Mr. John Giffard. Review. Verdict for plaintiff. Appealed to the next Court of Assistants at Boston. John Giffard bound, with John Cogswell and Richard Shatswell as sureties.*

Thomas Burnum and John Whipple deposed that in 1672 they were chosen by the selectmen to settle the bounds between Mr. Cogswell's farm called the great pasture and the town's common, etc. Sworn in court.

Walter Roper testified that while Mr. Jno. Cogswell lived, who was the first proprietor of this pasture, etc. Deponent worked at this farm one summer and often brought home the cattle from the meadow where Goodman Andrews said his bounds were, etc. Sworn in court.

Daniell Epps, aged about fifty-three years, deposed that about twenty-three or four years since, being at Mr. John Cogswell's farm the latter showed him some land near where William Andrews now dwells, saying there would be good plow land, etc. Sworn in court.

Abram Fitts, jr., aged twenty-one years, testified that last January he was bringing logs to the saw mill, and saw, near John Burnam, jr.'s house, John Kindrick, his two boys and Gorge Stimson working out two trees into cooper's ware, etc.

James Burnam testified that he saw Kindrick and William Tomson fell the trees near his brother John Burnam's house, etc. Sworn in court.

Thomas Burnam, sr., aged sixty years, testified. Sworn in court.

Benjamin Marshall testified. Sworn in court.

William Cogswell, aged fifty-seven years, deposed that he heard his father say that his brother John Cogswell, etc. Sworn in court.

Thomas Lovell, sr., and William Goodhew, jr., deposed. Sworn in court.

*Writ, dated Mar. 9, 1677-8, signed by Ephraim Turner,† for the court, and served by Returne Waite,† deputy marshal of Suffolk. Bond of John Gefford.†

Copy of papers in a similar action brought in Ipswich court, Sept., 1677, and taken by appeal to the Court of Assistants, made by Edw. Rawson,† secretary, and in Boston court, Nov., 1675, made by Robert Lord,† cleric, also in Salem court, 26 : 4 : 1677, made by Hilliard Veren,† cleric.

†Autograph.

John Lee's bill of cost, 3li. 16s. 4d.

Copy of receipt, dated May 16, 1677, given by Roger Rose to Edward Page. Wit: Rich. Wayt. Acknowledged, Mar. 9, 1677, before the Governor and magistrates at Mr. Turner's chamber. Copy made by Robert Lord,* secretary.

Copy of John Lee's answer to Mr. Gifford's reasons of appeal, dated Mar. 5, 1677, made by Edward Rawson,* secretary.

John Hawks testified. Sworn, 4 : 1 : 1677-8, before Wm. Hathorne,* assistant.

Sarah Hawks testified. Sworn, 4 : 1 : 1677-8, before Wm. Hathorne,* assistant.

Robert Lord, marshal, aged about forty-seven years, deposed that he and Mr. Daniell Eppes, sr., etc. Sworn, Mar. 4, 1677-8, before Daniel Denison.*

Henery Skery, marshal, and Joseph Lee, aged about thirty years, testified. Sworn in court.

Danyell Epps, aged fifty-two years, deposed. Sworn, 25 : 7 : 1677, in Ipswich court. Copy made by Robert Lord,* cleric.

Andrew Peeters, deposed. Sworn, 25 : 7 : 1677, in Ipswich court. Copy made by Robert Lord,* cleric.

Andrew Peters* testified that he heard Joseph say that his brother John Lee owned that in the word "cash," he altered a letter, making it with a longer tail, thinking the letter s to be a t, so as to have made the word "ketch." Sworn in court.

Joseph Lee, aged about thirty years, deposed. Sworn in court.

Edmond Bridges deposed concerning two of the jurymen, Usuall Wardell and Nathaniell Adams. Sworn in court.

Walter Fairefeild, aged about forty-five years, deposed. Copy made by Hilliard Veren,* cleric.

Daniell Epps deposed that he was at Joseph Lee's house on July 20, 1677, etc. Sworn in court.

Joseph Lee, aged thirty years, deposed. Sworn in court.

Walter Fayerfield, aged about forty-five years, deposed concerning the alteration of the letters. Sworn in court.

Robert Lord,* clerk of Ipswich court, testified on Mar. 4, 1677-8, concerning the writing.

Marshal Waite and Edward Page testified. Sworn, 22 : 7 : 1677, before John Leveret, Governor. Copy made by Robert Lord,* cleric.

Richard Wayte testified that he did not depute John Lee because his name was signed in the paper "Wayt" and he always signed it "Wayte," etc. Sworn, Mar. 9, 1677-8, before Major Hathorne. Copy made by Robert Lord,* cleric.

*Autograph.

Hugh Marsh v. Moses Gillman. Withdrawn.

John Graves v. Henry Bennett. For not finishing a house. Verdict for plaintiff.*

*Copy of indenture, dated Dec. 21, 1676, between Henry Bennett and John Graves, both of Ipswich, said Henry leasing his interest in the island formerly called Hog Island and marsh, with the Long Island and the Round Island, also four oxen, six cows, forty sheep and two sows, he also agreeing to finish the new house standing upon the island by the next May, also to build a barn by the first of next July, and whatever work was done on the same by said Graves, he was to be allowed for on his rent; said Henry also reserved three or four acres of upland upon the long island together for plow land, and four marsh lots, one that was Newman's, one of Leigh's, one of White's and one of Kimball's; he also reserved free egress and regress for wood and timber, except where Graves should clear for plow land, and said Henry was to have ten neat cattle kept on the Island by Graves for him for eight years, also thirty hogs, except the first two summers, and for keeping the hogs, Graves was to be allowed 7d. per rod for a substantial three rail fence, which Graves was to build at his own cost; Henry agreed to allow Graves 7d. per rod for making the stone wall under the fence, three feet wide at the bottom and four feet high, and to allow him 2s. per rod on the rent for the year that the wall should be made; where rocks could not be had conveniently within the space of twenty rods, Graves agreed to make the fence with logs under the three rails, allowing 5d. per rod for the logs; said Graves was to pay for rent 22li. per annum, in wheat, malt, Indian corn, pork, fat neat cattle, bulls excepted, to be paid at the now dwelling house of Henry Bennett; Graves was to have firewood, and for what land was not capable of being broken up, that is, Wallis' lot and Paine's lot, so called, also two acres more upon the rest of Storyes lot, he was to have as much in some other spot, etc. Wit: Jacob Bennett and Ephraim Fellows. Copy made by Robert Lord,† cleric.

Contract, dated June 11, 1677, Joseph Bolles†, now living in Ipswich, and Jacob Bennet,† carpenters, agreed to build for Henry Bennet† of Ipswich, a barn on Hog Island, 32 feet long and 24 feet wide, to finish it by boarding the sides and ends, to make two pair of doors, to lay the floor for threshing, to get laths and lath the roof for thatching, and to have it completed by the last of July, 1677, said Bennett agreeing to find boards and nails for the finishing, to draw the timber

†Autograph.

Steephen Crose v. Joshua Boynton. Debt. Verdict for plaintiff. Appealed to the next Court of Assistants. Said Boynton bound, with Jonathan Platts and Nath. Elithorp as sureties.*

Jakin Reiner v. Jacob Hardy. For illegally withholding a horse. Verdict for plaintiff, the horse to be returned in good condition, or to pay in corn or neat cattle under eight years old.†

Henry Bennet v. John Graves. For refusing to give security. Verdict for defendant.

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in place, to provide for the raising, for all of which said Bennett agreed to pay 10li., that is, 10s. in silver to said Bolles, and the remainder to Bolles and Jacob Bennett in corn and pork, said Henry agreeing to provide diet for said Joseph while he did the work. Wit: William (his mark) Bennett and Sarah (her mark) Bennett. On Dec. 26, 1677, Jacob Bennett‡ acquitted Joseph Boles of all damage, the bargain having been performed, except boarding the roof, sides and ends, making the doors and laying the floor, which said Jacob agreed to do as soon as the boards were brought to where the frame stood. Wit: Daniel Ring‡ and Samuel Ayers.‡

*Steven Cross' bill of cost, 1li. 15s. 6d.

†Daniell Wycom, Andrew Stickney and Thomas Elethorp deposed that he was in company with Jakin Raner and Jacob Hardy on Sept. 25, 1677 when said Raner went to replevin the horse, and Hardy said he could not have him unless he paid 3li. for it. When Raner went for the constable, Jacob Hardy came out of the meadow with his brothers and they rode away with this horse and others, laughing at them, and saying that they were going home. Then they went with the constable to old Goodman Hardy's where Jacob lived, but he did not come till very late. When warned of the law, he said he would venture it, for he scorned to be cheated by deponents. Sworn in court.

Samuel Haseltine, aged about twenty-nine years, deposed that the horse was at his house regularly once a week all the past summer, and he was never without a withe or wreath or robe about his neck. He was accounted as a stray. Sworn in court.

Joseph Kilburne deposed that the horse was a sorrel with a few white hairs in his forehead. Sworn, Mar. 26, 1678, before Daniel Denison.‡

‡Autograph.

John Person, Samuell Phillips, Pennell Tittcomb, Benaiah Titcomb, Moses Bradstreet, Joseph Boynton and Abell Platts v. Joseph Dell. Breach of a bond. Verdict for plaintiff.

Abell Platts v. Joseph Dell. Debt. Verdict for plaintiff.*

William Browne v. Christopher Croe. Debt. Verdict for plaintiff.

Rich. Dole, attorney to Abraham Tappan v. Wm. Downton. Withdrawn.

James Barker v. John Kimball. Debt. Verdict for plaintiff.†

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*Writ: Abel Plats of Rowley v. Joseph Dill of Boston; debt for work; dated Mar. 4, 1677-8; signed by Thomas Leaver,‡ clarke; and served by Joseph Webb,‡ marshal of Boston. Bond of Joseph Dell.‡

Abell Platts' bill of cost, 2li. 9s. 6d.

Moses Broadstreet and John Hopkinson deposed that being present with Mr. Joseph Dill and Abell Platts at Mr. Dole's house in Newbery in the fall of 1677, Mr. Dill having broken the mainmast and top mast of the ship Beginning and having left the bridge down at Tho. Thurley's when he went through with his ship, Dill desired Platts to get him new masts. He also desired him to get up the bridge again, and whatever his expenses were, he would pay. Also Moses Bradstreet and Jeremiah Pearson testified that Platts did the work, but Dell had two men there at the bridge one part of a day. Sworn in court.

Mr. Joseph Dell, Dr., for work done by Abell Platts about the ship Beginning, 1677: eight days work getting and fitting Masts to ye water side, 16s.; for 2 men goeing downe the River wth the masts to the ship, 5s.; for fitting Cross Trees to the Mast and attending upon the ships work, 5 men 2 daies, 1li. 5s.; work about the ship, 3 men, 1 day, 7s. 6d.; help about fitting up the Bridg, 16s. 6d.; 3li. 10s. Sworn to in court, by Moses Bradstreet and Jeremiah Pearson.

†Writ: James Barker of Rowley v. John Kimball; debt, for not paying him about 48 cords of good firewood, which was due to his wife, formerly called Mary Wiate, grandmother to said Kimball; dated Mar. 16, 1677-8; signed by Tho. Leaver,‡ cleric; and served by Tho. Sargent,‡ constable of Amesbury, by attachment of twenty acres of land belonging to defendant.

Agreement, dated Jan. 15, 1665, that John Kemball‡ should bring to his grandmother's house four good cords of wood each

‡Autograph.

Abraham Perkins v. Theodar Atkinson. For not delivering a bill. Verdict for defendant.*

John Lee v. Samuell Stocker. Withdrawn.

Benjamin Kembar, attorney to John Kimball v. Wm. Smith. For refusing to deliver a farm. Withdrawn.

Richard Bedford v. Robert Dutch. Verdict for plaintiff, in money or a barrel of pork.

Roger Toothaker v. Marke Quilter. Verdict for defendant.†

John Lee acknowledged judgment to Steephen Crose.

Whereas John Jones of Newbury died intestate and under age, and there had been produced in this court an authentic

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year during her life in consideration of what his grandfather John Wiate, deceased, enjoined him to do by will. Wit: Robert Lord,‡ Willm. White‡ and Theophilus Wilson.‡ Owned in court.

Danl. Wicam and Andrew Stickkle deposed that the current price of cordwood in Rowley was at this time 5s. per cord. Sworn in court.

*Writ, dated Boston, Mar. 7, 1677-8, signed by Ephraim Turnor,‡ for the court, and served by Returne Waite,‡ deputy marshal of Suffolk. Bond of Theoder Atkinson.‡

Copy of papers in an action of Henry Bennett v. John Stanion, brought 27 : 9 : 1677 in Salem court, made by Hilliard Veren,‡ cleric.

Joshua Winsor, aged about twenty-nine years, deposed that he was desired by Abram Perkins to go with him to Theoder Adkesen, sr., and witness that he demanded the bill of said Adkesen, which was refused. Sworn, 7 : 1 : 1677-8, before Wm. Hathorne,‡ assistant.

Moses Gillman, aged about forty-six years, deposed that Mr. Theodor Attkinson, jr. stayed at deponent's house when he came to Exeter to collect his father's bills and that he had full power from his father. Sworn, 27 : 1 : 1678, before Wm Hathorne,‡ assistant.

Jno. Griffin, aged about thirty-seven years, deposed that about nine or ten years since, Theoder Adkeason, jr., was several times at Haverell collecting for his father and had a general letter of attorney to that end. Sworn in court.

†Writ: Mr. Roger Toothaker v. Marke Quilter; for refusing and not paying for the cure of his hand; dated Mar. 20, 1677-8; signed by Robert Lord,‡ for the court; and served by Robert Lord,‡ marshal of Ipswich.

‡Autograph.

copy under the hand of the secretary of Barbadoes of the will of Thomas Jones, father of said John, in which it was provided that if John Jones should die under age, his estate should revert to the only daughter, now wife of Thomas Woodbridge of Newbury, to whom administration had been granted, said Woodbridge now brought in an inventory and it was allowed.

Hugh Marsh had his license renewed for a year, also his license for liquors.

Mr. Peeter Duncan's license was renewed for a year.*

John Stone's license was renewed for a year, also his license for liquors.

Ezekill Woodward's license to keep ordinary was renewed for a year, also his license for liquors.

Edward Hassen had his license to keep ordinary renewed for a year, also his license to sell liquors.

Capt. John Appleton, Capt. John Whipple and Deacon Wm. Goodhue were allowed until next September court to make an accounting of the estate of Mr. John Paine.

John Wicom was discharged of his presentment.†

John Knight of Newbury dying intestate, administration upon his estate was granted to Bathshebah his widow, who was ordered to bring in an inventory to the next September court, and she was bound.

John Hamons dying intestate, administration upon the estate was granted to Mary, the widow, who was to have the estate for the bringing up of the children.

Edward Wharton dying intestate, administration upon the estate was granted to Samuell Shattock, sr., and Samuell Shattock, jr., who were ordered to bring in an inventory to the next Salem court, and were bound.

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*"M[r] Peter Duncan is Chosen to keep ordiniry as formerly he hath done if the honoured Courte please to Confirme the same. gloster the 6 of march 1678 by order of the selectmen Thomas Riggs."‡

†Presented from Rowly for being in Samuell Smith's house when the door was locked and nobody at home, upon suspicion of stealing, he being seen to creep out of a hole and to throw out a bag before him. Wit: William Jaxson and Samuell Smith.

‡Autograph.

The selectmen of Andover petitioning concerning Samuell Hutchenson, court granted them power to place out his children according to law.

Will of Nicolas Batt was proved and objection was made by John Webster.

Ephraim Fellows complaining that Wm. Chapman had spoiled a cow of his appraised at 4li., court ordered that said Chapman serve Daniell Hovey one year after his time is out, said Hovey having paid Fellows for it.

Thomas Giddings, and his wife were fined for fornication before marriage.

Samuell Perkins was fined for fornication.

James Chute, presented for railing, was fined.*

Peeter Swamway, presented for fornication, was ordered to be whipped or pay a fine.

Thomas Turvill dying intestate, Joseph Pike was appointed administrator, and Anthony Somerby and Henry Jaquis were appointed a committee to examine the debts and make return according to law.

Phillip Fowler, for abusive speeches reflecting on the Governor and Magistrates, was fined.

John Wooden was released from training paying a bushel of corn a year to the use of the company.

Thomas Baker was admonished upon his presentment.†

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*Presented for calling John Numan dog, etc. Wit: John Numan and wife and Samuell Serle.

†John Cummings, aged forty-seven years, deposed that "in the time of publik worship mister hubbard preaching ought of the 4 psal. hoo will shew us any good lord left ouer us the lit of th Countinanc he saying in act of exsortation that y^{e} good a Christian desired ded not lie in lands and great farmes but in the lit and countinance of gods favioure y^{t} I ded se thomas baker lafe In so much y^{t} M^{r} hubbard sayd you shall not lafe fore I deed not goo abought the bush for what I speake for this depoonat saith that another time thomas baker was seetin in his seat as if he ware asleep with his head upon the for part of the seat so longe that at last mister hubbert spake oute of exsersis and sayd do not sleep so unlese you mind to be named. Thomas backer turned his face to me and laught," etc. Sworn in court.

William Howlett, aged twenty-seven years, deposed that

John Miller, sr. complained against John Emry and John Bayly for keeping his children from him. It was agreed after debate that John Miller, the younger, should be bound apprentice to Joseph Bayley until twenty-one years of age, and Andrew Miller, the younger, should be bound to John Emry, jr., until twenty-one years of age, and said Emry agreed to teach him to read and write.

Daniell Clarke, for selling a gill of liquors to the Indians, was fined.*

Abraham Perkins was allowed a bill of costs in an action commenced against him by Mr. Wm. Hubbard, on Sept. 29, 1674, at Ipswich court.

John Lee, presented for cursing, was fined.†

The Quartermaster was fined for suffering Richard Bedford in his house unseasonably.‡

John Kimball revoked his letter of attorney made to Benjamin Kimball or any other person. He further declared in court that no bargain made with any man by him without the consent of Symon Stace, Nicolas Wallis and Moses Bradstreet would be good in law and the court approved.

Richard Woolery was ordered to pay 18d. a week toward the child of Morse's daughter, he being the reputed father,

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he saw Thomas Baker laugh several times in the time of public worship. Sworn in court.

Thomas Perkins, sr., deposed that by the change of Baker's countenance, he judged that he laughed, etc. Sworn in court.

Presented for unseemly carriage and laughing in time of public worship on Sabbath days. Wit: Deacon Perkins, William Howlett, John Wiles and John Cumings.

*John How and Peter Shomway deposed that one day last week there came Jaremiah Indon, the tinker, from Danill Clark's so disguised with drink that he could not go but fell down in the highway. Deponents went over to said Clark's and told him that he did not do right to let Indians have drink, the latter having said that he had five gills of rum last night, but Clark said he let him have one gill and no more. Owned in court.

Presented from Topsfield. Wit: John Gold, John How and Peter Shamway.

†Wit: Thomas Knolton, who said there were others nearer by than he.

‡Wit: Nathaniell Tredwell.

until the next September court, and then if he bring a man who will take the child for years, he shall be freed.

Jacob Hardy, for his great offence in taking up a horse illegally and contriving and feloniously taking him away, endeavoring to deprive the owner of his right, was fined.

Caleb Boynton, for assaulting Samuell Perkins upon the highway, was fined, unless he make an humble acknowledgment in court that he had done very evil and given a bad example.*

The clerk, being complained of for altering one name for another, was admonished.

Court adjourned to the last of April at ten of the clock.

COURT HELD AT SALISBURY, APR. 9, 1678.

The worshipful Samll. Symonds, Dep. Gov., President; Capt. Nathll. Saltonstall, Capt. Tho. Bradbury and Mr. Samll. Dalton, associates.

Jury of trials: Leift. Georg Brown, foreman; Leift. Ralfe Hall, Jno. Foulsham, sr., Tho. Fowler, Edmond Elliott, William Buswell, Nathll. Brown, John Stevens, Joseph Fletcher, Richard Hubbard, Joseph Moulton, Henry Green, and Ephraim Winsley in Allen's case.

Grand jury: William White, foreman, William Osgood, sr., Samll. Felloes, sr., Joseph French, sr., William Barnes, John Hoyt, sr., Humphrey Wilson, Robert Page, William Fuller, Nathll. Batcheller, Nath. Weare and Tho. Whittier.

Daniell Tilton v. Christopher Palmer. For selling and delivering to plaintiff fifty acres of land in Hampton near Taylor's river, which said Tilton could not hold by law, for part of it which he improved was claimed by the town of

*Samuell Perkins'† complaint against Caleb Boynton of Rowly, blacksmith; that he was going to court to answer a presentment with the marshal's deputy, Christopher Bowells, and going quietly along the King's highway, met with sayd Boynton between Ipswich and Rowly. He passed him, but Boynton called to speak with him and proceeded to abuse him by laying violent hands upon him, pulling off his hat, taking him by the neckcloth and shoulder, challenging him and calling him vile names, etc. Sworn in court.

†Autograph.

Hampton as part of their commons, etc. Verdict for plaintiff, the land to be made good.

Daniell Tilton v. Christopher Palmer. Trespass. For taking away 1,000 merchantable white oak pipestaves without any order from him, which staves lay at the water side at Exeter landing place near Kinsley Hall's house and which were taken in the summer time of 1674. Verdict for plaintiff, 809 staves to be delivered at some convenient landing place near Humphrey Wilson's point in Exiter.

Edward Colcord v. Mrs. Katherine Nanny, alias Nayler. For not paying for 2,500 white oak pipestaves delivered to her in her husband's absence at her wharf in Boston by Jno. and James Philbrick about twenty years ago. Verdict for plaintiff, 2,500 staves to be delivered at Huggins' landing place in Hampton. Mr. Wheelwright, said Mrs. Nanny's attorney, appealed to the next Court of Assistants. Rev. Mr. Jno. Wheelwright and Jno. Severans, both of Salisbury, bound for Mrs. Nanny of Boston.

From Samuel Dalton's commissioner records. See *ante* v. V, p. 235.

On 14 : 9 : 1677, Richard Goodwin of Amesbury and Mary Fowler of Salisbury were married.

On 20 : 9 : 1677, Luke Maloone of Dover township and Hannah Clifford of Hampton were married.

On 4 : 10 : 1677, Christopher Keniston and Mary Muchmore, both of Portsmouth, living at Greenland, were married.

On 20 : 8 : 1677, Henry Brown of Salisbury took the commissioner's oath for ending small causes.

On 20 : 10 : 1677, Nathaniel Stevens of Dover and Mehetable Colcord of Hampton were married.

On 8 : 11 : 1677, Mr. Robert Ring acknowledged judgment to Henry Dow, marshal of Norfolk, in Indian corn.

On 30 : 8 : 1677, upon complaint of Mr. Thomas Wells, minister of Amesburie, of a certain company meeting at his house upon the 16th instant in the evening when he was away from home, and that Samuell Weed, one of the company, offered some incivility to Mr. Wells' wife in going into her bed chamber, waking her out of her sleep and kissing her and then returning to his company below, said Weed fined and bound to good behavior.

It appearing that John Colby, Orlando Bagly, Thomas Frame, and Thomas Harvie were in company with Samll. Weed, and also some others not now present, who had opportunity given them to clear themselves by giving evidence against any disorder in the house, but none of them taking advantage of it, they were judged to be abettors of what was there acted either in drinking or in uncivil carriage toward Mistress Wells and were fined and admonished.

On 5 : 9 : 1677, Georg Jones, sr., complaining against Anthony Goffe for stealing twenty-five pipestaves from him, was ordered to pay treble damage.

On 8 : 11 : 1677, Robert Ring acknowledged judgment to Hen. Dow, marshal of Norfolk, in Indian corn.

Samll. Levitt v. Edward Hilton. Review of an action tried at the last Hampton court, concerning mowing a piece of meadow or marsh which lay down the river of Exiter above the first creek, which meadow plaintiff bought of Mr. Peirson of Boston, defendant endeavoring to alter the title. Verdict for plaintiff.

Henry Green v. Abraham Drake. For not delivering to him as the assignee of Mr. Harlackinden Symonds 20li. 8s. 9d. according to law and his duty as marshal, as by judgment of the Salisbury court, Apr. 8, 1673, there still being due upon execution 18li. 8s. 9d. Withdrawn.

Mary Kimball v. Benjamin Easman. Appeal from a judgment of the commissioners of Salisbury, Mar. 19, 1677-8. Special verdict. If the promise made by the widow to Ben. Easman be good in law, they confirmed the former judgment; if not, they found the reversion of the former judgment. Court judged that the promise made by the widow being not legally proved was not good in law and found for plaintiff. Judgment satisfied by John Severans, attorney to Mary Kimball.

Samll. Getchell v. Samll. Fowler. Appeal from a judgment of the commissioners for small causes, Mar. 19, 1677-8. Verdict for defendant, confirmation of the former judgment.

Major Richard Waldern v. Mr. Andrew Wiggin. Trespass. For cutting and carrying away great quantities of timber from off the land called Squomscott patent land. Verdict for plaintiff.

Capt. Tho. Bradbury v. Edward Smith and Samll. Hall. Debt. To be paid in current New England money. Tried before eleven jurymen. Verdict for plaintiff.

Christopher Palmer v. Capt. Walter Barefoot. Debt. Forfeiture of a bond. For not keeping the award of Major Nicolas Shapleigh and Master Samll. Dudley. Verdict for plaintiff.

Robert Downer v. John Eaton, sr. For withholding and entertaining his servant Joseph Eaton, son of defendant, contrary to his mind and refusing or not giving indentures. Withdrawn.

Byley Dudly v. Moses Gillman. Forfeiture of a bond.

For not performing an award by Ensign William More, Samll. Levitt and Moses Levitt. Verdict for plaintiff. The bond was moderated upon request of defendant.

Henry Roby and Christopher Palmer v. Edward Colcord. For neglecting or refusing to give peaceable possession of four acres of meadow made over by deed of sale to Abraham Drake, dated 28 : 9 : 1666, which deed was assigned to said Roby and Palmer by Abraham Drake on 23 : 11 : 1668, and afterwards confirmed, and for endeavoring to alter the title of the meadow by selling it to another man, as by deed to Evens of the same meadow, dated Aug. 20, 1669, also for keeping said meadow eight years. Nonsuited.

John Allin v. Tho. Clarke. For attaching, as marshal's deputy, the estate of plaintiff in the suit of Steven Cross of Ipswich to appear at the last Salem court to come to an agreement with said Allin to deliver to him 20s. or 500 merchantable boards at Exiter, and notwithstanding the agreement, proceeded against Allin in his absence. Withdrawn.

Moses Gillman v. Byley Dudley. Forfeiture of a bond. For not performing an award by Ensign William More, Samll. Levit and Moses Levitt. Verdict for defendant.

Anthony Stanian v. Charles Hilton. Debt. For 5,000 feet of pine boards due upon forfeiture for not paying 7,500 feet in May, 1673. Verdict for plaintiff.

William Osgood, sr. v. Samll. Worcester. For not satisfying or paying 500 feet of boards or planks for every thousand sawed at the mill, as he was engaged to pay to the town by his grant for the timber, as copartner with Anthony Colby, for a quarter part of the mill. Nonsuited.

Christopher Palmer v. Daniell Tilton. Debt. For land sold him on Oct. 20, 1671. Verdict for defendant.

Onesephorus Page took the constable's oath for the town of Salisbury.

In the settlement of the estate of John Kinsbery who left two children, upon the widow's marriage to Peter Green, court having ordered that the land that was Kinsberry's should be security for the childrens' portions, and now the woman who was John Kinsberies wife and administratrix being also dead, Henry Kinsbery, father of said John and grandfather of

the two children having agreed with Peter Green to take the two children and their portions of forty acres of land into his hands, court approved and said Green, who was a second husband, was discharged from any further care of the children.

Mr. Samll. Dalton presented a list of tythingmen chosen by the selectmen of Hampton, which the court approved.

Capt. Bradbury presented a list of tythingmen chosen by the selectmen of Salisbury, which the court approved.

Capt. Gillman presented a list of tythingmen chosen by the selectmen of Exiter, which the court approved.

Leift. Brown of Haverhill presented a list of tythingmen chosen by the selectmen of Haverhill, which the court approved.

Capt. Saltonstall of Haverhill presented a list of names of those to whom he had administered the oath of allegiance and fidelity.

Mr. John Grothe acknowledged judgment in cattle and corn to Mr. John Wheellwright.

Mr. Edward Colcord for himself and as administrator of the estate of his son Edward Colcord, deceased, acknowledged judgment to Mr. William Bradbury in white oak hogshead staves and heading or in white pine boards at 40s. per thousand, at the Falls landing place in Hampton.

Mr. Edward Colcord acknowledged judgment to Mr. Tho. Bradbury of 1,600 feet of merchantable white pine boards.

Corporall Christopher Palmer acknowledged judgment to Mr. Tho. Bradbury of 1,200 feet of merchantable white pine boards.

Christopher Palmer acknowledged judgment to Ensign William Buswell.

Chris. Palmer acknowledged judgment to Mr. Samll. Dalton.

Willi. Allin, jr., acknowledged judgment to Mr. Willi. Bradbury in white pine boards.

Mr. Georg Goldwyer acknowledged judgment to Major Richd. Waldern.

John Gould of Topsfeild, for reproachful speeches and behavior in court toward Capt. Saltonstall, as saying "you are no judge of y^{e} Court," in a violent manner, was fined.

Upon motion of Samll. Colby of Almsbery and of the selectmen and minister of the place who gave a certificate of his fitness, according to law, to keep a house of public entertainment, court granted, with particular respect to a late law about granting and regulating ordinary keepers, a license to said Colby for the year ensuing to sell beer, cider, man's meat and horse's meat, with lodging to strangers and travellers only. He was particularly forbidden to sell or draw wine or liquors, or any sort of drink for the inhabitants of the town or give them entertainment, which was contrary to law.

Henry Roby petitioning for the renewal of his license to keep an ordinary in Hampton for the entertainment of travellers and drawing of wine and liquor, court granted license to sell wine, liquor, beer, cider and provisions for man and horse to strangers and travellers only, forbidding him to give entertainment to any of the inhabitants of Hampton or to sell drink to them.

Capt. John Gillman of Exiter had his license renewed to keep ordinary at Exiter for the sale of provisions for horse and man and drawing of wine and liquor, beer and cider, and that to strangers and travellers only, forbidding him in any way to give entertainment or sell wine, liquor or any sort of drink to any inhabitant of Exiter. He was to obey the laws concerning the calling of a public house keeper.

Daniell Ela of Haverhill petitioning for renewal of his license as ordinary keeper there, court granted him a license only to sell beer, cider, man's meat and horse's meat and lodging to travellers or strangers only, utterly forbidding him to give or sell any entertainment or any sort of drink to any of the inhabitants of the town, which is contrary to a late law. His former liberty was withdrawn and he was forbidden to draw wine or liquor by retail for any person whether stranger or inhabitant and was required strictly to attend the laws of the country and the order of this court relating to innkeepers or houses of entertainment.

Court having withdrawn Daniel Ela's license to sell wine and liquor, and later being informed of wine and liquors now in his house, court granted him until next Hampton court to draw off what wine and liquors he has in his house and no

other, by retail, provided it be drawn for strangers and travellers only.

Cornet John Severans desiring a renewal of his license to keep a public house of entertainment and to sell wine, cider and liquors for the ensuing year, court granted license provided he entertain and sell to strangers only, prohibiting him in no case to entertain and sell to the inhabitants of Salisbury contrary to law, and cautioning him strictly to observe all the laws which relate to his place as innkeeper.

License was granted for the ensuing year to Willi. White of Haverhill to sell cider by retail, provided it be out of doors and not less than one gallon at a time.

Caleb Perkins and Bethia, his wife, presented for fornication before marriage, which they owned, were sentenced to be whipped or pay a fine.

Elizabeth Garland's presentment was referred to Hampton court next, she being not able at present to come to court, having been lately brought to bed.

Samll. Foulsham, presented for taking up a cow in the woods that did not belong to him and selling her, having found his own cow afterwards, was admonished, court judging that it might have been a mistake at first, but after warning he did not desist.

George Jones was bound to good behavior.

Francis Genings was bound to good behavior.

George Jones, sr., convicted for breach of the peace and the evil carriage of said Jones and his wife toward Mr. Scammon and his wife and family many times, was fined or to be whipped ten stripes tomorrow after lecture.

John Jones, convicted of wicked works spoken to two of Mr. Scammons' sons tending to the corruption of youth, was ordered to be whipped five stripes or pay a fine. Upon his father's petition, the sentence of whipping was to be taken off, Nathll. Boulter engaging to pay the fine.

Elenor Barnard, administratrix of the estate of Tho. Barnard of Amesbury, with four of her sons, asking for a settlement of the estate, court ordered to the widow, 200li., comprising the house and home lot, half of the higgledee piggledee lot of salt marsh and the whole sweepage lot at the beach at

the prices entered in the inventory, and such things as she desires as per the inventory. Court ordered that unless there be a necessity, as the court should judge, for the sale of any of the lands for her maintenance, she should not sell it or give it away except to one or more of her children. Court also ordered that a due respect being had to what any of the children have already received as portions, the same should be divided among the rest of the children, the eldest son having a double portion.

Capt. Tho. Bradbury, Leift. Phillip Challis and John Weed, upon request of some of the children of the widow Barnard, were impowered to divide the estate of their father Tho. Barnard which was given to them, and to make return to the next Norfolk court.

The town of Exiter was fined for want of weights and measures and for a defect in a highway.

Mr. Edward Colcord having obtained judgment upon a title of land in a former court, which was appealed from but not prosecuted, upon which appeal bond was taken and the said bond Colcord sued out and had judgment for and execution levied for the whole bond, also the land sued for at the trial having been and now is in said Colcord's possession, and now Colcord moving for execution to be granted according to the first case, court ordered the recorder not to grant execution without order of the General Court or the County court.

About January, 1677, Susana Buswell was fined for excessive drinking, which she owned.

Allowed to the servants of the house where the magistrates lodged, 10s. at the treasurer's discretion.

Abraham Moulton and Robert Ring were fined for excessive drinking, having been convicted before Major Pike as commissioner.

Jonathan Pirkins, aged about twenty-seven years, deposed that some time the last spring he came to the shop of Hezron Levitt, Francis Jennins being there, and Joseph Samborn told Jennins that there were children baptized. Jennins said that they had received the mark of the beast. Owned, 8 : 2 : 1678, before Samll. Dalton, commissioner, and also sworn in Salisbury court.

Seaborn Cotton and Anthony Stanian testified that having discourse with Capt. Benjamin Swett the day he went on his voyage to Black Point where he was slain, he was very solicitous concerning the settlement of his estate and declared that it was his desire that his wife should be so left that she might live comfortably and not be beholden to any of her children for maintenance. He also asked deponents to be helpful to his wife if he should be taken away. Sworn, Mar. 29, 1678, before Samll. Dalton, commissioner.

Upon request of Hester, relict of Capt. Benjamin Swett of Hampton, for a settlement of the estate, court ordered that Benja. Swett, the eldest son, should have that part of the land agreed upon at the last court and a young horse, and said Benjamin appeared and owned himself satisfied for his double portion. Court ordered to the rest of the children, eight in number, 30li. each, and whatever is paid toward any of their portions in kind, should be according to the appraisal in the inventory, and that in corn at the country price. Also that the whole estate should remain in the hands of the administratrix to pay the children's portions as they come to age, for the use of the widow and children, and what estate is left at the decease of said Hester, after the portions be paid, is to be at her disposal.

Upon request on July 15, 1678, of Edward Gillman and Abigail his wife, daughter of Antimas Maverick, late of Exiter, who died intestate, administration upon his estate was granted to them, by Mr. Samll. Dalton and Capt. Jno. Gillman, and they were to bring in an inventory to the next Hampton court.

Upon motion of Henry Kimball, administrator of the estate of Tho. Dow, court ordered him to make publication according to law at Boston, Bradford, Haverhill and Amesbury of the death of said Dow and that his estate is insolvent, in order that the creditors may present their debts before Henry Palmer, Ensign Pecker and Tho. Whittier at said Palmer's house, who were appointed to hear the claims.

Writ: Tho. Bradbury v. Mr. Edward Colcord; debt; for 1,200 feet of inch pine board square board; dated 12 : 12:

1677; signed by Tho. Bradbury,* for the court; and served by Henry Dow,* marshal of Norfolk.

Writ: Tho. Bradbury v. Abraham Drake; for withholding a debt for copies made for him; dated 12 : 12 : 1677; signed by Tho. Bradbury,* for the court; and served by Henry Dow,* marshal of Norfolk.

Execution, dated Jan. 22, 1677, against Charles Runlett for 1,500 white oak pipestaves to be delivered at the landing place at Exeter, to satisfy judgment granted Samll. Levitt, Oct. 9, 1677, at Hampton court; signed by Tho. Bradbury,* for the court; no return. Receipt of Samuell Leavitt.*

Execution, dated Nov. 8, 1677, against Mr. Tho. Woodbridge, to satisfy judgment granted Isaac Green, Oct. 9, 1677, at Hampton court; signed by Tho. Bradbury,* for the court; and served by Henry Dow,* marshal of Norfolk, who delivered the amount called for, part of which had been received from Mr. Marting. Receipt of Isaac Green.*

Writ: Mr. Anthony Stanyen v. Charles Hilton; debt, for pine boards; dated 23 : 12 : 1677; signed by Samuell Dalton,* for the court; and served by Kinsl Hall,* constable of Exeter, by attachment of land at Lamperrell river point.

Writ: Mr. William Bradbury v. Edward Colcord, as administrator of the estate of his son Edward Colcord, deceased; for withholding a debt, to be paid in white oak hogshead staves and heading; dated Mar. 30, 1678; signed by Thomas Bradbury,* recorder; and served by Henry Dow,* marshal of Norfolk.

Writ: Tho. Bradbury v. Christopher Palmer; debt, in pine boards; dated Mar. 30, 1678; signed by Tho. Bradbury,* for the court; and served by Henry Dow,* marshal of Norfolk, by attachment of land, leaving a summons with his wife.

Writ: Mr. William Bradbury v. Nathll. Boulter; for withholding a debt, for goods delivered to his wife, to be paid in white oak hogshead staves and heading; dated Mar. 30, 1678; signed by Tho. Bradbury,* for the court; and served by Hen. Dow,* marshal of Norfolk.

Writ: Mr. William Bradbury v. John Philbrick; for withholding a debt, to be paid in white oak hogshead staves and heading; dated Mar. 30, 1678; signed by Tho. Bradbury,* for the court; and served by Henry Dow,* marshal of Norfolk, by attachment of a share in the cow common.

Writ: Samuell Dalton, treasurer of the county of Essex, v. Charles Runlett of Exeter and Nathaniel Griffin of Salisburie; debt; dated Mar. 19, 1677-8; signed by Samuell Dalton,* for the court; and served by Henry Dow,* marshal of Norfolk. Bond of Nathanell Griffin.*

*Autograph.

COURT HELD AT IPSWICH, APR. 30, 1678, BY ADJOURNMENT.

Andrew Peeters entered a caution that Goodman Chapman's will be not proved until said Peeters had liberty to speak.

Upon Rowley presentment for defect in the highway toward Andover, court fined the town 5li. unless it should be sufficiently mended before the September court.*

Writ: Mr. William Bradbury v. Jacob Garland; for withholding a debt; dated Mar. 30, 1678; signed by Tho. Bradbury,† for the court; and served by Hen. Dow,† marshal of Norfolk. Bond of Jacob Garland and Abraham Drake.†

Writ: Samuell Benit of Exeter v. Edward Hilton; debt, for pine boards; dated Mar. 20, 1677-8; signed by John Gillman,† for the court; and served by Hen. Dow,† marshal of Norfolk, by attachment of house and land of defendant.

Writ: Henry Roby v. Christopher Palmer; debt; dated Apr. 4, 1678; signed by Samuell Dalton,† for the court; and served by Henry Dow,† marshal of Norfolk.

Writ: Robert Downer v. Jno. Eaton, sr.; for withholding the indenture of his servant Joseph Eaton, defendant's son; dated Apr. 4, 1678; signed by Tho. Bradbury,† for the court; and served by Ephraim Winsley,† constable of Salisbury. Bond of John Eaton.†

Humphrey Willson testified that the meadow in controversy between Samll. Leavet and Edward Hillton was said Hillton's father's, who is now deceased. Sworn, Apr. 9, 1678, before Tho. Bradbury,† recorder.

Teage Dainell, aged about twenty-nine years, deposed that some time in the summer he mowed for Edward Hilton in his first marsh and mowing toward the first creek, he asked said Hilton why he would mow no further. He replied that it was Capt. John Gilman's. Sworn, Apr. 5, 1678, before Samll. Dalton,† commissioner.

Willam and Joseph Hardy deposed that some time the last September Jackin Raynur came to a meadow where they and Jacob Hardy were at work and asked to see a horse that one of them had taken up as a stray. William caught the horse and showed him to them and they looked in his mouth. Then they let him go, and Jacob Hardy never meddled with him or touched him afterward. Sworn, Mar. 25, 1678, before Nath. Saltonstall,† commissioner.

*Capt. Jonson of Rowly, in the name of the town, presented for not mending the highway from Rowly to the ferry, upon complaint of Newbery.

†Autograph.

Goodman Looke was fined upon his presentment.*

John Downeing was fined or to be whipped, upon his presentment.†

Elizabeth Wilkins, for stealing 12li. from Richard Addams, who had had 6li. of it returned to him, was ordered to pay Addams 30li. more and be whipped.‡

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*Presented from Topsfield for excessive drinking. Wit: Ens. John Gold and Deacon Perkens' wife.

John Gould testified that being at Goodman Clarke's with Goodman Looke, there were five of them who drank two gills of rum and one quart of cider. They all went away together and Goodman Looke seemed not to be as well as at other times. Sworn, Apr. 10, 1678, before Daniel Denison.§

†Presented for stealing a key of Merchant Wainwright's wine house. Wit: Mr. Wainwright and John Numan.

‡Bartholomew Gedney, aged about thirty-eight years, deposed that having "information by some of my neighbours of seuerall pcells of money lent & other wise disposed of by nicholas clements who liued with me the said deponent, w^{ch} upon inquiry found that John Dall had borrowed of y^{e} s^{d} Clements twelue shillings & Hanna the wife of Peeter Harvey had taken of him seauen shillings, which they both acknowledged, & when the boy was examined how he came by the money afirmed he had it of Elizabeth Wilkins, on a Saboth day, he being at that time run away, was lurking in Goodman Adams his Garden, & seeing the s^{d} Elizabeth & Thomas Baily Goe into Goodman Adams his house in meeting time, he went in after them & found them there taking of moneye, which he said was in three things: viz: a small tin pott, a leather purs & a pockett, out of each thing as he saith they took some & he demanding of them whose money that was, said that the s^{d} Elizabeth answered he should haue some & withall gaue him sum of the money, which as he said he found when he told it to be about thirty & two shillings, but the next morning the said Clements Runnawaye, & wee haue neuer since heard of him, The s^{d} deponent further saith that the said Clements informed that when the said Elizabeth gaue him the moneye, It was with this condition thet he should not reveale to any what he saw there." Sworn, 30 : 11 : 1677, in Salem court. Copy made by Hilliard Veren,§ cleric.

Rachell Goldthwaite testified on Jan. 30, 1677, that Elizabeth Wilkins told her she had three pounds of money and that she had it from her work. Copy made by Hilliard Veren,§ cleric.

§Autograph.

Peeter Shamway's wife, upon her presentment, was fined or ordered to be whipped.*

Timothy Johnson, upon his presentment, was fined.†

Richard Addams and wife Susanah deposed that on a Lord's day they went to meeting, sending their maid before they went. "my wife shifting her selfe left her ke in her pocket the ke of her Cubbart," and their maid took therefrom 12li., etc.

Abigaile Sibly testified that Elizabeth Wilkins came to their house and lodged there. She said she had 3li. 10s. to lay out and asked deponent to go with her to Thomas Maule's shop, where she laid it out. Sworn, 30 : 11 : 1677, in Salem court. Copy made by Hilliard Veren,‡ cleric.

Alce Flint, aged about seventy years, deposed that the Sabbath on which Goodman Adams' money was stolen, she being not well, stayed at home in the afternoon, and being in her porch some time before the people came home, saw Thomas Baily and Elizabeth Wilkins ride by to Goodman Addams' house, and go in. Baily went to the door several times and looked around to see if anyone was coming, and when the people were coming home from meeting, he rode away. Sworn, Jan. 30, 1677, before Bartholmew Gedney, commissioner. Copy made by Hilliard Veren,‡ cleric.

Elizabeth Golthwrite testified that Elizabeth Wilkins came to her house with 15s. in money and the next day she came with 3li. and desired deponent to go with her to the town to lay it out. Deponent's heart smote her for she was afraid that she had not come by it honestly and refused to go. Sworn, 30 : 11 : 1677, at Salem court. Copy made by Hilliard Veren,‡ cleric.

Mary Logie testified that Elizabeth Wilkins came to their house and said her uncle bade her stay there until her grandfather came to her. Deponent told her she could not lodge there so she went away, and coming again the next morning she told deponent that she was going to the town. She took 3li. 10s. out of her bundle and left 3li. 1s. which deponent gave to her grandfather and grandmother Wilkins when they came. Sworn, 30 : 11 : 1677, in Salem court. Copy made by Hilliard Veren,‡ cleric.

Richard Addams' bill of charges, 1li. 3s.

Richard Addames affirmed.

*Peter Shamway of Topsfield was presented for fornication. Wit: Michael Dwanell and John How.

†Timothy Jonson, constable of Andiver, for suffering a

‡Autograph.

Richard Bedford, upon his presentment, was fined.

Jonas Gregry, upon his presentment, was fined.*

Thomas Tenny and Wm. Tenny, in behalf of the town of Rowley, appealing from the judgment of court in Mr. Sheppard's case and not prosecuting, were fined.

John Sparke was licensed to keep an ordinary for a year.

Richard Bedford revoked his letter of attorney to John Lee.

Nicolas Chaveley chose Arter Abbot as his guardian.

John Mighill of Newbury was licensed to sell beer and cider for a year.

Upon request of Mr. Verren about an execution granted against Mr. Gifford, court declared the execution as granted legal.

Elizabeth, widow of Obadiah Bridges, brought in an inventory of his estate amounting to about 76li. and there being three children left, court ordered that she pay 6li. to the eldest son and 5li. each to the other two when they come to age, the house and land to stand bound for the payment of the children's portions.

Ordered that John Hunkins shall pay three pecks of corn a week, at least monthly, to Wm. Hayward toward the keeping of the child.

Jonas Gregory allowed 20s. per year for his employment as whipper one year past, out of which his fine is set off.

Twyford West paid 3li. for his daughter, the wife of Abra. Perkins, upon her presentment.

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barrel of cider to be drunk in his house in the night by a company of young persons unseasonably. Wit: John Stevens, Richard Barker, sr., and George Abbot, jr.

*Samuwill Younglove deposed that some time since the last Indian harvest, Jonas Gregori told him that he had an attachment from the Deputy Governor and would serve it on him the next morning if he did not agree with him then, etc. Deponent went to the house of the Deputy Governor, who said that he had not issued the attachment because he was out of town all the week, etc. Sworn in court.

Thomas Knoulton and Cristopher Bouls deposed that Gregori said he would allow Younglove but one shilling for fetching a load of wood from Goodman Feloses, etc. Sworn in court.

Court having heard the presentment against Capt. Gerrish for altering figures in an account of the militia of Newbury, and further complaint being made by Joseph Pike, constable of Newbury, for some alteration made by said Captain in said account without the knowledge of the rest of the committee, and also that he had made somewhat unjust demands for disbursements made by himself and attempted more than once to have made up said accounts in general without citing the particulars, to the great trouble of the said constable, whose fidelity and care court acknowledged, it was declared by the court that Capt. Gerrish had wittingly or carelessly defrauded the country and occasioned much trouble and charge. They found him culpable and fined him.*

Presentments, dated Mar. 26, 1678, signed by Ens. Thomas Burnam† in the name of the rest:

John Chub, for pernicious lies. Wit: John Andrews, sr., and his wife. He could not be found to be summoned.

John Chub, for abusive words to John Andrews, jr.'s wife and threatening words. Wit: Jams. Gidding, Jonathan Fanton and Mathew Hooker.

Tythingmen approved at this court: Deacon Pengry, Mr. Wainwright, Robert Lord, sr., John Layton, Mr. Willson, Captain Appleton, Deacon Knowlton, Nehemiah Jewett, Clarke Brewer, Daniell Warner, sr., James How, sr., Robert Day, Major Appleton, Deacon Goodhue, Mr. Rich. Hubbard, Corporal Whipple, Robert Kinsman, William Story, sr., Mr. Cogswell, Jon. Burnam, sr., Corporal Andrews, John Dane, sr., Nathaniell Wells and Nathaniell Rust.

*Presented for making the figures three into six and ten into twenty.

"Capt: Gerrish the present feares & distress of Norfolke calling for present assistance admitting no delay putts me on doing that w^{ch} for divers reasons I should haue chosen to haue auoyded But Necessity hath no law

"You are therefore upon sight hereof imediately required to march ouer to Salisbury wth 40 of your best able marching men wel armed & furnished wth amunition & victuals so as they attend the seruice of the country for one weeke & till other succors can be sent if your self cannot goe, send them by a sufficient leader & tender them to Major Pike and attend his further order for the security of the county (the enemy being on this side Puscataquay) by scouring the woods about Haueril &

†Autograph.

Exeter who will doubtles affoord you gardes, heereof faile not.
"Apr 15, 77 at 2 Daniel Denison* M. G[ll]"

"15 Aprill to the 30th This may informe the Committee that acording to warrant I sarued the Cuntry fourteen dayes. Wm. Gerrish Capt.

"This aboue writen is a true Coppye of the originall Certifecat which was on file at boston about desem 6th 1677 to which we are redy to giue oth if Called tharto. Joseph Pike."*

"Capt John Hull Sr Capt Wm Gerrish had in May 22d last a dibenter for four pounds for fourteen dayes service wch it seemes was a mistake he being allowed as a Capt of hors, should have been as Capt of Foot: pray let Twenty shillings be deducted and there will remaine due to him on that dibenter but three pounds

"Janu: 1st 1677: John Richards
John Hayward."

"To ye honored Court Now sitting att Ipswich aprill ye 30th 1678 theas are to signefie vnto this honoured Court that whearas I am presented as a witnes in ye behalfe of the Cuntry against Capt. Gerish Confirming the altering of figars this may also inform you that there are seuerall things besides yt in his account whereby I Conseaue that ye Cuntry or sum others are wronged: as Confirming bread which hath bene wronge Charged and is not yet Isued to sattisfaction also Consirning a returne giuen to ye Comitty for the war by Capt. Gerish which I humbly Conseaue is not acording to truth: and soe to the dameg of the Cuntry & seuerall other things the which I thinke as I am the Cuntryes ofisser I am in duty bound to declare unto this honoured Court: that soe truth may appeer the which I humbly Craue and soe remaine

"Your oblidged seruant
"Joseph Pike,* Constable of Newbery."

Dudley Bradstreet* certified that Joseph Pike, constable of Newberry desired him to testify concerning a writing he showed him which he said Capt. Gerrish wrote, and which was as follows: "Joseph Pike demands for disbursments for wages, armes & amunition, for John Hobs: fiue pounds. Wm. Gerrish." This was in Capt. Gerrish's handwriting.

Joseph Pike, aged about thirty-nine years, deposed that after much trouble about the accounts of disbursements to the war, the accounts being rejected to his great damage and loss

*Autograph.

of time and expense, "The Committee of Mallittea in Newbery being mett together on the 19th daye of September 1677 as may appear by the date of the sd acount I then told them y^{t} they must now draw a particullar acount notion euery particullar they Charged on the Cuntry or els the Treasurer would not acsept of the acount I told them y^{t} I would now haue an acount that should pass or els I would have none and they semed to be throughly sensable of my former truble: and drawed up the acount with as great Care as might well be for I red out of my booke to Capt. Gerish who entered the perticullars and the prise: the Ensigne greenleif and Sargent moody writt downe the perticullar sums and soe all three Cast up the sums & when all three agreed: the Capt. enterd the gros sum to eury mans acount & when we Came to y^{e} Captins acount I told him that he must saye how many times posting and whether: the Capt. Gerish saide he Could say three times to Ipswich I sd to him then enter three times which was done and his a count setled to his Content as I did aprehend: for what we Could not Charge on y^{e} Cuntry the Comety Consented to paye him out of the fines soe y^{t} he had his whole demand one waye or y^{e} other: he had entered y^{e} time in which the figars are in the manar as followeth (my man posting 3 times to Ipswich 10^{s}) afterwards when we met the 2^{d} time to finish the acount I understanding that Ipswich Charged thayr guns twenty shillings mony I informed our Comittee of it: then they agreed to Charg only 26^{s} in rate paye soe those guns that wear enterd before that day the sum was alttered as doth apear in y^{e} s^{d} acount the day being ended I Caried whom the acount wth me: and Carfully vewed it ouer at my own house and Could not see any alteration in it: and to my best remembrans I did then see the figer of 3 as it was entered: and being prety well sattisfie with the acount I Caried it to y^{e} Comitee on a trayninge day to signe it: y^{e} liftenant being gon y^{e} Capt. brought in to me after the acount was drawne att sarg^{t} moodyes which they entered and signed the acount and then I Carried it to the lift: and sargant moody and shewed them what was aded: they Consented to it and signed the acount and then I toke it and Caried it to the treasurer: whoe would not acsept it becaus the sum was not entered in words at teng absollute soe I brought it whome againe and being taking out a Coppye of the acount I found the figar of thre was altered in this maner) the 10 made 20 the gros sum of three pounds 4 shill: was made 3^{ll} 14^{s}· 0: the one part with the white Inke the other blake: when I informed the Comittee of it Capt. gerish saide he would owne it for he did it with the Consent of the Comitee which they did deny to his fase he then gaue this acount: I went

three times to Ipswich my selfe I told him that was not his man: besides he was payed for those three Jornies before: which I can prove: he then bed me strike out the ten shillings againe which I did in the gros sume: and soe he seemed to be sillent and made noe demand of any other thing as euer I heard in the preasons of the Comitee untill the Church meeting soe that I thinke I may rashonally Conclude that Capt. gerish knew nothing of these postings to roully when he altered the s^{d} figers." Sworn in court by Joseph Pike to the whole and Lift. Woodman and Sergt. Caleb Moodye to that part concerning the militia which they were together.

James (his mark) Ordway, sr., and John Webster, sr., deposed that on Apr. 15, 1677, they went out with Capt. Gerish to the Eastward and on Apr. 24, a warrant came from said Gerish to release all Newburey soldiers, except deponents who were ordered to go to the said Captain at Portsmouth. Accordingly they went to Portsmouth, and after the sun was set, the Captain ordered them to go to Greenland where they were to stay until the Captain came to them. They endeavored to obey his order but lost their way in the night and went at Greenland early the next morning. They reached home on Apr. 26, the Captain having arrived before them. John Webster further testified that "the constable hauing Goten a ticket in on paper for all our lay and that James ordway and my selfe wear not alowed more then the Rest & also yt Jonathan woodman that was put in ye place; & Ded y^{e} worke and had the title of a Leutenant; yet was not so reterned by Captin Gerish: I being in the Roome of a clarke went to y^{e} captin & moued him to do on day more to each of us ordway & my self No said ye captin I canot Do it: for the comity will say why should theas two haue more then the Rest: said Hee ye Answer will bee thes two stayd for to Guard the captin Home said Captin Gerish the comitey will say why Did ye captin stay after His souldiers; No said y^{e} captin I will not Do it to cheat the countrey; I further testify that I went out the second time with captin Gerish in M^{r} Friers vesell we went by sea in on day & the Next day I came with Him to salsburey & went back the same day to Portsmouth this 2d Going out was about the 3 or 4 day of may as I remember." Sworn in court.

Moses Gerrish, aged about twenty-two years, testified that since the Indian war began he went post upon the country's account three times to Ipswich, three times to Rowley and once from Andover to Newbury. Sworn, Apr. 28, 1678, before Jo. Woodbridge,* commissioner.

Richard Dole* certified, Apr. 29, 1678, that about the

*Autograph.

beginning of the wars with the Indians, Capt. Gerish was at his house with a company of soldiers intending to go to Salem. Capt. Geerish wanted money to lay out for the soldiers, and he lent him 20s. and charged him for it. When they came to an accounting, said Gerish told him that he must charge the country for it which he did, but the constable refused to pay it and the Captain paid it.

Thomas Hale, jr., deposed that sometime in the winter of 1676, being in the room where the militia of Newbury were met at Goodman Doel's, there was a great contest between Capt. Gerish and Joseph Pick, constable, the Captain pressing very hard to have the total sums entered without mentioning the particulars. The constable strongly opposed him, saying that those who were ashamed to enter the particulars should have no money of him, but the Captain was so enraged that he was afraid the constable would be run down by him and yield, in which case the Captain would establish a precedent whereby he would have opportunity to cheat the country. Deponent called out the constable and advised him to mind what he did and not to do that which he might afterward repent of. Sworn in court.

Account, signed by Wm. Gerrish,* Hechelaus Woodman,* Stephen Grenlefe* and Samuell Plumer:* To Capt. White post 3 times Ipswich — And 1 bowshell of wheate prest, 10s.; Jonathan Woodman 16 Weakes horce hier, 24s., a bridle, 5s., Gun, 2s., 2li. 9s.; John Jones post to Ipswich, 2s. 6d.; James Jackman, a sadle, 16s., a bridle, 2s. 6d., 1li. 1-2 powder, 1li. 9d.; Daniell Mussilloway, a rapier & belt, 18s., a weake's pvisions, 3s. 6d., 1li. powder, horne & 20 bulletts & 1 snapsaicke, 5s. 6d., 1li. 6s.; Benjamine Coker post to Sallisbury, 1s. 6d.; Peter Godfry, sword & belt & powder, 17s.; Mathew Pettingell, 2li. powder, 3s., 2 poutches, 2 : 6 bulletts, worme & scourer 18d, a mare hier 4s., 11s.; Wm. Sayre, 1li. 1-2 powder, snapsaicke, bandileres, bullet mould, 6 dayes pvisions 2s., a sadle 13s., 1li. powder & Powderhorne, 6s.; Wm. Danford, Cheace, 5s.; Wm. Fanning, a snapsaicke, 2 : 6, 1li. powder 18d, poutch 1s., 1 p of bandileres, 2 : 6, bullets 1s., 8s. 6d.; John Swett, 1 Gun Lost, 1li.; Joseph Bayly, a bridle lost, 3s.; Benjamine Lowle, 22s., for a saddle, riding post Haverill & Andiver, 3s., powder poutch, 1s., scabord, 2s. 6, 1li. 8s. 6d.; Benjamine Rolfe, a mare lost, 40s., a sadle, 23s., Chease, 2 : 6, 3li. 5s. 6d.; Edward Richardson, 2li., powder, 3s., bullets, 1s.; snapsaicke, 2 : 6, powder poutch, 1s., 1 bridle, 3s., Quartering 15 men, 7 : 6, 18s.; Richard Browne post Ipswich 2 : 6, Rowly, 18d., ould town & new towne, 14d., 5s. 2d.; Wm. Titcombe bread & chease, 3s., post 1s., a gun 20s., lost powder, 18d.,

*Autograph.

bullets, worme & scourer, 2s., Quartering 14 men, 7s., Sadle & bridell Lost, 30s., horce hier, 18d., 3li. 6s.; John Emery, sr., a new sadle & bridle, 28s., sword & belt, 12s., 2 li. powder & bulletts, 4s., Cureing a souldier, 2s. 6, 2li. 6s. 6d.; Robert Coker Quartering 12 men, 6s., bridle lost, 3s., 9s.; Anto. Mors sent to dedam, 7s., horse hier & post, 2 : 6, 9s. 6d.; Joseph Pike for breade, 8s.; Robert Bedell, horce hier, 11 weakes, 16s. 6d.; Wm. Ilslin, a sadle & Furniture, 24s., horse hier, 13 w, 19 : 6, a Gun 20s., a nother Gun damnided, 5s., bullets & powder, 2s., 3li. 10s. 6d.; Jno. Bartlet, sr., horce 13 : w bridle, 4s., provisions, 3s., a snapsaicke, 2 : 6, 2li. powder & bulletts, 2s., 1li. 11s.; Wm. Randall to dedam 7s.; Richard Knight horce 13 w: 19 : 6, 2 bridles 6 : 6, horce to dedam Ipswich & Sallisbury, 5s., 1li. 11s.; Mr. Hills, a sadle & furniture 28s., 15 souldiers quarter & breade, 9s., 1li. 17s.; John Bayly, a sadle, 14s., bulletts, 20d., powder 23d., horce, 2s.; Chease, breade & 1 snapsaicke, 8s., 1li. 7s. 7d.; John Smith, a rapier 16s., 16 weakes horce 24s., belt, 3s., horce hier, 2s., 1 gun, 20s., a p bandileres, 3s., sword, belt, 17s., 4li. 5s.; John Mitchell, 1 p bandileres, 3 : 6, 1 1-2 powder & bull : 2s., Lock, 2 : 6, 8s.; Tristram Coffine, gun 20s., 1li. powder & bullets, 2s., cutlas, 14s., 1li. 16s.; John Webster, smith, his account cleared p abatement, shuing, sadle, horse hier, powder, snapsaicke, poutch &c., 3li. 14s. 6d.; Israell Webster, a belt, 4 : 6, wheate, 6s., horce hier 13 w 19 : 6, 1li. 10s.; Anto. Somersby, horce 16 w, 24s., a sadle with furniture, 20s., horce hier, 2s., a nother sadl, 26s., horce hier, 4s., 3li. 16s.; Seirgeant Clarke, a gun, 1li.; Rico. Lowle, a gun, 20s., a sword, bandileres, powder & post, 22s., 2li. 2s.; Wm. Gerrish, bread & expences on ye souldiers canvis and 9li. powder, 3li. 4s.; Thomas Hale, 1 sadle, 20s., a gun, 20s., lost sword and belt, 14s., 2li. powder & bullets, 3s., poutch & snapsaicke, 3s. 6d., 2 bou. oats, 4s., provisions, 5s., posting, 5s., 3li. 14s. 6d.; 54li. of powder & bulletts, 5li. 8s.; Nicholas No—., quartering, 3s., post Rowly ——, 9s.; Peter Tapan —— & cloth, 26s., gun, 20s., powder, 2 : 3, poutch, 1s., worme scourer & bulletts, 2s., Quarters, 9s., 3li. 3d.; Jno. Kent, sen., 1 gun, 1li.; Stephen Greinleife, horse hier, 13 w, 19 : 6, suing horces, 12s, & Quartering souldiers, 21s., money disburct, 14s. on ye soul. a bagg & double girt, 6s. 11d., snapsaicke, 2 : 6 pouder, 1s., 3li. 16s. 11d.; Thomas Thurla post Ipswich severall times, 4s. 9d.; Abell Merrill, horce hier, 8s.; Henry Poore, a belt & powder horne, 5s.; Nathaniell Bricket, 1li. powder & bullets, 2s., poutch, 1s., Quartering souldiers, 4s., posting oft times, 10s., 17s.; Francis Willett, 1 sadle, 1li. 7s.; Ricd. Kent, horce hier, 13 : 6, 1 horce Lost, 40s., sadle & bridel, 3li. 13s. 6d.; Robert Adams, horce hier, 17 w., 25 : 6, snapsaicke, 2 : 6,

Chease, 9s., Horce dedam, 2s., 1li. 19s.; Robert Long, powder & bullet & bandileres, 4s. 10d.; Jacob Tapan, sadle & bridl, snapsaicke & poutch Lost, 1li. 10s.; John Farnam, 1 sadle Lost, 1li.; John Emery, 2 pecks of wheate & a bridle Lost, 7s.; Francis Thurla, horce, 8 w., 12s.; Jno. Wells, a sadle Lost, 26s., bridell, 3s., provisions, 3s., a belt, 4s., post, 18d., 1li. 17s. 6d.; moses Gerrish, posting Ipswich often & els, 18s.; Henry Short, 1 Horce Lost, 3li., bridl, sadle, 20s., posting, 4li. 10s.; Horce to dedam, 4s., To Andiver twice, 4s., powder, 18d., bullets, 6d., 10s.; John Noys, Lost his man, his Armes & provisions valued, 2li. 4s.; George Litle, horce Lost, 3li., male pillin crupier, snapsaike, 5s., 1 gun, 20s., sent to Marlborow, 4s., horce, 1s., his sonn and horce sent to dedam, 6s., powder & bulletts, 2s., provissions, a man to help bring ye horces baicke, 4s., powder horne, 1s., Cutlis, 5li. 19s. 11d.; Thomas Rogers, horce hier, 16 w, 24s., horce hier, 3s., bridl, 4s., provissions, 3s., 1 gun, 20s., sword, 18s., belt, 3 : 6, all lost, 1 p of bandileres, 2 : 6, powder, 2 : 3, bullets, 6d., poutch, 1s., bible, 8s., beeing sicke cost, 3s. money after I was dismist, 4li. 10s. 9d.; Ezera Rolfe, 1 gun, 20s., powder horne, 1s., 2li. 1-2 powder, 3 : 9, a belt, 2 : 6, a box, 8s., money, bulletts, 1s., horce hirer, 3 w., 4 : 6, his bro: Daniell Rolfe dyed lost 1 gun & 2li. powder, 60 bulletts & a sword, 18s., 23s., 4li. 1s. 9d.; Richard Dole, 2 sadl clothes, 6s., 2li. powder, 3s., bullets. 3s., 4 bridles, 16s., 1 gun, 20s., biskett, 20s., Quartering souldiers, 30s., Horce 16 weakes, 24s., 19 yds. 1-2 of cloth, made into 8 saicks, breade 15s., Chease, 18s., bridle, 2s., 1 Cutlis & belt, 20s., 1 gun, 20s., powder, 10d., bacan, 16s., a bagg, 2s., wheate, 6s., 14li. 1s. 10d., Daniell Pearse, a sadle, 20s., a poutch, 1s., wheat, 9s., Quartering 10 men, 5s, a bagg, 3s., provissions, 3s., gun, 20s., 2li. powder & 1-2, 3 : 9, 3li. 14s. 9d.; Mr. John Woodbridge, 14 w & 1-2 horce hier, 1li. 1s. 9d.; Elisha Ilsly, a sadl & curb bridl, a sword, 1li. powder, 18d., a snapsaicke, 2s., 3s. 6d.; Jno. Emery in powder & bulletts, 2s.; Tristram Coffine, 1 poutch & bulletts, 1s. 6d., Quartering 8 snapsaicke, 2s., 16 w horce, 24s., Oats, 12 : 6, 2li. 8s.; John Atkinson, horce hier, 41 w, 1 p bandileres, 2 : 6, snap saicke, 2 : 6, Cutlis Lost, 14s., worme & scourer & bull. 18, 1 gun, 20s., 1 poutch, 18d., Quartering, 2s., 5li. 5s. 6d.; James Miricke, posting often, 7s.

John Knight in horce hier 4, post Ip——, 6s. 6d.; Daniell Thurstone, a horce Lost, 3li., horce hier ——, a sadle & bridle Lost, 28s., post to Salem, 4s., —— Ipswich, 6s., To Newtowne, 2s., 4 times to Rowly, 3s., Sallisbury, 2s., Newtowne 3 times, 2s., 2 weakes pvissions 5s., Rico. Brier, Chease, 3s., biskets, 1s., pvissions, 6s., pd. 2s. for Quarters, 6li. powder, 9s., 1li. 1s.; Joseph Gutridge, horce 12 w, 18s., bridle, 4s.,

Lost, 1li. 2s.; Henry Jacquish, a horce Lost, 3li., powder & bulletts, 2s., bridle, sadl cloth & cloake bagg, 30s., horce hier, 4s., snapsaicke, 2 : 6, Quartering, 2s., 5li. 6d.; Richard Pettingell, chease, 19s., 1 p bandileres, 3s., bulletts, 6d., 1li. powder & worme, 2s., 20 weakes a horce, 30s., snapsaick, 2s. 6, sadl & bridle, 22s., 5li. 18s., he demands for cureing a hors, 5s.; Samuell Poore, a horne snapsaicke, 1 poutch & pvissions, a sadl Lost, 25s., 1li. 12s.; James Ordaway, 1 gun, 20s., 1li. powder & horne, 2 : 6, bread & chease & snapsaicke, 6s., 1li. 8s. 6d.; Joseph Coker, 1 horce & bridell lost, 3li. 6s.; Benaia Titcombe, 1 Gun Lost, 20s., 2li. 1-2 powder & bulletts, 5s. 9d. provissions, 2s. 3d., 1li. 8s., Jer. Davis, powder & bullets twice, 4s.; Anto. Mors horce hier, 2s., post, 18d., Andiver, 1s., bridl, 18, 6s., Richard Bartlet, horce, 2s., snapsaicke, 2 : 6, 4s. 6d.; Na. Clarke, pvissions, 2s. 6, 1li. 1-2 powder, 2 : 3, bullets, 2s., Quartering souldiers, 17 : 6, conducting souldiers & pd money, 7s., a rapier lost, 14s., horce, 2s., bridl, 5s., 2li. 12s. 3d.; Sam. Plummer, 1 gun, 20s., a sadl & bridell, 20s., bandileres, 3s., 1li. powder & bulletts, 2s., provissions, 2s., Cutlis & belt, 17s., 3li. 4s.; John Davis, horce hier, 2s., bridle, 4s., Lost 1li. powder, 18d., bulletts, 6d., 8s.; Wm. Chandler, bridle & damage in a sadle, 6s.; Daniell Merrill, 1 gun, 20s., sword & belt, 14s., 1li. powder & bullets, 2s., snapsaicke & powder horne, 3 : 6, 1li. 19s. 6d.; Edmond Browne, 1 gun, 20s., Chease, 2s., post Ipswich often, 7s., Cutlis, 14s., 1li. powder & bulletts, 2s., 2li. 5s.; John Woollcut pvissions, 4s., powder & bullets, 2s., 6s.; George Moger, 1 Cutlis, 14s., snapsaicke, 3s., horn, poutch, 19s.; Caleb Mody, Quartering, 5s., 13 bo. Oates, 26s. Conducting souldiers & expences on ym., 17s., 2li. 8s.; Jno. Poore, in posting, 2s.; Tho. Noys mare, 1li. powder, post twice Ipwsich, 6s.; Jno. Bartlet 16 w horce, 24s., pvissions, 2s., 1li. powder, 1li. powder & bulletts twice 4s., Quar., 3, 1li. 13s.; Joseph Plummer, post Haverill, Ipswich, Rowly, 8s., provissions, 1li. powder & bullets, 5s., 13s.; Samuell Hills, a sword & belt Lost, 22s., prissions, 2 : 6, powder & bulletts, 2s., 1li. 6s. 6d.; Tho. Woodbridge post from Boston, 1 horse lost, 2li. 15s.; George March, 1 bridle lost, 3s. 6d.; Jonathan Haines, a curb bridle, 5 : 6, a bridle, 2s., 1li. 1-2 powder, 1 poutch, bullet mould, worme scourer, powder bagg, 4 : 6, Quartering, 8 : 6, bridle, 2s., post Salem, 5s., 1li. 7s. 6d.; Samuell Dresser, a gun, 20s., a sword & belt, 10s., poutch, 1s., powder & bullets, 2s., 1li. 13s.; Widow Mody, a Cutlis, 12s., Chease, 10s. 6, 8 w horce, 12s., 1li. 14s. 6d.; Henry Poore, post 6s. 9d.; John Knight, horce lost, 3li., sadle & belt 30s., 2 bridles, 1li. 1-2 powder & bullets, 3s., sword & belt, 18s., Chease, 6s., Conducting souldiers, 2 : 6, 1 belt, 4 : 6, hier 6 weakes, 9s., powder & bullets, 2s., Chease, 4s., horce hier, 4s., 7li. 3s., total, 198li. 15s. 11d.

Wm. Gerrish, senior* testified that at a meeting of the committee of militia of Newbury at Caleb Moody's house Joseph Pike, constable, informed the committee that there were new demands from several, desiring such accounts to be added to the country account. "I then said so have I for posting, so wee proceded, And I did alter many figures and sums; And doe owne I did then alter figures for myselfe; at the time same on ye same table before the same persons, without any purpose to wrong the Cuntry, it being my due; The Constable being bound for Boston & not a season to cleare up my demand rather than interrupt was perswaded to yeild to have it put forth againe & have it afterwards on new demand; therefore no wrong donn to the Cuntry by me if it had stood on y^e^ acc^ot^, but the wrong is to my selfe not as yet beeing payd my due."

According to order from the Treasurer the 15 Feb. 1675, the committee of militia, ordered every man to give an account of one half of their demands, as follows, the account being signed by Wm. Gerrish,* Archelaus Woodman* and Stephen Greinleift:* To Capt. Wm. Gerrish, all, 5li. 6s.; Ensigne Greinleife, all, 4li. 15s. 6d.; Daniell Mussilloway, 3s. 6d.; John Wells, 14s.; Thomas Hale, 1li. 4s. 6d.; Wm. Titcombe, for Steph., 1li. 9s. 3d.; Jno. Bartlet, sr., 11s. 9d., Mr. Hills, 1li. 8s. 6d.; Jno. Knight, sr., 2li. 11s. 6d.; Nath. Clarke, 15s.; Wm. Ilsly, 16s. 9d.; James Miricke, 3s. 6d.; Rico. Pettingell, 8s. 4d.; Elisha Ilsly, 1s. 6d.; Amos Stickny, 2s. 3d.; Thomas Noys, all, 2s.; James Ordaway, 2s. 3d.; Mathew Pettingell, 10s.; John Kally, 12s.; Go. Litle, 1li. 11s.; Jno. Whittier, 4s. 9d.; widow Mody, all, 10s. 6d.; Edmo. Mores, 2s. 6d.; Caleb Mody, 3s. 9d.; Mr. Woodman, 14s. 6d.; Wm. Randall, 2s.; Anto. Mors, ju., 3s. 6d.; Go. Coffine, 16s.; Jno. Atkinson, 14s.; Rico. Kent, 6s. 9d.; Amos Stickny, all, 9s.; Samuell Plummer, 2li. 11s.; Rico. Dole, all, 9li. 5s., Daniell Merill, 2s.; Henry Short, 1li. 10s.; Wm. Sawyre, 2s.; Go. Somerby, 1li. 1s. 6d.; Augustine, 2s.; Jno. Bartlet, ju., 13s.; Israell Webster, all, 10s. 6d.; Peter Tapan, 1li. 7s. 2d.; Jno. Webster, 1li. 11s. 9d.; Jno. Mitchell, 1li. 3s.; Nath. Brickett, 6s. 6d.; Edmo. Browne, 5s. 6d.; Jacob Tapan, all, 15s.; Jno. Noys, 7s. 6d.; Go. Emery, 1li. 7s. 9d.; Daniell Pearce, 16s. 1d.; Rico. Bartlet, 4s. 6d.; Wm. Faning, 3s.; Go. Jacquish, 2li. 3d.; Fra. Thurla, 6s.; Jona. Haines, 6s. 9d.; Robt. Adames, ——; Benj. Rolfe, 1li. 8s. 6d.; Mr. Jno. Woodbridge, 7s. 6d.; Benj. Lowle, 7s. 6d.; Robt. Long, 1s. 3d.; Jno. Smith, 12s.; Dani. Thurstone, 2li. 12s. 6d.; Rolfe per Ensine, all, 11s.; Go. Richardson, 10s.; Joseph Pike, 1li. 10s.; total, 70li. 12s. 2d.

*Autograph.

Account received by the Millitia of Newbury, signed by Wm. Gerrish,* Capt., Heckelaus Woodman,* Lt., Stephen Grenlefe,* Ensign, Caleb Moody,* deputy: To Robert Adams, dragoon, 3 : 4, 4 weekes, 16s., post, 6s., for 18li. of Chease, 9s., 4li. 18s. 6d.; 3 dayes his sonn to Andiver, 3 : 6, horse, 1s. 6d.; 1s. 6d.; Jno. Atkinson, 1 horce dragoon, 16 Weakes 3 : 4, horce 25 weakes, 50s., bandileres, 4s., snapsaike, 2 : 6, cutlis, 14s., worme & scourer, 1s., 20 bullets, 8d., a poutch & 30 bullets, 2s., Quar: 6 meales, 3s., horce, 4 dayes, 2s., damage, sadl, 18d., belt, 6s., posting 3 : 6, and posting, 4s. 6d, Boston horce meate, 2s., 5 da. Quartering, 30 men & meales, 30s., 2 horces, 1 night, 1s. 1li. powder & 20 bullets, 2 : 8, snapsaicke, 3s., 10 dayes provission, 7 : 8, cloak bagg, 5 : 6, Quartering 30 men, 15s., 2 horces, 1s., snapsaikes, 3, Cudduce box, 4s., 1-2li. powder, 1s., Quartering, 14 meales, 7s., Gun, 26s. 8 imprest to carry provissions with ye souldiers to Haverhill, 4s., 13li. 12s. 6d.; to Rico. Browne, post to Ipswich, 3 : 4, posting to Rowly 3 times, 7s., aweakes provissions, 5s. 4 Quartering 10 meales, 5s., posting to Rowly, 2 : 4, 1li. 3s.; John Bartlet, ju., dragoon horce 16 meales, 3 : 4, 8 dayes provission, 6 : 1, Ammunition, powder & bullets, 2 : 8, 8 dayes provission, 6 : 1, 1li. pow: 20 bullets, 2 : 8, snaps, 2s., Quarter, 14 meales, 7s., 4li. 10s. 6d.; Rico. Bartlet, horce hier dedam, 4s., his sonn & horce to Andiver, 3d. 5s., to damage in a Gun imprest 4s., snapsaicke, 3s., damage in a sadle, 4s., bridle lost, 3s., 1li. 3s.; Cristopher Bartlet, 6d., provission, 4s. 7d.; Robert Bedell, 11 weakes, horce hier, 1li. 2s.; Samuell Brabroke, sword lost, 10s., Am. 3li. powder, 60 bull., 8s., belt, 2 : 6, a weakes provissions, 5 : 4, 1li. 5s. 10d.; Nath. Brickett, 1li. powder, 2s., 20 bull. & poutch, 20d., Quarter, 8 meales, 4s., entertaining 2 sicke souldiers, 5s., Quarter, 2 meales, 2s., a lame souldier, Qu, 2s. 6 imprest a souldier east, 8s., 1li. 5s. 2d.; Henry Bodwell, a souldier to Andiver, 3s. 6d.; Jno. Bayly, 1 sadle, 14s., 65 bullets, 2 : 2, 1li. 3-4 powder, 2 : 6, 1li. powder & bullets, 2s. 8 horce hier, 2s. 6 provission, 5 : 4d., snapsaike, 2 : 8 powder hornes, 2, 2s., 1 1-2 p. & bullets, 2 : 8, 1li. 16s.; Rico. Brier, 3 weakes provissions, 16s. 9, 6li. powder, 12s., Quartering 4 men, 2s., 1li. 10s. 9d.; Edmo. Browne, 1 gun, 2s., Chease, 2s., posting Ipswich, 3 : 4, post to Rowly, 3 times, 7s., Cutlis burnt, 14s., po. & bul, 2 : 8, 2li. 15s. 8d.; Jno. Bartlet, sen., horce hier, 13 weakes dragoon, 2 : 12, a bridle lost curbd, 5s., 8 days provissions 6 : 1 pow. & bullets, 2 : 8, snapsaike, 2 : 6, a horce lost, 50s., 5li. 18s. 3d.; Joseph Bayly, 6 dayes to Concord, 7s., horce hier, 3 weaks, 6s., bridle Lost, 4s., disburct on souldiers Quartering, 19s. 9d., for carying pvitions to Haverill, 4s., 2li. 9d.; Joshua

*Autograph.

Browne, 1 gun Lost, 26s. 8, 1 sword & belt, 12 : 6, snapsaick, & poutch, 3 : 6, 1li. pow. & bulletts, 2 : 8, 2li. 5s. 8d.; Francis Browne, a bridle lost, 2s., a horce lost, 50s., 2li. 12s.; Jno. Badger, post to Ipswich two times, 2s. 8, horce hier, 8s., 10s. 8d.; Joseph Coker, horce lost, 3li., a curbe bridle, 6s., 3li. 6s.

Tristram Coffine 1 Gun Lost 26s. 8, cutlus, 14s., pow & bul: 2 : 8, 5 bou. oats, 10s. snaps: 2s., Quartering, 16 meales, 3s., snap: 2s., horce hier, 16 weakes, 64s., dragoon Quar. 57 meales, 28s. 6, horce meate 4 nights, 2s. horce hier 26 meales & 2 dayes, 53s., 4 poutches & flints, 2s., post to Ipswich 3 : 4, post to sall: 2 : 6, for makeing of 6 baggs 2 : 4, Quar. 8 meales, 4s., post, 2s. 4, 11li. 8s. 2d.; Nath. Clarke, 8 dayes pvitions, 6 : 1, 1li. 1-2 pow. 3s., 1 C bull. 3 : 4, Quartering, 27 meales, 13, 6 horces, 1 night, 3s., Quartering souldiers 8 m., 4s., a rapier lost, 20s., a horce, 1 weake, 2s., a bridl, 2 : 6, Leather to mend furniture, 2 : 6, snaps., 2 : 6, 2 guns lost, 4s., 5li. 15s. 9d.; Robert Coker, Quarter., 26 meales, 13s., a bridle lost, 3 : 6, 16s. 6d.; Wm. Chandler, a curb bridle, 6s., damage in a sadle, 2s., 8s.; qu. 4 me, 2s.; Peter Cheany, Quar. 5 meales, 2 : 6, 2li. 12s. 6d.; Daniell Cheany, a horce to dedam, 4s., ——, 6s.; Benj. Coker, post to sall., 16d.; Jno. Dressor, 1 Gun Lost, 2s. 8, 1 sword & belt, ——, 2li.; Cornelius Davis, Coate burnt, 23s., stockings, ——, 1li. 6s.; Rico. Dole, two sadle clothers, 8s., 2li. powder, 4 bridles, 16s., Gun, 26s. 8 Horce dragoon 16 weakes, 3li. 4s., 8 baggs, 3li. bread for souldiers, 15s., 36 1-2 of chease, 18s., 1-2li. pow., 1s., 32li. of bacon, 16s., 1 bou. wheate, 6s., 1 Gun Lost, 26s. 8, 140 bullets, 4 : 8, Quartering souldiers, 13 : 6, 6 bandileres, 3s., Quartering, 60 meales, 30s., 2 poutches, 3s., cutlus & belt, 20s., bridle, 2s., 1-2li. powder, 1s., bridle, 4s., 10li. bulletts, 5s.; 1 Gun, 26s. 8, 18li. 7s. 2d.; John Dole for Curing a wounded souldier, a salem man & A 11 weakes diett in money, 5li. & curing John Harvy, 20s., money, 8li.; Jeremiah Davis, 2li. powder, 40 bulletts, 5s. 4d.; Jno. Davis, horce hier, 12 weakes dragoon, 48s., horce hier, 2s. 8d., bridle lost, 4s., 1li. pow. & 20 bull., 2 : 8, a saddle Lost, 20s., a curb bridle, 5s., 4li. 1s.; Wm. Danford, 10li., Chease, 5s., post Ipswich 2 times, 6 : 8, 1li. pow, 20 bull., 2 : 8, 2 hornes, 18d., 15s. 10d.; Jno. Emery, sr., sadle & cloth, 23s., bridle, 5 : 6, sword & belt, 12s., 2li. pow. 40 bull: 5 : 4, curing a souldier, Wm. Ilsly, 16s., 16 dayes p vition, 12 : 2 bridl, 3s. & one more 4 : 6, a sadl, 8s., Carting armes, 4s., wheate, 3s., bridle, 5s., post Ips. 3 : 4, post Rowly 1s., 5li. 5s. 10d.; Jno. Emery, ju., 1li. powder & 20 bull., 2 : 8, horce hier 5 w., 10s.; sadle & bridel, 20s., 1li. 12s. 8d.; Wm. Faning, snaps: 3 : 6, 1li. powder & 20 bull., 2 : 8, poutch, 1s., bandileres, 5s., flints, 1s., worme & scourer, 1s., 14s. 2d.; Peter Godfry, 1 Gun

26s. 8, sword & belt, 15s., 1li. po. & bull, 2 : 8, bridle, 4s., 2li. 8s. 4d.; Jos. Gutridge, horce hier, 12 w., 24s., bridle, 3s., sadl, 5s., 1li. 12s.; Wm. Gerrish, breade, 16s., bread, 11s., 4d., 6li. powder, 12s., my man posting 6 times to Ipswich, 20s., and to Salem 5s. 4d., a saicke, 5s., Quartering souldiers, 4 : 6, 3li. 4s. 2d.; Stephen Greinleife, horce dragoone, 13 weakes, 52s., sueing Horces, 12s., breade, 8s., snapsaicke, 3 : 4, pow. & bulletts, 2s. 8d., mending Locks, 3s., posting to Ips., 3 : 4, Quartering, 26 meales, 13s., 2li. pow. 40 bull. 5 : 4, Girts, 2 : 6, a bagg, 6 : 6, 2 snaps, 5s., Quar. 24 m. 12s., suing Horces, 3 : 6, his man posting 2 times, 2s., a poutch, 1s., 7li. 2s. 6d.; Stephen Greinleife, 1 Gun Lost, 26s. 8, posting our men, 1li. 14s. 4d.; Jonathan Haines, 1 bridle, curbe lost, 5s. 6, 1 snapsaick, 3s., 1-2li. powder, 1s., 2 poutches, 2s., 20 bull., 8d., bullets, 18d., Quarter, 6 meales, 3s., 9 horces dry meate, 4 : 6, bridle, 2s., worme & scourer, 1s., Quar. 24 me, 12s., sadle lost, 20s., bridle curb, 5s., 3li. 1s. 2d.; John Hutchins, a sadle damage, 9s. 6d.; Sam. Hills, a sword & belt lost, 15s., 8 dayes, 3s. 6, pvition, 6 : 1, 1li. pow, 20 bull. 2 : 8, 3 dayes to And. post to Rowly, 2 : 4, 1li. 9s. 7d.; Mr. Hills, a sadle, 20s., 16 meales diet, 8s., breade, 8d., snapsacke, 2s. 6d., Quartering 6 men, 3s., horce hier, 3 : 18, Quar. 23 meales, 11s. 6, 1 gun, 10s., 2li. 17s. 2d.; Thomas Hale, ju., a dragoon horce 16 weakes, 3li. 4s., a sadle, 20s., a gun, 26s. 8d., a sword & belt, 12s., Ammunition, 2s. 8, poutch, 1s., snaps, 3s., 2 bou. oats, 4s., 14 dayes pvis., 10s. 8d., powder & bullets, 10d., post to Rowly 3 times, 3s. post Ips., 2s., post to ——, 2s., post 4 times Rowly, 3s., bagg, 2s., 7li. 17s. 10d.; —— to Andiver, 3 dayes, 3 : 6, 6s.; Henry Jacques, ——, 2 souldiers, 5s. 4d., bridl, sadel cloth & cloth bagg, 30 ——, snaps, 2 : 6, dam. to a sadl. 3 : 6, Quar. 18 m ——, 1s., Quar. 9 me, 4 : 6 : 6d. pv. 4 : 6, 6li. 11s.; Elisha Ilsly, a sadle, bridl, 4s., a sword, 8s., 1li. pow, 2s., snap., 3s., 1li. 9s.; James Jackman, Horce & man to Andiver, 5s., a sadl, 20s., bridl, 2 : 6, 1li. 1-2 pow., 3s., 10 dayes Andiver, 11s. 8., 2li. 2s. 2d.; Wm. Ilsly, 1 Gun, 26s. 8, 13 weakes horce dragoon, 52s., sadl, 20s., guns, 5s., Amun, 2s., bridel, 3s., Quar. 4 me., 2s., 2 bullets, 8d., 5li. 11s. 4d.; Morgan Jones, Coate burnt, 19s., stoc, 4s., drawers, 6s., shirt, 6 : 8, poutch, 9d., 14 dayes pvis, 10s. 8d., Amn., 2 : 8, horne, 1s., 2li. 10s. 9d.; Rico. Kent, horce 9 weakes, 18s., horce lost, 40s., horc dragoon, 4 w., 16, horse 24 weakes, 48s., bridl, 3s., sadl, 2s., 6li. 7s.; Rico. Knight, 13 weakes dragoon horce, 52s., 2 bridles, 6 : 6, post to Ipswich & Sall., 4 : 6, a gun, 26 : 8, Quar. 10 me, 5s., snap, 2s., 2 horces, 1s. 2, 4li. 17s. 8d.; Jno. Knight, sen., 1 horce lost, 3li., a sadl, 2 bridls & 1 belt, 30s., 1li. 1-2 pow, 3s., sword & belt, 18s., 10li., Chease & bread, 6s., post Ipswich, 3s., belt,

4 : 6, amun, 2s., Chease, 2 horc sh., 4s., post to Ha. & And., 3s., Gun, 5s., sword & belt burnt, 22s., Amu, 2 : 8, 6d. pvi, 4 : 6 snap. 2 : 6, post marl., 3s. 6, Quar. 48 meales, 24s. 3 horces, 18, 20 bullets, 8d., 10li.

Jno. Knight, ju., horce hier Andiver & Ipswich, 3s. 11d.; Robt. Long, horc hier Andiver, 18d., Amu., 2 : 8, bandil, 18d., 10 dayes And., 1s. 8d., 17s. 4d.; George Litl, 1 horce, 3li., 1 horce, 50s, a male pil., crup, snap, 5s., Gun, 2. 6. 8, post to marlb., 4s., horce, 4d. 2s., post to dedam, 6d., soul., 8s., horc, 4s., sould & horce to Andiver, 5s., Amu, 2 : 8 : 18d. pv. 13 : 8, post to Marlb., 4s., horn, 1s., cutlis, 12s., post to Ips., & sall, 3 : 6, Q. 8 m, 4s., carbine, 26 : 8, Amu., 2s., horc, 18d., 11li. 16s. 10d.; Benj. Lowle, sadl, 20s., horc hier, 3s., poutch & Scabord, 3s., mending armes, 1li. 8s.; Sam. Lowle, stoc. burnt, 5s., shirt, 10s., belt, 4s., horne, 1s., snap, 3s., bridl, 3, 1li. 6s.; Rico. Lowell, 1 gun, 26s. 8, bandileres, 7s., post Rowly, 2 : 4, sall, 16d., bull, 20d., horce meate, 2s. horces, 5s., 2li. 4s.; Dan. Lunt, 1li. powder, 2s.; Jos. Muzz, horc, 3d., 18d., snap, 2 : 6, 4s.; Jabesh Musgrove, Cutlis & belt, 20s., snap, 2 : 6, Coat, 6s., hat, 4s., 1li. 12s. 6d.; Abell Merrill, horc dragoon, 4 weaks, 16s., sadl & bridel, 10s., post, 5s., horce, 6 dayes more, 3 : 6, 1li. 14s. 6d.; Daniell Merrill, 1 gun, 26s. 8d., 1 sword & belt, 16s., amuni., 2 : 8, horne, 1s., snap, 3s., sadl dam., 3s., 2li. 12s. 4d.; Hugh March, ——; Edmo. Mores, 17li. Chese 8s. 6d.; George March, a bridle, posting p order of ye mar. Gll., 13s. 6d.; Anto. Mors ju., horc to Marrlb. & sadl, 6s., post Rowly, 2 : 4., horce Andiver, 2s., bridl, 2s., post Boston, 5s., Quar. 10 m., 5s., post Ips., 2 times, 6 : 8, more, caring landmen Ips., 6 : 8, 1li. 15s. 8d.; widow Moody, 1 Cutlis, 20s., 21li. Chease, 10 : 6, horc 8 we, 16s. post, 2 : 8, Quar., 18d., 2li. 10s.; George Moger, Cutlis, 14s., stoc, 6s., snap, 3s., 2 neckcl, 5s., 2 more 3s., horne & poutch, 18d., westcoate, 14s., shirt, 8s., 1 p of new drawers 8s., snaps, 2 : 6, 3li. 5s.; Anto. Mors, sen., horc souldier dedam, 8s., horc Andiver, 18d., post, 1s., Quar. 18d., post Ips. 2 times 6s. 8d., 18s. 3d.; Caleb Mody, Quar., 4 m., 2s., 13 bou. Oats, 26s., post, 4s., Quar., 13s., 6, 3 horces 18d., post, 2s., bagg, 2s., 2li. 13s.; Daniell Mussilloway, pvis, 5s. 4d., snap, 3s., amu, 2 : 8., horne, 1s., rapier, & belt, 21s., gun, 5s., 1li. 18s.; James Miricke, gloves & mittins, 7s., Andiver, 3s. 6, 10s. 6d.; Jno. Mitchell, bandileres, 5 : 6, amun, 2s. 8d. Locke, 2 : 8, souldeir, 6s., 16s. 10d.; Roger Markes, sadl, 10s., bridl, 3 : 6, 13s. 6d.; Jonathan Mores, 8d., pvi., 6s. 1d.; Jno. Micill, 3 meales, 1s. 6d.; Nico. Noys, horc & man, 3d., Andiver, 5s., horc hier, 4s. 8d., pvi. 6 : 1, Quar., 16 m. 8s., gun, 26s. 8d., horne, 1s., 2li. 10s. 9d.; Tho. Noys, horce, 4s., 1li. pow., 2s., post, Ips., 3 : 4, Rowly, 2 times, 8 horce 5 w, 5d., 12s. snap, 3s., Quar.

11m, 5 : 6, 1li. 14s. 6d.; Jno. Noys, ——, gun, 26s. 8, sword, 12s., amu., 2 : 8, poutch, 1s. 8d., 3li. 8s.; Cuttine Noys, ——, 3s. 8d.; James Ordaway, ——, & Chease, 4 : 6, 1li. po. & horne, 3s., gun, 26s. 8, snap, ——; 6 bandel, 4s., horc, 6 w. 12s., bridle, 2s., amuni., 2 : 8, & cloth, 24s., 4li. 9s. 4d.; Henry Poore, belt & powderhorne, 6 : 6, post Ips., 2s., post 4 times Rowly, 4s., Ips. & sal. 5s. 4 pvition, 5s. 4, 1li. 3s. 2d.; Daniell Pearce, 1 bagg, 4s., sadle, 20s., poutch & powder, 3s., whe, 9s., Quar. 10 m. 5s., provi. 3s., Gun, 26s. 8, snaps, 2 : 6, 2li. 1-2 pow, 5s., post 6 : 6, 24 m. 12s. 8, horces, 2 : 8, 4li. 19s. 4d.; Moses Pilsbery, post 2 times to sall, 2s. 5d.; Joseph Plumer, post Haverill, 5 : 4, Rowly 3 Times, 3s., Ips. 4s., 8 da. provi, 6 : 1, amuni, 2 : 8, post dedam, 4s., 1li. 17s. 1d.; Samuell Plumer, a sadle, 12s., a gun, 26 : 8, bandileres, 3s., 1li. pow., 2s., 36 bull, 15d. 4d prov., 3s., Cutlis & belt, 20s. snap, 2 : 6, horc hier, 4 we 8s., post Ips., 3s., Quar. 8 m. 4s., bridle, 2s., Quar. 4s. And by 3 bills presented, 4li. 11s. 5d.; Jno. Poore posting Rowly, 3d, 3s.; Joseph Poore, 3d Andiver, 3 : 6, 8d provi. 6s. 1d., 9s. 7d.; Sam. Poore, stoc. burnt, 6s., snap, 3s., neckcl, 3s., horne, 1s. pou., 6d, 8d prov., 6 : 1, gloves & mittins, 3s., bridl, 5s., sadle, 20s., 2li. 7s. 7d.; Rico. Pettingell, 38li. Chease, 19s., bandileres, 5s., bull., 8d., 1li. p., 2s., worme, 6d., horc hier, 20 weakes, 4 dragoones, 48s., more, 8s., damage horc cure, 5s., snaps, 2 : 6, sadle, 20s., bridle, 2s., 5li. 12s. 8d.; Mathew Pettingell, 2li. pow. 4s., 2 poutches, 6s., bull. wor. sco. 20d., horce hier, 4s., Concord, 15s. 8d.; Joseph Pike, breade, 8s., Quar., 2s., bridl, 2s., halter, 1s., armes, 19d., breade, 4s., post, 6 : 8 & 2s. & 2 horces, 3s., 25 weakes provition, 6 : 2 : 7, saike, 5s., provition, 8 soul., 6d. 36 : 6, To Haverill & els to cary pvi, 6s. 40 men provi, 10li. 13s., 4d. 272li. bacan & caring it 2 dayes, 7 : 17, 5, 29li. 9 1-3d.; Tho. Rogers, 1 sword, 18s. 6d., belt, 3 ; 6, bandil, 2 : 6, 1li. 1-2 pow, 3s., bull., 1s.; poutch, 9d., 2 p stoc burnt, 10s., 1 p of drawers, 6s., 2 neck, 4s., bibl, 8s., lame sould, 3s., horc hier, 5 w. 5d, 12s., horc 16 weakes dragoon, 64s., bridle, 4 : 6, provit, 4 : 6, Gun, 26s. 8d., 8li. 11s. 11d.; Benj. Rolfe, horce, 40s., sadle, 20s., Chease, 2 : 6, snaps, 2s., horn & pouc, 2s., Quarter 12 m, 6s., bridl, 18d., 3li. 14s.; Joseph Richardson, vocter, 4s.; Wm. Randall, horc hier dedam, 4s.; Nico. Rawlines, to Andiver, 3d., 3s. 6d.; Ezra Roffe, 1 gun, 26s. 8d., horne, 1s., 2li. 1-2 pow. 5s., 60 bull. 2s., Curduce box, 5s., horc h, 3 w. 6s., 1 gun, 26s. 8d., 2li. pow. 4s. 60 b., 2s., sword & belt, 12s., bridl, 5s., sadl, 20s., 5li. 15s. 4d.; Edward Richardson, sen., 1 bridl, 4s., 1li. pow., 2s., 20 bull. 8d., snap. 3s., Quar. 15 m. 7 : 6, poutch, 1s., Amu., 2 : 8, snap, 3 : 6, post, 1s., snap, 16, 1li. 7s. 10d.; Mr. Sewall, 1 gun, 26s. 8d., horne, 1s., 1li. 7s. 8d.; Augustine Stedman,

26s. 8, sword & belt, 10s., snap, 2 : 6, amu, 2 : 8, pow. poutch, 1s., belt, 1s. 2d., provi, 18d., 2li. 5s. 4d.; Anto. Somersby, horce hier, 16 weakes dragoones, 64s., sadl, 20s., horc, 4s., sadl, 20s., mending sadles, 2s., horce hier, 4s., sadle, 2s. 6, 5li. 15s. 6d.; Ste. Swett, senr., horc hier, 4s. 4d.; Wm. Sayre, sen., amuni, 3s. wor, scou, 1s., snaps, 3s., band; 3s., bull, 1s., 6d. provit. 4 : 6, sadl, 16s., amuni, 2 : 8, horne, 1s., sadl, 7s., 2li. 2s. 2d.; Wm. Sayre, ju., 1 bridl, 3s., provitions, 10 : 6, 13s. 7d.; Jno. Swett, 1 gun, 26s. 8d., post Ips., 3 : 4, 1li. 10s.; Henry Short, bridl, & sadl, 20s., horce bridel & sadl, 70s., horc, 4s., & amun, 2 : 8, post, 8s., souldier & horce 3 : 4 amuni., & prov., 3s. 2 post Ips., 2 times 6 : 8, Rowly, 2 : 4, horc 3 w. 6s., 3 shewes, 10d., sadl & bridl, 4s., 6li., 13s.; Jno. Smith, 16 w dragoon, 3li. 4s., rapier, 20s., belt, 3s., horc, 10d., Gun, 26 : 8, bandileres, 8s., amu, 2 : 8, horne, 2s., 6li. 7s. 10d.; James Smith, sadl & cloth, 24s., houlsters, 10s., pill, 2 : 6, plat. 2 : 6, pou, 1s., 2 bou. oats, 4s., Amu., 5 : 4, 18d provi., 13 : 6, post, 2s. 4d., & 2 : 8, 5li. 17s. 10d.; horce, 50s.; Sam. Sayre, souldier, 8s., snap, 3s., stir, 2 : 6, horc, 18d., 15s.

Amos Stickny, horc hier, 15s.; Penuell Titcomb, ——, 3s., posting, 16d., Gun, 26 : 8, Amu., 2 : 8, ——, 2s., Quar. 2 : 6, sadl, 20s., bridl, 5s., horce ——, 3s., Quar. 5s., 4li. 13s. 8d.; Jacob Tapan, ——, 3s., pou, 1s., post, 2 : 6, 1li. 9s. 6d.; Francis Thurla, ——, 32s., post Ips., 20d., 1li. 13s. 8d.; Peter Tapan, sadl, 20s., bridl, ——, Amu., 26s. 8d., cloth, 5s., 1 1-2li. pow., 3s., poutch, 1s., wor. scou, bull. mo., 20d., 22 meales, 11s., 1 bou. oats, 2s., 19 men, 2 me 19s., 2 horces, 1s., belt, 18d., Quar, 15 men, ——, bagg, 3 : 6, 5li. 6s. 10d.; Benaia. Titcombe, gun 26 : 8 provi, 61, 2li. 1-2 pow, 5s., bull. 80 : 2 : 8, Quar. 5s. 4d., 2li. 5s. 9d.; Daniell Thurstone, horce, 3li., bridl, 6 : 6, horc 2 : 8, post 11 : 4 & 8s., provit. 10s. 8, post 4s. Disburct, 26s. 8, 6li. 8s. 4d.; Tho. Thurla, posting, 5s. 4, Amu, 2 : 8, Quar. 7s. 9, 15s. 9d.; Thomas Woodb., Quar. ——, 4 : 9, bagg 3s. post, 2s., bridl & 2 baggs, 8s., horc lost, 45s., post, 12s., 4li. 5s. 9d.; John Wells, sadl, 20s., bridel, 2s., 6 pro. 5 : 4, belt, 4 : 6, post, 16d., 20 w. diett lame soul., 4li., 5li. 13s. 8d.; Jona. Woodman, Gun, 26s. 8d., horc, 16 w, dragoon, 64s., bridl, 5s., ba, 18d., 4li. 17s. 2d.; Rico. Woollery, 3d Andiver, 3 : 6, horc, 18d., 5s.; Jno. Woolent, provitions, 8s., amu, 2 : 8, post, 5s., 15s. 8d., Capt. White, posting 3 : 8, wheate, 6s., Canvis, 42s., 2li. 11s. 4d.; Francis Willet, sadl, 20s., snap, 2 : 6, 1li. 2s. 6d.; Isr. Webster, belt, 4 : 6, wheate 6s., horce, 50s., 3li. 6d.; Jno. Whitcher, snap, 3 : 6, aw pro. 5 : 4, poutch, 18d., 2li. pow. 4s., poutch & bull. 22d, wor & sco., 1s., bandi., 3s. we pvis., 5 : 4, bridl, 3s. 6d. to And. 7s., 1li. 5s. 6d.; Jno. Webster, suing horces, 18d. sadl, 20s., cloth,

3s., sword & belt, 12 : 6, bandi., & snap, 2 : 6, suing horcs, 5s., Quart, 2s. 4 hor, 2s., arms, 3s., horc, 3 w. 6s., post, 2 : 6, amun. pow, 2s., snap, 2 : 6, 2 pou & belt, horc, 6 w. 12s., Quar. 7 m, 3 : 6, armes, 1s., horc, 1s., amuni, 2 : 8, hatchets, 4s., 2 snap, 5s., 2 pou. & belt, 2 : 6, post, 2 : 8, amu., 2 : 8, Quar. 9 me. 4 : 6, 5li. 8s. 6d.; Joseph Pike, Amunition, 54 souldiers, 7s. 4d.; 21 Souldiers amunition, 2 : 16, 7li. powder, 14s. 3li. 10s.; Amu. 3 soul, 8s. & for 8 more, 1 : 6 : 8, 1li. 9s. 4d.; Amu. 40 souldiers, 5li. 6s. 8d.; Benj. Mors, 18 post, 1s.; Wm. Worme, Gun, 1li. 6s. 8d.; Nath. Parker, 1 Gun, 1li. 6s. 8d.; Hugh March, ju., post Ips. 20d., Sall, 16d., powder & horne, 2s. 5s.; Jno. March, posting, sall, 16d., flints, 6d., 1s. 10d.; total, 511li. 6s. 6d.

Account, signed by Wm. Gerrish,* Hechelaus Woodman,* Stephen Grenlefe* and Samuell Plumer:* to —— Somersby, horce hier to Andiver & Haverill, 4s.; Henry Short, to Andiver 2 dayes & his horce, 2s. 6d.; John Jones, 3 dayes to Andiver, 3s., & post to Ipswich before, 3s.; John Knight to Andiver, 1s. 3d.; Nico. Noys, 3 dayes & his mare to Andiver, 3s. 9d., Jno. Lunt, his horce to Andiver, 9d.; John Smith, for his service to Andiver, 2s.; James Jackman, 3 dayes to Haverill, 3s. 9d.; Jno. Knight, ju., his mare to Andiver, Ipswich & Sallisbury, 4s.; Daniell Pearce, seirgeant Conducting souldiers to Andiver, 4s.; Go. Little & his sonn to Andiver, 3s. 9d.; Nath. Clarke, his horce to Andiver, 1s.; Anto. Mors, his horce to Andiver, 1s.; Mr. John Woodbridge, his horce to Andiver, 9d.; John Whitcher to Andiver, A seirgeant, 9s.; to see whether the 5li. od money Chargd for powder & shott be put in to ye sum totall; to Benjamine Lowle, horce hier, Haverill & Andiver, 9d.

Itemized accounts of those who were charged with horse hire, saddles, bridles, swords, quartering men, guns, etc., from which the preceeding accounts were made up.

*Autograph.

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