Pemaquid Papers.
PAPERS
Relating to
PEMAQUID
and parts adjacent in the present state of Maine, known as
CORNWALL COUNTY,
WHEN UNDER THE
COLONY OF NEW-YORK,
Compiled from Official Records in the office of the Secretary of State at Albany, N. Y.
BY
FRANKLIN B. HOUGH.

ALBANY,
Weed, Parsons & Company.
MDCCCLVI.
INDEX.

Actual settlement required, of partners, — — — — 50
Affidavits of Indian hostilities, — — — — — — 60
Alden, John, delivery of ketch to, — — — — — — 29
Allen, John, commissian of, as justice of the peace — — — — — — 69
“ “ as sheriff, — — — — — — — — 73
Ammunition for common use, to be provided, — — — — — — 53, 78
Androfts, Gov., letters of, — — — — — — 41, 42, 44
Appeals may be made, — — — — — — — — 18, 37
Afron to be punished, — — — — — — — — 114
Association for settlement at Sheepscot river, — — — — — 48

Black Point, jurisdiction extended to, — — — — — — 32
Block-houses ordered to be built, — — — — — — 71, 104
Boston, letter to Gov. of, — — — — — — — — 11
“ meeting at, for making settlements, — — — — — — 48
“ claims of, disallowed, — — — — — — — — 97
Bowditch, Wm., claims of — — — — — — 9, 15, 23
Brockholls, Gov., letters of, — — — — 11, 24, 31, 47, 48, 58, 66, 67

Caren, Corporal, sent to N. Y., — — — — — — 25
Charter of the Duke of York, extract from, — — — — — — 5
Collector’s commission at Pemaquid, — — — — — — 74
Collins, Samuel, murder of, — — — — — — — — 33, 40
Commissioners appointed for settling title, — — — — — — 59, 102
Commission for murder trial, — — — — — — — — 33
— Justices of the peace, — — — — — — — — 38, 102, 113
— Francis Skinner as commander at Pemaquid, — — — — — 45
— for settling title, — — — — — — — — 59
— John Allen as justice of the peace, — — — — — — 69
— Tho Sharpe as commander at Pemaquid, — — — — — 73
— A. Woodrop as collector and receiver, — — — — — 74, 105
— N. Manning as capt. of a foot company, — — — — — 100
INDEX.

Commillion for G. Godard as lieut. of militia company, - 101
— G. Godard as captain of a foot company, - - - - 106
— " as surveyor, - - - - - 106
— J. Buttery as captain of a foot company, - - - - 106
— J. Palmer as special commissioner, - - - - 111
Cooper, Thomas, licence to take up lands, - - - - 109
Corporal punishment allowed, - - - - 21
Council Minutes, - - - 8, 9, 14, 16, 18, 19, 23, 29, 32, 35, 36, 40, 73, 91, 94, 104, 107
Courts, order for holding - - - - - - - 35, 40
Cranfield, Gov. of New Hampshire on Indian affairs, - - - 91
Crimes, inquiries against, - - - - - - - 114

Debits, exemption from, to those who settle, - - - - 80
Dennis, Lawrence, letter to, - - - - - - - 67
Dep. Sec. J. Weft appointed, - - - - - - - 110
Disorders at Pemaquid, - - - - - 66, 67
Dogs, number limited to one in a family, - - - - 77
Dongan, letter to New Hampshire, - - - - 93
— Gov., on Indian affairs, - - - - - 92
Dudley, Gov., on Indian affairs, - - - - - - 91
Drunkenness prohibited, - - - - - - - 76
Dymond, Israel, trial of, for murder, - - - - 33, 40

Entry of vessels, regulations concerning, - - - - 122
European news, - - - - - - - 112, 123, 124
Excise may be levied, - - - - - - - 26
Expenses of engaging the Mohawks, - - - - - 93

 Fisheries, regulations of, - - - 17, 18, 21, 35, 37, 75, 81
Fort, regulation of, - - - - - 19, 21, 33, 41
Fort, supplied, - - - - - - - 17, 112
French hostilities expected, - - - - 26, 27, 90
French take Pemaquid, in 1696, - - - - - 134

Godard, Giles, commissions of, - - - - 101, 106
Graham, James, licence to take up land, - - - - 108

Hutchinson, capt. E., claims under disallowed, - - - 97

Indian affairs, - - - 17, 19, 21, 33, 36, 46, 71, 90, 91
— peace with, - - - - - 27, 93
# INDEX

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indians not to be trusted for goods</td>
<td>19, 22</td>
</tr>
<tr>
<td>Indian house to be built at Pemaquid</td>
<td>23</td>
</tr>
<tr>
<td>Indian hostilities</td>
<td>8, 31, 43, 60, 88, 90, 91, 133</td>
</tr>
<tr>
<td>Instruction to capt. Manning</td>
<td>120</td>
</tr>
<tr>
<td>Joflyn, letter to</td>
<td>58</td>
</tr>
<tr>
<td>Jesuits kept with Mohawks by the French of Canada</td>
<td>91</td>
</tr>
<tr>
<td>Jordaine, Justice, letter to</td>
<td>42</td>
</tr>
<tr>
<td>Joflyn, Mr., house to be built or hired for</td>
<td>44</td>
</tr>
<tr>
<td>Jury, trial by, secured</td>
<td>117</td>
</tr>
<tr>
<td>Justices commissioned</td>
<td>38, 102, 113</td>
</tr>
<tr>
<td>Justices, form of the oaths of</td>
<td>119</td>
</tr>
<tr>
<td>Kelton, John, informed against</td>
<td>89</td>
</tr>
<tr>
<td>Kennebeck, settlers encouraged</td>
<td>79</td>
</tr>
<tr>
<td>&quot; fort solicited to be built at</td>
<td>87</td>
</tr>
<tr>
<td>&quot; Indians, provoks of</td>
<td>91</td>
</tr>
<tr>
<td>Ketches, delivery of</td>
<td>9, 11, 15, 23, 29</td>
</tr>
<tr>
<td>Knapton, Capt., letters to</td>
<td>24, 31</td>
</tr>
<tr>
<td>&quot; commission of, as justice of peace</td>
<td>38</td>
</tr>
<tr>
<td>Land to be given to actual settlers</td>
<td>36, 79, 80</td>
</tr>
<tr>
<td>Law, absence of, complained about</td>
<td>82</td>
</tr>
<tr>
<td>Letters to Pemaquid</td>
<td>6, 24, 31, 41, 42, 44, 58, 66</td>
</tr>
<tr>
<td>Licences for taking up lands</td>
<td>107, 108, 109</td>
</tr>
<tr>
<td>Liquors, searches for, in houses and cellars allowed</td>
<td>122</td>
</tr>
<tr>
<td>Lovelace, Gov., letter of</td>
<td>6</td>
</tr>
<tr>
<td>Manning, Capt., complaint against</td>
<td>99</td>
</tr>
<tr>
<td>&quot; commission of, as captain</td>
<td>100</td>
</tr>
<tr>
<td>&quot; instructions to, as collector</td>
<td>120</td>
</tr>
<tr>
<td>Martha’s Vineyard, commissions for</td>
<td>35</td>
</tr>
<tr>
<td>Matthews, Tho., sent to N. Y. a prisoner</td>
<td>25</td>
</tr>
<tr>
<td>Merry Meeting, block-house at</td>
<td>71, 104</td>
</tr>
<tr>
<td>Military power oppressive</td>
<td>82, 83, 99</td>
</tr>
<tr>
<td>Ministry to be supported</td>
<td>51, 79</td>
</tr>
<tr>
<td>Mohawk’s, incursion of</td>
<td>31, 40, 42, 43</td>
</tr>
<tr>
<td>&quot; Jesuits with</td>
<td>1</td>
</tr>
<tr>
<td>&quot; to be engaged against eastern Indians</td>
<td>92</td>
</tr>
<tr>
<td>Murder, commission for the trial of</td>
<td>33</td>
</tr>
<tr>
<td>Nantucket, commissions for</td>
<td>35</td>
</tr>
<tr>
<td>New Dartmouth</td>
<td>86, 87, 94</td>
</tr>
</tbody>
</table>
INDEX.

New Hampshire, letter to Governor of, - - - - - 93
New Town settlers of, encouraged, - - - - - 79

Oath of justices of the peace, - - - - - - 119
Orders for government of Pemaquid, - - 16, 19, 32, 40, 46, 75
" for delivery of fort at Pemaquid, - - - - - - 47

Palmer, capt. John, commission of, as commissioner, - - - - - 111
Passes for ships to sail to Pemaquid, - - - - - 135, 136
Pattishall, R., complained against, - - - - - - 86
" informs against John Kelso, - - - - - - 89
Peace with Indians, - - - - - - - 27
Pemaquid captured by French, - - - - - - - 134
" surrendered to Massachusetts, - - - - - - - 132
" remonstrance against surrender of, - - - - - - 132
Petition of Wm. Bowditch for a ketch, - - - - - - 15
" from Pemaquid, - - - - - - - 70, 81, 104
" from New Dartmouth, - - - - - - - 94, 95
Possession of Pemaquid asserted by New-York, - - - - - - 15

Quitrents, - - - - - - - 105, 107, 124

Rashly, John, trial of, - - - - - - - 33, 40
Remonstrance against surrender of Pemaquid, - - - - - - 132
Representative, one allowed to New York gen. assem. - - - 73, 98
Roades, C., sent to New-York a prisoner, - - - - - - 125
Rofwick Island confirmed to John Welt, - - - - - 125
Rum forbidden in fort, - - - - - - - 19, 21
" adulteration of, prohibited, - - - - - - - 23

Sagadahock magistrates, limitation of suits before, - - - - - 35
" houses at, - - - - - - - 77, 85
Search for liquors directed, - - - - - - - 122
Settlements restricted, - - - - - - - 18, 87
" instruction for regulation of, - - - - - - - 75
Sharpe, Thomas, commission of, as commander, - - 173
" letter to, - - - - - - - 41, 44, 47
Sheepscott river, settlement, - - - - - - - 48, 87
Sheriff at Pemaquid, John Allen, appointed, - - - - - 73
Skinner, Francis, commission of, as commander, - - - - - 45
" instructions for government, - - - - - - - 46
" letter to, - - - - - - - 66
Smyth, Tho., licence to take up lands, - - - - - - - 109
# INDEX

Spragg, John, license to take up lane, .................................................. 108
Summerfield Island granted to John Spragg, .......................................... 107
Supplies, complaint concerning, ................................................................ 84
Surrender of Pemaquid directed by King, .................................................. 131
Surveyor, commission of Giles Godard as, .............................................. 106

**T**rade regulated at Pemaquid, ............................................................... 16, 20, 75
  " restricted to Pemaquid, ................................................................. 18, 33, 36, 37, 80, 86, 105
Trading houses may be built, ................................................................. 56

**W**aldrop, A., collector of quit rents, .................................................. 105
Wells, Mr., to sail for England, ................................................................. 48
Weft, John, Roswick Island granted to, .................................................. 125
  " " commisioned as justice of peace, ..................................................... 38
  " " deputy secretary at Pemaquid, ........................................................ 110
Woodrop, Alex., sub-collector and receiver, .......................................... 74
INTRODUCTION.

The obscurity which has involved the history of that portion of Maine included within the patent of the Duke of York, while under the ducal government, has long been felt and acknowledged, and historians in their accounts of this period, have been obliged in the absence of authentic documents, to rely upon flight and imperfect data. The following papers now for the first time printed, it is believed, will add much to our acquaintance with the annals of the section known as "Pemaquid and its dependencies," in the early records of New-York.

The dependance of a part of Maine upon the government of New-York, originated as follows: William Alexander, Earl of Sterling, Secretary of the kingdom of Scotland, having been previously concerned in extensive grants in Nova Scotia.

1 Vide, Williamson's Hist. of Maine, i, 228 et seq.—Coll. of Maine Hist. Soc., ii, 229-237:—ib. iv, 209, &c.

2 The Nova Scotia Charter was granted March 9, 1621, confirmed and enlarged by a second patent, Sept. 10, of the same year. Williamson's Hist. of Maine, i, 223—Sullivan's Hist. of Maine, 124—Coll. of Maine Hist. Soc., i, 11.
and in the operations of the Plymouth Company, received by lot, in 1635, one of the three divisions into which the territory of Maine was divided upon the dissolution of that Company. The share thus received, extended from the Kennebeck to the St. Croix rivers, and embraced several grants previously made, upon which settlements had been commenced.

In 1663, the Earl of Clarendon, on behalf of the Duke of York, purchased of Henry, then Earl of Sterling, his interest in American grants, including, besides that of Maine, the title of Long Island, Nantucket, Martha's Vineyard, and other islands adjacent, and in 1664, the Duke of York received from his Royal brother a Charter for these territories and

1 These lots were drawn Feb. 3, the grants executed April 22, and the charter of the company surrendered June 7, of that year. Coll. of Maine Hist. Soc., i, 42-44—Coll. of New Jersey Hist. Soc., ii, 38.

2 The consideration of this purchase was £3,500, but upon failure of payment, a life annuity of £300 was, in 1674, agreed upon, payable out of the net profits of revenue arising from the colony, which proving insufficient, an order was issued in 1689 for the arrears to be paid out of the funds of the Colony. New-York Coll. Hist., iii, 606.

3 A small edition of a volume embracing the New-York official records concerning Nantucket and adjacent islands, prepared by the editor of this volume, has been printed under the patronage of the Hon. John V. L. Pruyn, of Albany, for distribution among public libraries.

4 March 12, Vide Patents, i, 109, Secretary's Office, Albany.
others, then held by the Dutch, since known as New-York, New Jersey and Delaware.

The New-York records do not show what jurisdiction was asserted over the eastern portion of the Duke’s territories prior to the reduction of New-York by the Dutch in 1673. Upon that occasion the General Court of Massachusetts, under pretext of a survey that included the territory, took possession of the Pemaquid settlements, organized a local government,¹ and in July, 1674, a court was held under this authority within the Duke’s territories. Upon the restoration of New-York to the English, by the peace of Westminster,² a new patent, embracing the same territory, was taken out by the Duke of York,³ and upon the arrival of governor Andros, measures were taken to re-establish this authority throughout the government.

Civil and military commissions were issued, and upon the organization of a General Assembly in New-York in 1683, and

1 Williamson’s Hist. of Maine, i, 443—Coll. of Maine Hist. Soc., i, 131.
2 Feb. 9, 1674, Art. 6.
3 June 29, 1674, Vide Smith’s Hist. of New-York, (1814) 61—Dunlap’s Hist. of New-York, i, 129.
the division of the colony into counties, "Pemy-Quid, and all the Territories in those Parts, with the Islands adjacent," were erected into the county of Cornwall, and entitled to send one member to the General Assembly.¹ This connection continued until the succession of the Duke of York to the throne, when by a royal order² these territories were annexed to the New England government.

The following papers are arranged chronologically, with references to the originals in the New-York Secretary’s office. The occurrence of a line of asterisks, denotes an omission of matter relating to other subjects, and a row of periods, indicates a loss of part of the record. The original orthography has been followed, except in the use of capital initials in names of persons, where small letters had been employed.

¹ Nov. 1, 1683. Orig. Laws, MSS. ii.—Livingston & Smith’s, &c., Ed. Laws, i, 6.—The act organizing counties was re-enacted Oct. 1, 1691. It will be seen that Gyles Goddard actually represented Cornwall county during one session.

² This order was dated Sept. 19, 1686, Deeds viii, 75, Secretary’s office, Albany.
PAPERS RELATING TO

PEMAQUID

AND ITS DEPENDENCIES.

EXTRACT from the Grant to the Duke of York, Dated 12th March Ao 16. Car. 2.d 1664.

[Patents i. 109.]

CHARLES the Second by the Grace of God King of England Scotland France & Ireland Defender of the faith &c To all to whom these p'nts shall come Greeting: Know yee that wee for diverse good Causes and Consideracions us thereunto moving Have of our especiall Grace Certaine knowledge and meere motion Given and Granted And by these presents for us our heires and succesors Do Give and Grant unto our Dearest Brother James Duke of Yorke his heires
and Assignes All that part of the Maine Land of New England beginning at a Certaine place called or knowne by the name of St Croix, next adjoyning to New Scotland in America and from thence extending along the sea coast unto a certaine place called Petuaquine or Pemaquid and so up the River thereof to the furthest head of ye same as it tendeth northwards and extending from thence to the River Kinebequi, and so upwards by the shortest course to the River Canada northwards: And also

* * * * *

[Here follows a grant for the province of New-York and parts of Massachusettts and Connecticut, New Jersey, Delaware, &c.]

Lye to ye Inhabitants of Pemaquid.

[General Entries iv. 258.]

GENTs. It might seem strange to you that in soe long distance of time those parts under his Royall Highness Patronage and Protection, of which you are Membrs & Inhabitants have not been assumed in any particular care & Governm'. as Substitue to his Royall Highness, by whose Grace and Indulgence I am (under him)
appointed Governor of all his Territoryes in America; And truly I might justly have fallen under yo\textsuperscript{r} Censure of Remissness, were I not allwayes in Expectacon that Affayres would have been perfected by my worthy Predecessor Coll: Nicolls, to whom the sole managery of that Busynes was committed; neither could I ever doubt of the perfecting of it, had it not been interrupted by an Active & furious warr, in w\textsuperscript{ch} Expedition hee most sadly, (yet as bravely) laid down his Life at his Masters feet;	extsuperscript{1} All expectations from him being now wholly extinct, It is a Duty incumbent on mee to erect a superstructure on that foundation, which hee in his Lifetime worthily aimed at; To which end I shal desire you, first to give mee a true state of yo\textsuperscript{r} Affayres, as they now stand; next That you would transmitt to mee a modell of such a Governm\textsuperscript{t} as shal bee most conducing to the Happyness of that Colony, both to its safety Traffick, & Increase of Inhabitants, promising upon the reception of that Scheme, not only

\textsuperscript{1} Coll. Richard Nicolls was slain in a naval engagement with the Dutch, in the service of the Duke of York, in 1672. A monument is erected to his memory in Amphill Church, Bedfordshire, England.
to Invest you with ample power to Exercise your Authority both to Ecclesiastick as Civill Affayres, but will bee ready on all Occasions to bee assisting to you in the Preservation of all your Rights and Interest against any sinister Obstructions; Thus desiring to heare from you by the first Opportunity, I heartily recommend you to the Almighty's Protection, & remaine

Yo' Very Affectionate friend,

FRAN: LOVELACE.

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

Council Minutes.

At a Councell Sept 8th 1676.

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

A Letter coming from Boston to the Governor from Mr Abr Corbetts who lives to the Eastward, in the Dukes Patent,
relateing the destruction of the Eastern parts near Pemaquid &c by ye Indians, in the month of Augst last, about the 20th day of the month, The same being read and considered of,

Resolved, to send a sloope to Piscataway Salem and Boston, to invite and bring as many of the Inhabitants particularly fisheries as will come driven from the Dukes Territoryes, and parts Eastward, and to supply them with Land in any part of the Government they shall chuse.

[New-York Colonial MSS. xxvii.]

At a Councell held in N. Y. the 5th day of Jan 1677.

Upon a Lre from the Go: of Boston dated No: 13th brought hither by Mr Wm Bowditch the 2d inst. desiring and order for the delivery of the Ketches at Pemaquid, to their ownrs, of which said Mr Bowditch with Mr Wm Duvall is said to be oner, And the said Mr Bowditch on ye
behalfe of himselfe & Mr. Duvall offering security to pay salvage or what other Charges their Ketch shall be adjudged unto by the Go: alleadging also that the 1st Ketch lyeing at shee doth will bee quite spoyled, & also will loose the fishing season this spring for which they make ready in febr., & is comonly esteemed to bee worth double yt it is the rest of the yeare.

The same being particularly taken into consideracion

Resolved That an order be given to yt Mr. Bowditch on behalfe of himselfe & Mr. Duvall for the delivery of the 1st Ketch unto him or whom shee shall appoint, hee giving security to the value of the Ketch here to pay salvage, or such other charges as shee shall bee adjudged unto, at the returne of the Governo'

An order hereupon for the delivery
A bond of 400lb for paym't of 200
Tho Del: & Wm Bowditch of Salem.
Wm Bowditch of Salem in N: Engl Merch & Tho Delavall of New-Yorke Merch a blank sum bound to Edm Andros Esq Go. in this his R H. Territoyes in America his Successor & Assignes.
(The foregoing paper was endorsed as follows:)

To Capt Caesar Knapton, Comand'r

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

Given under my hand the 7th day of January 1677

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

[New-York Colonial MSS. xxvii.]

HoBLE Sr.

Yo. rs of No:r 13. th by M. r Bowditch, directed to our Go: or in his absence to his dep: arrived not here till the 2d inst, which was almost 6. weekes after his departure, The contents whereof relate to the delivery of the Ketches at Pemaquid
to the Owners, Its supposed you meane the former owners, Otherwise ye fortune of the warre had apparently made them change Masts. It could have beene right, those persons had made their claymes or applicacion for them soon, probably ere this they had from Commander Knapton, but severall Reports coming that some of those ownrs have ftd they had rather the Indyans had kept their Ketches, then that they should come into the hands of New-Yorke Governmt might in part bee the occasion why no other order was sent thither, then for their apprizem, and not broft here the rugged winter season setting in seeming to forbid their removall till spring,

Your opinion about the delivery of the vessels as well as captives, which you understand by the Go: Letter, to bee mentioned in the peace, seemes to bee followed with some passion in the following clause, that if they were not delivered for the benefit of the right Ownrs that lost them, you should not know to understand his mocons, for I suppose they will appeare to have tended to ye Gen. all good of his
Ma\textsuperscript{ties} subjects in those parts as well as the interests of the Governm\textsuperscript{t}, & will always bee our aime to act with charity and justice towards o\textsuperscript{r} neighbours. as well as others, & which we could have the like retaliation from them, then should wee not bee so often Censured & Condemned:

It cannot but bee admited that you so often repeate the overtures of peace betweene us & y\textsuperscript{o} Indyans wrote to you of from Pemaquid, as you say & that unlesse the vessels were d\textsuperscript{t}. as well as captives you should not comply on any other termes, since if you will againe perufe o\textsuperscript{r} Letters you will find that the conclusion wee had made was a positive peace beyond any overtures or cessacon of Armes, & our sending to you, was onely to acquaint you, that we had as neighbours: & subjets to one Pr. enclosed you if you pleased, and if you had refused it, upon any nice termes not comprehended in the Agree\textsuperscript{t}. wee had made, the prejudice would have redounded to your selves, & allthough afterwards by a collaterall Agree\textsuperscript{t}. wee got the Ketches to bee enclosed, it was not because you mentioned you otherwise
should not comply &c., but out of a desire to the publick Good of his Ma\text{t}ies subjects, without any private aymes or pretence of particular advantage otherwise:

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

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

Ho:b\text{le} S.

Yo:r most humble Serv.:

\text{N. Y. Jan. 7. 1677.} \hspace{1cm} \text{A. B.}^{1}

\[\text{[Council Minutes vol iii. Part II. Page 153.]}\]

\text{At a Councell June 9, 1677.}

\text{A propofall being made by the Governor whether it would bee advisable to}

\text{\footnote{Anthony Brockholls.}}
fend to take Possession and assert the
Dukes Interest at Pemaquid, & parts
adjacent Eastward, according to his Roy
Hs Patent or nott,

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

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

* * *

[New-York Colonial MSS. xxvii.]

To Cap Anthony Brockholes & the Rest
of ye Councell of ye Government of
New-Yorke.

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

Sheweth.

That yo Pet being bound for Pema-
quid in the month of March past, to
receive his Ketch, brought there by the
Indyans, for ye which he had an Order of Councell, he made purchase from the Owners of two other Ketches lying there, that had likewise been brought in by the said Indyans, which said Ketches, if some speedy care bee not taken about them will be altogether spoyled & uselesse, haveing layd hall’d up in a Creeke all this winter, where they are also subject to the Hazard of being fired, by some malicious Indyan of whome there is too much suspcion.

Your Petr doth therefore most humbly prai, that hee may have an Order to be possesseft of the sd two Ketches, in like manner as hee had for the former, & hee shall give security to pay all such salvage and charges as they shall be adjudged to pay, at the returne of the Governo.

And you Petn will ever pay &c.

-----------------------------

[Council Minutes iii. Part II. 163.]

At a Councell 2d Augst 1677
Cap† Brockholes &c Lettis from Pemaquid of 12th & 13th of July read.

Ordered sending to or seeking the Indyans not allowable, but if they apply &
submit according to the Instructions to bee received, for any Particulars, may apply to the Governo at New Yorke, for wch on their Desire to finde them passage in some of our sloops going & returning.

Orders, and Instructions to bee very punctually and strictly Observed particularly that none on any Pretence whatever, doe range or goe into the woods or creeks, but to use all endeavours to secure the Open Sea Coasts and Islands as well as defend the fort.

To admitt or treat with no prions whatever but upon all Occasions or applications to refer to the Governo at New Yorke.

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

The Garrison being settled that Cap't Brockholes or Ensigne Knapton bee left with fivey soldiers and the Sloopes Company the other Officrs to Come home as p former Intimacón in the Governo's Lettr the 26th past.

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

[Councell Minutes iii. Part II. 169.]

At a Councell Sep’ 11th 1677.

Resolved that no Inhabitants bee admitted to dwell in his Rll H’s Territories at Pemaquid and parts adjacent.

The Indyans there upon their submission admitted and Confirmed to live as other Indyans of the Govern’t, they comporting themselves, and living as they ought.

The trading place to be at Pemaquid & no where else.

All Entryes to bee made att New Yorke and no Coasters or Interlopers allow’d but if any found to be made prize.

All English ffishers to have free liberty of ffishing, they conforming themselves to such orders & rules as fhall be given for the benefitt of said ffishery.
Liberty of Stages upon the fishing Islands but not upon the Maine except at Pemaquid neare the fort.

The Indyans not to goe to ye fishing Islands.

No rum to bee dranke on that fide the fort stands.

No man to trust any Indyans.

At a Councell Sept 27. 1677

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

Orders and Directions for the Commander att Pemaquid.

The Indyans late submission and peace with them admitted and allow'd and comporting themselves as they ought, to have all Justice, and freedome of living neare, converse and commerce with us, as all other Indyans of the Government have and do enjoy.
Butt to prevent all Inconveniency's or occasions of difference, no Indyans to goe to the fishing Islands, nor Christians admitted or suffer'd to inhabit or converse on the Maine, except att Pemaquid under protection of the Fort, this winter, or till further Order, to which place supplys are and shall be sent for all partys.

Traders from Yorke and that bring sufficient clearings from the Custom house according to act of Parliament, to be admitted to sett up for the present trading houses, under command, butt att convenient distance from the Fort, to the Landward, so as a street be left of good breadth, directly from the Fort to the narrowest part of the neck or point of land the Fort stands upon, going to the great neck towards New Harbour; and if endwise should any ways blind, or hinder the fort of the sight or command of the water, then said houses to be sett broadways to the said designed street, to which all Doores to open, and not suffer'd on any other side or End.

All trade to be in the said Street, in or afore the houses, between sun and sun,
for which the drum to beate, or bell ring every morning & evening, and neither Indyan nor Christian suffer'd to drinke any strong drinke, nor lye a-shore in the night, upon the neck or Point of land the Fort stands upon, & any presuming to the contrary or coming there drunk to bee apprehended and punished according to his desert, and allfo all Traders not giving over, and immediately shutting their doors att said time and warning.

No Indyans nor Christians to be Admitted att any time within the Fort except some few upon occasion of business below, but none to goe up into the Redout, nor no manner of trade whatever, upon any accompt or pretence whatsoever att no time in or neare the Fort, butt in the above street, upon penalty of forfeiture of all such traders Goods and priviledge and Corporall punishment as the case may deserve.

Fishermen giving notice to the Fort, to have all Liberty of making their fish on the fishing Islands, or neare and under the protection of the Fort.
If Occasion one or more Constables to be appointed for the fishing Islands, and Indyans to have equall Justice and Dispatch.

The Duke's floop now sent in the King's service to remaine there all winter, to be constantly employed on the coast as occasion, and to take and make prizes, and bring to the Commander in the Fort, any shall bee found on the coast contrary to the above orders, and the Commander to secure or send the same to Yorke as occasion, and to take like care thatt the orders and regulations be punctually observed neare and under command of the Fort, or transgressors duly punish't.

The Commander if conveniency, and desired, to receive and secure in the Fort the traders best Goods or Effects, to which they may resort att fitting times, and have them when occasion.

Any Trader or other trusting an Indyan or Indyans except for dry provisssions, or adulterating Rumme or strong drinke by mixing water or otherwise, to forfeit the same to the party trusted or buying, and be lyable to further censure as the Case
may require and the forfeiture of the remaining part of such strong Liquor to bee to the Commander, satisfying or paying the informer.

The Indyans if plancks att hand or when had, to have an Indyan house made over the water, where they may refort and bee.

New-Yorke, September the 22th 1677. The above by unanimous advice of my Councell to bee punctually observed.

E. ANDROSS.

[New-York Colonial MSS. xxvii.]

At a Councell held in New-Yorke the 20th day of Apr Anno Domini 1678.

Upon the addresse & Request of Mr William Bowditch of Salem in New England Merch. setting forth his having purchased two Ketches from their Owners, the which were brought into Pemaquid by the Indyans upon the Agreement of Peace made the latter end of the Summer, & hee desiring an order for their delivering unto him tendering security to pay salvage or other Charges they may be lyable unto.
The same being taken into Consideration, together with the great damage the said Ketches are like to sustaine by lyeing longer in the condition they are,

Ordered That they bee delivered unto the said Mr. Bowditch or whom he shall appoint to receive them together with their Appurtenances hee giving security here, to pay or make good what salvage, or other charges the said Ketch shall bee Lyable to & adjusted to pay by the Go: at his Returne. The which Capt Cæsar Knapson the Commandr at Fort Charles is hereby desired forthwith to give order & cause to bee done

By order of the Councell.

Letter from Lieut Gov. Brockholls to Capt Knapton

[New-York Colonial MSS. xxvii.]

N. Yorke. June 7. 1678

Capt. Knapton.

Sr. Yors of the 23d of the last month came to my hands the begining of this weeke at the arrivall of Hermanus Sloope
who brought Corp!\! Caren Tho: Mathews and C Roades with him: I am sorry for the misfortune of the former The Drs extraordinary care of him deserves a Re-quital Matthews I soon committed to the hole in the Fort, (who had rec\! his merritt if you had immediately run him through upon the affront given you) & Roades hath taken Possession of the State house whose Insolence & Impudence is beyond compare hee standing still in his Justification, though hee hath very little to shew for him selfe to beare him out, If hee were at Boston probably they would trusfe him up, but I thinke it will bee best to keepe both the one & the other in durance untill the Go: returne (which wee daily expect,) when they may bee made Examples: I hope hee will approve of what wee haue done in ordering the delivery of the Ketches to Mr Bowditch upon security, however wee think wee haue done for the best, & that without any sinister end.

The newes hee brought you of lett\!s from the Go: & a Packet in Mr Taylers hands for New Yorke was very true, & it arrived here from thence in little time,
by Tho: Lewis floope who was then there & ready to come away:

The Go: Letters were dated Feb. 10th. The ship he went in gott, in 23 dayes, to the soundings off the lands end where the wind proving contrary, they put in to Ireland from thence went to Milford Haven in Wales so over land to London where they arrived the 5th of January,

There were great Rumors & preparations for a warre with France, The K proposing to ye Parliam. to have a supply for the maintenance of ninty Capitall Shipps, & thirty or forty thousand foldyers.

The Go: was knighted & dispatch't away for Guernsey, there to make but little stay to returne in order to his coming back hither but when hee writte hee had effected nothing of the businesse hee went about. in Engl so knew not what delays hee may haue mett with since. There was little more of Newes he writte about. Wee have not yet any certaine newes of the warre being broken out, though more than propable it is, yet Letters from Engl of Mar: 26. say no warre then. As for a supply of men you mention in lieu of
those that are dead & that you now send, Truly wee are not in a condition to doe it but expect the Go: will bring recruits both for you & us too, as we shall bee ill provided agst an Enemy wee have fitted up the Fort pretty well, with new platf­formes & carriages, which were much out of repair. The Mayo'r & Aldermen are employing their Companyes of the train band about their Fortifications:

The Agreement of Peace made by the Gents of Piscataway & the Indyan Sachems, between them & the west side of Kinn­beck River I think is a good piece of worke, for that it will remove the apprehensions you had of them before:

The Articles you sent, as also the exa­minacions and other papers about Roades & Alden, I shall reserve for ye Go:

It seemes the Pinnace had better keep there; the 3d floope that was out a Cruising & Lieut Sharpe did well in bringing the Ketch & Roades into Pemaquid, their trading there being express in the Go: orders: The matter is well knowne here having lost a good Ketch formerly to the Dutch & had this given him in Exchange
(as I am informed) when he comes, we shall hear what he will say in his Justification, but I admire he should run such a hazard & suffer himself to be deceived by such an Impostor as Roads: he himself being likewise a Mem[b] where Roads was condemned to be hanged for Piracy, so that I think he will have but little thanks from the brethren, to join interest with such a cheat.

It was kindly done of Madackowando to give you the notice of their . . . . . a trading:

As for Mr. Sturts Information he did neither wisely nor civilly in it, however the matter being past & he expressing his being troubled for it, I shall passe it by without saying more of it, but he may be advised for the future not so busily to intermeddle in other peoples business.

Thus having as near as may be answered the particulars of yo[r] letter, I remaine Sr

Yo[r] humble Servant
N. Y. June 7th 1678.
Order for the surrender of a Ketch.

[New-York Colonial MSS. xxvii.]

At a Council &c June: 12. 1678
Pres't.
The Council
Mr. May . . .
& Delavall.

The occasion of meeting was the Arrivall of Mr. John Alden of Boston, whose case & Examinac6on had beene returned here before the Commander from Pemaquid, His Ketch1 having beene seize upon in St. Georges River to the Eastward, by order of the 1st Commander for trading in those parts with the Indyans or others, contrary to the order of this Governm't; & shee lyeing thereupon under arreste together with her cargo at Pemaquid,

Whereunto the 1st Mr. Alden pleading Ignorance of the 1st order, & beleiving not to have infringed the same supposing those parts where hee had traded & then was in, were without the bounds of his R: H's. patent, & within the conquest made by

1 From a rough draft of these minutes, with that from which this was copied, it appears that this vessel was named the Guift, of Boston.
30

the duke upon the French in those parts, in the yeare 1674. As hee was informed by John Roades, who hee had hired to bee with him as being knowne in those parts & acquainted with the trade and was one of those that accompanied the Duke privateer in that Expedicion, The 1st Mr Alden likewise representing the great losse hee had formerly susteyned in the late Dutch warre together with his great charge at home & innocence farre from presump­tion in yt he had acted, Therefore desiring the favo'r of the Councell that hee might have his Ketch & Cargoe restored unto him:

Upon Consideracion had of the Case & the good character of the p'ty it is ordered, That the 1st Ketch & Cargoe now under arrest at Pemaquid as afored bee delivered back to the 1st John Alden or his order (the which C. Caesar Knapton Com­mander of Fort Charles in Pemaquid is desired to see done upon receit hereof) Hee the 1st John Alden having given security of 240 lb for the paym't of 120 lb here if at the Go: returne shee shall be Condemned a Prize for breach of the Order afoer men-
coned: the f^d^ suim of 120^lb^ being by Merch^s^ adjudged to bee the value of the
f^d^ Ketch & Cargo^e^.

By Order of the Councell

Letter from Lt Gov Brockhols to C Knapton

July 1^st^ 1678.

[New-York Colonial MSS. xxvii.]

Having rec^d^ a letter from Cap^t^ Salisbury of the 24^th^ past, concerning some
preparacôns & intended desig^nes of the Maques ag^t^ their Ennemyes, I was willing
to advertize you of it, by this opportunity
of Gabriell Thompsons going to Boston,
(who hath promís^t^ to take care of the con­veyance of this to you.)

I the rather give you this intelligence
being informed that the Vnnagoungos
are the Indyans neare yo^r^ parts, which if
so, probably yo^r^ giving them notice to bee
upon their Guards, will lay some obligacôn
of friendship upon them, the which you
may advize with Mr^ Jocelyn about and
accordidg^ly^ act therein:
Wee are all well here, but no farther newes from the Go: yet, nor of any certainty of Peace or Warre. Having nothing more to communicate I take leave & remaine, Sr Yo’ friend & Serv'.

A Copie of that pt of Co Salisburyes lett’r relating thereunto I have sent here inclosed . . . . . the rather &c.

My Service to Mr Jocelyn.

... Nicolls desires his may bee July 1st 1678: ... resentened to ye both.

Council Orders relating to Pemaquid.

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

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

The Affairs of Pemaquid being taken into consideracon — Resolved That the former orders sent there relating either to Christian or Indyan doe continue in force untill the Spring, as farre westward as Blacke Point when his Hon’r the Governour to goe there and take order about the Settlemt of Planters or Inhabit’s trade and all
other matters of which notice is to bee given or in the meane time, any others may apply as occasion at New Yorke.

That no Indyan Trade bee admitted at Pemaquid but from and to this place to prevent Inconvenience.

That the Garrison Officers and Souldiers doe continue in ye effort there untill the Spring Except Sicke or unfitt persons defiring it, shall have Leave to Come away.

* * *

A Speciall Commission to the Court of Sessions att Pemaquid for the Tryall of Ifreal Dymond and John Rashly About the Drowneing of Samell Collins.

[Orders Warrants &c xxxiii.]

Sr Edmund Andros.

Knt. &c. To Ensigne Thomas Sharpe Commander att Pemaquid John Joslyne Esq r Justice of the peace in Quorum, Mr John Dollin Mr Lawrance Dennis and Mr John Jourdaine Justices of the Peace Greeting Whereas upon Informacion that Israel Dymont and John Rashly Stand
Committed about the Drowneing of Samuel Collins from on board the Ketch Cumberland Whereof the said Dymont was Master in your parts, To the end that they may be brought to their faire and Legall Tryall and Justice Duly Administered, I doe hereby Appoint Authorize and Impower you at your next or usuall Court of Sessions to be holden at Pemaquid aforesaid to Call before you the Persons of the said Israel Dymont and John Rashly and them upon Such Indictment, or Complaint, that shall be Exhibited on said matter to heare try and Examine, and such Judgement, or Sentance to pronounce and Declare thereupon as the Law in Such Cases Directs, and to cause the same to be Duly Executed accordingly And for soe Doeing this shall be your sufficient warrant and Discharge. Given under my hand and Sealed with the Seale of the Province &c Dated the 6th of January: 1680.
Council Orders relating to Pemaquid.

[New-York Colonial MSS. xxix.]

At a Council &c. June 24th, 1680.

Ordered, That some persons bee appointed to goe from hence to Pemaquid, for holding Coits.

That in their way they call in at ffishers Island, the Governm't whereof is to bee asserted, & that a Constable bee appointed there. They are likewise to put in at Martins Vineyard & Nantucket, that fitt Magistrates may be elected & confirmed there & that they be required to send one of their former number hither, to answer their neglect in not making due returns of their Elections the last Yeare.

Blanck Civill Comissions for Martins Vineyard & Nantuckett.

Military Comissions for Pemaquid.

June 26. Saggadock magistrates or officrs to continue, the Co're to try onely for 40s instead of 5lbs formerly granted them.

ffishermen to come to Pemaquid yearly to renew their Engagen'ts, & not to splitt or fling out their Gurry, or to trade with
the Indyans to the prejudice of the fishery & hazard of those parts

Capt Knapton & Mr West to have commission to jeine with the Co\textsuperscript{rt} there.

Land to bee given out indifferently to those that shall come & settle, but no trade to bee at any other place than Pemaquid & none at all with the Indyans as formerly ordered.

The Justice alone or any two of the Comission\textsuperscript{rs} or Assistants to have permission (out of Co\textsuperscript{rt}) to judge of any case or trespass under the sume of 40\textsuperscript{s}.

At a Councell &c June 25, 1680.

Present the Gov & Councell.\textsuperscript{1}

* * * * *

Pemaquid.

C. Knapton, to goe to Pemaquid

The Go\textsuperscript{rs} speech to the Indyans when there.

Mr Jocelyn a commission to bee Justice

\textsuperscript{1} From a rough draft full of erasures and interlincations.
Mr. Potter, Laurence Durrie, & Richard Redding to be Commissioners & Assistants in the Courts of Sessions, to try to 20 lb. .... Court.

A Commission for the Justices &c.

Appeal to the Assize

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

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

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

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

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

* * * * *
A Commission to Capt. Caesar Knapton
and Mr John West to bee Justices att Pemaquid.

[General Entries xxxii. 92.]

Sr Edmund Andros Kn. &c By vertue of his Maties Letters pattents and the Com­mission and Authority unto mee given under his Royall Highnesse I doe hereby in his Maties name Constitute & Appoint you Capt Caesar Knapton and Mr John West to bee Justices of the peace at Pemaquid and dependences Giving you full power & Authority to act as Justices of the peace according to Law, and former practice; And all persons whom it may concern are Strictly Charged and Required to give you due Respect and obedience accordingly Given under my hand and seale of ye Province this 26th day of June in the 32th yeare of his Maties Raigne Annoq Dominj 1680

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

Sr Edmund Andros Kn. &c By vertue of his Maties Letters Pattents and the Com-
mission and Authority unto mee given under his Royall Highness I doe hereby in his Ma'ties name Constitute and Appoint you Henry Joceline, Esq'r to bee Justice of the Peace in Corum and you Mr. John Dollen Mr. Laurence Dennis Mr. Richard Redding & Comander of Pen to bee Justices of the peace together with the Comander of Pemaquid for the time being to bee a Court of Sessions to bee held in Pemaquid for the Jurisdiction thereof Giving you or any of you (whereof the Justice of the peace in Corum or Comander to bee one) full power and Authority to keepe a Court and to act according to Law and former practice, And all persons whom it may concern are strictly Charged and Required to give you due respect and obedience accordingly This Commission to bee of force for the space of one whole yeare from the date hereof and till renewed Given under my hand and Seale of the Province in New Yorke this 26th day of June in the 32th yeare of his Ma'ties Raigne Anno q Dominj 1680.
Council Orders relating to Pemaquid.

[N. Y. At a Councell &c Sept 14, 1680.
Pres't The Go: & Councell--&c
C Knappton
Mr' West.
Pemaquid affaires by C Knappton &
Mr' West
Izrael Dymont & John Rashly; questioned at ye .... orders there held 4th Aug. last--for drowning Sam Collins & being above their Cognisance &c referred to Next Co't in Pem & ordered to have a Commission sent there to this purpose.
Walter Moore &c ....
Henry Palmer--Dep't--for Debt
An order of Co't served
The Co't to bee the last Wednesday in June & first in No'. The next Co't in June.
Severall ord'r's past read, signed by Mr' West Clarke. & Lre to Justice Jordan &c
To write to Pemaquid that what is done is approved of & about the Maques that they are forbid, & that they should do the like by their Indyans, not to goe out one ag'ft ye other to warre
A Letter to Ensigne Sharpe att Pemaquid

[Orders Warrants &c xxxii½.]

Septemb'r ye 15th 1680.

Ensigne Sharpe

Yours by Capt. Knapton received I have sent you by this bearer thirty pounds in mony which I would haue you with the advice of Capt Redding Lay out on a good Sailing Shallop.

That may be for the forte or Publikue Vfe theire but Suppose you may light on one Cheaper. I heare things at prerent are well and in good Ord'r and hope you will so Continue Take Care to keepe the plattforme in the fort in good repaire wch I judge you may doe by Wattering or throwing stuffe or Earth thereupon Pr'fumming that noe ordinary weight Cann Pr'judece it I haue alfoe sent you supplyes *** for as pr inclofed Invoice, And am Yo'r Affectionate friend

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

[Orders Warrants &c xxxii½.]

New Yorke the 15th of Septemb' 1680

Mr Justice Jordaïne,

Cap' Knapton and Mr West being arrived have Given me an account of their actings Eastward and your particuler well faire which I shall alwayes Endeavour, and to that end doubt not of you' redyness to performe and execute the trust in you' repose as Settled not apprehending any alteration or inovacion of Governm'. butt may assure yourselfe that each person in Authority discharging their duty shall have all Just protection and Encouragm', and be Endemnified accordingly I have taken care to prevent Mahakes incussions by forwarning said Mahakes warring with our Indyans and now send like ordrs for or' said Indyans w'ch I doubt not will be observed however aught not to bee Carelesse I shall not bee wanting in my duty in Every respect and as occasion lett you heare from me of which you are not to
faile on your parts and w\textsuperscript{th} Commendations to others authorized in your parts w\textsuperscript{th} you Remaine:

Your Affectionate friend
E. A.

\textit{Order for restraining Indian Hostilities.}

[Orderr Warrants &c xxxii\textfrac{3}{4}.

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

The Governo\textsuperscript{r} hath sent to forbid the Mahakes and doth lett you know you must not warr upon each other being within and of the Governm:\ But whereas many partyes may be out you will doe well Carefully to looke out and avoyd all surprifes till you be Assertained all are returned home and things Quiett and Well. The Cheifest Sachems to be sent for and the aboue ord\textsuperscript{r} Signified to them after w\textsuperscript{ch} to give then Something more then they could Deserve for Comeing such a Journey.

\textit{Sep}\textsuperscript{th}: y\textsuperscript{e} 15\textsuperscript{th} 1680.
E A.
A Letter to Ensigne Sharpe.

[Orders Warrants &c xxxii½.]

New Yorke ye 15th. Septemb' 1680.

Ensigne Sharpe.

I have by Mr Wells and one writt by Mr West answered your's of the 7th Instant except what relates to Mr Joslyne whom I would have you use with all fitting respect. Considering what he hath been and his age, And if he Desire and shall build a house for himselfe to lett him Choose any lott and pay him ten pound towards it or if he shall Desire to hyre foe to live by him selfe then to Engage and pay the rent either of which shall be allowed you in yo'r account as alsoe sufficient provision for himselfe and wife as he shall Desire out of the Stores letting me know p'r this returne how hee desires it or what, that I may Settle it. Commendations to Mrs Sharpe

I remaine,

Yo'r. Affectionate friend

E. A.
A Commission for Cap't Francis Skinner to be Command'r att Pemaquid and Parts Eastward.

[Orders Warrants &c. xxxii½.]

By the Commander in Chief

I do hereby Constitute and appoint you Cap't Francis Skinner to be Command'r att Pemaquid and Parts Eastward under the Governm't of his Roy'l Highness you are therefore to take Care that the Militia in the severall Places be well armed Duly Exercised and Kept in good ord'r and Discipline and the officers and soldiers thereof are Required to obey you as their Command'r, and yo'selfe to observe such ord'r's and Direcc'ns as you shall from time to time Receive from me or other yo' superior Officers according to the Rules and Discipline of Warr and the trust Repos'd you Given und'r my hand and Seale in New Yorke this 30th of August 1681.

A. B.
Instructions for Cap' Ffrancis Skinner
Commander att Pemaquid.

[Orders Warrants &c. xxxii.]
Given under my hand in New Yorke the 30th Day of August 1681.

A B.

Letter from Lieut Gov. Brockholls to Ensign Sharpe.


I have herewith for your Reliefe sent Capt: Skinner to be Commander for Pemaquid and Parts Eastward. You are therefore to Deliver up the Garrison and Souldiers now under your Command to him and by the first Opportunity Repaire heither which will be necessary as soone as possible. Mr Wells Being Goeing for England that you settle your accounts with him before his Departure.

Remaine
Yo: Affectionate friend

A: B:

[Orders Warrants &c xxxii.]

What men are Left I Continue att Pemaquid Severall Being Deaed and Apprehensions of Trouble with the Indians. Cannot more Leffen the Garrison there, But haue sent to Releiue Sharpe that he may make up his accounts with M'r Wells Before his Departure for England which is Intended with my Lady in the Beaver who Judge will be Ready to Saile about a month this time.

* * * * *

Articles of Association for the Settlement of a town upon Sheepscot River.

[New-York Colonial MSS. xxxiv.]

Att a Meeting att M'r Robert Gibbers House att ffort hill in Boston Held this nintenth Day of Aug't in ye thirty fourth yeare of ye Reigne of our Souerigne Lord Charles ye Second by ye grace of God of
England Scotland France and Ireland
King, Defender of ye faith: & Annoq
Chrifty: 1682 Witneseth; That whereas
there was a neck of Land Suruaide & a
towne Laid out vpon ye Said nekke Gene-
 rally knowne & called by ye name of
Mafons & Jewtts neck Lieing & beeing
in Shipscutte Riuer, & a towneſhip bounded
to yeſaid towne; yeſfourth Day of July
Extent by Sq Joſſinge Juſtis In Corrum
with feurall other of ye former Inhabit-
ance ofſaid Riuer in Company with yeſaid
Juſtis as Afforeſaid; therefore it
was thought neſficary & Conuaeniant for
ye proppigatting & Bennifitt of ſaid towne
& towneſhipe & for ye privilidges theirof
to call this Meeting where was Mett
feuerall of ye ſformer proprietors: & In-
habitance with their Associates whose
names are vnderneath Subſcribed who
Did Joynſly Bind themselues to ſtand to
ſeuerall Articles of Agreement for ye ſetteling and Sittuating of ſaid towne &
towneſhipe for ye good & Bennifihall
Aduancement theirof; theirfor to that
purpose this Couenant & Agreement is
Drawne; & is Affearmed with ye hand
& seale of Every person heare present ye Artickles followeth, Viz.

Imp's. First. Itts: thought necessity that Every foremer Inhabitante properitator & owne of any Lands Medow grounde & salt or fresh with all their former priuileges wrights or tittalles in any wise whatsoeuer of their former Rights Into yce foresaid towneshipe for yce utter good & bennifitt theirof must & shal bee throwne Into said towneshipe yce fruit trees barnes housing & fencing stuff only to bee Excepted but all other priuileges of any person or persons whatsoeuer must & shal belonge to said towneship as aboue is spesified.

Secondly. Itts further Agreed that Every person & perones whatsoeuer that Intend, to Settell build plant & Mannuer in yce said towne thus Laid out & Suruayed for that Intent must & shal Repaire to yce said neck of Land or towne as afore menished: to make preperation for their settelling & building of said towne twelue mounths After the twenty ninth Day of September ensuing yce Date of these presents in ye yeare 1683 ; yce 29: Day of
Septembe+s beeing ye firtheft tim Appoynted According to Agreement vpon ye forfituer & penelty of Lousinge all their wrights & tittells to or of any part or parfell of said towne or townehipe Exceopt such properiaters Children that are att prentis or not att age: then to Manuuer & possesse their Lotts: when Layd out p[e] Men which must & shall bee Chosen p[e] ye: Towne for that Intent & purpose.

Thirdly. Itts further Agreed that their shall bee a speedie order taken that their may bee a Conueniante place as a tract of Land Laid out for A Ministree with a Conueniant place to sett a meeting house to ye best advantage for ye towne & allso that wee may haue a minifter of our owne free choyce & such a man as ye Mager parte of ye towne shall Like & Approve of for that End.

Fourthly, Itts further Concluded that as fone as any Men that haue subscribed their hands & seales to these p[resent]s shall or may come to Make way for bulding or settelling they may & shall haue free Leaue & Lycence to Lay out & bound
their home Deuifhones that Lyes near ye towne without Any hendrance or Disturbance of or by any person or persons whatsoever; moreover it is AGREED that noe person nor persons whatsoever shall build any vesells small or great Cutt or Cary away any timber Speares ffencing Stuffe hay thache or any other Marchendyes out of said towne or townshipe without ye Leaue Licence & Approbacion of said towne Inhabitance then & their settelled.

fifthly. Itts Likewise Agreed that all such persones that shall or may first settell & are their Reddy to Improve their lotts as ffencing & working for ye Improvements of Said home Lotts Shall & may haue free Liberty & Licence to Lay out & bound their out Deuifhons for their beter Advantage & forwarding of their Improvements without any hendrance or Disturbance of any person or persones whatsoever & Every mans Lotts shall be Equally Devided euery manes equall proportion of Vplands & meadow both fresh & salt with all other..... toune shall fee it........, for ye said towne .........
Sixthly. Itts further Agreed that every man both house keepers & singell persones att ye Agge of fixtene yeares; must & shall provide three pounds of good powder with twelve pounds of Lead bullet & Swann shot: for a town Store & also to keep a good loke muscel or shot swann gone all to bee Redy for a stoke to preuent ye heathen or a forrin Inuafion: & to haue two Sufficient men Chosen for that end to see every man so provided according to order.

Seuenthly. Itts Likewise further Agreed: that noe person nor persones must not neither shall they nor any of them buld any dwelling house or Cause it to bee bult in Any part of ye towneshipe but only vpou that neck of Land Layed out & furuayed for that End & purpose vntill such time as ye town shall see it meete & fitt & that it may bee for ye Advancement & benefitt of ye Afores menchoned towne & towneship According to Agreement.

Eighthly. Itts Likewise further Concluded that Every Inhabitant of said
Towne & township must & shall haue free Liberty & Licence without any Disturbance or Molestation of any person or persons whatsoever to transport any timber planke speares pip staues or any other provision or Marchandize whatsoever with any vesell or vesells great or small to any porte or ports that are free as Boston or Els where without paying any Dutyes or Customes in Especiall maner ye grauth of our owne Country; where wee Inhabit.

Ninthly. Itts moreover Agreed upon further Considerations that Every Anshant & former properriator that haue any Children Allready borne; that it is freely granted that any of those Children shall haue as free Liberty Leaue & Licence to Come Into said towne or township of Shipscutt River & haue Lotts Layd out for them by the select men chosen for that purpose of all Lands medow ground & all other privilidges whatsoever without paying any Sumpshan of mony or moneys worth or any other gratuity whatsoever but shall bee as free Denisenes as any of
these already settled; also that every former owner Mannuerer or proprietor may & shall have free Libertye Leaue & Licence to Remoue take offe or fell all or any of their fruit trees garden stuff houing barn timber or other hewed timbr planke bords fencing stuffe & Like except it bee ye timber now growing in or vpon ye towne or townshipe ye towne or townsme Agreeing to this, that then ye said Walter Phillips Jenier shall & will agree to & with ye said towne & townsme vpon all sueter Affaires & stand to what they may now or hereafter Acet. in ye foresittuer & penalty of Louing all his former propriateyes within ye Limits of said townshipe as he shall Attestie by subscribing his hand to this Last Artickle to that end & purpos.

Tenthly & Lastly. Ittsmoreouer Agreeed that all those men that haue Subscribed their hands & seales to all these aboue M enhoned Artickles Made ye 19 Day of August 1682 as aboue may & shall haue their ffree Liberty & Licence Ether them ore som of them or ye Mager part of them
att publick Meeting Appoynted for that purpose to make Choyce of take in or Incuridge any Responśabell Credable or Benyfisshall man or men of Craftsmen Merchants or ye Like without any Deniall hendrance or Moleftasion: & for ye Manifieation & Confirmation of all & Evry of ye Aboue specified Artickles wee haue all Joynedly & feuerally hearvnto Subscribed our Hands & Seales ye Day & yeare firſt Aboue Righten Regny Regis Carilus Secundus

As Atteſt. Vpon a further Consideration beefore Signed & Sealed it is Intended that Evry person & persons ye now doe or at any time or times heareafter shall Manneur & Settell ye Aboue ſaid towne & towneshippe must &行星 Enjoy all & every parte & persſill of ſaid towne & towneshippe to ſay ye wholl Premiſses & bounds thereof to bee free Lands to bee Enjoyed by vs & to vs to our heires for Euer without any hendrance disturbance or Moleſtation in any wise whatſoeuer by any person or persons Except it ſhould bee Inuaded by a forrin naſhun & Deserted
by all ye Inhabitance as aboue shall bee & now is Confirmed as pr our hands & Seales.

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

WILL, WILLCUTT
JOHN BROWNE
his B. mark
JOHN DIER
his -I-marke
CALEB RAY
ELIZABETH PHYPS
hir marke
DAVID RANSFORD
his ² marke

Allowed by me; 30th August 1682.
HENRY TOWLYN Jus in...

These within Articles Recorded in the Book of Records at Pemaquid and Examined by me

Wm SHORT Cl: Sefs.

We whos Names are vnder written Doe Testify vpon oath ye we saw Henry Towlyn Esq' Justis in quo Sign this within mentioned Artickles with his own hand as wittnes our hands

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

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

[Order Warrants &c xxxii.] Sir

In Answer to yo's of the 17th: July I am Glad to hear of the Settlement of yo Partes which must be Encouraged and is Left to your Management with the advise of the Commander and those in Place According to the Regulacions and Orders given by the Governo'r, which still Remaine in Force and must be Attended and Observed accordingly The number of Persons you mencón will add much to the strength and trade of the Country which Shall Endeavour to Supporte the Proper plans for Settlem' You are best Acquainted with Therefore Left to you
as Aforesaid to Order the Laying out what wrott by Caftine is of noe Imporhte you Knowing the Extent of his Royll Highs Limitts which muft be Maintained according to his Pattent

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

Sir
Yo‘ Affectionate ffriend
A. B.

Commiffion for Settling the Duke of York’s Title.

[New-York Colonial MSS. xxxiv.]

Coll Tho. Dongan Liev Gov and Vice Admirall under his Royall Highss of New Yorke & Dependencys in America.

By virtue of the authority Derived unto me I do hereby Constitute and appoint you, Ensigne Thomas Sharp John Allen Esq. Justices of the peace Mr Richard Pattishall Mr Alexr Waldrop Mr Thomas
Gyles or any three of you to be Commissioners for the settling his Royall Highness's territoryes between the River Kenebeck and S't Croix Giving you full power and authority to act as commissioners and to consult make rules and orders for the good and wellfare of the said places and Government and to call to question and punish all offenders according to law and practise and all persons whom it may concerne are strictly charged & required to give you due respect & obedience accordingly.

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**Affidavits Concerning Indian Hostilities.**

[New-York Colonial MSS. xxxi.]

Jan 28. 1683.

James Dennes aged 26 yeares or thare about and now living in Kenebeck River, and Being a subject true to our Souaigne lord the King and hearing the Ingans threatening the English

This deponent faith that he hard the Ingans say one that is counted a Captaine
amonge them he faid, that his hart would neuer Be well tell he had killd some of the Einglish againe and threatening that he would Burne the Engliish houses and make the Engliish Slaues to them as they ware Before. Seuerall times Before this Ingen which was called By the Engliish Captaine Antoneie then a nother Capt faid to this faid Anthonie that he shoule hould his peace and not tell what he had amind to doe and furder faid that he heard a Ingen woman fay of her one acourd that she would not Be heare when the wars was if she could help it for the Ingans was so bad thay would make wars and she could not abid to see her Engliish neighbours kild and beseide she was afraid the Engliish would kill her and furder faith not only the Ingans are going to Canada and fay they will be Back againe in apearell insuing the Date here of

Giuen on oath before me

Laurence Denny
Justes of Peafe
Date February 22. 1683.

John Hornibroke aged 30 yeres or thare about.

This deponant faith that it is a generall faing among the Ingens that they will haue wars againe and furder faith that thare was four Ingans lay at his house and one of the Ingans said that he would Stab a English man with his knive and Run away when he had dun and furder faith that a Ingan said that the hachet hung ouer our heads and he did not know how sonne it might fall and Before that was he would giue John Hornibroke no­tice that he might go away and he was a weary of keeping the Ingans for falling out with the English and he would keep them no longer and furder faith that the Ingans did threaten to burne English houses and make them Slaues as they ware Before and furder faith

As far as I understand by John Hornibroke that the aboue said writing is Reported by the Indians for truth  

John Rowdon
That the Ingans did Report that they would go to Canada and fetch strength to fall on the English and some of the Chefe of them is gon to Canada all Ready to fetch guns and amanition and they said that they would make the greatest armie that euer yet among them.

Laurence Denny
Justes of the peace

The Depofhifhon of John Voanny & Will Bacon ye one Agged 55 yeares & ye other 35 Dito

Testifieth & Saith,

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

Ye same deponent further faith ye did Informe them that they had fallen one a fortnight agone had they not disagreed in their Judgment which did all that time preuent their Absolute Intencons & further faith not

Tacken before me this 28 day of february 1683

Pr Jno Allyen Jus of Peace
The Deposition of John Molton
Aged 50 yeares or their abouts testifieth & Saith,

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

Taken upon oath before mee
February ye 28 Day 1684

Pr Jno Allyene Jus of Pease
A Letter from Cap't Brockholls to Mr. Ffrancis Skinner att Pemaquid

[General Entries xxxiii. 55.]

New Yorke May 10th: 1683.

Mr. Ffrancis Skinner

Sr

Am Sorry the Loosness and Carelessness of your Command gives Opportunity for Strangers to take notice of your Extravagancys and Debaucheries and that Complaints must come to me thereof being what your Office and Place ought to prevent and punish, to which perceive have Little Regard nor to the former Orders and Regulations for Settlement being alsoe Informed that you have Suffered People to settle alone in Remote Places Contrary thereto Exposing themselves to the fury of the Heathen which may Prove of ill Consequence as hath been already Experience to all in those Partes, Expect a better observance and Comporte for the future, and that Swearing Drinking and Prophaness to much practiced & Suffered with you will be wholly Suppressed and that you haue Due
Regard to all former Orders and Regula-
cōns for Settlement &c by Mr Pattishall
Shortly Intended your way I shall Send
Commission for another in the Place of
Mr Joylyne Deceased who feere is much
wanted, I am,

Your affectionate friend
A. B:

A Letter from Capt Brockholts to Justice
Lawrence Dennis &c

[General Entries xxxiii. 56.]

New Yorke May 10th 1683:

Mr Lawrence Dennis.

Sir.

Yours of the ninth of Aprill Received
by which am troubled to heare Such
Looseness and Extravagancy att Pem-
maquid and Remisseness in the Officer
or Commander there not to observe the
former Orders and Regulacons for Settle-
ments being noe wayes altered but Con-
tinued & Confirmed All Care possible
hath been and is taken of that parte of
the Governmt by Giving Good and neces-
fary Orders which You the magistrates and Officers must see Executed and Observed accordingly and Suffer none to Vylate haveing perticuler Regard to the punishment & Suppresing those Debaucheryes you mencón, about w'ch Shall Allwayes write to Pemmaquid and that none settle in Remote partes alone but in Townships according to former Orders and Regula-çons shall Likewise Commissionate another in the Place of Mr Joslyne Decefed and hope all passe Errors will bee Rectified by your future Good Comporte the news of which will be most acceptable to,
Sr
Your Affectionate friend,
A: B:
A Commission to Mr John Allen of Sheepgutt to be Justice of the Peace for Pemmaquid and Dependencyes.

[General Entries xxxiii. 57.]

Anthony Brockholls Esq'r. Commander in Cheife and the Councell of the Province of New Yorke &c.

To Mr John Allen of Sheepgutt Greeting.

By Virtue of the Power and authority Derived unto us under his Roy'ill High's wee Doe hereby in his Ma. tics name Constitute Authorize and Appointe you Mr John Allen to be Justice of the Peace for Pemmaquid and Dependencyes Giveing you full Power and Authority to act as a Justice of the Peace according to Law and former Practice and all persons whom it may Concerne are Strictly Charged & Required to give you Due Respect and Obedience accordingly. This Commission to be of force for the Space of one whole yeare or till further Order. Given under my hand and Seale in New Yorke the 12th Day of May 1683 in the thirty fifth yeare of his Ma'tics Reigne &c.

A: B:
Petition from the Inhabitants of Pemaquid.

[New-York Colonial MSS. xxxi.]

(Endorsed:—“A Petition of the Inhabitants of Pemaquid. Sept 6. th Defered untill the Govern'r go to Pemaquid; or send some body thither, only in the mean time the former orders are to be observed.”) [1683.]

To the Right Honorable Coll Thomas Dongan Gouernor Generall of all his Royall High's Territories in America and Vice Admirall of the Seas &c and Councell.

The Humble Petition of the poor Inhabitants of the toune of Pemaquyd &c. Humbly Sheweth.

That when the most part of the inhabitants of this place did come from New York at the subdueing of this Countrie here to Serue his Royall High's; Therefor and for Seuerall other good reasons (and Secureatie of the People) moueing your hono'r predeceffor Sr. Edmund Andros, and Confirmed by Cap't Brockholls; did giue grant and Confirme
to this Town of Pemaquid the whole trade of the Indians; directly and indirectly forbidding all other Persons to trade with the Indians within this Colony. Except at Pemaquid under very great Penalties as the Records here make appear. And likewise your hono'r was pleased in your Articles sent by Capt Sharp to Order us here to build last Spring one Block-hous at Merrimeting; which according to Order is there Ready to be raised; as will appear by some of your Petitioners who can informe further; and for securing last Spring of his Royall High's Revenus we sent up one vessell about twenty four tunns well manned to trade haueing entered and paid Duties which does amount to more then all the Rest of this Country; except Pemaquid towne as your Collectors books will make appeare. But since your poor petitioners understands that Capt Sharp hath Receiued a Letter from your Hono'r to forbear setting up of the house vntill your Hono'r further advice otherways it could haue bin finished.

Therefore your humble poor petitioners doth humbly beg and Desire your hono'r
that our former Liberties granted to us Concerning tradeing with the Indians may be confirmed and strict Charge giuen that noe other Person nor Inhabitant Shall trade Except they doe come and build here which will be a strengthening to the garrison of this place and for promoting his Royall Highness Interest to Order that wee send up a Vessell up Kenebeck riuer untill your honor se caus to have the blocke hous Raised being willing to pay Custoime & taxes according to orders which wee hope will be Considerable this fall in that Place other wayes it will be imbaselled and wee disabled from making our Lives Comfortable; Likewayes to grant your poor Peticôners an order how wee shall behave towards the french in your Jurisdiction to the Eastward for the trade that way is Considerable and will promote your honours interest. And your poor Peticôners shall euer Pray &c.

[The Signatures to the above have been cut off by some person unknown, probably for the autographs.]
At fort James in New Yorke September the 13th 1686. [1683.]

Ordered that John Allen be made Sherriff of Pemaquid & Dependences, as Islands & whatever is thereto belonging, & he is to appoint the freeholders of Pemaquid & Dependences to meet & Chose one Representative

Commission of Thomas Sharpe as Commander at Pemaquid

[New-York Colonial MSS, xxxiv.]

By the Govern'r

I Do hereby constitute and appoint you Ensigne Thomas Sharp to be Commander att Pemaquid and parts Eastward vnder the Govorment of his Royall Highness you are therefore to take Care that the militia in the Severall places be well armed duly exercisef and kept in good order and discipline and the officers and
soldiers thereof are required to obey you as their Commander and you yourself to obey such orders and directions as you shall from time to time receive from me or other your Superior Officers according to the rules and discipline of war and the trust reposed in You. Given under my Hand and Seal at Fort James the 10th day of Novr 1683.

Commission of Alexander Woodrop as Sub-Collector and Receiver.

By the Governr

I do hereby Constitute and appoint you Mr Alexr Woodrop to be Sub Collr and Receiver of the publik Revenue of the Customes & Excysfe due to his Royall Highness in Pemaquid and its Dependencies on all Comodityes Customsable and all liquors according to an act of the Gene'l Assembly published the 31st day of Octo last of which you are to keep due account and make returns of said receipts in Specie from time to time to me or my order and all persons concerned are re-
quired to conforme themselves accordingly upon the penaltyes as in the said act is specified this my Comícôn to last only Dureing my pleasure Given under my hand and seale in New Yorke the 28th day of November 1683.

Instructions for the Settlement of Pemaquid.

[Council Minutes v. 23.]

At a Council held at ffort James in New York November ye 22d 1683.

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

The following Instructions & Orders were Considered.

Instructions for ye Settlement of Pemaquid

That no coasting Vessell shall trade on the Coast as Bumboats tradeing from Harbor to Harbor, but as shall Supply the Generall account for one boate or more, neither shall it be lawfull for him
to trade in any Other Harbor, but where
the boat or boats are, neither shall it be
lawfull for him to trade with any other crew
for liquors or wine Rumm, Beer Sider &c
on such penalty as you think fitting.

An Ordinary is to be Sett up at every
Island or fishing place by an approved
man of that place

It shall not be Lawfull for the Ordinary
keeper to suffer any boates crew or any
men belonging to any boates Crew to fitt
& tipple to excessive drinking, or unsea­
sonable houres to hinder the said boates
Crew upon such penalty as by you shall
be thought fitte

It shall not be lawfull for any masters
of vessells to sell or dispose of to any
Crew besides their own any liquor of what
kind foever on penalty or forfeiture to
make good to the Vessels Crew the same

It shall not be lawfull that after any
Crew be Ship’d & agreed to proceed on
their Voyage & haue been to sea together
to make a faire that if at any time by
any of the Crews obstinacy or Idleness
or any other means (sicknesse only ex­
cepted) that the Crew be so hindered of
makeing her faire the penalty & forfeiture for each faire be considered & so proportionable for a longer time that the Said party shall absent himself to the Hinderance of the Vessell going to sea.

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

It shall not be lawfull for any Vessell or Vessells that do not belong to this Government to make an herring Voyage at Mount Nilis (?) or any other place within this Government upon penalty thought fitt by you

It shall not be lawfull for fishermen to keep any more dogges then one to a family on such penalty & forfeiture as shall be thought fitt by you

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

That all fishermen & planters shall be forced to have Arms & Ammunition.

That all persons whatever shall be forbidd to trade with the Indians Saue only two houses one at Merrymeeting & the other at Pemaquid.

That all Vessells out of any Government if they com to trade or fish shall first enter at Pemaquid or the places appointed & that they shall not goe into any other Harbour except by stress of Weather but first to Cleare & giue an Account of their design & not to break bulk before they have so Cleared & then proceed to trade or fish as license or permitt may be granted on penalty.

That no Vessell or boates Crew shall break bulk or dispose of any fish till the first of June on penalty.
That the fishermen may have an assurance of these plantations about Socadahock & an Encouragement therunto that the planters in Sheepsgut River & Denorall Cote & the planters in Kenebeck & New Town in particular encouraged being fit for the fishermen as well as planters.

That no one who takes fourscore Acres of Land Shall have of the said Acres above eight Acres fronting to the Sea River or Creek & so proportionably for any who takes more or less Ground.

That no Stragling farmes shall be erected nor no houses built any where under the number of twenty.

The Officer who is Commander of Pe-maquid shall by the advice of the Comrs or any two of them Seaze any Vessell that offends contrary to the aforesaid instructions & such Orders as shall be made by you or any three of you for the well establishing that Colony, provided allways that nothing herein shall be don by you repugnant & contrary to the laws of this Country, & the laws of England.

And for the promoteing of piety it is requisite that a person be appointed by
the Commissioners to read prayers & the holy Scriptures

Ordered that no Vessell or boate or Can noe whatsoever shall trade nor go into any Harbors or River between the Rivers Kenebeck & St Croix but what shall enter & Clear first at Pemaquid, except they are forced by stress of weather, upon forfeiture of both Vessell, & goods, & that no one whatsoever as he will answer it at his peril shall take a permit or lycense to trade there from John Nelsson at Boston or any other person whatsoever, except such as are appointed & Commissionated by the Governor of New York

And for the further encouragement for people to go & Settle on the Dukes territories between the Kenebeck & St Croix they shall have lands for themselves & their heires without paying any Quitt-rents except a small acknowledgment of one shilling for an Hundred Acres per Ann, & that they shall not be lyable to be arrested for any debts for the space of seven Years excepting such debts as they shall contract by occasion of their going thither, or whilst they inhabit on that place.
No fishing boats whatsoever shall throw over board any Garbage or Gutts or any other thing that tends to the damage of the fishery banks on forfeiture of their boats or Vessells

And all Vessells or fishing boates not belonging to Pemaquid or the Government of his Royall High's are to pay as followeth

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

Petition from the Inhabitants of Pemaquid.

[New-York Colonial MSS. xxxii.]

To the Honred Coll Thomas Dongan Left. Gouern'r & Vise Admirall vnder his Ryell Highnes of New Yorke Dependenses in America and to his Hon'rbl Counsell now Sitting att New Yorke

The humble Petion of the inhabytance of the Extreme partes of his Riall Hince's Teritory Betwene the Riuier Kenybeke and St Croix Humbly Sheweth

Ware as yor Petinor's Came to vnderstand by Seuerall Commition and in strucktion
for the Settlement of the aforesaid partes that yo\r\n Hon\r Hath intended Good for these partes and all ways will wee Beliue Conferme the same which Giues vs Greate boulldnes to seeck yo\r\n Hon\'s protecktion and Reedres from many burthen, and oppretions that are Layed vpone vs by the wonte of Lawes being Lefte to the will and plefuer of the Millitary order by which menes the Gouverment bee Coms to vs allto Gethe Arbytary which doe to bee is Repugnant to the Lawes of England and his Maj\city Regall authority as allso a great Reflexion one yo\r Hon\'s authory Being fully a shored of our Deliuerce from the same By yo\r\n Hon\r. After seurill yeares suffring By ouer Great Distant from New Yorke whare wee are all ways to have ooure Releefe in such and the Licke Cases =

Prmis the Boody of Lawes of New Yorke and the adja\sent partes of his Ryall Hines territory hath not these partes in it Thare foro humbly Request that wee may bee A mibber of that Boody --

2ly—Thare has ben but one ..... appointed for these partes which all
Cases Com before and if Injustis Don any man vnder correcation bee it spoocken to the Loos of his Estate or Dammige to his parson this Law Appointes noe Appeall for vs which privileges is a Lowed of By yor Honr and Counsell at New Yorke and thare fore hope yor Honer will pro­vide som way for our Releefe

3 ly It hath Binne the pracktis of the Commander of Pemaquid to apprehend by forse of armes the kings Justis of the Pease and thretten other Justis of the Pease with Putting in Irons and keping in the fort a prisnor seuerall dayes with other Grand abusses and Villifiing Lang e and for noe Reson only for following thare Commition Granted to the Said Justise of the pease as allso thretnige the Desolning of Coarts att plesuuer By which meanes the Kings Justises and Subjects haue bine turned bee fides thare Busnis: Humbly Beging Yo Honrs Releefe in the same

4:thly: Whare as you Honer haue Sent formly Artickles in tittled Instrucion for the settillment of Pemaquid which signifie to yo' petitioneor that yo' Honrs haue thoughts of Good for the Inhabitance
of these partes if a Right vnderstanding whare as the ffurste Instrucktion Declar­­rith that noe vesseill shall trad one the Coste as bumboates from Harbber to Harber but such as shall supplye the Gine'orall account for one Boate or more nether shall it bee Lawfull to trad in any other harber which or Instrucktion is much to the dammig of the in habby­tance and a great Discorrigement of others that wold Come to inhabbitte for answer to the afore said Instructure the persons that haue supplied the fishery haue all­ways sate such Grate prifes one thare Goods that it hath for many Years Impo­verished yo' poore petittiones butt of Late hath by the Refons of Supplyes att a Cheaper Rate and not Confarned with the Supply of boates made vs to make a more comfортable Liuing then heare to fore

Likewayes wee tacke bouldnes to ac­­quainte yo' Honors with a Confi­dderable quantidy of planters Settled and are a Coming to Settill in his Riall highnes teritory in the Esterne partes if in corrig­­ment from Yo' honer which wee Dispare not of Desiring yo' honer to take it into
youe pieous Consideration how these aforesaid planters shall bee supplyed Being absolutely Commanded that the supplyes shall Dispose of noe goods but in the harbers where fishery is and to now other but the boats cruve which aforesaid in strucltion wee humbly Confeue were Given in to youe Honer by him that had to much fellfe in it and wee feare a Combination with other suppliers to the Impourishing of Your poore peticiners as heare to afores which intringment of trade hath neuer Ben as wee humbly Confeue to his Majesty suiback humbly Desiring Yo"r honer to Reliue vs in the fame ---

5. thLy Where as the ninth Instrucktion that the fisher men of Sacady-hocke ILand shall not Builde any more howesfes one that parte of the Iland whare the Stages bee but shall Remove all thare Houfes within the Spafe of three yeares which will bee the Runing of the proprieters of ye fame but wee humbly Confeue and fartingly knowe that his Majesty by act of parlyment haue mad proclaymation that all Ilands and plases conuenient for fishery all tho any person or persons propriety shall Bee
Improved for that End; as also Sir Edmund Androus Confirming of the same: we fear your Honors in affirmation have been from a person formerly Claiming a Right thare unto all tho pretended which person cane bee noe other person then Mr Richard Pattishall which wee have Grounds to fear not Designe Good to this partes wee Humbly Request your honor to Relieve your poore petitioners in this matter.

6th Ly. Ware as in the thirteenth artickell that all vessels shall enter at Pemaquid and att noe other place which wee humbly Conceive will bee Very Detrimentall to a Considerable quantity of fisher men and planters by Reason of the Great Distance of Pemaquid and the Depenes and Difficulty of the bay of Pemaquid has Detained severall vessills many Days som times Weeke which has expos'd the fishery and planters to Great Wontes as also a Great Dammige to thare Employe over Humble Request to Your Honor is that you wold grante vs two places more of Entries and Clering the one at Nu Dartmouth in Ships Gutt riuer whare ar
Considerable inhabbitance and meny more Coming and promfing a Considerable trad of shipping for maste and Lumber and all foe an office or som parfon at Sacadyhocke in Kenybec Riuier appointed for Entring and Clearing

7:th Ly Ware as the Eighteenth in struction Doth Requier noe settillment in those partes under the number of Twenty f familys which wee acknolige a very great prudence of Yo'r Honner wee humbly Confeue if yo'r Honer Doth but parfer tenn familys it may much more Con Dufe to the Settelling of those partes for tenn familys can be found to Settill at the fursfte a towne ship when twenty Cannot be procured but when tenn settled from small towne it hath all times by Ex- pperience incurred more to Come wee humbly Request your honner to Grante the Same

8thly Wee further take Bouldnes to acquainte yo'r honner of a uery Considerable Charge that the towne of Nu Dartmouth is Ships Gutt Riuier and Sacadyhocke in Kenybeck Riuier in Erck-ting of a fforte at Each place for Security
of the in habbitance againft the Hethin by Reson of thretting Langeuge proffeding from them and to bee found confull-tation for ware, as allfoe thay Declaring that iff thay did not Cutt of the English now thay came to inhabitt befoore that thay wold bee to manny for them and to strong wee humbly Requeste yo r honer to provide some better security for after time.

all thofe forementioned artickells wee ar fully parfuaed yo r honer has a better understanding of then wee ar Capable to informe; not Douting as yo r honer has allready Defighend Good for thefe partes will Grant vnto yo r pore petiftnors all the afore said artickells wee shall Euer pray

JNO ALLEYEN
LARRY DENNY
JUSTES — — —
NICH MANNING
THOMAS GYLES
PHI PARSON
ELIHU GUNNISON
CHRISTOPHER RYER
THOMAS GENT
WILLIAM LOWERING
ROBERT COOK
FFRANCIS JOHNsson
AFFTE NELE
THO SERGANT
GOURY GRAY
JOHN LANGE
ÉLIUS TRUCKE
JOHN SELLMAN
Saieth: ye: some time in December: Last past being 1683 I Arrived in Boston & met ther with Capt Sharpe that was my passenger to Rod: Island. I Asked him whethr he was with ye: Govr Bradstreet a bout ye: procleme to Ask Leue for ye: setting, of it, to ye: he Answered noe and desired me to goe with him, the which I did the Gouer Answer was ther should be caer taken About it After he had met in Counsell:

I alsoe Asked Capt Sharpe whether he had deliuered the Letter to Mr Nol... he said noe, but would doe it After ye: procla was upp, when I understood Mr Kelson, had his Letter I went to his house, to discorse him Conferneing ye: Esterne p'rts, wher I Aquainted him of ye: Hon' Gouer' Dongans Resolues to poses him selfe, with his Riall Hines his Rite to S': Croys by Letters pattens Granted from his maiest: and he had sent Letters Accord- eing to Costen, to Come in and pay his
Respect to Pemequide his Answer was Gour Dongan, was mistaken in Costen, for he was Comisinated from ye King of Ffranfe, and Likewise from ye Gover of Canadey to Kepp ye Rite and possession of those p'ts and that ye said Costen was a Baron, and did Skorne to Come to Capt Sharpe being a men person, and of noe p'ts and could not Discorse such a Gentell, as Costen, further more that ye Said Costen would Lose, his Life Rather, and that it would be an Ill dayes workes for Gour Dongan to use Au: of Hostille towards, him, for if he did ye English in these p'ts would soon be Cut of, and ye places Left in Ashes. I Tould him that could not be for ye Ffrentch were but Ssue, he Answered that these and all ye Indeans were Ingaged to him in these p'ts I Answered that all ye Indeans from Pe-miquid westwards waer obedient to Goue Dongan, which waer two to one for ye Estwards. He Answered he knew, to ye Contrary I Anfd that then Go: Dongan had ye Mohocks, and Senicaes consisting of at Left 3 M: men to Send vpon these

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

His Answer was he beleued ye Gou's: was mistaken in that two, for he was shuer ye Ffrench Gouo's: kept Jesuits: in ye Mohockes Castells and further moer ye Ffrench Go:'r had Lately sent for ye Mohokes vpon some misdmer and Xecuted Eyght or Nine that ye Mohokes Brought in them felues Alfoe that ye Kenebecke Indeans were Stout fellows and feared not ye Mohocks

Council Minutes Indian Affairs.

[Council Minutes v. 66.]

At a Council held at fort James April 11th 1684.

Governor Dongan said he was against giueing any provocation to the Indians, & would use all the faire ways to preverue peace

Governor Cranfield said that those the province of Mayne had draun themselves into Garrisons
Mr. Dudlay replyed it was don by any order from Boston.

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

Governor Dongan said that if his officers at Pemaquid did any thing against the Indians, beyond his instructions, they should suffer for it, & that he would not make any preparations to alarum the Indians.

Governor Cranfield proposed that an allowance should be made with the Maques to assist them of Boston, & the province of Mayne & other Colonies.

Gov Dongan answered that if any assurance came from Boston & the province of Mayne that the Indians did make warre he would use his utmost to get the Maquas.

Governor Cranfield desired that one might be appointed from N. York Boston, the province of Mayne & other Colonies to treat about it, to adjust the expences which would be due to the Maques.
Governo\textsuperscript{r} Dongan said he was against any thing yt might show the leaft fufpition of the Indians, & give them iealousie

Agreed upon by Cranfield Governo\textsuperscript{r} of the province of Hampshire, Mr Joseph Dudley & Mr Shrimpton & Governo\textsuperscript{r} Dongan with the Council that if upon the arrivall of Mr Cranfield into the province of Hampshire, Mr Dudley & Mr Shrimpton at Boston they heare of any Acts of Hostility comitted by the Indians they forthwith giue notice the Governo\textsuperscript{r} of New York who will fend som on purpose to them to Consult what is fitt to be don in it, & to adiuft the payments that shall be due to the Maquake for their assistance in case they are employed & further to advise & Consider whatsoever shall be necessary for the preservation of his Maties Subjects.

\textit{Extract of a letter from Gov Dongan to the Council of the Province of Hampshire}

[Council Minutes v. 68.]

\textbf{Apr 11. 1684.}

* * *

We giue you many thanks for ye kindnefs towards this Governm', tho we haue
no reason on o[r] parts to apprehend a warre w[th] the Indians; with whom we haue but lately renewed a friendship, & haue letters from Pemaquid which mention nothing of any likelyhood of a warre amongst them, the copy of w[ch] & some other papers are in the hands of ye Governo[r].

______

[Council Minutes v. 72.]

At a Council Apr 21st 1684

Prsent the Governo[r]
Mr. ffir fflypsie Mr. S. V. Cortlandt
Mr. L Santer J Spragge

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

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

[New-York Colonial MSS. xxxiv.]


Humbly Sheweth;

That Whereas your Honours Humble Petitionrs: Obtained a Grant of a Tract of Land to settle it as a Township about two years Past, from the Worshipppfull Henry Josslyn Esq, Justice in Quo: Deceased and by virtue of an Order Derived to him from Sr: Edmond Androfs, Then Govr: haue Graunted the aforesd Inhabitantes To be bounded as foll. Vizr: On ye South to ye Sea, On ye North to ye Country, On ye East wth: ye River,
knoune by ye Name of Damaras Cotte, 
as also wth: ye: ffresh Pond, at ye: head 
of Said River, and fo into ye Country, 
and on ye West bounding Vpon ye Great 
Island of Saccadahoc, and fo through 
Batemans Gutt, Into ye: Sea South & by 
West, and also Vpward from Batemans 
Gutt, Into ye Country to ye Great fallses, 
and from thence to great Monsiocage 
ffalles, and from thence a north and by 
West Lyne into ye: Country as p Platt 
will appeare, As also ye: Orridginall 
Graunt from ye: above said Joslyn Esq: 
Whereas yo: Petitionrs Come to vnder-
stand from yo: Honors: hand That all ye: 
Inhabitants shall haue their Title of Land 
Confirmed vnto them in Townshipp, 
Wee have hearetorefore presented yo: Honors: 
wth: a Platt of ye aforesd: Toune Bounds 
as also from Vnder ye Surveyors: hands, 
Their Sirveying & Laying out of sd: 
Townshipp according as ye Law prvides 
Wee Humbly befeiching yo: Honour to 
Graunt & Confrirme vnto ye: now Inha-
itants of said Towne all ye Lands wth: 
Rivers & Riviletts, Islands, & Iletts, 
Harbours, & Bayes, wth: in ye: aforesd:
Bounds Vnto yo, r Humble Petition r's & heires, according to ye Charter of East Grinoidge, Only Excepting r^t, a hundred acres if Demanded p^r anum Vnto his Roy^t: Highnesse p^r acknowledgment: w^ch: if Graunted & Confirmed by yo^r Hono^r: & Councell, will much Encourage not Onely ye^e Inhabitants ye^c are now heare, but others ye^t: are Comeing if our Lands weare Confirmed Vnto vs, Severall of our Inhabitants are Drawne of already, and others Intend Except they Can haue a speady Confirmation of their Lands made to them

Therefore wee Desire That yo^r Honour would be pleased to take it into yo^r se¬rious Consideracion That a Pattent may be Graunted Vnto vs for our Townshipp. That wee ye^t: are heare & others ye^t: would Come & settle amongst vs may be Enc—couraged.

Wee doe allso further pssume & make bould to acquaint yo^r Honour ye^t wee are Disturbed by People ye^t Come heare to Clame Lands by form: & p^tended writes; Cap^t: Elisha Hutchinffon of Boston
hath been in these Parts, & gives out seveare Threttenings ye he will Come & take away our Land wheren our Towne stands & severall others Doe Thretten Likewise & say That they haue more wright to Shew Then wee have to our Lands, Therefore wee desire ye: your Hono: will Consider Vs That Wee may haue assureance, of our Lands, and ye: no such p*tenders or old Morgages ye were made before the warrs w*th ye heathens may be p*ceeded ag*: if they shoulde it would Damnifie & utterly breake vp our Towne: Capt: Hutchifon faith ye: he must have Vs become his Tennants or otherwise wee shall not Live heare.

And allso when our Repreſentive Mr Gyles, Godward went Laft; Mr John Allen without ye knowledge of Mr Godward or vs sent Privetly a Pettition vnto you Hono:*; it being fFalfe as will appeare wee never knew any thing of it vntill Mr Godwards Returne Mr Allen haveing given vp all his former wright & title which he p*tends he had to the neck of Land ye Towne Stands vpon and Else
wheare, vnder hand & seale to vs and willingly tooke a Lott Equall to ye Rest, as he pretended to Encourage vs to settle ye Place, as will more fully appeare by ye articles.

Wee Presume further to aquaint yo': Hono': That wee have heare amongft vs one Cap' Nicholas Manning Cap': of a Company That is very Troublesome, and Doth much Obraide & Disturbe vs in our buisness, Townes Men & Overseers That are Legually Chosien by ye Towne he Doth Disturbe at Publique Meetings, about their Toune affaires, he allfo braggs That his power is better than our's, and sayth he will settle whom he will and where he pleafe, wh makes Partyes & Divisions amongft vs, To our great Trouble, wh: if not p'vented, wee feare will growe worse, wee Desireing yo': yo': Honour will take all matters into Consideracion for to graunt vnto vs yo' Poore & humble Petitiones a Confirmacion of our Lands That wee doe now Enjoy, and also yo' yo' Honour would be pleased for to sett or nominate ye Name of our Toune ac-
cording to yo'r Pleasure, and what Else your: Honour shall see fitting and wee shall Euer Pray &c:

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

THOMAS GYLES Justice of peace
ELIHU GUNNISON Justice of peace
RICHARD PAIN Mast maker
and Purfar for his Magctys vfe in England
JAMES COOKE Mariner

[April 21. 1684.]

Commission of Nicholas Manning as Captain of a Foot Company.

[New-York Colonial MSS. xxxiv.]

By the Governor.

Whereas, out of the good opinion I conceiue of You I haue thought fitt to Constitute, and appoint you, Cap't Nicholas Manning to be Cap't of a foott Company of the militia for the County of Cornwall These are therfore to will and require you to take into your charge and comand the said Company as Cap't accordingly, and Duely to Exercise the said officers, and fouldiers thereof in armes and to your best Care and Endeavour, to
keepe them in good order and Discipline, hereby Willing and Requiring them to obey you in all things as their Cap: and you Likewise to observe and follow, such orders and directions as you shall from time to time Receive from mee, and for the Doeing this shall be your Warrant, this to Continue During my Will and Pleasure only; Given under my hand and seale att Fortt James the 28\textsuperscript{th} day of Aprill 1684.

Passed the Office. \textbf{THO: DONGAN.}

\textbf{JOHN SPRAGG Sec'y}

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\textit{Commission of Gyles Godard as Lieutenant of a Militia Company}

[New-York Colonial MSS. xxxiv.]

Thomas Dongan Liev\textsuperscript{t} Governor &c

Whereas out of the good opinion I conceiue of you Gyles Godard I haue thought fitt to Constitute and appointe you to bee Leiu\textsuperscript{t} of a foot Company of the militia for the County of Cornwall, You are therfore Carefully to Performe the Duty of a Leiu\textsuperscript{t} in all things and to
Obferue fuch orders as you fhall from
time to time Receiue from your faid Cap't
or other your superior Officers and all
Inferior officers and Souldiers of the faid
Company are to obey you as their Leiut
according to the Discipline of Warre this
Commission to Continue During my Will
and Pleasure only; Given under my hand
and Seale the 28: Day of Aprill 1684.

Passed the Office         THO: DONGAN
J: SPRAGG Sec'r.

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

Commission of Justices of the Peace.

By the Governor.

By Virtue of the authority derived unto
mee from his Royall High'd: I doe hereby
Constitute authorize and appointe you
John Allyen, John Dolling, Lawrence
Denni, Thomas Giles, Alexander Woldrop,
Thomas Sharp, Richard Pattifhall Esquires
to bee Justices of the Peace for the County
of Cornwall and Commissioners for the
fettling his Royall Highness's Territoryes betweene the River Kenebeck and St. Croix Giveing You full Power and authority to act as Justices of the Peace, for the Good and Wellfaire of the Government and due administration of Justice, and to Consult and make Rules and orders, for the Weale and benefitt of his Royall Highness's Territories betweene the River Kinebeck and St Croix and to Call to question and punish all offenders according to Law, and all Persons whom it May Concern are strictly Charged and Required to give you due Respect and obedience accordingly; this Commission is to be of force dureing my Will and Pleasure, only Given under my hand and seale att Fort James this 28: Day of Aprill 1684
Passed the Office THO: DONGAN.
J. SPRAGGE Sect
At a Council held at Fort James July the 9th 1684.

* * *

The petition of the Inhabitants of Pemaquid referred until the Governor go thither & in the Mean time the former orders to be observed.

Orders concerning Block House and the payment of Quit Rents.

By the Governor

Ordered that the Block house of Merry Meeting bee Imediately Raised by the Town of Pemaquid and there to Trade and Traffique Paying Customs according to the act of assembly and the said block house to be Raised at theire Owne Charge and Likewise Ensigne Sharpe is to send up to the said blockhouse one file of men to be Comanded by John Rowden.
And that all vessels are hereby required to Enter and Cleare at Pemaquid.

Passed the Office THO: DONGAN
J SPRAGGE Secr.

Fort James the 8th day of September 1684.

By the Governor.

Whereas there are Several Quit Rents standing out and in arrears to his Royall Highness at Pemaquid Due and Payable since the agreement made by the late Governor Sr Edmond Androfs Knight &c. These are therefore in his Royall Highness name to authorize Empower and appoint you Alexander Wardrop to ask demand and Receive all such quit Rents as are due and Payable to his Royall Highness in the County of Cornwall and to give Receipts for the same, for which this shall be your sufficient Warrant. Guen under my hand at Fort James the 12th day of September 1684.

THO: DONGAN.

You are to Receive all the aforesaid quit Rents vntill the 26th of August 1684.
Commission granted to John Buttery to be Cap't of Foott belonging to New Towne and Sackadahock Date the 22d day of October 1684.

Commission Granted to Gyles Godard Esq'r to be Cap't of a Foott Company belonging to the Towne of New Dartmouth in the County of Cornwall Date the 22d of Octo 1684.

Commission of Gyles Godard as Surveyor.

Thomas Dongan Lieut and Governor &c

Whereas by the Severall Petticôns of the Inhabitants of Pemaquid it appears to be Convenient and necessary to have a Surveyor in the County of Cornwall I have therefore thought fitt to Constitute and appointe Giles Godard Esq'r to be Surveyor of the said County and to Lay out any Tract or Parcell of Land not Exceeding the quantity of one hundred acres for Each Person and alsoe to survey all Toune Shippe not already Surveyed not any wayes Prejudiciall to any Persons
Right or Interest and to make a Returne thereof to me for which this shall be your Warrant. Given under my hand and seale att Fortt James in New Yorke the 22d day of October 1684.

Passed the Office, THO: DONGAN
J. SPRAGGE Sec.]

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[Council Minutes v. P. 157.]

At a Council June the tenth 1686.

* * *

The Governo proposed that there being some Confusion amongst the Inhabitants of Pemaquid, it would be Convenient to send Cap. J. Palmer thither to agree with them for takeing out their patents, & paying of Quitt rents & ordered that Instructions should be given to him.

* * *

Licences for the taking up of Land.

[New-York Colonial MSS. xxxiv.]

By the Governor

Whereas John Spragge of this Citty of New Yorke hath desired my Liberty and Lycence to take up and Enjoye a
Certaine Island Called and Knowne by the name of Summersett Island and the small Island thereunto adjacent Scituate and Lyeing in Pemaquid in the County of Cornwall these may Certifie that the said John Spragge hath hereby Liberty and Lycence granted to him to take up and enjoy the said Islands in order for Confirmation by Pattent Provided the same be not appropriated or disposed off to any others Given under my hand at Fortt James in New York:

Tho: Dongan

By the Governor.

Whereas James Graham of the citty of New Yorke Merchant hath desired my Liberty and Lycence to Take up and Enjoye one thousand acres of Land scituate Lyeing and being in Pemaquid in the County of Cornwall, These may Certifie that the said James Graham hath hereby Lyberty and Lycence granted to him to Take up one thousand acres of Land provided that not aboue one hundred acres of the said land be fronting to the sea or water fide also provided the
sane be not appropriated or legally disposed of to any others. Given under my hand at Fortt James in New Yorke the 19th day of June 1686

Tho: Dongan.

By the Governor.

Whereas Thomas Smyth Genr. hath desired my Lyberty and Lycence to take up and Enjoye three hundred Acres of Land Scituate and Lyeing in Pemaquid These may Certifie that the said Thomas Smyth hath hereby Lyberty and Lycence to take up the said three hundred acre of Land in Order for Confirmation by Patent Provided the same be not appropriated or Legally Disposed of to any others Given under my hand at Fortt James in New Yorke the 19th day of June 1686.

Tho: Dongan

By the Governor.

Whereas Thomas Cooper of the City of New Yorke Genr. hath desired my Liberty and Lycence to take up and Enjoye three hundred acre of Land Scituate Lyeing and being in Pemaquid in the
County of Cornwall  These may Certifie that the said Thomas Cooper hath hereby Liberty and Lycence to take up the said three hundred acre Provided the same be not appropriated or Legally disposed of to any others, Given under my hand att Fortt James in New-Yorke the 19th day of June 1686.

Tho: Dongan.

Authority of John West to act as Deputy Secretary.

[New-York Colonial MSS. xxxiv.]

Forasmuch as it hath Pleased the Right Honble: Coll Tho Dongan his Majestyes Gouvernor of New Yorke & to Commissionate and Empower Cap: John Palmer of the Citty of New Yorke Esq: by grant or Deed in writeing vnder his hand and seale of the Prouince to Give Grant Ratifie and Confrme to all and Every the Persons in Pemaquid now Settled and Inhabiting within that Partt of his Majestyes Prouince as shall be Desirous to take up settle and appropriate Land there,
such tract and tracts Parcell and Parcells and quantities of Land and Islands as in his Discretion he shall think most fitt and Conuenient I do hereby nominate and appoint and depute you John West of the City of New Yorke Gen’l to doe and Execute all act and acts thing and things in Pemaquid in the County of Cornwall dureing the time that Cap’t John Palmer shall stay in the said County to my office or Place of Secretary belonging or appertaining

Given under my hand and at Fortt James this 19th day of June 1686.

J: Spragge Secr.

Commission of Capt John Palmer

[New-York Colonial MSS. xxxiii.]

By the Governor in Councill. Haveing Receiued information that there be Seuerall disorers and Confusions amongst the Inhabitants of Pemaquid I haue therefore thought it conuenient to send you Cap’t John Palmer thither of whose great Prudence abilityes, and Integrities I am Very well assured.
And for the better Establishing Settling and quietting of his Majesty's subjects in those Parts, in their Estates and Possessions I do hereby give you full Power and authority to treat with the said Inhabitants for Taking out Patents and Paying the quit rents.

And to Prevent any dangers that may arise by being in a negligent, unprovided Posture you are to warne the aforesaid Inhabitants to keep in Garrison Continually one officer and six soldiers at Least in time of greatest Peace and quiet and twenty soldiers at Least if any warr should arise & happen.

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

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

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

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

Tho. Dongan

Commission of Justices of the Peace for Cornwall County.

[New-York Colonial MSS. xxxiii.]

Cornwall SS.


Greeting. Know yee That wee haue assigned yo" & Euer of yo" Joyntly &
severally our Justices to Keep our peace within our County of Cornwall in our Plantation & Collony of New York Aforesd And to keep & Cause to be Kept all those laws & statutes made & Established for ye good of ye peace & for ye Conservation of the Same & for ye quiet Rule & Government of our people within our Sd County in all & Singular their Articles according to ye force forme & Effect thereof, Ant to Correct & Punifh all offenders agst the forme of ye Laws & statutes or either of them in ye County aforesd as according to ye forme of ye Laws or Statutes is or ought to be done. And to Cause to Come before yo or either of yo all those who Doe threaten any of or People concerninge their bodies or of burning their houses to find sufficient suretyes for ye Peace & their good behaviour towards us & our people & if they shall refuse to find Security in this behalfe then to Cause them to be kept safety in our Prifons untill they shall find security in this behalfe.

Alfoe wee assigne yo & Every three or more of yo whereof any one of yo,
yo you y e aforefd Tho: Sharpe, Richard Pat­­tishall Tho: Giles, & Nic o Manning wee will to be one our Justices to Enquire by the Oaths of good & Lawfull men of y e County aforefd by whom y e truth of the thing may be the better Knowne for all manner of Larceny Petty Larcenay Tres­­passes & Extortions whatsoever & of all & singular other misdeeds Crymes & Off­­fences of the which y e Justices of our peace may or aught Lawfully to Enquire by whomsoever & howsoever in y e County aforefd done or perpetrated or w ch here­­after there shall happen to be done or Accompted where the punishment thereof by the Laws of the s d Collony doth not Extend to taking away of Life limb or member. & alsoe of all those who there doe lye in waite to wound or Kill our people or that hereafter shall soe presume to lye in Waite And alsoe of all p’sons that shall & doe use & sell by false weights or measures. And also of whatsoever Sherriffs Brayliffs Marshalls Constables Goalers & other officers who in the Exe­­cution of their offices ab the p’misses or either of them haue behaued themselues
undutifully or hereafter shall presume to behave himself undutifully or are remiss or negligent or hereafter shall soe happen to be in ye County aforesd & of all & singular Articles & Circumstances & other things whatsoever by whomsoever & howsoever in ye County aforesd done or perpetrated or which hereafter there howsoever shall happen to be done or Attempted concerning the full truth of ye prmisses or any of them & to Inspect whatsoever Indictments soe before you or any of you taken or to be taken, or before others late Justices of ye peace in ye County aforesd done or taken & not yet Ended And to Continue process thereupon agst all & singular persons soe Indicted or whom before you hereafter shall happen to be Indicted untill they are taken Deliver up themselves or be Outlawed. And to heare and determine all & singular ye Larcenys Petty Larcenys Trespasses Extortions Indictments aforesd & all & singular ye prmisses according to ye Laws of ye said Collony as in Cases of this nature is use or ought to be done, And to Correct & punish the Offendrs & every of them for
their offences by fines & amerceaments, or otherwise as according to ye Laws of ye 3d Collony is used or ought to be done.

And also we Assigne you and every three or more of you whereof any one of you the aforesaid Tho Sharpe Richard Patishall Tho: Giles & Nic Manning Wee will to be one of our Justices to heare try & determine by the oaths of twelue good and Lawfull men of ye County aforesaid all Causes & Cases there brought & Commenced before you as well accōns Cases & Causes Civill between Party & party as Criminall of which ye Justices of ye Peace in their Sessions by the Laws of ye 3d Collony may & ought to heare try & determine & in such manner & forme as by the 3d Law is prescribed & Directed.

Provided always that if upon the Determinacion of any of ye pr'misses or Case of Difficulty shall happen to come before you or any three or more of you that then you doe not proced to giue Judgm't thereupon (unlesse in ye pr'fence of one of our Justices of o'r Court of Oyer & Terminer within our 3d Collony) And therefore wee Command you & Every of you that you
Dilligently Attend abt the Keeping of ye Peace Laws & all & singular other ye p'rmisses and that at certaine days & places which by or Leiut & Governor of or f'd Plantation & Collony of N Yorke for that purpose shall be appointed yo make Inquiry of ye p'rmisses & all & singular ye p'rmisses heare & determine & to doe & accomplish those things thereupon in forme aforesd to be done wch appertaines to Justice according to ye Lawes & Customes of our f'd Collony saving to us our fines & Amerciamts & other things to us thereupon belonging.

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

The Oath of a Justice of the Peace.

Ye shall swear that as Justices of the peace in ye County of Cornwall in all articles in the kings Commission to yeu directed yeu shall doe equall right to ye poore & to ye Rich after yo r Cuning Witt & power, & after ye Laws of ye Collony thereof made. And yeu shall not bee of Counfell of any Quarrell hanging before yeu & that yeu hold yo r Sessions after the forme of Law thereof made & att times & places appointed. And the fines & Amerciaments that shall happen to be made & all forfeitures w ch shall fall before yeu yo u shall Cause to be Entered without any Concealm t or Imbezelling & truly giue them to his Maties Deputy Collector and receiver in ye f d County for the time being or send them to his Maties Collector & receiuer Generall att New Yorke or to his Maties Court of Exchequer there Ye
shall not Lett for Gift or other Cause but well & truly you shall doe your office of Justice of ye peace in that behalfe & that you take nothing for your office of Justice of the Peace to be done but your fees accustomed & Lymitted by Law. And ye shall not direct or cause to be directed any warrant by you to be made to ye partyes but you shall direct them to ye Sherriffe of ye said County or other the Kings officers or Ministers or other Indifferent persons to doe Execuc6n thereof.

Soe help you God &c

Instructi6ns for Cap't Nicholas Manning Sub-Collector Surveyor and Searcher of his M4ties Customs and Excise due & payable in ye County of Cornwall & Receiver of his M4ties Quittrents & other revenues arris6ng within ye said County.

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

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

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

3dly. You shall not pr'mitt any Ship or Vessell whatsoeuer directly or Indirectly to Load nor Unload any goods wares or Merchandize untill yce f'd Ship or Vessell hath first made her due Entry inward or outward

4thly. You shall appoint certaine Con-venient place or places at which & noe other goods may be Shipped or Landed & that at Seasonable times between sun rising & sun setting in yce day time & in presence of an officer

5thly You shall from time to time du-reing your being in f'd office Returne to yce Governo'r or his Ma'ties Collector & Re-ceiuer Generall for the time being att New Yorke a true & Just account of what

6thly. You are to Collect & receiue his Maties Customs & Excife in y[e] County of Cornwall afores[d] according to an act of E[stablis]hm[t] therefor made by the Gen­rall Assembly & published the 31. Octo­ber 1683.

7thly. You are to goe into y[e] house & Cellar of any p[erson] or p[ersons] whatsoeuer where y[e] suspect there is any wine or other Liquors & ord[r] the f[d] Liquors to be Gauged Causeing them to pay for all Rum fo[e] found in y[e] Cellar & they who shall fell by retaile to pay for all Liquors Wines beere & Syder that shall be by them sold & retailed. You are alsoe to goe into their Cellars & houses as afores[d] as yo[u] shall see Cause to p’vent all fraud & Im­bezzellment of his Maties Reuenue.

8thly. You are not to suffer any Vessell whatsoever to goe into or up Kenebeque River or any parte thereof untill they haue first made their Entry with yo[u] at Jamestown & payed his Maties Dews & if any shall prsume to doe y[e] Contrary y°
are to Cause both vessell & Goods to be Seized & proceeded agft by Law as directed for defrauding his Ma'tie of his Customes And that all Vessells tradeing into any porte River or place doe Enter & Cleere with yo'u before their departure und'r the like pains & forfeitures.

9thly You are to take Care that ye former Ord'rs made Relateing to ye fishery be duly observed & that what Ordred to be payed by all strange vessells & Shallops Coming to make their voyages in these parts be by yo'u duly Collected for his Ma'ties use of w'ch account to be likewise giuen as afore directed

10thly. You are not to suffer any p'ron or p'rons to sell any sorte of Liquors by retaile in any part or place within ye f'd County but such as shall obtaine Lycence from yo'selfe & shall pay such sume of mony for ye Same as yo'u shall think fitt to agree for & not Lesse than 12s for Each Lycence g'ted and of ye Monys on that behalfe receiued yo'u are to Render a p'ticuler ac't to ye Gov'r as opportunity pr'sents.
11thly. You are to Collect & receive ye Quitt rents due & payable from ye Severall persons for ye Lands they hold within ye 3d County according to a Lift of Pattents granted Left with yo in ye Speties therein mencöned & thereof to Keep a Distinct account & alfoe of all fines forfeitures & amerciaments that shall or may at any time hereafter happen or belong to his Majesty & thereof to fend an ac to ye Governor or his Maities Receiuer Generall att New Yorke for ye time being once every 6 months att furthereft.

12thly. In Case any p'son Licenced to fell Liquors by Retaile desire ye fame you may farme the Excife of their Draught to them for one yeare for such fume of money as yo shall think fitt to Agree for haueing regard to ye greatness of their Draught.

13thly. You are to write to ye Governor or his Maities Collector or Receiuer Generall att New Yorke for ye time being of all passages Concerning the Excife, Customes Quitt rents & other his Maities Revenue to ye End that suitable Ords may be from time to time sent yo for regulateing ye fame.
14thly. for yo your Better Governm't in Collecting of ye Customes & Excise aforefd you have herewith a Breviar of ye Act of Generall Assembly Establishing ye same And these Direcçons you are to follow & obserue untill further Ord'rs. Dated att Jamestown in ye County of Cornwall the 17th day of 7bler in ye second yeare of his Ma'ties Reigne Annoq' Dom 1686

Confirmation of Roswick or Arrowsick Island to John West

[Patents vi. 30.]

Thomas Dongan Cap't: Gen'l: Governo'r: in Chiefe and Vice Admirall in and over the Province of New Yorke and Territoryes Depending thereon in America under his most Sacred Majesty James the Second by the Grace of God of England, Scotland, ffrance and Ireland King Defender of the faith &c To all whom these presents shall Come Sendeth Greeting Whereas John Palmer Esq'r by Virtue of the Commiccon and authority unto him
by me Given by a Certaine Grant under his hand writing the seale of this Province thereto affixed and entered of Record in the Secretaryes office bearing Date the fifth Day of August in the Second Yeare of his f: Majestyes Reigne and in the Yeare of our Lord one thousand Six hundred Eighty Six hath Given Granted Rattified and Confirmed unto John West of the City of New Yorke in America Gentl All that Certaine Tract or Parcell of Land or Island Scituate Lyeing and being on the East side of Kenebeck als Kenebeque River within the County of Cornwall Commonly called or knowne by the Name or Names of Roswick or Arrowsick Island according to the furtheſt Bounds limitts and extents thereof as the fame is Encompassed by Water together with: all and singular the Messuages Tenements Edifices Buildings, Trees, Timber Woods underwoods fields feedings Pastures Moores Marshes Swamps Meadows Ponds Pooles Lakes Streams Rivers Runns Rivoletts Waters and Water Courſes ſſhing fowling hawking and hunting with the Privilidge of Building and
Erecting Saw Mills or Grift Mills thereon or on any Parte thereof and all other Privilidges imunityes Profitts benefitts advantages Hereditam\textsuperscript{ts} and appurtenances whatsoever to the said Tract or Parcell of Land or Island and Premisses belonging or to or with them or any of them in any wise appurteineing Always Excepted and Reserved out of the said Grant all that Peece or Parcell of Land Parte of the said Island at the South end thereof formerly Granted by Sr: Edmund Andros Knight late Governour of this Province unto Mr Lawrence Dennis & others Inhabitants there Called by the name of New Towne, to Have and to hold the said Tract or Parcell of Land or Island and all and Singular other the Premisses with their and Every of their appurtennces Except before Excepted unto the said John West his Heires and Assignes to the Sole and only Proper use benefitt and behoofe of the said John West his Heires and Assignes forever under such Rents and Services as in the said Grant are mencóned and Reserved as in and by the said Grant Relacon y\textsuperscript{r}unto being had may more fully and att Large Appeare.
Now Know yee that by virtue of the Commission and authority unto me Given by his most Sacred Majesty our now Soveraigne Lord James the second aforesaid & Power in me Being and Resideing for and in Consideracion of the Rents and Services herein after Mencioned and Reserved I have Given Granted Ratified Released and Confirmed and by these Presents Doe Give Grant Ratifie Release and Con firme unto the saied John West his Heires and Asignes for ever all that the above recited Tract or Parcell of Land or Island and Premisses with all and Singular the Hereditamts and appurtenances thereunto belonging or appertaining in as full and ample manner as the same is mencioned to be Granted unto him by the saied John Palmer Except what in the saied Grant is Particulary Excepted and Reserved to have and to hold the saied Tract or Parcell of Land or Island and Premisses with their and every of their Appurtenances Except before Excepted unto the saied John West his Heires and Asignes to the Sole and only Proper use benefitt and behoofe of him the saied
John West his Heires and Assignes forever Yielding Rendring and Paying therefore Yearly & every Yeare unto his most Sacred Majesty his Heires & Successors forever or to such Officer or Officers as from time to time shall be Empowered to Receive the fame the sume of twenty Shillings Currant Mony of New Yorke in Lieu and Stead of all Rents Services Dues Dutyes and Demands whatsoever, to be holden of his most Sacred Majesty his Heires and Successors in free and common soccage according to the Tenure of East Greenwich in the County of Kent in his Majestyes Kingdom of England:

In Testimony of the Premisses I have Caused these Presents to be Entred and Recorded in the Secretaries Office and the Seale of this his Majestyes Province to be hereunto affixed the sixth day of December in the second yeare of his said Majestyes Reigne, and in the yeare of our Lord God one thousand six hundred and Eighty Six.

Thomas Dongan.
May it Please your Excellency.

The Attorney Generall hath Perusued this Pattent and finds nothing Contained therein Prejudicall to his Ma¨ties Interest.

JA: GRAHAM.

Examªd 9ªmber 3ªth 1686.

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

Present His Excellency the Governour.
Major Antho: Brockholls.
Mr Fredrick Fflipson.
Mr Steph V. Courtland.
Mr John Spragge
Major Gervis Baxter.
This Pattent was approved off
J. SWINTON Clk Councill.

Royal Order for the Surrender of Pema­quid to Massachusetts
[Deeds viii—75]

James R.

Trusty & well beloved wee Greet you well. Whereas wee have thought fitt to direct that our ffort & Country of Pema­
quid in Regard of its distance from New Yorke bee for the future annexed to & Continued under the Governm't of our territory & dominion of New England our will & pleasure is that you forthwith Deliver or cause to be delivered our said fort & Country of Pemaquid with the Greate Gunns¹ ammunicón & stores of warr together with all other vtenfills & appurtenances belonging to the said fort into the hands of our trufty & welbeloved Sr Edmund Androfs Knight our Captaine Generall & Governour in Cheife of our territory & dominion of New England or to the Governour or Commander in Cheife there for the time being or to such person or persons as they shall Impower to receiue the same and for foe doing this shall be your warr".

Given at our Court at Windsor this 19th day of Sept'r 1686 & in the second yeare of our Reigne.

By his Ma'ties Comand

SUNDERLAND Cl.

¹ The Great Guns from the Fort at Pemaquid, after being carried to Boston, were by order of the King in the spring of 1691, transferred to New York. (N. Y. Coll. MSS. xxxvii.)
Remonstrance against Surrender of Pemaquid &c.

[Council Minutes v. 221.]

Council Held at fort James Wednesday ye 28th of March 1688

* * * * *

Resolved that an address to his Maj'tie be Drawn up giving his Maj'tie an account that this Goverment has been much Diminished by taking away Pemaquid the Jerseys Pennsylvania and the three Lower Countys of Delawar. That this is the Bulwarke of all these partes of America that the Revenue is but small yet the Charges very great.

That Conneticut in his Maj'ties Pattent from Chares ye 2d is added to Boston by ye Contrivance of the Governo'r of it & the Clerke of the Collony & unknown to ye Major parte of ye Collony

That ye effrench warr has Stopt ye beaver trade so ye without some speedy help this place will be Ruined.
Extraet from a letter of John Easton of Rhode Island to Col Henry Slaughter Governor of New York; dated June 24. 1691.

Wee have intelligence that the Eastward indians & some French have made an assault vpon yᵉ garifons in and neere the Towne of Wells and have killed about fix persons therabout. They drove their Cattell together & killed them before their faces.
Notice of Capture of Pemaquid by French and Indians

[Council Minutes vii. 213.]

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

* * * * *

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

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

Dispatch granted to the Sloop Happy Returne James Barry Commander for Pemaquid & New found Land April 26th 1684.

Dispatch granted to the Sloop Blossum Stephen Heacock Commander for Pemaquid May the 22d 1685.

Dispatch granted to the Sloop Primrose John Eurest Master for Stratford and off Pemaquid New Yorke July the 4th 1685.

Dispatch granted to the sloop Lewis Francis Basset Coñander for Pemaquid & New found Land [Sept 4 (?) 1685.]