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RECORDS

OF

PLYMOUTH COLONY.

LAWS.

1623–1682.
RECORDS
OF THE
COLONY
OF
NEW PLYMOUTH
IN
NEW ENGLAND.

PRINTED BY ORDER OF THE LEGISLATURE OF THE
COMMONWEALTH OF MASSACHUSETTS.

EDITED BY
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CONNECTICUT, WISCONSIN AND IOWA HISTORICAL SOCIETIES.

LAWS.
1623–1682.

BOSTON:
FROM THE PRESS OF WILLIAM WHITE,
PRINTER TO THE COMMONWEALTH.
1861.
INTRODUCTION.

In this volume is contained a copy of the manuscript lettered "PLYMOUTH COLONY RECORDS, LAWS, 1623-1681," consisting of three Parts, I, II, and III, having been so arranged and numbered by the late Benjamin R. Nichols, Esq., who states, in an accompanying note, that "the reason of its being divided into three Parts is, that it was before contained in several volumes."

The manuscript volume is principally in the handwriting of Secretary Morton. Pages 5 to 44, of Part I, inclusive, are almost entirely in the handwriting of Edward Winslow, Governor. Pages 45 to 73 appear to be in the handwriting of Nathaniel Sowther. Pages 2, 3, and 4, and the Orders of the General Court commencing 20th October, 1646, page 73, and ending on page 76, were written by an unknown hand. The remainder of the volume, commencing with page 77, Part I, is in the handwriting of Secretary Morton.

Portions of the Orders on the second and third pages, which by time and accident have become illegible, are restored from a copy of these Orders in the first volume of Deeds; and a manuscript volume of the Laws belonging to the town of Scituate has been of great service in supplying some deficiencies and illegible portions; all of which additions and corrections, whether in the text or margin, are printed in brackets [ ], and in some cases with the letter S. appended.

The Laws were revised in 1636, 1658, and 1671. In 1673 the Court "ordered that nothing shall stand in force in our written booke of lawes; but what the printed lawes Refer vnto."
INTRODUCTION.

In several instances, as they were repealed or amended, the changes were made in the manuscript by erasures or interlineations. These alterations are generally preserved in the printed volume.

The first settlers of Plymouth, who came over in the May-Flower, intending to settle near Hudson's River, being fraudulently dealt with and

"brought so far to the northward, the season being sharp, and no hopes of their obtaining their intended port; and thereby their patent being made void and useless, as to another place: being at Cape Cod upon the eleventh day of November, 1620, it was thought meet for the more orderly carrying on of their affairs and accordingly by mutual consent they entered into a solemn combination, as a body politic, to submit to such government and governors, laws and ordinances, as should by a general consent, from time to time be made choice of, and assented unto. The contents whereof followeth.

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

In the edition of Morton's New England's Memorial published by the Congregational Board of Publication in Boston, 1855, from which the above is taken, the names of the signers will be found.

Afterwards they had sundry Commissions made and confirmed by the Council established at Plymouth, in the County of Devon, for the planting, ruling, ordering, and governing of New England in America, to John Peirce and his Associates, (whose name they only made use of, and whose associates they were,) and on the thirteenth of January, 1629, they procured letters patent, signed by the Earl of Warwick, in the behalf of the rest of the Council, which were granted to William Bradford, and
his heirs and associates, and by him surrendered in 1640, in public court, to Nathaniel Sowther, in the name and for the use of the whole body of freemen.

By a Resolve of the Legislature, passed on the fifth day of April, 1836, it was ordered, that fifteen hundred copies of the Laws of the Old Colony should be published for the use of the Commonwealth, which was done under the supervision of Hon. William Brigham, to which he added the Book of General Laws of New Plymouth, printed in the year 1672, and the Charter of the Council established at Plymouth, in the County of Devon, the Compact made on board of the May-Flower, with other valuable documents, compiled and arranged with critical care and discrimination by the learned Editor.

The Committee appointed by the General Court in 1818, consisting of Rev. James Freeman, D. D., and Benjamin R. Nichols and Samuel Davis, Esqs., to examine the Plymouth Colony Records, &c., in their report say that they “have not been able to discover whether any arrangement was made respecting these records before the union of Plymouth with Massachusetts, or by the Province afterwards.” The following memorial and order thereon, in vol. 88, page 391, of the Massachusetts Archives, furnish the desired information on that subject.

"Boston Novem° ye 9th 1710

To His Excelency Joseph Dudley Esq° Gover° of Her Majesties Prouince of ye Massachusetts Bay in New-England, ye Honourable ye Council, and Representatious in General Court now Assembled and setting in Boston aforesd

The memorial of us ye Subscribers Justices of ye Peace in ye severale Countys of Plymouth Barnstable and Bristoll Humbly sheweth

That ye Antient Records of ye late Colony of New-Plymouth, upon ye change of Gouerment, and Uniting ye late Colonys of Massachusetts and Plimouth, were left in ye hands of Mr. Samuel Sprague of Marshfield, who was ye last Secretary of ye 3d Colony of Plimouth, and so Remain’d in his hands until his death, which happened some time in September last.

That upon ye death of ye 3d Sprague, ye General Quarter Sessions of ye Peace within ye County of Plymouth, Considering ye 3d Records lay much Exposed, not being in any sworne officers hands, did at their Sessions in September aforesd, Order ye 3d Colonel Nathanael Thomas, should take ye 3d Records into his Care and Custody until further Order should be taken concerning them, and thereupon ye 3d Colonel
INTRODUCTION.

Thomas took ye s^d Records into his Custody, and keeps them for ye p^snt, expecting some further and speedy care and order to be taken concerning them.

That we are Humbly of Opinion ye^t it will be most agreeable and and satisfactory to ye^t Generality of ye^t Inhabitants of ye^t Late Colony of Plymouth, ye^t ye^t s^d Records may be kept and lodg'd in ye^t Town of Plymouth, which was ye^t Head Town of ye^t s^d Colony of Plymouth, and where ye^t s^d Records were wont to be kept.

We Therefore Pray ye^t s^d Great and General Court, to take ye^t Premisses into their Consideration, and Order ye^t some suitable person may be appointed and Sworne for ye^t safe keeping ye^t s^d Records accordingly, and Granting Coppys as there may be Occation, or otherwise Order concerning ye^t same as ye^t s^d Court in their wisdome shall think fit. And we shall Euer pray as in duty Bound./

NATHLL PAINE
JOHN CUSHING
JNO OTIS

9^e Novr 1710/ In Council/.

Read, and Ordered That the Bookes, Records and files of the General Court of the late Colony of New-Plymouth, be committed to the Custody of the Clerk of the Inferiour Court of the County of Plymouth for the time being he dwelling in Plymouth a perfect Schedule thereof being made, with an Indent to be passed for the same to the Justices of the said Court. And that the Clerk be Impowred to Transcribe and Attest Copys of the said Records, for any that shall desire the same upon paying the Establish'd Fees.

Sent down for concurrence, IS^A ADDINGTON Se^cry

In the House of Representatives
Novr 10 : 1710. Read & Concur'd.

JOHN CLARK Speaker."

The undersigned, having in preparing the copy for the press, and in the examination of the proof-sheets carefully compared the whole three times with the original manuscript, is confident that this volume is accurate in every particular.

MARCH 7, 1861.

DAVID PULSIFER.
A Dash ~ (or straight line) over a letter indicates the omission of the letter following the one marked.

A Curved Line ~ indicates the omission of one or more letters next to the one marked.

A Superior Letter indicates the omission of contiguous letters, either preceding or following it.

A Caret ^ indicates an omission in the original record.

A Cross X indicates a lost or unintelligible word.

All doubtful words supplied by the editor are included between brackets, [ ].

Some interlineations, that occur in the original record, are put between parallels, ||.

Some words and paragraphs, which have been cancelled in the original record, are put between ±+.

Several characters have special significations, namely:

@, — annum, anno.
á, — an, am, — curiā, curiam.
ā, — māstrate, magistrate.
♭, — ber, — numb, number; Robert.
č, — ci, ti, — aècon, action.
čō, — tio, — juridicēōn, jurisdiction.
č, — cre, cer, — aēs, acres; clericē, clericus.
ď, — ēd, delivered.
ē, — Trēr, Treasurer.
ē, — committē, committee.
ĝ, — ĝūal, general; Georgē, George.
h, — chr, charter.
ī, — begiģ, beginiģ, beginning.
t, — tre, letter.
m, — mm, mn, — comittee, committee.
m, — recoffidacon, recommendation.
ū, — mer, — forfibly, formerly.
ū, — month.
ũ, — mn, — Peñ, Penn; āno, anno.
ũ, — Dāi, Domini.
ũ, — ner, — manfĩ, manner.
ō, — on, — mentiō, mention.
ō, — mō, month.
ũ, — par, por; ŕt, part; ŕtion, portion.

p, — per, par, pur, pear, — psuite, pursuei; appd, appeared; āson, person; pte, parte.

p, — pro, — pporōn, proportion.
ër, — pre, — ēsent, present.
q, — qstion, question.
q, — escć, esquire.
ř, — Apr, April.
š, — š, session; šd, said.
š, — ser, — švants, servants.
č, — ter, — neuf, neuter; secret, secretary.
č, — capč, captain.
ū, — uer, — sexual, several; goū, governor.
ū, — aboū, aboue, above.
š, — ver, — sevāl, several.
š, — ver, verse, verses.
š, — ūn, when.
y, — the; yn, them; yn, then; yr, their; y, this; y, that.
į, — us, — vilibōx, vilibus.
č, — es, et, — statutč, statutes.
č, &c, &c, — et cætera.
vizč, — videlicet, namely.

/ — full point.
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PLYMOUTH RECORDS.

[The present volume is divided into three parts. Of these, Part I., being the more ancient, contains the original Laws, Orders, &c., of the Colony, from 1623 to 1657. On the first page is written "Plymouths ancient book of Lawes. 1623." Parts II. and III. contain the Laws as revised, reenacted, and published in the year 1658. Part III. also contains enactments down to the year 1682.

The following pages were not written upon, namely: Part I. 1, 23 (with the exception of two lines), 28, 29, 30, 41 (with the exception of three words), 42, 84, 86, 94. Part II. 56; by mistake the next page is numbered 60. Part III. 21 (excepting six words), 94, 114, 116, 122, 124, 126, 130, 132, 137, 140, 142, 144, 146, 148, 158.

The laws passed from 1683 to 1686, and from 1689 to June 1691, are printed in Volume VI, none being passed by the General Court during their "unjust interruption and suspension therefrom by the illegal arbitrary power of S' Edmond Andros;" that is, from 1688 until June 1689, when they reassumed their former way of government, and continued in the exercise and enjoyment of it until the Colony was annexed to Massachusetts, in the year 1691.—D. P.]

*Orders agreed on at feveral times for the General good of the Colony and the Better government and preservation of the same.*

It was ordained 17 day of Decemb' An° 1623 by [the Court] then held that all Criminall facts, and also all [matters] of trespasses and debts betweene man & man should [be tried] by the verdict of twelve Honest men to be Impanelled by Authority in forme of a Jury upon their oaths.

It was decreed by the Court held the 29 of March An°: 1626: That for the preventing of such inconveniences as do & may befall the plantation by the want of Timber. That no man of what condition soever sell or transport any manner of works as frames for houses planks boards shipping shallop boats cannoos or whatsoever may tend to the distruction of timber afores* how little soever the quantity be without the Consent approbation
and liking of Governour and Council. And if any be found faulty herein and shall Imbarque or any way convey to that end to make sale of any the goods aforesaid. Expressed or Intended by this Decree the same to be forfeited and a fine of twice the value for all so sold to be duly taken by the Governour for the use and benifitt of the Company.

It was further decreed the day § year above written for the preventing of such abuses as do and may arise amongst us that no handy-craftsman of what profession soever as Taylors Shoemakers Carpenters Joyners Smiths Sawyer or whatsoever weh do or may reside or belong to this plantation of Plimouth shall use their science or trades at home or abroad for any strangers or foreigners till such time as the necessity of the Colony be served. Without the consent of the Governour and Council; the brach thereof to be punished at their discretion:

It was ordained the s^4 29 of March 1626: for the preventing scarsity as aloe for the farthinger of our trade that no corne beans or pease be transported Imbarqued or sold to that end to be Conveyed out of the Colony without the leave and licence of the governour § counsell. The breach whereof to be punished with los of the goods so taken or p[roued] to be sold: and the seller farther fined or punished or bot[h] at the discretion of the Govr and Council.

It was agreed upon by the whole Court held the sixth [of Janua'] 1627 that from hence] forward no dwelling house [was to be couered with any kind of thatche, as straw, reed §c. but with either bord, or pale § the like; to wit: of all that were to be new built in the towne.]

Plimouth: *The 3^a of January, 1627: it was agreed in a full Cour[t about di-

*3

vision] of lands as followeth.

Impt. That the first division of the acres should stand and continue f[irme according] to the former division made unto the possessors thereof and to their heires for ever: free Liberty being Reserved for all to gott fire wood [thereon] but the Timber trees were excepted for the owners of the ground.

2^ly That the 2 division should consist of 20 acres to every person and to Contain five in breadth § four in length and so accordingly to be di[vided] by lott to every one which was to have share therein.

3^ly The Ground to be judged sufficient before the Lots were drawne and the rest to be left to common use.

4^ly This being done, that for our better substa[n]ce and convenience those grounds which are nearest the Town, in whose lott soever they fall shall be
used by the whole for the space of 4 years from the date hereof: viz: first
that the Right owner make choice of twice that quantity he shall or may
[use] within the s°terme and then to take to him such neighbours as shall have
need \(\text{c}\) he think fitt: but if they cannot agree then the Govern\'t and Councill
may appoint as they think meet: provided that the woods \(\text{be}\) ordered for
felling \(\text{c}\) lopping according as the owner shall appo[nt:] for neither fire wood
nor other timber either for building or fen[cing] or any other use is to be
felled or carried off of any of these \(\text{c}\) without the owners leave \(\text{c}\) license, but
he is to preserve \(\text{them}\) to his best advantage.

That what soever the surveighers judge sufficient shall stand wi[thout]
contradiction or opposition and every man shall Rest Contented \(\text{with}\) his
lott.

That after the purchasers are served as afores\(\text{a}\); that then such p[lan]ters
as are heirs to such as dyed before the Right of the land was \(\text{yielded}\) to the
Adventurers have also 20 acres a person pportionable to their Right Layd out
in part of their Inheritance.

That first they shall begin where the acres of the first division end and
Lay out that to the Eele River so far as shall be thought fitt by the Surveigh-
ers, and Returne to the north side of the Tow[n] and so pceed accordingly,
and that they leave all great Tim[ber] swamps for common use.

That fflowling fishing and Hunting be free:

That the old path ways be still allowed and that eve[ry] man be allowed
a convenient way to the water where[soever] the lott fall:

*Lastly that Every man of the Surveighers have a peck of Corne for
Every share of land layed out by them to be paid by the owner thereof when
the same is layd out.

The names of the layers out were these

\text{WILLIAM BRADFORD} \text{ FRANCIS COOKE} \text{ EDWARD WINSLOW} \text{ JOSHUA PRATT}
\text{JOHN HOWLAND} \text{ EDWARD BANGS}
*New Plymouth Novbr 15. 1636

WHEREAS at his Majest Court held the [4th & 5th] of Octobr in the 12th yeare of the raigne of our [Sov.] Lord Charles by the grace of God King of Engl. Scotl. ffr. & Irel. Defender of the faith & [it was] ordered that Mr William Brewster Mr Ralph Smith Mr John Done Mr John Jenny for the [Town of Plymouth, Jonathan Brewster & Christopher Wadsworth for Duxburrough, & James Cadworth] & Anthony Anneable for Scituate should be [added] to the Govr & Assistants as Committees for the whole body of this Commonwealth should meet together the 15th of Novbr at Plymouth above mentioned there to passe all the lawes orders & constitucions of the Plantations within this Government that so those that are still fitting [might] be established, those that time hath made [un]necessary might be rejected & others that were wanting might be prep'd so that the next Court they might be established.

Now being assembled according to the said [order] and having read the Combination made at [Cape] Cod the 11th of Novbr 1620 in the yeare of [the] raigne of our late Sov. L. King James of Engl. ffr. [&] Irel. the eighteenth, of Scotland the fifty [fourth] as also our letters Patents confirmed by [the] honorable Counsell his Majest established [granted] the 13th of January 1629 in the fift yeare of the raigne of our sov. Lord King Charles. And finding that as freeborne subjects of the State of Engl. we hither came indew'd with all singular the priviledges belong to such, in the first place we thinke good that it be establish[ed] for an act. That according to the due priviledge of the subject aforesaid no imposion law or ordnance be made or imposed vpon us by ourselves [or others at] present or to come but such as shall be made [or] imposed by consent according to the free liberties [of the] State & Kingdom of Engl. [no otherwise].

That whereas before expressed we finde a solemne binding Combination as also Patents derivatory from his Majest of Engl. our dread Sov. for the ordering of a body politick within the severall limits of this Patent viz from Cowahasset to the utmost bounds of Puckanock [westward all that tract of land southward to the southerne ocean within all singular lands rivers havens waters creeks ports fishings fowlings &c. By vertue whereof we ordaine institute and appoint the first Tuesday in March every yeare for the election of such officers as shall be thought meet for the guiding & governm't of this Corporation.

This is altered afterwards to the first Tuesday in June yearely by a general Court.
LAWS.

That at the day £ time appointed a Govr £ seven Assistants be chosen to rule £ give the said plantations wthin the said limits for one whole yeare £ no more. And this election to be made onely by the freemen according to the former custome. And that then also Constables for each pt £ other inferior officers be also chosen.

That in every election some one of the Assistants or some other sufficient person be chosen Treasurer for the yeare present whose place it shall be to receive in whatsoever sum or sums shall appertaine to the Royalty of the place either coming in by way of fine amerctem or otherwise. And shall improve the same for the publick benefit of this Corporacion by order of the Government. As also to give a just account thereof to the ensuing Treasurer £ to the Govr when ever he shall demand it. or the Court when they appoint.

Clarke of the Court.

That a Secretary also be chosen for the yeare.

That also one be chosen to the office of Coroner to be executed as neere as may be to the laws £ practice of the kingdom of Engl. £ to continue one yeare.

*The Office of the Govr

The office of the Govr for the time being consists in the execution of such laws £ ordnance as are or shall be [made] £ established for the good of this Corporacion according [to the] several bounds £ limits thereof. vizt: In calling together or advising with the Assistants or Council of the said Corporacion upon such material occasions (or so seeming to him,) as time shall bring forth. In with assembly £ all other the Govr to propound the occasion of the Assembly £ have a double voice therein. If the Assistants judge the case too great to be discided by them, £ refer it to the Generall Court, then the Governor to summon a Court by warning all the freemen aforesaid that are then extant, and there also to propound causes, and goe before the Assistants in the examination of particular, and to propound such sentence as shall be determined. And further it shall be lawfull for him to arrest £ comit to ward any offenders provided that wth all convent sped he shall bring the cause to hearing either of the Assistance or Generall Court according to the nature of the offence. Also it shall be lawfull for him to examine any suspicious persons for evill against the Colony, as also to intercept or oppose such as he conceiveth may tend to the overthrow of the same. And that this Office continue one whole yeare £ no more without renewing by election.
*The Oath of the Govr.

You shall sweare to be truly loyall to our Sovereigne Lord King Charles his heires and succeasers. Also according to that measure of wisdome understanding & discerning given unto you faithfully equally & indifferently without respect of persons to administer justice in all cases coming before you as the Governour of New Plymouth. You shall in like maner faithfully duly & truly execute the lawes & ordnance of the same, And shall labor to advance & further the good of the Colonies & Plantations within the limits thereof to the utmost of your power and oppose any thing that shall seeme to hinder the same. So helpe you God who is the God of truth & punisher of falsehood.

The oath of a freeman.

You shall be truly loyall to our Sov. Lord king Charles his heires & successeers. You shall not speake or doe, devise or advise any thing or things act or acts directly or indirectly by land or water, that doth shall or may tend to the destruction or overthrow of this print plantations Colonies or Corporations of New Plymouth, Neither shall you suffer the same to be spoken or done but shall hinder oppose & discover the same to the Govr & Assistants of the said Colony for the time being or some one of them. You shall faithfully submit unto such good & wholesome laws & ordnance as either are or shall be made for the ordering & government of the same, and shall endeavor to advance the growth of the several Colonies within the limit of this Corporation by all due meanes & courses. All with you promise & sweare by the name of the great God of heaven & earth simply truly & faithfully toforme as you hope for help from God who is the God of truth & punisher of falsehood.

*The office of an Assistant.

The Office of an Assistant for the time being consisteth in appearing at the Governors summions, and in giving his best advice both in publick Court & private Counsell [with] the Govr for the good of the Colonies within the limits of this Government. Not to disclose but keepe secret such things as concern the publick good, and shall be thought meet to be concealed by the Governr & Council of Assistants: In having a special hand in the examination of publick offenders, and in contriving the affaires of the Colony. To have a voice in the censuring of such offenders as shall not be brought to
publick Court. That if the Governor have occasion to be absent from the Colony for a short time, by the Govr w'th consent of the rest of the Assistants he may be deputed to governr in the absence of the Governour. Also it shall be lawfull for him to examine & commit to ward where any occasion ariseth where the Govr is absent, provided the psone be brought to further hearing w'th all convenient speede before the Governor or the rest of the Assistants. Also it shall be lawfull for him in his Mätes name to direct his warrants to any Constable w'in the Government who ought faithfully to execute the same according to the nature of tenure thereof. And may bind over psones for matters of crime at ansewer at the next ensuing Court of his Mätie after the fact committed or the psone apprehended.

*The Oath of the Assistants.*

Yee shall all sweare to be truly loyall to our Sovr. Lord King Charles his heires & Successors Also ye shall faithfully truly & justly according to that measure of discerning & discretion God hath given you be assistant to the Govr for this present yeare for the execution of justice in all cases towards all psones coming before you w'thout partiality according to the nature of the Office of an Assistant read unto you. Moreover yee shall diligently duly & truly see that the Lawes & Ordinanc's of this Corporatio'n be faithfully executed; and shall labor to advance the good of the severall Plantations w'in the lim-its thereof, and oppose any thing that shall hinder the same to the utmost of your power. So help you God who is the God of truth & punisher of falsehood.

The Oath of any residing w'in the Governm't.

You shall be truly loyall to our Sover. Lord the King his heires & Successors. And whereas you make choice at present to reside w'in the Governm't of new Plymouth, You shall not doe or cause to be done any Act or Acts directly or indirectly by land or water that shall or may tend to the destruction or overthrow of the whole, or any the severall Colonies w'in the said governm't that are or shall be orderly erected & established but shall contrari-wise hinder oppose & discover such intents & purposes as tend thereunto to the Governor for the time being or some one of the Assistants w'rh all convenient speedoe. You shall also submit unto & obey such good wholesome lawes Ordinanc's & Officers as are or shall be established w'in the severall limits thereof. So helpe you God who is the God of truth & punisher of falsehood.
*The Oath of a Constable.*

You shall swears to be truly loyal to our Sovereign Lord King Charles the first and Government of England as it now stands, his heires and successors, which you shall faithfully serve in the office of a Constable in the ward of for this present yeares according to that measure of wisdom understanding discretion God hath given you. In which time you shall diligently see that (his Majestie’s) peace co[n]trolled be not broken, but shall carrier the persons or persons offending before the Governor of this Corporation or some one of his Assistants, and there attend the hear[ing] of the Case and such order as shall be given [you]. You shall apprehend all suspicious persons, and bring them before the said Governor or some one of his Assistants as aforesaid. You shall duly & truly serve such warrants as shall be directed unto you for the Governor or Assistants before men[ioned], and shall la[bour] to advance the peace & happiness of this Corporation oppose any thing that shall seeme to annoy the same by all due means course[s.] So helpe you God who is the God of truth punisher of falsehood.

*That the annual election of Officers before expressed be at a Generall Court held in his Majesties name of England. And that the Governor in due season by warrant directed to the several Constables in his Majesties name aforesaid give warning to the freemen to make their apparence: And that all other our Courts warrants, summons or commands by way of justice be all done directed & made in the name of his Majesty of England aforesaid our dread Sovereigne.*

And for default in case of apparence at the Election before mentioned without due excuse each delinquent to be amerced in 3 sh. sterl.

That if at any time any shall be elected to the office of Governor will not hold according to the election that then he be amerced in 20th starling fine.

That if any elected to the office of Assistant refuse to hold according to election that then he be amerced in ten pound starling fine.

That in case one of the same persons should be elected Governor a second yeare having held the place the foregoing yeares it should be lawfull for him to refuse without any amercement unless they can prevail with him by entreaty.
That the Governm't vizt the great Courts & Courts of Assistants be held at Plymouth, & that the Gov'r held his dwelling there for the first year except such Inferior Courts as for some matters shalbe allowed by this Court in other places of this Government.

That a great Quest be panelled by the Gov'r and Assistants or the major part of them & warned to serve the king by enquiring into the abuses & breaches of such wholesome laws & ordinances as tend to the preservation of the peace & good of the subject. And that they present such to the Court as they either finde guilty or probably suspect that so their may be prosecuted by the Gov'r by all due means.

It is enacted That no p'sentment hereafter shalbe exhibited to the Grand Enquest to be brought to the Bench except it be donn upon oath and that it shalbe lawfull for any of the Assistants to administer an oath in such case.

That in every Constablerick there be a paires of stocks erected. Also a post & wch shalbe of competent strength to detaine a prisoners. These to be erected in such place as shall be thought meet by the several neighborhoods where they concern themselves upon the penalty of x£ for any towneship wch shalbe defective herein.

That the Constable se the high waies for man & beast be made & kept in convenient repair & therefore be also appointed surveighor for the liberty he is chosen. Also two Surveighors in every Constablerick be chosen each year to see that the high waies be mended competently. And if it fall out that a way be wanting upon due complaint That then the Governour panell a Jewry & upon Oath charge them to lay out such way as in conscience they finde most beneficial as the Common weale & as little prejudice as may be to the particulars.

That it be lawfull for the Governour as well to panell such the king's subjects of good report that are freeholders & no freeman upon Jewry to doe service to his Majesty as well as such as have taken up their freedome if thought convenient.

That the lawes & ordinances of the Colony & for the Governm't of the same be made onely by the freemen of the Corporacon & no other, provided that in such rates & taxes as are or shall be laid upon the whole they be without partiality so as the freeman be not spared for his freedome, but the levy be equal. And in case any man finde himself aggrieved that his complaint may be heard & redressed if there be due cause.
That an oath of Allegiance to the King & fidelity to the Government & the several Colonies therein be taken of every person that shall live within or under the same.

Tryalls by Jury.

That all trials whether Capital or between man & man be tried by Juries according to the presidentcy of the law of England as near as may be.

That the Governor & two Assistants at the least shall, as occasion shall be offered in time convenient determine in such trivial cases under forty shillings between man & man as shall come before them as also in offenses of small nature shall determine do execute as in wisdom God shall direct them.

Capital offenses liable to death.

Treason or rebellion against the person of the King State or Common wealth either of England or these Colonies.
Willful Murder.
Solemn Compaction or conversing with the devil by way of witchcraft conjuration or the like.
Willful & purposes burning of ships howses.
Sodomy, rapes, buggery.
Adultery to be punished.

Adultery, fornication & other unclean carriages to be punished at the discretion of the Majestates according to the nature thereof.
Fornication before contract or marriage.
The stealing or attempting to steal ships boats munition or other things of that nature to be punished according to the determination of the Majestates.

That all sales exchanges gifts mortages leases or other conveyances of howses & land the sale to be acknowledged before the Governor or any one of the Assistants committed to public Record and the fees to be paid.

That every man's mark of his cattle be brought to the town book where he lives that no man give the same, but shall alter any other bought by him put his own upon them.

That Inheritance do descend according to the commendable custome of England & hold of Est Greenland.
That if the husband die the wife shall have a third part of his lands and her during life. And if he die without will to have also a 3d of his goods to be at her own disposing but by will may wholly be disposed of by the husband, as he please.

That one common standard to be used by all for weight & measures. And that according to Winchester which is the standard of Engi.

*That no warre nor league of peace be made by any particular person or of warre & leases. Confirmed.

That in case necessity require to send forces abroad there be not volunteers sufficient offered for the service then it be lawfull for the going assistants to press in his master's name by their warrant directed to the constables. Provided if any that shall goe returne mayned hurt he shalbe mayntained competently by the colony during his life. And also that if there shalbe neede of horses for the countreys service it shalbe lawfull for the going assistants likewise to press horses for such service by the paying them for them or taking order for their payment.

That concerning misdemeanors as any shall be convicted in Court of any particular to be Censured by the bench according to the nature of the offence as God shall direct them.

That none be allowed to marry that are under the covert of parent but marriage by their consent & approbation. But in case consent cannot be had then it shall be with the consent of the Governor, or some assistant to whom the persons are knowne whose care it shall be to see the marriage be fitt before it be allowed by him. And after approbation be three several times published before the solemnising of it. or els in places where there is no such meetings that contract or agreement of marriage may be so published, that then it shalbe lawfull to publish them by a writing thereof made and set vpon the usual publick place for the space of fifteene days. Provided that the writing be vnder some majestates hand or by his order.

That all such as dept any his master's Court before they be dismissed without due leave be amerced in three shillings sterl.
That no man make sale or sell out of the Colonys any kind of board planck or Timber that hath been growing in any the swamps that are reserved for publick use without leave, but shall only so doe of such as arise out of his owne prop ground.

*That each psone for himselfe & accord to Jan. 2d 1632 haue peece powder & shott viz a sufficient musket or other serviceable peece for war with bandeleroes sword & other appertenance for himselfe & each man serve he keepeth able to beare Armes. And that for himselfe & each such psone under him he be at all times furnished with two pound of powder and ten pound of bullet for each default to forfeit ten shillings.

Since this tyme it is agreed upon by the Comissioners that it shalbe but one pound of powder & four pound of bulletts with match foure fathome for eich matchcock peece.

That no sheaffe be sould out of the Colonys if competent price will be heere given for them.

It is further enacted that whereas formerly a smale moyety of land was allotted to each family for their convenient subsistance in the towne of Plymouth viz to each psone an acre, that now the said Acres lie void the ancient inhabitant being for the most part removed from thence: Insomuch that as formerly they were the meanes of subsisting in towne now the priety of psones in them elsewhere seated hinder others from coming into the towne: by where means the said towne is like to be dispeopled. It was therefore agreed upon by the mutuall consent of the whole (two psones onely excepted) That all every such psone & psones should & did surrender & cast up their right in the said Acres that they may be disposed of to such as doe or shall inhabite the said towne of New Plymouth as also other the wast ground about the said Towne by such an orderly course as shall be thought meet by the Govr & Counsell, And that the said Govr & his Assistants think of some equall course to satisfie such as haue purchased any the psones not able to make satisfacson.

*That whereas God by his evidence hath cast the fish [called] alewines or herring in the middest of the towne of new Plymouth. And that the ground thereabout hath been wor[ne] out by the whole to the damage of those that now inhabite the same. It is therefore enacted that the said herrings Alewine or shad commonly used in the setting of Corne be appropriated to such as doe or shall inhabite the Towne of Plymouth aforesaid.
that no other have any right or propriety in the same saue onely for bait for fishing, and that by such an orderly course as shall be thought meet by the Govr & Assistant.

That the wills Testam‘ of such as die be proved orderly before the Testam‘. Govr & Assistant‘ wth in one moneth after the decease of the Testator And that a full Inventory duly valued be presented wth the same before Tfrs of Administrat‘n be granted to any of all the good‘ & chattels of the said psns. Also if in case any man die wthout will his good‘ be by his wife or others neerest to him inventoried & duly valued & presented to the Govr & Assistant‘ wth in one moneth after the decease of the said psn so dying. And if it be a single psn wthout kindred heer resident That then the Govr appoint some to take a just Inventory of the same to present the same upon Oath to be true just as in other the cases before mention’d.

That in case it fall out that any die more indebted then their estates of good‘ & Chattels amount unto If the psn so deceased hane bought any land‘ in his life’time to the impayring of his estate otherwise, That the land‘ so bought be sold to make satisfac‘on to the Creditors: But whereas a porc‘n is disposed of to each for the subsistance of him or herself ‘family. That such land‘ remaine to the survivors his or her heires ‘no seizure being allowed the creditors in that case.

That whatsoever damage coms to any by Cows: goat‘ mares sheepe or any of those kindes by coming into their corne or gardens be made good by the owners of the said Cattle as it shall be valued by two of the neighbours. And that it shall be lawfull upon each such trespass to impownd the Cattle trespassing till due satisfaccon be made.

That no man kepe more swine then he can ordinarily kepe about his owne place, and that they be dobwly rung or at lest sufficiently wrong that they roote not up & destroy the medows &c. And if in case any shall finde himselfe aggrieved & require the yoaking of any unruly swine, by reason of damage he is like to sustaine then to forfeit for every such default p weeke besides the damage five shilling‘.

Also if in case any be fownd unrung (or unyoaked after notice as before) then to forfeit upon discovery of it for each swine 2½‘ for every weeke after any shall so continue five shilling‘ the one half to come to the psn so finding & discovering them, the other half to the Township to wch the owner belong‘. Also that all pigg‘ at or before ten weeke‘ old shall be rung. And
upon suffic notice to the next justice of the peace he to grant warrant to the Constable to straine any of these fines. The time of yoking to continue from mid June to Sept. ult. if required. But if any lose their ring or yoakes the first notice to be without fine.

*That whereas as well the land® within this patent as the munis®on ™c was bought by way of purchase by diverse the Inhabitants® of new Plymouth and that the said purchasers are possessed but of smale portions® of land ™c many of them meane. It is therefore thought meet that the said purchasers shall hold ™c have reserved for themselues ™c their heires so much land in such place ™c plac© as they shall judge meete ™c convenient for themselues ™c their heires aforesaid.

That such children as are heer borne ™c next unto them such as are heer brought up under their parent® ™c are come to age of discretion allowed, ™c want land® for their accomoda®on be provided for in place convenient before any that either come from England or elsewhere. then to seeke as they are.

That place ™c plac© convenient reserved for the said purchasers ™c their heires. They surrender the remainder of the land® to be disposed of within the limit® of the ™s patent dated

w© to W. B. ™c his associat®©

to the Government consisting of the Majestrates ™c freemen of this Corporation.

*That a convenient forme for Register of mens pte® holds be heer incereted.

*That fishing fowling hawking hunting be freely allowed provided if any damage come to any particular by the prosecu®on of such game restitu®on be made or the case actionable. But if any man desire to impro®e a place ™c stock it with fish of any kinde for his private use it shall be lawfull for the Court to make such a grant ™c forbid all others to make use of it.

That every Constablerick have a suffic pownd to imprison Cattle that shall transgresse any such orders [as] are or shall be made.

A law added for a pound breach.

That no man doe heard either his owne Cattle or other mens to the prejudice of any at or neere his or their howse upon their land but upon due notice ™c warning shall reforme it or the case be actionable.
LAWS.

That whoever shall kill a Wollfe he shall make it suffiç knowne to the Govr or some assistant shall have four bushell of Corne to be raysed of the Constable-rick or liberties.

That weever damage come to any by Cowes, goat stealing howse by breaking into mens suffiç. inclosures. It shall be lawfull for the psions se damnified to impownd them, and two indifferent men to view the damage wth accordingly shall be given £ payd.

That no guns or Iron traps be sett unles in ptiç inclosures £ that not Iron traps. neere any high way.

That no servt coming out of his time or other single psion be suffered to keepe howse or be for him or themselves till such time as hee or they be competently provided of Armes £ municon according to the order of the Colonyes. And that if any such be yet wanting they be provided as aforesaid or else provide themselves such masters as may provide for them. And that to be done forthwth upon due warning.

That none be suffered to retale wine strongwater or beere either wthin or without except in Inns or Victualling howses allowed. And that no beere be sold in any such place to exceed in price two pence the Winchester quart.

That such as either drinke drunke in their howses or suffer any to drinke druncke in their howses by enquired into amongst other misdemeanors £ accordingly punished or fined or both by the discreçon of the bench.

That the children £ servts of such as dwell neer any victualling howse be not entertayned or suffered by the m of the s howse there to drinke £ spend their time but if any such thing can be proved it be esteemed a misdeemnor punishable in the sd Victualler £ to be enquired into.

That such servts as come out of their times and are by their Covts to have land £ have onely five acres apeace at pnf And that, if they be found fit to occupie it for themselves in some convenient place.

That none be allowed to be howsekeeps or build any Cottages or dwelling howses till such time as they be allowed by the Govr or some one or more Cowncell of Assistç.
That from this time forward whoever shall cov't to give land() by Inden-
ture to their serv'c at the exspiration of their service shall make good the
same out of their p$p land(, the Governm't being free fró any such Cov'tc therefore not to be expected.

That the town of Plymouth viz't the purchasers (ffreemen. have lib-
dee of themselves to dispose of the lands that are or shall belong unto them
to such they think meet to receive in unto them, And also to make such
orders for their convenient & more comfortable subsistance as shall by them be
thought most meet & convenient provided they be not contrary to the publick
ordnance of the Governm't

That Scituate be allowed the like liberties c to dispose of the ground of
between the North River & Cowehasset provided they have recourse to Ply-
mouth in case of Justice.

*That whereas landc are given c granted] to psons upon supposall of
their living upon them for the maintenance c strength of society. If it fall
out that psons shall not occupie any such landc but dept from the same place,
such former grant or grantc to be of none effect but shall returne c be other-
wise disposed of by the Governm't in generall or Township in particularly as it
shall fall out.

That it be in the power of the Governor & Assistc to command solemn
dayes of humiliation by fasting c and also for thanksgiving as occasion shall
be offered.

That all such misdemeanors of any ps on or psons as tend to the hurt c
detrimen of society Civility peace & neighbourhood be enquired into by the
grand Enquest & the psons presented to the Court that so the disturbers
thereof may be punished c the peace & welfare of the subject comfortably
preserved.

*The Office of the Messenger

To be ready at the Governours or any the Assistants warning to doe
such service as shall be appointed for the good of the severall Colonies within
this Governm't c to be esteemed as a publick officer to doe c execute according
to the nature of such warrantc as shall be directed to him in any pt thereof.
[As Constable for the speciall ward belonging to Plymouth, viz't from Jones
river sowthward so far as any inhabite ptmt. As Jaylor to keepe such as
shall be committed. And either to execute such punishmentc as shall be inflicted
by publick censure, or cause it to be done.] To giue warning of such mar-
riages as shall be approved by authority. To scale those measures \( \xi \) weight\( \xi \) that be allowed. \( \xi \) to measure out such lands as shall be ordered by the Govern\( \xi \) or Governm\( \xi \).

The \$fees allowed.

\( \xi \) for comittment \( ij^5 \) vi\( ^4 \) for releasement \( ij^5 \) vi\( ^4 \)
\( \xi \) for ordinary warning \( w^\xi \) in his spec. Constablerick \( 6^4 \)
\( \xi \) for imprisonm\( \xi \) \( 2sh^8 \) \( 6^4 \) p day
The halfe of all fines not exceeding \( 6sh^8 \)
\( \xi \) for giving notice of wedding\( \xi \) xij\( ^4 \)
\( \xi \) for serving any execu\( \xi \)on \( 2sh^8 \) \( 6^4 \) his ordinary fee \( \xi \) \( 6^4 \) in the \( L \) extraord\( \xi \), but if the place be far to goe then \( 2^4 \) a mile.
\( \xi \) for sealing of measures \( 4^4 \) a piece.
\( \xi \) for weight\( \xi \) \( 2^4 \)
\( \xi \) for measuring of land according to the distance \( \xi \) trouble of the same
\( \xi \) his paines therein not to be valued \( w^\xi \) common labor but as a publick officer that attend\( \xi \) the duties of his place.

*The Oath of the Messenger.

You shall be truly loyall to our Soveraigne Lord the King his heires \( \xi \) successors. You shall duly \( \xi \) truly and faithfully waite upon pforme \( \xi \) execute the Office of you are called unto, seeking by all due means the welfare of the several Colonies \( w^\xi \) in this Govern\( \xi \) of New Plymouth: Attending such order, obeying such warrant\( \xi \), \( \xi \) doing such service as the Governour for the time being or any his Assistant\( \xi \) shall require, either in the behalfe of our Sov. Lord the King or between man \( \xi \) man as the case requireth for the peace \( \xi \) tranquillity of the place. You shall to the utmost of yo\( ^r \) power safely keepe such prisoners as are committed to yo\( ^r \) cus-

tody and inflict or execute such sentence as shall be awarded. Also such weight\( \xi \) \( \xi \) measures as shall be brought unto you shall as neere as may be make agreeable \( w^\xi \) the standard committed to yo\( ^r \) trust, and shall onely take such fees as are allowed \( w^b \) out fraud or oppression. You shall also faithfully duly \( \xi \) truly serve our Sover. Lord the K. in the Office of a Constable in the ward of New Plymouth, wherein you shall see that his Maj\( ^\xi \) peace comanded be not broken: but shall apprehend any that shall disturbe the same, and bring him or them before the Gov\( ^r \)r or some one of the Assistant\( \xi \) for the time being, and there attend such order as shall be given. All \( w^\xi \)
gm\( \xi \)se to you shall faithfully observe \( \xi \) doe. So helpe you God who is the God of truth \( \xi \) punisher of falsehood.
*A forme to be placed before the Record of the severall inheritaunce granted to all £ every the King subject inhabiting with the Govenr of new Plymouth.

WHEREAS John Carver Will. Bradford Edw. Wynslow William Brewster Isaack Allerton and divers others the subject of our late Sov. Lord James by the grace of God King of Engl. Scott. France and Ireland. Defender of the faith £. did in the eighteenth yeare of his raigne of Engl. France £ Ireland, and of Scotl. the fifty fowr. was in the yeare of our Lord God 1620 undertake a voyage into that pt of America called Virginia or New Engl. thereunto adjoyning, there to erect a plantation £. Colony of English, intending the glory of God, the inlargem't of his Maties dominions and the speciall good of the English Nation.

And whereas by the good providence of our gracious God the said John Carver Wil: Bradford Edward Wynslow William Brewster Isaack Allerton £ their Associate£ arrived in new England aforesaid in the harbour of Cape Cod or Paomet situate £ in new Engl. aforesaid where all the said persons entred into a Civill combinacon being the cleaventh of Novb in the yeare afore mentioned as the subject£ of our said Sov. Lord the King to become a Body-politick binding ourselves to obserue such lawes £ ordinances and obey such Officers as from time to time should be made £ chosen for our weordering £ guidance. And thereupon by the favor of the Almighty began the first Colony in New Engl. (£ there being then no other in the said Continent) at a place called by the natuues Apaum afs Patuxet, but by the English New-Plymouth. All £ land£ being void of Inhabitant£, we the said John Carver Wil: Bradford Edward Wynslow William Brewster Isaack Allerton £ the rest our Associate£ entring into a league of peace £ Massassowat since called Woosamequin Prince or Sachim of those pt£. He the said Massassowat freely gaue them all the land£ adjacent to them £ their heires for ever, acknowledging himselfe content to become the subject of our Soveraigne Lord the King aforesaid his heires £ Successors, And taking £tection of us the said John Carver William Bradford Edw Wynslow Wil: Brewster Isaack Allerton and their Associate£ the naturall subject£ of our Sov. Lord the King aforesaid. But having no speciall £rs Patent£ for the said pt£ of New Engl. but onely the generall league £ liking of his Majt£ aforesaid for the free exercise of the leaue £ liberty of our Conscienc£ in the publick worship £ service of God wherever we should settle: Being therefore now setled £ requiring speciall licence £ Coimation from his Matie for the ordering
our affairs under his gracious preceon had sundry Commissions made (whom we first made use of (whence we were) in the late happy (memorable reigns of our said Soveraigne Lord King James. But finding our selves still streightened and a willingnes in the Honorable Comwall aforesaid to enlarge us, pthy in regard of the many difficulties we had undergone, and pthy in regard of the good service we had done as well in relieving his Maties subject as otherwaies we procured a further enlargemen under the name of Wilk Bradford aforesaid, (whom name we likewise used (whence we are,) By vertue of wh hers Patent liberty is given unto us derivatory from our Sov. Lord King Charles bearing date the thirteenth of January 1629 being the fift yeare of his reigne of Engl. Scotl. France (Irel. and signed by the right Honble Roeb Earle of Warwick in the behalfe of the rest of his Maties id Comwall for New Engl. sealed wh their Comnon Scale allowed To frame (make Orders Ordinance Constitutions for the ordering disposing (governing of our psons, and distributing the lands whin the said limit to be holden of his Matie his heires (Successors as of his Manner of East Greenwich in the Cownty of Kent in free (comnon socage (not in Capite nor by knight service, viz. All that pt of New Engl. in America (tract (tract of land that lie whin or between a certaine Rivolett or Rundlett there comonly called Coahasset als Conahasset towards the North (the river comonly called Naragunset river toward the South, and the great Western Ocean towards the East, (between (whin a streight line directly extending up into the maine land towards (the West from the mouth of the said River called Naragunsett River to the utmost limit (bound of a Cowntrey or place in New Engl. comonly called Pokenacutt als Puckenakick als Sawaamset Westward, and another like strait line extending it selfe directly from the mouth of the said River called Coahasset als Conahasset toward( the west so far up into the maine land westwards as the utmost limit of the said place or Countrey comonly called Pokenacutt als Puckenakick als Sawaamset doe extend together with one halfe of the said River called Naragunsett (the said Rivolet or rundle called Coahasset als Conahasset And all land (Rivers waters havens creek port fishing (fowling (all hereditam (commodities (emolumet whatsoever scituate lying (being or arising (whin or between the said limit (bound (or any of them. furthermore all that tract of land or pt of New Engl. or pt of America aforesaid (wh lieth (whin or between (extendeth itselfe from the utmost limit of Cobbiscontee als Comaseconte (wh adjoyneth to the river of Keneheke als Kenebekike towards the western Ocean, (a
place called the falls at Nequamkike in America aforesaid & the space of
fifteen English miles on each side the said River comonly called Kenebeck
River & all the said river called Kenebeck that lieth wth in the said limit
bound Eastward Westward Northward or Southward last abone mentioned,
call land ground soyles Rivers waters fishing hereditam thpitt whatso-
ever situate lying being, arising happening or accruing or wth shall arise
happen or accrue in or wth in the said limit bound or either of them,
together wth free ingress egress regresse ships boat shallops other
vessels frō the Sea comonly called the western Ocean to the said River called
Kenebeck frō the said River to the said Western Ocean Together wth
all prerogatines right Royalties Jurisdiction priviledges franchises immunities
also marine liberty wth the Escheat Casualties thereof the Admiralty Jurisdiction excepted wth all the interest right title claime demand whatsoever wth the said Cowncell their Successors now haue or
ought to haue or may haue require heerafter in or to any the said porson or
tract of land heereby mentioned to be granted or any the premises in as free
large ample beneficial manner to all intent construction and purposes
whatsoever as the said Cowncell by vertue of his Maiea said hrs pattent may
or can grant. To haue & to hold the said tract tract of land all l singular
the premises aboue mentioned to be granted wth their every of their
appurtenance to the said William Bradford his heires associate assignes for
ever to the onely prop absolute use behoofe of the said Will Bradford his
heires Associates Assignes for ever Yielding paying unto our said Sov.
Lord the King his heires Successors for ever one fift pt of the Oare of the
Mines of Gold silver one other fift pt thereof to the President Cowncell
wth shall be had possessed & obtained wth in the precinct aforesaid for all
service demands whatsoever allowing the sd W. Bradford his Associates assignes every of them his factor agent tenant serv & And all such as he or they shall send employ about his sd ptiacle plantaion shall may frō time to time freely lawfully goe returne trade traffic as well
wth the English as any the natives wthin the seints aforesaid wth liberty of
fishing upon any pt of the Sea Coast Sea shores of any the Seas or Iland
adjacent not being inhabited or otherwise disposed of by order of the
said president Cowncell forbidding all others to traffic wth the natives or
inhabite any the said limit wth out the specialle leauce of the sd W. Bradford
his heires or Associates allowing the said W. Bradford his heires Associates
to take apprehend seise make prize of all such persons their ships good as
shall attempt to inhabite or trade wth the salvage people aforesaid &c.

Moreover whereas in the first beginning of this Colony divers merch
LAW.

the City of London elsewhere adventured divers sums of money with the said John Carver Will Bradford Edw Wynslow William Brewster Isaac Allerton the rest their Associates on certain terms of partnership to continue for the term of seven years. The said term being expired, the Plantation by reason of the manifold losses crosses by Sea land in the beginning of so great a work being largely indebted, no means to pay the said debt but by the sale of the whole: And the same being put to sale, We the said Will Bradford Edw Wynslow, Will Brewster Isaac Allerton other our Associates the Inhabitants of New Plymouth elsewhere being loath to be deprived of our labors bought the same for in consideration of eighteen hundred pound sterling vizt all singular the privileges land good building Chattels Ordnance munition or whatsoever appertained to the said plantation or the adventurers with all singular the privileges thereunto belonging as appeareth by a deed between the said Isaac Allerton then agent for the said Will Bradford his Associate the one pt, and John Pocock Robt Keyne Edward Basse James Sherley Joh. Beauchamp on the other pt being thereunto deputed by the said merchant & the rest adventuring as aforesaid as appeareth by a deed bearing date the sixth of November in the third year of the reign of our Sovereign Lord Charles by the grace of God King of England Scotland France Ireland etc. Anno Dom. 1627. Be it knowne therefore unto all men by these presents That according to our first intent for the better effecting the glory of God, the enlargements of the dominions of our said Sovereign Lord the King, and the especial good of his subject, by virtue as well of our Combination aforesaid as also the several grants by us procured in the names of Joh. Peirce and Will Bradford their heires our Associates, together with our lawfull right in respect of vacancy donation or purchase of the situation, and our full purchase of the Adventurers before expressed, have given unto allotted assigned to all every person whose name or names shall follow upon this publick Record such proportion or proportions of ground with all singular the privileges thereof belonging as aforesaid to him or them his or their heires Assignes successively for ever to be holden of his Majesty of England his heires successors as of his Manner of East Greenwich in the Countie of Kent in free common Socage not in Capite nor by Knight service. Yielding paying to our said Sovereign Lord the King his heires Successors for ever one third pt of the Oare of the Mines of Gold silver one other third pt to the President Councill with shall be had possessed and obtained as aforesaid. And whatsoever land are granted to any by the said Will Bradford, Edw Wynslow Will Brewster Isaac Allerton their heires Associates as aforesaid being acknowledged in publick Court.
PLYMOUTH COLONY RECORDS.

[Part 1]

This booke of Record of the severall inheritances of the subject of our Sov. L. the King within this Governm't. It shall be lawfull for the Govr of New Plymouth aforesaid from time to time successively to give under the Common Seal of the Governm't a Copy of the said Grant so recorded. Confirming the said land to him or them his or their heires Assignes for ever with the severall bounded limit of the same. W'h shall be sufficient Evidence in law from time to time at all times for the said ptie or pties his or their heires or Assignes. To have to hold the said portion of land so granted bounded recorded as aforesaid with all singular the appurtenance thereunto belonging to the onely prop absolute use behoofe of the said pties or pties his or their heires Assignes for ever.

*41
*Not to be found.

*43
*A forme of Evidence for the particular hold of land within the Governm't of New Plym.

Be it known unto all men by these present That such a portion of land, bounded so as, and containing so many Acres was granted to in publick Court confirmed by Wlll Bradford his Associate holden at new Plym: the 3rd of Jan. in the 12th yeare of the reigne of our Sov. L. Charles by the grace of God King of Engl. Scotl. ffr. & Irel. to A. B. his heires Assignes for ever: The said land to be holden of his Maj's his Successors as of his Manner of East Greenwich in the County of Kent in free common Socage not in Capite. To have to hold the said land all singular the appurtenance thereunto belonging to the said A B his heires Assignes for ever. Yielding paying to our said Sov. Lord the King his heires or Successors for ever one fift pt of the Oare of the Mines of Gold silver, one other fift pt thereof to the President and Counsell w'h shall be had possessed obtained within the precinct or limit of his said bounded before expressed for all services demand whatsoever. In witnes whereof E W Governour of New Plym. aforesaid for our Sov. L. the King this present yeare of our Lord 1636. by vertue of the power committed to me have signed this deed declaring it to be full absolute sufficient evidence to the said A B his heires and assigns for ever for the hold of the land above mentioned with all singular the appurtenance thereunto belonging in as full ample manner as may be yielding and paying as aforesaid And for further confirmation have signed this deed to our Common Seal of Governm't the tenth of Feb'r. in the said 12th yeare of the reigne of our Sov. Lord Charles by the grace of God K of Engl. Scotl. ffr. & Irel. &c.

WHEREAS Mr. Hatherley in the behalf of the Church of Scituate informed this Court That the place (for ought they can yet discon) is too stret for them to reside comfortably vnpon and that the lands adjacent are very Stony and not convenient to plant vnpon whereby they are disabled to receive any more neighbours for their more comfortable societie. It is therefore consented vnto and agreed vnpon by the Court That the said Inhabitants of Scituate shall haue libertie to seeke out a convenient place for their residing within the Colony, and to giue notice thereof to the Gou'nour and Assistant that they may cause the same to be veiwed, and if the same shall be thought conventent then to be granted vnto them, vnesse there shalbe some other lands found fitt to be layd to them for their more comfortable subsistence at Scituate.

It is also ordered by the Court that the Cutt at Greenes Harbör for a boate passage shalbe made eightenee foote wide and sixe foote deep. And for the manner how the same shalbe doen for the better ordering thereof it is referred to the Gouern'r and Assistant with the help of John Winslowe Jonathan Brewster John Barnes &c. Christopher Waddesworth aswell to portion euery man equally to the charge thereof as also to order men that shall worke thereat, that tenn men may worke together there at once, and that the Gou'nor or whom he shall appoynt shall oversee the same that it may be well performed.

It is also ordered &c. enacted by the Court that the Inhabitants of New Plymouth shall haue liberty to meete together to make orders for the herding of their Cattle &c. such other thinges as shalbe needfull for their moore neighbourly liuinge together.

*It is ordered by the Court That the Corne of John Jenney Thomas Willet &c. Georg Watson seized by the Gou'nor to the vse of the Collony by vertue of a formall lawe: shalbe referred to the Bench to deale therein as they shall see cause.

It is ordered by the Court That Mr. Collyer Mr. Hopkins Mr. Browne Mr. Treaty aboute the trade.
Done John Jenney Jonathan Brewster John Winslowe & Thomas Willett shall treate wth those that have the trade in theire hande to prepare such conclusions concerning the same. That the Court being made acquainted therewith and approueing thereof may conclude the same wth them.

At the General Court held the vijth March 1636
Mr. Bradford Gofnor.

Shooting in night.

Tt is concluded vpon by the Court that if any shall shoothe of a pcece at any fowle or otherwise in the night tyme betwixt day light and day light shall forfaite twenty shillinges for every shott to be payd to the Treasurer to the use of the Collony, except he shoothe at a Woolfe, or for the fyndinge of some man lost.

Allarum.

It is also concluded vpon by the Court That three pceces shott of distinctly one after another shalbe for an allarum. And two pceces to give warning of some howse on fyer.

Mill at Plymouth.

*It is concluded vpon by the Court That Mr. John Jenney shall haue liberty to erect a Milne for grinding and beating of Corne vpon the brooke of Plymouth to be to him & his heires for ever. And shall haue a pottle of Corne toule vpon every bushell for grinding the same for the space of the two first yeares next after the said Milne is erected, and afterward but a quart at a bushell for all that is brought to the milne by others, but if he fetch it & grind it himself or by his servant & then to have a pottle toule for every bushell as before.

Ladders.

*Forasmuch as great Losses haue heretofore happened by fyer whereby men haue had their houses and goods wthin the same utterly consumed, wth might haue beene prevented in some good measure if Ladders could haue beene had neere hand. It is therefore enacted by the Court That every housholder wthin this Colony & gomment shall haue one sufficient ladder or ladders at least about his house wth will reach y* top vpon penalty of every such default to forfaite ten shillings to be levayed to the use of the Governm'.

Inhabitants of Plimouth.

It is enacted by the Court That noe psont or psoms hereafter shalbe admitted to live and inhabite wth in the Gomment of New Plymouth wthout the leave and likeing of the Gofnor or two of the Assistantes at least.
It is enacted by the Court That there shalbe a watch of four men
hyred to keepe watch at New Plymouth at the Publick charge for the safety
of the person of the Gov'n And the Towne of New Plymouth to add more
men vnto them to strenthen them as need shall require.

*At the gefall Court the second of Octob'': 1637.  
It is enacted by the Court that sixscore and twelve fishes shalbe c of fish.
accounted to the hundred of all sort of fishes.  
Approved.

It is enacted by the Court That all Swine wthin these Colonies shalbe Swine.
sufficiently ringed after they shalbe tenn weeks old, and if that any shalbe q'
complayned of to be vnrruly, that then they be yeoked vpon the penalty of
six pence for every swine that shalbe found vnringed and not presently
ringed vpon warneing giuen thereof, and this to be donn by the first of
November next.

It is enacted by the Court That no householder wthin this Gof'mt shall
take any servant coming out of his tyme or other servant (that is not of
manuell trade) into partnership wthin him vpon penalty to forfeite five pounds
sterl for every such default, excepte the shalbe allowed by the Gof'n & Assistant
so to doe, And that all contracts for servant for any tyme shalbe recorded before the Gof'n or some one of the Assistants, & the Clarke to
have four pence for his payne. And that none shall hire a servant under
half a yeare.

The act about fireing woods was altered this Court.

Whereas there is a great abuse in taking of Tobaccoe in very vnciull manner openly in the Towne streets and as men passe vpon the heigh wayes
as also in the feilds and as men are at worke in the woods & feilds to the
neglect of their labours and to the great reproach of this Gof'ment It is
therefore enacted by the Court That if any shalbe found or scene taking
Tobaccoe in the streets of any Towne wthin the Colonys of this Gof'ment or
in any barne or outhouse or by the heigh wayes e not aboue a mile from a
dwelling house or at his worke in the feilds where hee doth not dye or eate
his meate That every such person or persons so offending shall forthwith pay
xij for every such offence as e as he or they shall so offend, and a shalbe
lawfull vpon information for the Constable of the Towne or next to the
place where such offence shall be committed to distrayne his goods for yt if he
refuse to pay it vpon demand, And for Boys and servants that shall offend
herein ('t haue nothing to pay) to be set in the stocks for the first default and for the second to be whipt.

Whereas many haue sustayned great damage by the indiscreet fireing of the woods, It is by this p'nte order forbidden to any to set fyre on them except betweene the first day of the month of February and the midst of the month of April And that whatsoe'f damage commeth to any by the breach of this order in fireing the woods otherwise to be made good by the delinquent and whensoe'f any are justly occasioned to fire the same they shall give warneing to the neighbours aboute them and If any pson fire y* woods y* hath noe just cause so to doe he shall forfeite x* to y* countries vse be or be whipt.

Whereas there is greate need of a fferry boat to be erected to transport men and cattell over the North Riuer many complaineing of the want thereof and such as passed that way were at great charge £ put to many inconveniences for want thereof for the redressing whereof It is enacted by the Court That there shalbe xij* for euery famly leyed throughout the Goverment toward the charges of the building of two vessels or boats for the transportation of men and cattell over the said Riuer at the now passage place And that M' Jonathan Brewster shall haue the kepeing and the p'nt of the said fferry to haue and to hold to him and his heires foreruer, and shal build and from tyme to tyme mayntaine two sufficient boats or vessels one for the carrying of men and another for carrying of cattell o't the said North Riuer w't a sufficient man or two to attend them And shall haue these rates for the first yeare viz* for a man ij* for a horse and his rider vj* for a beast vj* for swine and goates ij* a peec. And after the first yeare for a man ij* for a horse * his rider vj* for a beast iiij* and for a goate or swine j* of all men of w' planta'Son soe'f.

Whereas there is great necessity of a bridg over the South Riuer another over Joanes Riuer and another over the Eele Riuer It is enacted by the Court That the Inhabitants of Scituate shall build a bridg over the South Riuer and that the Inhabitant's of Sandweech and Mattacheese or Yarmouth shall build a bridg over the Eele Riuer and the Inhabitants of the Townships of Plymouth and Duxborrow shall build a bridg over Joanes Riuer All w't said bridges to be made passable for horsemen and footemen. and that there be a ferry boate kept in the interim to carry men ouer Joanes Riuer especially at the Court tymes or other speciall occasions.
*Whereas there is great abuse complained of by buying and regrating goods and commodities with come in boats or vessels to be sold in divers places within this Government and selling the same againe in the same townes & marketts to the disappoynting of the necessities of many and oppressing them in the price when their necessities do constraine them to buy them at any price. It is enacted by the Court That none shall so buy any goods or commodities coming to be sold at any Towne within this Government by land or water to engrosse them into their hands to thend the price may be enhancd by selling them againe in the same town or markett, (except he buy by whole sale to retayle the same again at reasonable gaine) the abuse to be enquired of by the Grand enquiste, upon their p'sentm't to be censured by the discretion of the Bench.

Whereas diuers persons are come to dwell in sevall plantaçons within this government without leave of the Gouvernt or taking the Oath of fidelitie contrary to the act of this Court and because there are not majestratç dwelling in such place to exhibite the said Oath vnto them. It is therefore enacted by the Court That such of the Assistantç as the Gouvernt shall think fitt shalbe especially assigned to repair to such place and to require the said Oath of them and for such as shall refuse to take yt That they be appoynted to repair to the Court at Plymouth: And that such as shalbe appoynted to be ymployed herein or in any other publike businesse haue their charges borne by the Publike.

Whereas diuers persons vnfit for marriage both in regard of their yeong Marriage. yeares as also in regard of their weake estate, some practising the envengleing of mens daughters & maids vnder gardians (contrary to their pentç or gardians likeing) and of mayde servants without leave and likeing of their masters. It is therefore enacted by the Court That if any shall make any motion of marriage to any mans daughter or mayde servant not haneing first obtained leave and consent of the pentç or master so to doe shalbe punished either by fine or corporall punishment or both, at the discretion of the bench according to the nature of the offence.

It is also enacted that if a motion of marriage be duly made to the confirmed master and through any sinister end or couetous desire hee will not consent therevnto Then the cause to be made knowne vnto the Majestratç and they to set downe such order therein as vpon examination of the case shall appeare to be most equell on both pts.
*It is enacted by the Court That the Milner of Scituate shall not take above the sixteenth part of a bushell for grinding such Corne as is brought vnto the Milne. And whereas there are diuers other Milnes w'thin this Colony who are allowed competent toule for grinding and do not grind Corne as they ought to doe It is enacted by the Court that such millners shall either grind their Corne sufficiently or els that vpon complaint to the Court thereof and the thing prooued the miller shall pay for every such defaile vj^d for every bushell to the pty greened and vj^d to the Treasurer for the collonies use.

It is enacted by the Court according to the form act of this Court concerning labourers wages That a labourer shall haue xij^d a day (his dyett or xvij^d a day w'hout dyett) nor aboue throughout the year.

It is enacted by the Court That Swyne may be vringed from the first Tewsday in December to the first Tewsday in March following notwithstanding the form ordinance to the contrary.

It is enacted by the Court That if any master of a Boate shall bring any passengers or suffer any to be brought in his Boate into any plantacion w'thin the Gouernment, (and not haue leave so to doe either from the Gouernment or Committees of the place) shall keepe them whilst they stay and recarry them and their goods to the place from whence they came.

fformasmuch as greate inconvenience have been occationed by yeong men and other labourers that haue dyeted in Inns and Alehouses especially who haue had other houses to repaire vnto in the same Towne It is therefore enacted by the Court That none shall dyett in Inns or Alehouses nor haunt them w'thin the Townes they liue in nor make them the ordinary place of their abode.

*Concerning the fferryman at the North riuer It is ordered (concluded vpon by the Court That if hee shall carry onely one man both of the North and South Riuer hee shall haue foure pence, but if there be moore then one to set ouer then hee shall haue but two pence a pcece for as many as hee can carry at once, and likewise that he shall haue ij a pson for efi for carrying them ouer the north riuer.

Concerning such as are allowed to exercise men in Armes in the seall Townes w'thin this gouernment the Court doth order as followth.
LAWS.

That Mr William Vassell & Wm Hatch shall exercise the Inhabitants of Scituate in their Armes.

That Captaine Poole shall exercise the Inhabitants of Cohannett in their Armes.

That Captaine Standish shalbe for Plymouth.

ffor Duxborrow - - Leittennant Holmes
ffor Sandwich - - John Blakemore
ffor Yarmouth - - Willm Palmer
ffor Barnestable - - Mr Tho'm Dimmack
ffor Marshfeld - - Mr Nathaniell Thomas.

It is enacted by the Court that thee shalbe as many of the Inhabitants of Scituate in number w're not freemen added to the freemen there for ordering and concluding the Townes affaires for fenceing of ground, hearing of Cattle and such like occasions, or of the whole Towne to meet together to doe it.

*Whereas complaint was made that the freemen were put to many inconveniences and great expences by their continuall attendance at the Court. It is therefore enacted by the Court for the ease of the seall Colonies and Townes w'rin the Goiment That every Towne shall make choyce of two of their freemen and the Towne of Plymouth of foure to be Committees or Deputies to joyne w'th the Bench to enact and make all such laws and ordinances as shalbe judged to be good and wholesome for the whole Provided that the lawes they doe enact shalbe ppounded one Court to be considered vpon vntill the next Court, and then to be confirmed if they shalbe approoved of (except the case require p'sent confirmacion) And if any act shalbe confirmed by the Bench and Committees w'th vpon further deliberacion shall proved p'judiciall to the whole That the freemen at the next election Court after meeting together may repeale the same and enact any other vsefull for the whole And that every Towneship shall beare their Committees charges and that such as are not freemen but have taken the Oath of fidelitie and are masters of famylies and Inhabitants of the said Townes as they are to beare their pt in the charges of their Committees so to have a vote in the choyce of them.vided they choose them onely of the freemen of the said Towne whereof they are: but if any such Comittees shalbe insufficient or troublesome that then the Bench and thother Comittees may dismisse them and the Towne to choose other ffreem in their place.

*53 March 5th 1638.
"Mr. B[radford] Gouf"

At the gefall Court held the 4th June 1639.

IT is enacted by the Court That if any man shall sell or lend any kynd of guns peeces or pistolls or any shott leade or pouder to any Indian hee shalbe punished for yt at the discretion of the Bench.

It is enacted by the Court That every householder wth in the Gofiment shall sowe one Rodd of ground square at least wth hemp or flax yearely and some one in every Towne to bee appoynted to see the same donn and p'sent it to the Court in June yearly.

Markett£ & fayres.

It is enacted by the Court that there shalbe a markett kept at Plymouthe every Thursday and a faire yearely the last Wensday in May £ to continue two dayes and a faire at Duxborrow the first Wensday in October yearly £ to contine two dayes for all cattell £ comodities.

for the p'venting of Idlenesse and other euells occationed thereby It is enacted by the Court That the Grand Jury men of every Towne shall haue power wthin their sefall Towneshipps to take a speciall view and notice of all manner of psons married or single dwelling wthin their sefall Townes that haue smale meanes to mayutaine them and are suspected to liue idelley £ loosely £ to require an account of them how they liue, And such as they fynd delinquent and cannot giue a good account thereof vnto them that they cause the Constable to bring them before the Gofin£ & Assistant£ at Plymouthe the first Court of Assistant£ after such delinquent£ shalbe found out. That such course may be taken wth them as in the wisdome of the Gofiment shalbe adjudged just and equall.

"It is also enacted and concluded by the Court That all the Townships wth in this Governm£ allowed or to be allowed shall haue liberty to meete together and to make such Towne orders as shalbe needfull and requisite for the hearding of cattell and doing such other things as shalbe needfull for the mayntenance of good neighbourhood, and to set penalties vpon delinquent£ Prvided that their orders be not repugnant nor infringing any publike act£ And that the fines and penalties shalbe disposed of afterwards to their particuler Townes pruided also that the fyne£ exceed not the sum of ten shillings for any one fyne.
It is also enacted that the Trade shall be continued in Mr. Bradford and his partners hand during the term which is till November come twelve months and that Mr. Bradford shall have y° 80° weight of beaver given the Colony for the first year at 4st. for xxy° sterl.

*Act* considered upon this Court

That there be forty pound yearly equally levied by the Townes referred to the Court within the Government to be allowed the Government for the defraying of the charge of the place and to be encreased hereafter as need shall require.

That the Committees shall confer with the freemen and give in the next Court how the land shall be disposed of before or by any other way.

*Act* made and confirmed at the general Court the 3rd March 1639.

**THAT** no servant coming out of England or elsewhere and is to serve a master for some time to be admitted his freedom or to be for himself until he have served forth his time either with his master or some other approved although he shall buy out his time, except he have been a house keeper or master of a family or meete use such as bee so.

That no man shall give, trade, truck or exchange directly or indirectly with the Natives or Indians (other than English men servant) to give or pay any money gold or silver for the same upon the penalty to forfeit twenty for one by him or her that shall so doe.

The like penalty also upon any that shall give trade truck or exchange with the Natives for any kind of military Armes as Guns of any length or sort whatsoever or any shot lead bullets or powder or sword daggers or rapiers or mend or repair any kind of pence for them or arms to forfeit twenty for one.

That the constables that lie remote hence in the further plantations shall be freed from attendance at the general Court after they are sworn except there be special cause and that if the Constable of any Town doth goe from the same, he shall depute some other man in his room until his return provided it be such person as hath borne the same place for default to forfeit ten shillings.

That whosoever shall plainly swear or curse by the name of God or any of his titles Attributes word or works upon proof thereof made by suf-
ficient testimony or confession of the party he shall pay for every such default xijd or be set in the stocks so it exceed not the space of three howers or putt in prison according to the nature c quallity of the ps0n.

Thus far the Majestr. c deputys accorded.

Whereas in regard that the Gouinent hath often fallne vpon one c the same ps0n w'h hath beene very burdensome vnto him and an impouerishing of his estate The Court doth therefore enacte c conclude that the twenty poundc for this yeares benefitt of the trade shalbe payd to the Gouit towards c his chargc in sustayneing the place and that the Townes w'ithin the Gouinent shall add thereunto what every man shall think meete c conventent c pay it to the Tresurer for his vse.

That the Commission directed to Mr Bradford c Mr Winslow for the setting of the boundc betwixt the Two patentc of Plymouth c Mattachusett c Bay be renewed for six months.

That Cohannett shalbe called Taunton.

*That two sufficient men one of Yarmouth c another of Barnestable be yearely chosen c nominated against the next Court to be joyned w'h Mr freeman of Sandwich to heare and determine suitc and controlys betwixt pty c pty w'ithin the townships not exceeding three pounds.

It is enacted by the Court That A hering ware to take fish shalbe erected at Joanes Riner and that such as will put in their stock or mony at the first for the erecting of the same shall have an answerable pporseon of gaine c if it prove prejudiciall to the generall, that then vpon payment of the charges to be pulled downe.

The like liberty vpon the like condi6ons are graunted to erect wares to take fish At Mortons hole Blowsfish Riner Eagles Nest Greens harbour c the Ecle Riner or any other Creeke.

Whereas vpon a pposeon made by the Grand Inquest at the gesfall Court held the fift day of March 1638 by what vertue c power the Gouin' and Assistantc do give c dispose of lands either to ptticular ps0ns or Towneships and Plantacs0ns whereupon cff since there hath beene a Cessac0n of the graunt of lands to any ps0ns by the Gouin' And now vpon heareing and debateing the controversies matters and differencc about c containing the same in the Publike Court And whereas there was a larg sume of money disbursed
by those that held the trade viz see Mr Bradford Mr Prence Captaine Standish [PART I.] 
the rest of their ptners for the enlargement of the Patent of New PlymOUTH in New England, In consideration that all controversies difference about the same may hereafter cease and determine, whether betwixt the Purchasers, old Comers, freemen, or others about the same. The Court hath by mutuall assent consent of all as well purchasers Old Comers as freemen enacted concluded that there shalbe three hundred pounds sterl or so much as shalbe required not exceeding the said sume of three hundred pounds payd to those that held the trade viz Mr Bradford Mr Prence Capt Standish and the rest of the ptners towards the charges of the enlargement of the said Patent if the same shalbe required out of the psonall estate of the said Mr Bradford Mr Prence Capt Standish the rest of the ptners were said three hundred pounds or lesser sume shalbe levyed vpon the plantacons by such equall way as shalbe thought meete. And that they Purchasers or old Comers shall make choyce of two or three places for themselves their heires before the next December Court that after such choyce made and established All the residue of the lands not forsfily granted forth either to plantacons or ptiler psons shalbe assigned surrendered into the hands of the whole Body of the freemen to be disposed of either by the whole Body or by such psons as shalbe by the whole Body of freemen assigned authorised And that all lands already granted either to plantacons or ptiler psons shall stand remayne firme to them their heires assigns for ever to whom they are so giuen granted Provided that all lands shalbe now free to graunt to such psons as stand in neede in the Plantacons now made saue that there shalbe no more Plantacons erected vntill the Purchasers haue made their choyce as afores*. And whatsoever shalbe further material requisite in law for the confirmeing establishing this act and order It shalbe donn by Counsell to the intents purposes herein contained expressed if neede require.

It is also enacted by the whole Body of the Court That the GoUrd and Assistant shall graunt lands to ptiler psons within the Townes of PlymOUTH Duxborrow as they haue donn forsfily vntill December next.

It is enacted by the Court That the Prison shalbe erected at Plymouth.

It is enacted by the Court That the Messenger shall haue thirty bushells of Corne for the yeare past and thirty bushells for the yeares coming to be levyed vpon the whole GoUment.

It is also enacted concluded by the Court That Nathaniell Sowther shalbe Clarke of the Court and shall haue thirty pounds p an, besides his
other fees from this tyme forward to be payd him quarterly by the Tresurer
levying it vpon the whole Collonies.

Whereas the Townships wthin this Go®ment haue forsi®y had liberty
to meete together and make some Towne Orders wthin are thought to bee defect-
ive for that they conceived they had not power to make Assesments rates for
raising such necessary expence as shalbe disbursed about the general
occations of the Townes confining the Co®ion wealth: It is enacted by the
Court That every Township shall haue liberty to meete together and make
levyes rates for their townes charges to distraine such as shall refuse
to pay the same vpon warrant from the Court or Gouvernor.

Bounds of Townships by Mrts

It is also enacted by the Court That the Go®®r and Assistants shall
appoynt and set forth the bounds of Townehipps as forsi®ly they haue donn.

Acts made confirmed in the Gouv® Court the 1st Septemb 1640.

THAT the Constables of every Towne wthin the Go®® shall warne the
townes men whereof they are to come together as they doe for other
townes businesse when the Committees shall think it fitt, aswell to acquaint
them with what is ppounded or enacted at the Court, as to receive instrucc®ns
for any other busines they would have donne.

That if any ps®n or ps®ns take tobacco whilst they are empanelled
vpon a Jurie to forfait five shillings for every default except they haue given
vp their verdict, or are not to giue yt vntill the next day or dept the Court
by consent.

That the Inhabi®ts of every Towne wthin the Gouverment fitt to be
beare armes be trayned (at least) six tymes in the yeare.

That all such ps®n and ps®ns as haue sowed any hempe or flaxe accord-
ing to the forsi® act of the Court, shall not waste the same but shall dresse
the said hempe or flax or ®cure it to be dressed fitt for some good use and
®cure the seed: And the Com®tees of the se®all Townes shall see the
same so donn the week before the elec®®n Court and to make report thereof
to the Court. Vpon penalty of five shillings to be forsaied to the Colonys
use for every Delinquent therein.
At the general Court held the 2d March 1640. xvj° Car. R.

IT is enacted by the Court That Greens Harbour shalbe a Township and have all the priveledges of a Township that other Townes haue and that it shalbe called by the name of Exham, but now Marshfield.

It is enacted by the Court That no presentment hereafter shalbe exhibited to the Grand Inquest to be brought to the Bench except it be donn vpon oath, and that it shalbe lawfull for any of the Assistants to minister an Oath in such a case.

At the general Court held the 7th Septb. 1641.

IT is enacted that the Clarke shall haue xx£ p an. besid‡ his other fees cir. 20p An. and that M' Willm Paddy shalbe the Treasurer this yeare and shall pay the Clarke his xx£ and giue an account of his receipt‡ and payments at the election Court.

The Rates of the Townes for publicke charg‡ of ye officers

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<tr>
<td>Plymouth</td>
<td>05. 00. 00</td>
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<tr>
<td>Duxborrow</td>
<td>03. 00. 00</td>
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<tr>
<td>Scituate</td>
<td>04. 00. 00</td>
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<tr>
<td>Sandwich</td>
<td>03. 00. 00</td>
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<tr>
<td>Taunton</td>
<td>02. 10. 00</td>
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<tr>
<td>Barnestable</td>
<td>02. 10. 00</td>
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<tr>
<td>Yarmouth</td>
<td>02. 10. 00</td>
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<tr>
<td>Marshfield</td>
<td>02. 10. 00</td>
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</tbody>
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25. 00. 00.

*It is enacted That if any man shall fynd a Mine of gould siluer leade Mynes, tinn bras copper or coale that shall proue to be of value or worth, shall haue five pounds for his paynes to be payd in this manner, viz. If it be found in a mans particular ground then he to pay it, if in the land‡ of a Township then the towne to pay it, and if it be on the generall Co̺mons then to be payd by the whole gouerment And if it happen that he that fynds yt or the towne where it is found shall neglect to worke it by the space of a whole yeare next after it is found. Then it shalbe lawfull for the gouerment to appoynt any other man to work it for his owne benefit.

That the Courts of Assistants are to be kept hereafter every first Tewsday This is altered. in the month except at the geffall Court‡ and then to be kept the day before.
It is enacted That those that have releefe from the Townes & haue children and doe not ymploy them That then it shalbe lawfull for the Towneship to take order that those children shalbe put to worke in fitting ymployment according to their strength and abilities. or placed out by the Townes.

That every Towneship in the gounderment shall provide a barrell of poudere and leade or bullets answerable, to be kept by some trusty man or men in every towne that it may be ready for defence in tyme of neede & danger.

That all weights and measures in every towne w'hin the gou'ment be made equall by one thereunto especially appoynted And that a bushell a half bushell a peck and a half peck be pasured to be made by the Bay standard and that the Grand Jurymen of every Towne do assist Josuah Pratt in makeing all measures euene accordingly and these to be donn by thend of March next.

*The first March 1641.

It is enacted That Scituate shall haue two Constables yearely.

It is enacted That no forraise Tobacco be bought and sold to be taken in the Gou'ment but such as is planted in the Gou'ment after the first of January next (except what is bought & sold to and from forraise plant).
This act was repealed March 1642.

It is enacted That every Towneship w'thin this Gou'ment do carry a competent number of peec's fixd & compleate w'th poud'er shott & sword to be made by the Bay standard, and that every Lords day to the meetings and one of a house from the first of September to the middle of November except there be some just & lawfull impedyment.

The viijth of September 1642.

It is enacted by the Court that all the Townes w'thin the Gou'ment shall make woolfe trapps and bayte them and looke vnto them dayly vpon the penalty of £1 a trap that shalbe neglected. the number that eich Towne is to make is as followeth.

Plymouth five Duxborrow five Scituate four Sandwich three Taunton two Barnestable three Yarmouth three & Marshfield two.

That Mr Nathaniell Thomas shalbe allowed to exercise men in armes for the Towne of Marshfield.

It is enacted &c That those that are appoynted in euyr Towne to exercise men in armes shall have power to set a fynce on such as shall absent themselves vpon the dayes appoynted for exercise if there be not sufficient reason giuen for their absence guided the fynce be w'th the consent of the com-
pany so exercised or the major part of them and such fine to be gathered by the Constable of the place and to be for the benefit of that company where such fine shall happen.

That the quarter Court be hereafter held the first Tewsday in June the first Tewsday in September and the first Tewsday in March yearly with shall be the Electon Court and none to be kept in December as formerly and that every Court shall begin at nine of the clock in the morning and end at four in the afternoon. And that the monthly Court hereafter be kept every first Tewday in every second month.

*Acts made by a general Court held the xxvijth Septemb. 1642.*

THAT the Court doth give power to the Townes to appound two or three persons to the Court to be in any chief place above the degree of Sergeant (to exercise their men in arms) to present them to the Court and such as are approved by the Court to be established such officers to choose altered their under officers with consent of the Body.

That the chief military Commanders of every Towne have power to call forth men to exercise men in their arms and to appoint days, and Towneship. the Sergeant to give warning thereof and to be done as often as the Court stand. hath appointed.

That in time of fear or sudden assault of an enemy the military Commander in every Towne shall have power to call the soldiers of that Towne together and put them into a posture of war whose commands every soldier shall obey for the defence of the Towneship and that they follow the directions of the military commander of that town in keeping watch and ward. guided that the ordinary watch be set and appointed with the Matrace approbation of that town if there be any.

That the Military company have power together with their chief commanders to make orders for furnishing all such as shall not have their arms compleat and shalbe defective in their appearance exercise of arms, and to make such orders for furnishing the company with such necessaries as shalbe needfull for the exercise.

That all such military fines and forfeitures be levied gathered by the Clark of the company or constable or one of them and to be employed to the benefit of that company.

How such fines to be levied.
That all Smyths wthin the Gofiment be compelled to amend and repair all defectue arms (brought vnto them) speedily and to take Corne for their pay at reasonable rates: and the Smyth refuseing to answere it at his pill.

If hereafter any Inhabitant or Inhabitant of any Towne wthin this Gofemt shall receiue or bring in any pson or psions as is apparently likely to be chargeable to the Towneship (against whom just exception is made at the tyne of his comeing or wthin a month after) wthin the consent and assent of the Townesmen in a lawfull geffall publike townes meeting the ptie or pties that so receiued or brought them shall discharge the Towne of them.

If any pson or psions coming out of England or els where bring any pson or psions who by reason of impotency disease or otherwise is apparently likely to be chargeable to the place where hee shall come to inhabite the pson or psions so bringing in any such pson or psions shall discharge the Towneship of them during the tyne of the diseased abode there. But in case any Inhabit wthin this Colony shall bring ouer from England or elsewhere or pson or psons for nurture or phisiick. to be sent vnto them any servant or servant of Gods prudente shall fall diseased lame or impotent by the way or after they come here, they shalbe mayntayned and provided for by their said masters during the terme of their service covenant, although their said masters release them out of their said service, afterwards to be releued by the Towneship where hee is.

*If any children or elder psions shalbe sent or come from one Towne to another to be nursed schooled or otherwise educated or to a Phisition or Chirurgeon to be cured of any disease or wound ye if they come to stand in need of releefe they shalbe releued and mayntained by the Towneships whence they came or were sent from and not by that Towneship where they are so nursed educated or at cure, And in case they come or he sent from any Towne or place out of this Colony then if the nurse Educator phisiçon or Chirurgeon take not sufficient securty of the psions to be nursed educated or cured to discharge the Towneship of and from all cost and charge wth shall or may come befell the said Towneship in wth hee or they is so to be nursed educated or cured Then they the said nurse educator phisiçon or Chirurgeon as neglect the same shall discharg the said Towneship of them themselves.

THat every pson that liueth is quietly settled in any Towneship and not excepted against wthin the compasse of three months after his coming, in this case shalbe reputed an Inhabitant of that place.
That every Towneship shall make competent pusion for the mayntenance of their poore according as they shall fynd most convenient & suitable for themselves by an order & geslaw agreement in a publike Towne meeting. And notwithstanding the p'miss That all such pson & psions as are now resident & inhabitant in the said Townes shalte mayntaned & puided for by them.

Memorand That Jonathan Willis is excepted out of this order that is at Duxborrow for cure & shall not be mayntayned by Duxborrow but by Sandwich whence he came.

Eleccson Corte in June.

It is enacted also That the Eleccson Court of choosing officers as Goût & Assistant shalte hereafter every first Tewesday in June because that many are hindered from coming in March by reason of the vnseasonableness of the weather ordinarily.

It is enacted by the Court That all the Milins in this Goût shalte puid & keepe and keepe weights and Scales in their Millnes to weigh mens Corne wth all.

*June vi² 1643.

Whereas it is holden very vnlawfull and of dangerous consequence and it hath beene the constant custome from our first begining That no pson or psions haue or ever did purchase Rent or hire any lands herbage wood or tymber of the Natiues but by the Majestrates consent. It is therefore enacted by the Court that if any pson or psions do hereafter purchase rent or lyre any lands herbage wood or tymber of any of the Natiues in any place without the consent of the Court Every such pson or psions shall forfeit five pounds for every acre without the consent of the p'ties.

It is also ordered by the Court That the Court of Assistants shall not try any matters of weight without the major part of the Assistant & be p'sent and also that if there be not foure Assistant with the Governor not to try or end any cause without the consent of the p'ties.

March 5th 1643. Acts & orders.

The Guns and pieces allowed for service are these viz. Musketts fire locks and matchcock (so that they haue foure fathome of match at all tymes for every matchcock) Calivers, Carbines and fouling pieces so that they bee not above foure foote & a half long and not vnder bastard musket or calier bore.
That in every Towne there be three or foure men or more chosen by writing their names in papers (as the materials are chosen) to rate all the inhabitants of their Towne according to their estates or faculties that is according to goods lands improved faculties and personal abilities, whether the rate be for any of the townes in particular or for general charges. And by improved lands are understood meadow land plowed land & hollow lands.

The orders herein to be observed are these—

1. That the Constable shall sumon the Townesmen to meete together, if he neglect when he is thereunto lawfully warned to forfaite xx.

2. If the Townsmen do not meete vpon the Constables warneing choose raters the Towne to forfaite five pounds.

3. That if the Rators so elected do not make the Rate and transcribe the deliuer or cause to be deliusted a coppy thereof to the Constable within tenne dayes next after their election or sooner if the occasion shall require to forfaite tenne shillings a piece for every such default.

4. If the Constable do neglect to gather the said Rate or not cause them to be brought in within forty dayes next after he hath the said rate or sooner vpon special occation, he shall pay it, self, if to be recoyled by suite &c.

5. That the Constable shall have power to distraine vpon any that shall neglect to pay his rate (being demanded) & bring it to ye place appoynted by him and shall have xijd for his paynes of every one as shall by such his neglect put him to distrayne.

Lastly That all fines and forfaitures within shall happen for breach of any of these acts orders shalbe levyed for the general use of the Goodment.

\[
\begin{align*}
\text{The Court found it of necessity that these acts should} \\
\text{be of force from this day forward & so are confirmed}
\end{align*}
\]

That where lands or tenements fall in joint ptnership either by gift grant or purchase or otherwise That if any of the ptiners do dye before the diuision thereof shalbe made, That the heires assignes of such as shall so decease shall not be deprived of the right title interest into such said lands and tenements but shall have his or their proportion as duly if equally as any of the Survivors or their heires or assignes any act ordinance custome or puision made to the contrary in any wise notwithstanding as fully and amply as if diuision thereof had beene forfaitle made.

Liberty is graunted that the Towne of Marshfield shall have two constables one to be on the other side the South River.
June 5th 1644.

It is enacted by the Court That if any Constable within the government have occasion to goe out of the Township whereof he is Constable for some tyme he shall have power to secure and depute another in his stead as his deputie to execute his place vntill his returne as effectually as he himself might doe.

That it shalbe lawfull for the Governor and Majestrat or any of them to direct a summons to any person within the Government to answer to any suite commenced against them. and it shalbe as authenticall as if it were donn by warrant to attach or arrest them.

That if any man be warned to serue on the Grand Inquest shall fayle who refuse to come and do the service and take the Oath of fidelity (if he have not taken it already) shall forfaite xx\(^{t}\) to the Colonies use.

That if any man shall repare or amend any guis or Armes for the Indians he shall forfaite xx for one. It is added to thother act for trading of guis.

To consider what course shalbe taken for distracted persons and for some to obsee them.

*The xx\(^{t}\) August 1644.*

It is enacted That as the watches are set vp by order so they shalbe continued vntill there be order likewise to lay them downe. And that every watch shalbe set half an hower before the Sunne be set and to continue vntill half an hower after the Sunne is risen except they ward also on the day tyme, and then to continue vntill the same tyme they begann that a fresh watch come to releue them. And that for every man that shall neither come himself nor guide a sufficient watchman in his stead, or lay downe the watch without due order shall pay ij\(^{s}\) vj\(^d\) for every night to the Colonies use \(\xi\) iii\(^d\) an hower for every hower he comes after the watch is sett.

That all those persons in every Township within this Government who have not taken the Oath of fidelity and do refuse to take it at the Government.

That if a Jury be empanelled for tryall of causes and the parties agree after, yet they shall pay the Jurie.

The fynes of such as are defectible in their Armes.
PLYMOUTH COLONY RECORDS.

For such as are wholly defectiue - - - - - x*
that want a peece - - - - - - yj*
that want a sword - - - - - - i*j vi
that want poudar - - - - - - v
that want bullets - - - - - - i*j
that want match - - - - - - xij

Entering of actions.
stand.

That all actions be entred vpon the warrants or sumons sending forth as-
soone as may be.

Presse horses.
stand.

That it shalbe lawfull for the Govn' & Assistant to presse horses for the
Countryes service, paying the owners for them or taking order for their
payment. But if he miscarry in the service the price of such horse made good
to the owner by the Countrey and the horse to be prized at his going forth.

Whereas it was enacted March 7th 1642 That a psone quietly settled in
any towne within this Govt. the space of three months should be
reputed an Inhabitant there. It is guided that that act shalbe expounded &
construed onely to haue relatian to poore psones &c. And it is also guided
that that act shall not any wayes enable any psone to be reputed an Inhabitant
in any Township within this Govt. that shall or doth refuse to take the Oath of
fidelity &c although he hath beene there resident for some tyme.

*Acts made at the general Court the 3d March 1644. 20° Carol Rë

It is enacted That the Treasurer shall at the Elecon Court giue in his
account of his receipts and payment for his yeare to any that the Court shall
appoynt and to be entred vpon record and therevpon he to be discharged.

It is enacted That the general Court formerly holden in Septemb' shall
hereafter be holden the last Tewsday in October.

It is enacted That there shalbe allowed at the general charges a guard of
two halberts &c for the safety of the Govnt's psone at the general Court.

That the Surveyors of the heigh ways shall giue three dayes warneing
to the Teames and other particular psones when they are to amend the heigh
ways as often as need shall require guided that the warne not one teame nor
one psone twice before they have gone over all the teames and psones in their
township And he that shall refuse to come being so warned shalbe brought
to the Court to answere his contempt. And that every Surveyor that shall neglect his duty in reparing the heigh wayes shall forfeite x\textsuperscript{1} to the Colonies use.

It is enacted That if any goods or cattell bee taken upon execuc\textsuperscript{0}n the Officer shall deliver them to the plaintiff and if they be above the value of the debt the plaintiff shall render the ouerplus to the defendant within six dayes next after they are so taken in Countrey pay, but if the defendant can either repeal himself or procure any other to pay the debt otherwise or will give more for such goods so taken in execuc\textsuperscript{0}n then they are valued at It shalbe lawfull for the defend\textsuperscript{1} to make his best of them so it be within the said six dayes next after they are so taken.

Acts made the fourth of June 1645.

It is enacted That an execuc\textsuperscript{0}n shalbe made forth at thend of one month after the verdict and judgment is graunted and not before (except the pty be depiting the Go\textsuperscript{0}lment) and that the Marshall when hee goeth to serve the execuc\textsuperscript{0}n shall take one with him chosen by the plaintiff to appraise the goods or cattell taken in execuc\textsuperscript{0}n and the deffesit shall haue liberty to choose another And the Marshall and those two shall apprise the goods or cattells so taken, but if either the Plaintiff or Defendant do neglect or refuse to make such a choyce, then the marshall shall choose two himself and as they or any two of them shall prise them, they shalbe forthwith deliuered to the plaintiff, and if they come to more then the debt and charges shall amount vnto then the plaintiff shall pay the ouerplus to the defendant in Countrey pay within three dayes next after hee receiueth the said goods at the plaintiffs owne house so that his house be not out of the Go\textsuperscript{0}lment, but if his house or dwelling bee out of the gouverment then at the Marshalls house or where within most conveyency the Marshall shall appoynt.

*That all execuc\textsuperscript{0}ns yssuing out of the gefall Court\textsuperscript{2} or from y\textsuperscript{3} Court\textsuperscript{3} of Assistant\textsuperscript{4} shalbe executed by the Marshall onely.

That the Messenger henceforth be styled or called by the Name of Marshall.

It is enacted \& That in case of appeale from one Court to another that execuc\textsuperscript{0}ns vpon the second verdict order or decree execuc\textsuperscript{0}n shalbe prestently made forth. and the Marshall shall forthwith be sent to execute it And \& if the Marshall
[Part 1.] desire it and the Court or Governor judge it meete a warrant shalbe directed from the Governor to two or three or more for the asying and assisting of the Marshall in the execution thereof and such persons so sent with him to be payd by the Deffent with the rest of the charges of the said suite.

That Seacunck be called Rehoboath.

Carnall copulatio

It is enacted that every person or persons with shall commit Carnall Copulacon before or without lawfull contract shall be punished either with corporal punishment by whipping or else ten pounds a piece fine and be imprisoned during the pleasure of the Court so it be not above three dayes, but if they be or wilbe married one to another, then but ten pounds both and imprisonment as aforesaid. And by a lawfull contract the Court understands the mutuall consent of two parties with the consent of parents or guardians (if there be any to be had) and a solemn promise of marriage in due time to each other before two competent witnesses. And if any person or persons shall commit carnall copulation after contract and before marriage shall both pay five pounds and be both imprisoned during the pleasure of the Court so it be not above three dayes, or else in case they cannot or will not pay the fine then to suffer corporal punishment by whipping.

Nuncupatium testamenti

It is enacted that if any man being sick and weak or otherwise (but of disposing memory) do declare his mind and will concerning the disposing or bequeathing his lands before two or more of the freeholders of the place where he liues, it shall be upon their Oathes recorded and remayne firm according to such devise and bequest.

That all forsoe bargains made for Corne due before this day shall be payd by the old measure, except they have otherwise contracted.

Whereas the last session of this Court it was fully agreed that that bushell agreed upon by the united Colonies should be here allowed and no other Whosoever therefor after the twentieth day of November next ensuing shall buy or sell receive pay or deliver by any other then the said measure of the united Colonies both buyer and seller shall pay xiij a piece for every such bushell so bought and sold received and delivered to the Colonies use as soone as he or they shall thereof convicted. And the Smyth to make a scale of two Roman letters namely N E to scale the measures be sides the P.
LAWS.

*That all ordinary Dealers that sell by vnsealed waights and measures we are not weight and measure by the standard shall loose such weight\(\text{c}\) and measures and make restitution to the pties wronged by such want of weight \(\text{c}\) measure and shall pay to the Colonies vse for every such default of false weight \(\text{c}\) measure for the first tyme vj\(\text{a}\) viij\(\text{d}\) and for the second tyme xij\(\text{d}\) iiij\(\text{d}\) and for the third tyme xx\(\text{a}\) and such waights and measures to be burnt And that all other weights \(\text{c}\) measures of other men shalbe answerable to the standard and a pyle of weight\(\text{c}\) of Mr\(\text{a}\) Atwoods and her scales shalbe the standard. And for sealing \(\text{a}\) for every weight vnder a quarter of a pound and for all abone a quarter to vj\(\text{a}\) iiij\(\text{d}\) a peace and for all abone vj\(\text{a}\) to a hundred weight iiij\(\text{d}\).

That every Miller haue two toul dishes viz\(\text{a}\) a quart and a pottle, but to be so made that vpheaped they will hold no more then a quart \(\text{a}\) pottle by the new measure allowed and those be sealed by the twentieth day of the next month or els to pay x\(\text{d}\) p month so long as hee or they keepe them vnsealed after.

That misdemeanors and offences following and the pson or psions thereof duly convict shalbe punished as followeth.

That every pson or psions that shall wilfully pluck up remoone or deface any land mark or bound betwixt pty and pty that haue beene or shalbe orderly and sufficiently set vp by psions thereunto designed shalbe fyned from xx\(\text{a}\) to five pounds according to the nature of the offence.

That every pson or psions that shall wilfully and of set purpose or carelessly breake downe another mans fence or yate or any common yate or bridge to the annoyance either of a pticaler pson or the gennall shall make up such said fence yate or bridg at his owne charg and pay the damage thereby sustayned and be fyned for the first default fifty shillings and for the second default be fyned v\(\text{d}\) and bound to his good behavio\(\text{r}\).

That every pson or psions that shall wilfully and of set purpose burne any mans fence or fences shall make good the damage and bee bound to his good behavor.

That whatsoe\(\text{f}\) servant or apprentice or labourer that shall purloyn or purloyning steale or ymbessell his Masters goods shall make double restitution either by
payment or servitude as the Court shall judge meete for the first default, and for the second default of the labourer to make double restitution, and either fynd sureties for his good behauio' or be whipt.

Whereas some abuses haue forswely broken out amongst us by disguising weareing visors and strang apparell to lascivious ends & purposes It is therefore enacted That if any pson or psions shall hereafter use any such disguise-ment visors strang apparell or the like to such lascivious and euell ends and intent, and be thereof convict by due course of law shall pay fifty shillings for the first offence or els be publickly whipt and for the second tyme five pounds or be publickly whipt and be bound to the behauio' if the Bench shall see cause.

*It is enacted by the Court That whosoeuer shall forge any deed or writing whereby any estate of lands either of Inheritance or for terme of yeares shalbe passed and the right heires disinherited and shall produce or publish the same to such deceitfull end and purpose and be thereof convict by due course of law shall pay the p'tie greeued double dammage and be fyned half so much as the pty greeued recoveres of him, and in case he be not able to pay it then to be publickly whipt and burned in the face wth a Romane F.

That if any Officer or keep of publike Records or writings shall willfully steale imbezell deface or make away any such publik record or writing so committed to publike Record and keepeing or alter any of them or any pt of them by raceing out or adding thereto or otherwise shalbe disfranchised loose his Office and burnt in the face except in triuiall cases.

That if any pson or psions shall endeavoure or goo about directly or indirectly to corrupt any officer keepeing any publike Records or writings to produce him to deface corrupt alter race or ymbezell any such publike record or writing shalbe fyned according to the nature of the Offence so it bee not aboue fourty pound&, or be whipt.

Whereas many inconveniencies losses and great controliues haue and do dayly happen by reason of p'tended debts some tymes just & sometymes satisfied the charge remayneing still vncancelled some tymes vpon bookes sometymes by papers whereas in truth there is little or nothing really due or remayneing, but through long neglect of demand, and sometymes slow payment made, much contention doth arise betwixt pty and pty It is there-
fore enacted by the Court That if any man \\
now doth dwell w^th in this Goûment haue any debts now oweing vpon booke or by papers or such like scrooles and are not demaundd w^th in the space of six months next after the first day of November next such booke papers or scrooles shalbe no euidence vpon tryall or recouery of them. And for tyme to come a booke paper or scroole shalbe euidence for the space of one yeare after the makeing of the debt therein specified or written and no longer, except the same be otherwise proued, but for such as go long voyages to Sea to be allowed two yeares.

Whereas notw^thstanding the free liberty graunted for fishing and fowling It manefestly appeareing that the Towne of Sandwich hath receiued p'judice by stopping of the passage of the heareing or alwiues to their ware by setting of netts to take Basse by priuate psongs to the gefall p'judice of the whole Towne It is therefore enacted by the Court That if any psong or psongs shall p'sume to sett any netts in the said Riner to stopp the passage of the said heareings or Alewiues or hinder their comeing vp to the said ware during their season w^th is from the middle of Aprill to the last of May shal forfeite tenn pounds as often as hee or they shall so doe. to the Colonies use.

*March 3d 1645.

It is enacted That the Milittary Officers in every Towne shall see that the Armes of that Towne be fix ^ compleat and such as are allowed for lengh ^ bore, and to p'sent such are defectue.

July the vijth of July 1646.

It is enacted by the Court That the Maîtres and Committees do constandy meete in Court (during the Court tyme) at the hower of seaven of the clock in the morneing in the summer tyme, and at eight in the winter vpon the penalty of vj^ for every default made by any ^ so continue vntill eleaun and then to rise to dinner and after dinner to returne againe and to continue vntill a convenyent hower in the euening as the Goûnor shall think meete, and for every hower any of them shalbe absent after they are called to pay vj^ p hower except there be such sufficient reason shewed for their absence that the Court doth allow of. proued that the first day of the Court Nine of the Clock shalbe the hower to meete at in the morneing.

It is enacted by the Court that the Bay new bushell shall not be used to buy or sell by nor any measures made thereby and that the old Iron bound
bushell is established to be the measure and standard for all the Townes wthin this Government and that all measures used wthin the Government shalbe made thereby and if any psom or psoms do use any other either to buy or sell by they shall pay xij a piece to the Colonies use.

It is enacted by the Court, That none do kepe victualling or an ordinary or draw wyne by Retayle wthin this Government but such as are allowed by the geffall Court And that if any victualler or Ordinary keeper do either drink drunk himself or suffer any psom to be druncken in his house they shall pay five shillings a piece And if the victualler or ordinary keeper do suffer any Townesmen to stay drinking in his house aboue an hower at one tyme The victualler or ordinary keep shall pay for euery such default xij and the psom so staying aboue the said hower iij iij And by drunkenesse is understood a psom that either lisps or faulters in his speech by reason of ofmuch drink, or that staggers in his going or that vomits by reason of excessive drinking, or cannot follow his calling The psom or psoms that shalbe found guilty in these or any of them shall for the first default pay five shillings and for the second default tenn shillings to the Colonies use and for the third tyme he shalbe found faulty to be bound to the good behauio. And if hee or they cannot or will not pay the fine or fines then to be sett in the stocks &c.

*It is enacted by the Court That in Case any Cheefe Millitary Officer as Captaine Leaseennt or Ensigne be wanting in any Towne wthin this Government Such Towneship shall present two or three psoms of the fittest they haue for that place to the Court and such psom or psoms as shalbe approovd of by the Court shalbe established in such place and office And such Cheefe Officers to choose their vnder officers wthin consent of the Body.

It is enacted by the Court that as the Captaine Leisennant & Ensigne of a Company are established into their places by the authorty and approbacion of the Court so such Captaine Leisennant and Ensigne shall not lay downe their places but by the consent and approbacion of the Court vpon the penalty of five pounds for every Captaine, fifty shillings for every Leisennant & fifty shillings for every Ensigne so laying downe his place wthin the leaue and likeing of the Court. And if any Captaine Leisennant or Ensigne shall neglect to trayne their men on the dayes appoynted or shalbe negligent in his or their places vpon profe thereof made shalbe fyned x for every such default.
It is enacted by the Court That every Township within this Government before the next October Court each Township shall provide two sufficient snap-haunces or firelock pieces two swords and two pouches for every thirty men they haue in their township and so pportionably for their number they are to set forth be the[y] greater or lesser with shalbe ready at all tymes for service vpon any occation vpon such penalty for every delinquent as the Court shall judge meete according to the nature of the offence.

forasmuch as there are certaine common Charges to be disbursed constantly excise.

yeare by yeare And forasmuch also as the Countrey is unwilling to defray the same by way of Rate but rather by way of Excise vpon wines Tobacco & It is enacted by the Authority of the Generall Court That these Excises shalbe imposed to be payd by all that are lyncensd to retayle wines strong water and y' sell Tobacoo as followeth vizj vpon every gallon of spanish wine eight pence every gallon of french wyre foure pence every gallon of strong water eighteene pence & every pound of Tobacoe one penny and for every share of fish by strangers behaving liberty to fish at the Cape five shillings. And that in every Township within the Government the Receiuer of the Excise nominated & authorised by the Court shall receive the same. And that every Retayler of excised goods do repaire to the Receiuer before bee or they shall retayle any such excised goods and make knowne the quantety of them and make payment of the said excise vpon them vnto the said Receiuer foure dayes in the yeare yearely vizj the first day of August the first day of November the first day of February and the first day of May and for strangers presently out of which the Receiuer shall haue twelue pence in the pound for gathering and receiuing the same besides charges of transportacon defrayed And if any person retayling any such excised goods shall neglect or refuse to acquaint the Receiuer of the said Excise therewith and not pay the same at the dayes appoynted *shall pay treble excise for them. And it shalbe lawfull for every Receiuer of the said Excise in every Township to goe into any Retaylers seller boate or elsewhere into any house to take notice of such goods and the quantity of them as are to be excised And the said Receiuer of the Excise shall make payment thereof yearely to the Treasurer for the tyme being at two dayes in the yeare that is to say the first day of November and the first day of May and in default of the Receiuer either in not receieving or not paying it to the Treasurer at the dayes appoynted to pay three for one And in default or neglect of payment either in the Receiuer or Retayler such suffe or sumes as are growne due with their seall penalties to be leyved and taken by warrant from the Gouernor or some one of the Assistant.
It is enacted by the Court That there shalbe in every Towne wthin this Gouvernement A Clark or some one appoynted and ordaind to keepe A Register of the day and yeare of the marriage byrh and buriall of every man weoman and child wthin their Townsheip.

The wives consent to the sale of house or lands.

It is enacted &c. That they Assistant &c or any of them shall haue full power to take the acknowledgment of a bargaine and sale of houses &c land &c so that they keepe a book thereof and cause them to be recorded wthin all convenient speed And that the wyfe hereafter come in and consent &c acknowledg the sale also; but that all bargaines and sales of houses and lands made before this day to remayne firme to the buyer notwithstanding the wife did not acknowledg the same.

Prison's allowance.

It is enacted &c. That the Colonies wthin this Gouvernment shall allow ij\(^d\) p day to mayntaine a prisoner comitted for fellony or misdemeanour &c (if they be not able to mayntaine themselues) and to be payd by the Treasurer, &c allowed vpon his account &c.

Marshalls fee.

It is enacted &c. That the Marshall shall haue two shillings in the pound for gathering of fynes &c. if they be not brought in by the pties themselues.

At a generall Corte, by, the last session of the Eleccion Corte holden 20\(^{th}\) October, 1646.

Retayler of wine unlicensed who.

T is enacted &c by the Corte ordered that whosoever shall draw out &c sel\(v\) a lesser quantity or Caske of wine then 10 gallons to any, shall be accounted a retayler.

That whosoeuer retailes beere, or wine or strong water &c not licensed by order of Courte shalbe fined &c pay for the first default, double the value of what is so sold &c retayled.

Register of births burials &c marriage.

It is enacted by the Courte That there shalbe in every Towne within this govern\(t\) a Cleark or some one appointed &c ordaind to keepe a register of the day &c yeare of the marriage, birth, &c buriall of every man woeman &c child within their townshippe &c to haue 3\(^d\) a peece for each particular person soe registred, &c further it is enacted, that enery father, or mother, or next in relation shall certify to the Towne cleark or register keeper, the name &c day of the birth of enery child so borne in his house within one moneth after it
is borne, or be fined for euery such default three shillings, the one halfe moity thereof to the Governoure, the other halfe moity thereof vnto the 5d clearke, or register keeper vpon his complaint. And that euery person married shall signify his 2 to her name with the day vpon wch they were married vnto the said cler or register keeper within one moneth next after the day of his said marriage vpon the like penalty of 3l., the one moity thereof vnto the Governoures vse, 2 to the other vnto the said cler or register keeper vpon his complaint. And alsoe that euery master or mistress of the family in wch any person dies or psone next in relation to any person sone dead shall give notice vnto the said cleark or register keep, the name of the person 2 day of the 5d buriall, sub pena, 3l. the one halfe or moity to the Governoures vse, the other to the cleark or register keeper vpon his complaint And the clearke, or register keeper of each Towneshippe shall exhibite a true act of Copy fairlie written annually at March Courte vnto the 5 Courte of all the birthes, marriages 2, burials of the yeare past, And lastly that the Cleark or register keeper in euery Towneshipp shall publish all contracts of marriages, 2 shall haue xijd as his fee for euery marriage as he publisheth orderly.

Whereas there is greate abuse in takinge of Tobacco in very vncluil manner in the streetes 2 dangerously in out houses, as barnes, stalls aboute hay stackes, Corne stack2 of other such places, it is therefor enacted by this Courte, that if any person or persons shalbe founde or seen hereafter takinge tobacco publickly in the open streets of any Towne, (vnles it be soldiers in the time of their trayninge) or in aboutes barnes, staules, haystacks, corne stacks hay yeards or other such places or out houses, that euery such psone or psones so offendinge shalbe forfeict 2 to pay to the Townes vse, for the first default xijd, for the second ijd, 2 sone for euery such default afterwards ijd, 2 it shalbe lawfull 2 by this act warrantable for the Countable of euery towneship wthout further warrant, vpon sight or information thereof to distraine his or their goods for it as doe refuse to pay it vpon his demand 2 to be accountable to the treasurer of what he receiveth yearly at the election Courte.

It is enacted that the Marshall shall haue henceforth annually threescore bushells of Indian Corne or the full value of it in other Corne (besides his ordinary fees allowed) p^4 vnto him for his wages proportionally to be p^4 out of the sefall townsiphes by way of rate.

It is enacted that if any psone shall henceforth cast contempt 2 reproch on the Marshall or any of his by reason off and concerning his office shalbe fined for euery such default to the Governoure vse x^4.
*And if any person or persons shall henceforth cast contempt or reproach on any receiver of the excise by reason of any neglecting or defect in the said office, he shall be fined for every such default to the govern'm't vse x'.

Whereas the Townes formerly were to send their deputies (which must arise out of their free men) to attend the general Court of the year for our Soveraigne Lord the King, now upon the speciall complainte of the deputies of the Townes soc sent professinge them to be oppressed thereby, it is ordered that the whole body of free men appeare at the Election Court in the first tuesday in June successively, there to make or repeale such lawes orders as shalbe founde meete wholesome for the orderinge of the Government that then alseoe they present such deputies as haue bene chosen by their townes accordinge to order formerly established, who are to attend the same, its seuerall adjourn'd as the occasions of the Country shall require, that whatsoever lawes orders ordinances shalbe made or repeale be at that Court the seuerall adjourn'd thereof onely done the other Court to attend onely matters of Judicature the magistrates onely to attend the same.

It is enacted that if any township being orderly thereto required shall neglect or refuse to elect his Chuse Committees according to the two former orders, the towne so neglectinge or refusinge to be fined to the govern't vse 40's every Committee soe chosen makes not his present appearance in the Court at the day appointed there to doe his service, be fined 20's. vnles he can shew a reason appued by the Court.

It is ordered that the grandjury men in every Towneshipp once in the yeare annually doe view all the measures, weight toll dishes in their seuerall townships, see that they be lawfull according to order, that every houshouder haue ladders sufficient according to order present the defect.

Also that if any person at any time shall fire any the woods, hath no just occasion so to doe he shalbe fined to the govern't vse x'. or be whipt.

It is enacted that noe person whatsoever shall henceforth sell wine or strong water to any Indian, vnles in case of sickness or faintnes then only with the foreknowledge consent of a magistrates if there be any in the Towneshipp, or in defect of him with the foreknowledge consent of the Committee or grandjurymen of the sd towneship, but for a smale quantity, for every defaulte to pay x' to the Collonies vse.
LAWS.

It is enacted that the town of Rehoboth shall have liberty yearly to make choice of 2 freemen of their inhabitants to be assistants to the magistrates then in beinge for the examininge of tryinge of all matters in difference betweene party & party by a jury of 12 men not exceeding the value of some 10L reservinge liberty to any pty after tryall to appeale to the generall Courte at Plimouth, provided that the appeale be made the same day the verdict is brought in, he that shall appeale doe giue security that if he be cast in the Courte at Plimouth then he shall pay double damages.

And further for the avoydinge of travaile & charge the freemen of Rehoboth shall for the election of magistrates send their votes by proxies provided their votes be orderly taken in the Towne meetinge then ymedialy sealed vp & delivered to the Comitties or grandjurymen who shall be sent to attend the affaires of the generall Courte & delivered in Courte by them, vnlesse upon other weighty occasions, their presence be required by speciall warrant.

At the 2nd session of the generall Court begun at New Plymouth the sixt of June 1649 holden at Plymouth aforesaid the twenty fift of October in the yeare aforesaid before Mr. William Bradford gent. Gouer't William Colyare Captaine Miles Standish Timothy Hatherley John Browne & William Thomas gent. assistants.

IT is Ordered yt no Lands bee granted to any Strangers untill the bounds bee knowne betwixt Kanetaquet & vs according to order of Parlement.

That wherases Complaint is made by the Comitties of Scituat for ye Enacted. their Charges are not borne according to order of Court; The Court have therefore ordered yt a warrant bee directed to the Cunstables of Scituat aforesaid to Summon the said Towne together to make a Rate for publick Charges wherein is to bee mentioned the Charges of the said deputies to bee Required by Rate according to the aforesaid order and yt seuerall warrants bee directed in like manor to eich Towne within this Gouverment Respectfully.

Concerning the oppositions made by the deputies assembled about the major pt of the Court to order the aiornments & desolution of the generall Courts & the making & repealing of lawes; The Gouver't thinks it not meett they bee put to vote untill the next General Court of election.

That Plimouth have but two deputies as other Townes.
[PART I.]

Enacted.

That any such as are presented by any Towne vnto any Maiestrait within this Gouernment to bee Surveyors or Measurers of Land &c. such as are appointed to try his scale measures &c. all Towne Clarks shall have an oath administered vnto them by the said Maiestraite.

Enacted.

That at Courts of Election next after the Choise he swearing of Maiestraits and other officers the general ocations of the Cuntry wherein Comitties are Requisite bee attended except extraordinary ocation Com in the way.

Enacted.

That if any bee orderly vnder to work at the hiwayes he shall neglect shall bee fined for his said neglect 3d. per day &c. for every teame so warned he shall neglect eight shilling per day &c. the Surveyors of Such Townes wherein such neglect is shall Returne there names to the next Maiestraite &c. by warrant the said fines may bee required by the Cunstable of the said Towne for the Townes vse; and if it so fale out &c. in the yeare all the teames he p'sons in the same Towne have nor been warned vnto the work aforesaid &c. thay bee all warned ouer before thay begin againe.

*Att the Generall Court of freemen holden the fifte of June 1650.*

HERAS complaint is Justly made &c. due Course is not guided or att least performed and executed for the defraying of such necessarv Charges as are expended by the Magestrait of the Gouernment in attending at Courts and vpon other publick ocations for the администраtion of Justice.

It is therefore Ordered by the Generall Court assembled That forthwith due Care bee had &c. the order extant Concerning the excise bee duly executed; and That fit p'sons bee appointed to receaue it and in Case of neglect of none payment That then forthwith vpon such neglect warrants bee Required and granted out to destraine vpon the goods if such p'sons as doe neglect to pay it; and &c. it bee payed in good and marchantable pay such as may Conduce to the ends aforesaid.

Whereas a Comittie was Chosen by the Court viz M'r Tho: Prence M'r Wiliam Collyare M'r Tho: Dimacke M'r James Cudworth M'r Josiah Winslow John Dunham seni. Gorg Soule and Constant Southworth to Consider of the pproposition propounded by the Comitties at the last october Court Concerning the Maior pt of the Court to order the aiornments and desolutions of the generall Courts and the making and Repealling of lawes they the said Comittie declared theire minds to bee That things in respect of the aforesaid peculiar doe Rest vnaltered as they are:
And ye for the future as formerly in the making and Repealling of lawes and aijornment of Courts wherein Comitties are Request; The Magestrails and Comitties or Deputies bee Considered together as one body.

*Att the 2nd session of the generall Court holden at New Plym:*

the 10th of June 1650.

It was ordered

That forasmuch as there are Risen vp amongst vs many scandalvs practises which are likly to proue destructive to our churches and Common peace; That whosoeuer shall heerafter set vp any churches or publicke meetings diverse from those allreddy set vp and approued without the consent and approbaco of the Gouverment or shall continew any otherwise set vp without consent as afsaid shalbe suspended from haueing any voyce in towne meetings and presented to the next generall court to Receue such punishment as the court shall think meet to Inflict.

*Further bee it enacted by the authoritie afsaid*

That Whosoeuer shall villifie by approbrivs tearmes or speaches any vilifying minstry.

church or minstry or ordinance being heerof lawfully convicted shall forfeite and pay to the vse of the collonie ten shillings for euery default.

*Further bee it enacted that Whosoeuer shall prophane the Lords day by doeing任何 servill worke or any such like abusses shall forfeite for euery such default ten shillings or bee whipte.*

It is ordered

That at June courts all warrants bee directed to warn psons on the fift day of the weeke to appeer for triall of actions.

The court haue by Joynt concen Repealled the Court order formerly made enioyning wampampeage to goe at six a pence.

At the Generall court holden at New Plym: for the Jurisdiction of New Plym: the sixt of June 1651.

It is ordered

That Whatsoeuer pson or psons shall neglect the frequenting the publick worshipp of God that is according to God in the places wher they live or doe assemble themselves vpon any sentence whatsoeuer in any way contrary to God and the allowance of the gouerment tending to the subversion of Reli-
gion and churches or palpable prophanacon of Gods holy ordinances being
duely convicted; videlecect euery one that is a master or dame of a family or
any other pscon at their owne desposing to pay ten shillings for euery such
default.

It is ordered That if any in any laze slothfull or prophane way doth
neglect to com to the publick worshipp of God shall forfeit for euery such
default ten shillings or bee publickly whipte.

*80

*June the 7th 1651.

It is ordered

That twenty pounds p annum bee Raised by the Collonie for the defray-
ing the charges of the Maiestrates Table and other such like expences
to bee payed two ptes of three in wheat and the other third in barley to be
payed some time in the Month of Nouember annually.

That euery Township haue libertie to make choise of a pscon whom
they Judge meet (proided hee be a freeman and propose him to the next
generall court of election; that out of them the Cuntry by free election
may make choise of such out of them and the old assistants as will make vp
the number of 7 assistants to supply the place of maiestray or any other of
the freemen as they shall think meet;

For the Regulateing of the excise it is ordered

That the deputys of euery Township to set and let it to the best
advantage for sum Reasonable consideracon, and to Return within a month
what they haue done in that Respect; and for whatsoeuer is behind that it bee
Required and payed.

Ordered

That all such wolues as are killed by the Indians at Namassaket or
everwhere from the 15th of March annually to the last of aprell; the charge
of the killing of them shalbe bourn by the whole collonie; and that they
shall haue for euery wolfe soe killed a coat of trading cloth; and at all other
times of the yeare any either English or Indians that shall kill any wolues
each Towne shall beare the charge of the killing of them wher they are killed.

Wheras complaint is made that many vnder ptence of hiering Indians
for to bee there servaunts for a month or longer time, doe furnish them with
guns poulder and shot to kill fowle & deare &c.
It is ordered
That whosoever henceforth shall hire or employ any Indian or Indians and furnish them with guns powder and shott or any one of them shall forfeit for every such default 40 shillings except they bee Indians that have been servants for divers years and are in a good measure civilized and approved of by the Governor and assistants.

It is ordered
That all Coopers shall make full sized Cask barrels and hogsheads for meat and fish; and that Cask for Tarr bee either barrels or Kilderkins.

It is ordered
That the Towne of Nawsett be henceforth called and knowne by the name of Eastham;

*Att the 2⁰ session of the generall Court held att New Plymouth the 29th of June 1652.

ORDERED by the court
That whereas in regard of age disabillitie of body vrgent occasions and other enconveniencies that doe accrue sundre of the freemen are hindered that they cannot appeer att courts of election in consideraçon wherof. It is ordered and enacted by the court that any freeman of this corporaçon shall have libertie to send his vote by proxey for the choice of Gouvernor asistants Comissioners and Treasurer;

It is alsoe further enacted by the court that the Deputies of the severall Townes chosen to attend the court of election and the severall adjournments thereof; shall in that Townmeeting in which they are chosen they or either of them gine notice vnto the freemen that those that intend not to make their personal appearance att the [courte of] election are now to gine in theire votes sealed vpp for the [choice] of Gouvernor asistants Comissioners and Treasurer; and the said Deputies to obserue by a list of theire names who hath voted [and] who hath not; the which votes soe brought in to bee yeimediately sealed vpp and brought vnto and deliuere in open court by the said Deputies.

ordered That whosoeuer shall sawe any boards in any place w[ithin] this Gouverment that is not in the bounds of any pticulare T[owne] shall pay to the vse of the Gouverment twenty pence for [eery] Thousand to bee payed to the Treasurer for the Countreys [vse] and of Timber and planke according to the portion answer[a]ble.
That all such Caske as are made by any Cooper within this Gouerment shall have the two first letters of his name sett vp on such Caske hee makes by a burnt marke; upon penalty of lose of his Caske the one halfe to the Countrey the other to the enformer and this order to bee in force forthwith.

That noe psom within this Gouerment shall furnish any Indian with any Caske upon the penalty of the lose of the prise of the Caske the one halfe to the Countrey the other halfe to the enformer.

That all Coopers within this Gouerment are to make all their Caske according to London Gage upon the like penalty.

That every Towne p'sent a fitt psom for serching of Caske and packing of fish and meate and to p'sent them to a maiestrate to bee sworne.

*That all corn that is payed in defraying the publicke Charges of the Countrey be payed att one prise.

It is ordered by this court

That wheras the Purchasers and oldcomers were graunted formerly two or three Tractes of Land for them and theire heires as by former actes of court doe appeare, Which they neuer yet for diuers causes enjoyed, and som pte of which said Tractes haue ben granted to other plantations

This court now graunts and gines libertie vnto the said Purchasers and oldcomers that all or whosoever amongst them will shall haue libertie to looke out and make choise of such place or places as they can find within this Gouerment or Jurisdiction not graunted alreadly to any; provided they exceed not theire former pporcons) to accomodate them and theire heires withall; and they haue liberty graunted them to Purchase the said Lands of the natives by the approbaçon of the court; and soe many as shalbee thase accomodated to relinkquish all theire Rights enterest and title in the former specified places made choise of by them, and the rest of the oldcomers and Purchasers to take vp theire paticular pportions of Land within the precintes of the three former specified places; All which to bee pformed by all the Purchasers and oldcomers within fourteen monthes next ensueng this p'sent court.

And alsoe it is further graunted by this p'sent court that all those as were att the courts graunt of the abouemencioned two or three places Inhabitants allowed and now are freemen shall have the like libertie to looke out and make choise of some place or places for themselves and theire heires as may afford them a sufficient accomodaçon for theire comfortable Subsistance within fourteen monthes after that if they can find it;

It is enacted by the Court that henceforth the Indians within this Jurisdiction bee not pmitted to doe any seruill worke on the Lords day as by fish-
ing fowling planting hilling and carrying of barthens &c and if any doe after notice giuen them heerof, they shall be warned to the next generall court by the Cunstable of the place where they see Transgresse.

That a common Standard for measure of corn bee made att Plym: videlecet a bushell an halfe bushell a pecke and and halfe pecke by a measure belonging to John Barnes which hath ben formerly allowed to bee the Standard by the court; and that every Towne within this Gouverment have a Standard made by them to try and scale there measures by which are to vniforme amongst them and to bee made round and these to bee prouided by the last of November next; and to bee kept by the seallers of every Towne for the Townes vse.

*That in every Towne within this Jurisdiction there bee one appointed to try and scale measures and to haue for every measure tryed and sealed by him iiiijd and onely round measures to bee allowed to buy and sell by; and the seuerall townes to coose a fitt person for each towne for sealer and p'sent him to a maiestre to bee sworn.*

That the courts of Maiestrates and Deputies have power as to receive accounts see to give allowance to any pson in publicke place Imployed in any publick service for any losse or dammage &c hee sustaines as they thinke fitt.

That such ffences as are Judged sufficient against oxen and cows are by this court allowed sufficient against horses and mares; and if any horse beast breake into any corn or grasse over such sufficient ffence the owners of such horses shall pay the dammages proued as if they were Impounded.

That Wheras the publicke charges of the collonie are increased and wheras by Gods providence many whales and other fishes are cast on shore in many ptes of this Jurisdiction out of which the court sees reason to require som pte of the Oyle made of them

This court now ordereth that of evey whale either cast on shore or bought of any Indian or Indians or taken on drift at Sea and brought to shore in any pte of this Jurisdiction there bee one barrell of marchantable Oyle payed to the publicke Treasury to the collonies vse to bee raised and payed as followeth

Videlecet evey towne shall pay one barrell of marchantable oyle for evey drifte whale cast or brought on shore and seized on within the Liber-
ties and precincts of their several townships or traded or bought of the Indians within their townships; and the person or persons as first seize or cutt any whale or shall purchase or trade any such whales of the Indians that shall become cast on shore in any place within this Jurisdiction; out of the bounds of any particular Township shall pay one barrel of oyle for every such whale; And hee or they are hereby authorised to cause all such persons as cutt with him or them to pay there equall proportions to him according to what they cutt towards the said barrel of oyle and alsoe that there bee one appointed in every townshipp by the Treasurer to demand and receive all such oyle as shall bee due and payable to the Treasury And alsoe that It shall not bee lawfull for any person or persons of any townshipp to cutt themselves or trade with the Indians for any blubber or oyle cast vp or cutt within the precincts of another Townshipp provided that If any man take a drift whale of the sea and bring or tow it to the shore, It bee accounted his own goods; if within an harbour or mile of the shore they bee taken they bee reputed the townships where they are brought on shore;

*Actes and orders made and concluded
at the court holden at Plymouthe
the 9th of June 1653

It is ordered by the court

That betwixt this present day and the first Tuesday in October next; The townsmen of every towne within this gouernment shall make and fully finish a place or places for defence of their said town (one or more as reason shall require) videlecet a brest worke with flankers vnto every such worke as shall bee made; and incase any person or persons shall refuse to worke att the said worke when the maior pte of the townsmen of such townes where they liue have agreed for the time and manner and have given notice therof; their names shall bee then returned to the court or counsell of war; And if any town shall neglect to forme the worke according to this order they shall forfeite the summe of ten pounds to the use of the countrey.

That incase two commisioners bee chosen and that through age enabilitie for Trauell sicknes or the like they can not appear at the time and place appointed for that end; That then the next in nomination shall serue vpon order from the Goue".

That the publicke officers wages bee paied in such pay as is marchantable and currant countrey pay and not in wampampeag or any such pay as is not
LAWS.

currant with the marchants; And alsoe that all fines and countrey charges bee payed in such pay as abouesaid.

That att the time of the entrety of euery action the charges of that action bee defrayed before the action bee entered.

That all such wolues as are killed by any Indian or Indians within the gouernment; the charge thereof bee borne by the whole countrey.

Added sence att the court June 13th 1654 they are to haue ten shillings p woolfe.

That euery pson of the age of descretion which is accounted sixteen yeares whoe shall witlingly and willingly make or publish any Lye which may bee pnitious to the publicke weale or tending to the dammage or hurt of any pcticulare pson or with entent to deceiue and abuse the people with faile newes or reports and the same duely proued before any one Maiestrate whoe hath heerby power graunted to heare and determine all offences against this Law; shall bee fined for euery such default ten shillings; And if the ptie bee vnable to pay then to bee sett in the stockes soe longe as the said Maiestrate shall appoint in som open place not exceeding the space of two houres;

*June the 10th 1654.*

Ordered That euery Towne doe pro vide a booke for the recording such lands as are possessed by any for which they haue not euidence and all such shall bringe Testimony of Witnesse vnto such as the townes shall appoint to take notice of the said euidence which shallbee fine in number of the same townes, and what the said fine or any three of them, being mett together shall conclude of they shall cause the towne clarke of the same towne to enter the same into the towne booke abouessaid and to bee published that if any within the tearme of two yeare can make better claime shall come in and in case none doe by the time prefixed then it may be brought to the court Record and entered and soe shallbee reputed sufficient euidence for the future;

The court haue ordered that the Treasurer by vertue of his said office shall take order that all debts due to the countrey whether by fine or otherwise bee seasonably brought in vnto such place or places as hee shall appoint that soo all dues and debts due vnto any pson or psions from the countrey may bee seasonably and satisfactorily defrayed except the public officers wages which is otherwise prouided for;
That noe Inhabitant within this Jurisdiction shall commence any suit in any other Jurisdiction in this countrey against any psone or psones hauing his or their residence and estate settled within this Government, under the forfeite of twice soe much as the debt or dammage is layed in by or under the said Inhabitant the defendant to haue the one halfe; and the countrey to haue the other halfe of the said forfeite;

That in case of weaknes or sickness of any psone or psones in any towne within this government; And that such as are deputed to drawe and sell wine or strong waters haue none, It shalbee lawfull for any one that hath any such That they may sell it for such entents and Purposes as to releene the weak and sicke, notwithstanding any former order to the contrary provided it bee with the liking and approbation of the majestrate if there bee any in that towne and incase there bee none that then it bee with the consent of the Cunstable of the towne.

In regard that divers that were chosen to the office of Cunstable, doe not appear to take oath; It is enacted by the court that any that have been this yeare chosen by any towne to serue in the office or for the future shalbee and shall refuse to take the oath of the Cunstable being therunto required by any one Majestrate shall pay for a fine fifty shillings.

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* Att the generall Court holden Att Plymouth the fift of June 1655

IT was Enacted That such as shall deny the Scriptures to bee a rule of life shall receive Corporal punishment according to the descretion of the Majestrate soe as it shall not extend to life or Limb:

Whereas there hath been many Complaints of want of due maintenance of the minnesters as some have reported; It is threfore Enacted That noe Pastor or Teacher of any Congregation shall remove before his Complaint hath been Tendered to the Majestrates and they haue heard both sides;

That vpon such Complaints if there appears to bee a reall defect in the hearers of the minnesters soe complaining; the Majestrates shall vse all gentle meanes to persuade them to doe their duty heerin; But if any of them shall not heerby bee reclaimed but shall psiest through plaine Obstinacey against an Ordinance of God that then It shalbee in the power of the Majestrate to vse such other meanes as may put them vpon their duty;
Enacted the 2nd session of the general Court begun at Plymouth the first of June 1655 and held at Plym. aforesaid the 2nd of July 1655;

It was Ordered by the Court

That incase any horses Cattle or hogs shall Treasps upon any and bee by them ympoundt If after they are ympoundt they remayne four daies after notice giuen to the owners and bee neither replouied nor agreed for; It shallbe lawfull for such as Impound them to make publicke sale of them after publicke notice giuen of their Intention soe to doe and after dammages satisfied; the remainder to bee returned to the owners;

That all such Scotes and Irish as are in any Township in this Gou"ment shall beare Armes and Traine as others excepting such as are servants from month to month.

Att the generall court holden att New Plymouth the sixt of June 1656

It is Enacted that an execution shall be granted forth at the end of one month after the verdict and Judgment is granted and not before except the pty bee departing the gour"ment and that when the Marshall goeth to serve the execution the plaintiffe or his deputie shall goe with him to praise the goods there destressed And if occasion shall require the defendant shall haue liberty to Coose another man; And the Marshall and those two shall appraise the goods or Chattles soe taken, but if the defendant doe Neglect or refuse to make such a choise the Marshall shall Choose a man on his behalfe: and as they or any of them shall prise the goods soe they shallbee by the Marshall then and there delivered vnto the plaintiffe or his deputies and the Marshall discharged; And if the said goods come to more then the debt and charges shall amount vnto then the plaintiffe shall returne the overpluss vnto the defendant in countrey pay within six daies next after bee receiveth the said goods; But if the plaintiffe liue out of the Gou"ment then bee shall forth with returne the overpluss or giue Cecuritie to the defendant to doe it within the said six daies.

The Court have ordered that henceforth such as are Admitted to bee freemen of this Corporation; the deputies of such Townes wher such psions liue shall propound them to the court being such as have beene alsoe appoind by the freemen in that towne wher such psions liue.

*It is ordered by the Court that henceforth noe one shall make sale of any manner of Barques or boates sayles or other rigging to any Indian or Indians on paine of forfeiting that which is soe sould and ten times the vallue thereof;
It is ordered by the court that none shall sell any horse kind to any Indian or Indians on paine of forfeiting such horses or horse kind that shalbee soe sold and ten times the vallue thereof;

It is ordered by the court that all Indians liuing neare any towne of this Jurisdiction shalbee forthwith strictly charged not to make any Alarum in the night by shooting or otherwise vnlesse nessesitated therunto as they will answere it att their prill;

And Likewise that noe Indian shall discharge any gun on the Lords day att any thinge to the breach of the Sabbath and desturbance of the English; as they will answere it att theire prill;

It is ordered by the court that none shall sell any horse or mare Coult or foale to any Indian or Indians on paine of forfeiting every such horse or Mare Coult or foale that shalbee so sold and ten times the vallue thereof.

July the 4th 1656.

It was ordered by the court that wheras the countrey hath received great dammage by a defect in the order about the barrell of oyle due for every whale taken on drift or cast on shore as is expressed in the said order by leakquage of Caske or otherwise; The court haue ordered that for the future all such oyle as shalbee due and payable as aforesaid shalbee deliuered att Boston viz a full barrell of marchantable oyle for every whale and the freight therof discharged by those that deliuer it; The said oyle to bee deliuered att Boston to such as the Treasurer shall appoint from yeare to yeare and a receipt taken from such as to whome it is deliuered shalbee a discharge to those that deliuer It.

Wheras complaint is made that some haue brought Cards into some of the townes of this Jurisdiction wherby sundry young ps ons mens both children and servants haue ben drawne together to spend their time in playing at such vnlawfull games to the corrupting of youth with sundry other sadd consequences that may follow by the permission of such practices The court haue ordered that whosoever shall bring into this Jurisdiction or keep in his house any Cards for such purposes as aforesaid or shall suffer any to play att Cards or dice att any time in his house or where hee hath to doe or any that shalbee acters in playing att such vnlawfull games shalbee fined the sume of forty shillings; and for such as are servants or Children that shall play att Cards or dice for the first offence to bee corrected att the descretion of their parents or masters and for the second offence to bee publickly whipt;
LAWS.

It was ordered by the court that it shall bee in the liberty of the Treasurer when a month is past after Judgment; by warrant to require in any fine as he shall see reason;

*At the Generall Court of Election holden Att Plymouth the third of June Anno 1657

WHEREAS this Generall Court taking into their serious Consideration the great defect that either is or like to bee in ye several Townshipes in this Jurisdiction for want of an able Godly Teaching Minnesrey and the great prejudice to the soules of many like to Ensue; And being desirous according to our duties that such defects should not bee for want of due Incuragement to such as either are or shall bee Employed in soe good a worke of the Lord for his honner and the good of soules And in consideration that in as much as the several Townshipes granted by the Gou'ment; was that such a Companie might bee receiued as should maintaine the Publicke worhsipe and service of God there doe therefore judge that the whole both Church and towne are mutually Engaged to Support the same; And therefore Order and agree That in whatsoever Township there is or shall bee an able Godly Teaching Minnester which is approved by this Gou'ment that then four men bee Chosen by the Inhabitants or Incase of their Neglect Chosen by any three or more of the Majestates to make an equall and just proportion upon the estates of the Inhabitants according to their abilities to make vp such a Convenient maintainance for his Comfortable attendance on his worke as shall bee agreed upon by the Church in each township where any is with the Concurrance of the Rest of the Inhabitants if it may be had or by the Majestates aforesaid Incase of their apparent Neglect and that destresse according as in other Just Cases provided bee made upon such as refuse to pay such their proportions which is in Justice due But Incase there bee any other way whereby any township doe or shall Agree that may effect the end aforesaid this law not to bee binding to them.

Ordered by this Court

That all fines under forty shillings that shall fall in any of the remote Townes of this Gou'ment shall bee leuied by the Cunstable of that Towne by Warrant from the Tresurer without sending the Marshall;

*It is ordered by the court

That the Milittary companie of everie Township in this gouvemt shall bring their armes by course everie Lord's day to the meeting viz. that the fourth pte of everie such companie shall bring their armes as aforesaid with
powder and bullet to Improve if occasion shall require and whosoever shall neglect to carry his Armes as aforesaid shall be fined twelve pence for every default to be leuied by the Cun. of the townes for the companies vse; and the time of caring of armes to begin on the first of Aprill vntill the last of November Anually;

*June 3rd 1657.

The Court haue ordered

That all such as reside within this Gou'ment that are att their owne despose and haue not taken the oath of fidelitie shall haue notice giuen them by the deputies of the seuerall Townes that they are to repare vnto some one of the Majestrates of this Jurisdiction betwixt the date heerof and the Court to bee holden att Plymouth the first Tusday in October next and incase after the time prefixed any shall refuse to take the said oath for the space of six moneths after shall either depart the Gou'ment or pay a fine of fие pounds.

It is ordered by the Court;

That Incase any shall bring in any quaker rantor or other Notoriouse heritiques either by land or water into any pte of this Gou'ment shall forthwith vpon order from any one Majestrate returne them to the place from whence they came or clear the Gou'ment of them on the penaltie of paying a fine of twenty shillinges for every weeke that they shall stay in the Gou'ment After warninge;

The Court doe recommend vnto the seuerall townes in this Jurisdiction by theire Comittees as that which is worthy of theire Consideration; that it is Necessary to trayne vp some horses for milletary service; viz That in each Towne every one that keepeth three Mares for every three mares that hee keepeth hee should keep a horse for the vse aforesaid with furniture suitable; w'h incase they should see doe they should bee freed from all milletary service as training and watching and such like;

The Court haue ordered That henceforth such as are admitted to bee freemen The deputies of such Townes as where such persons live shall propound them to the Court being such as shalbee alsoe approved of by the freemen in such Townes where they liue and vpon Satisfying Testimony giuen from the freemen of their townes by their deputies such to bee forthwith receuied without any further delay att the same Court when such Testimony is giuen vnlesse the

* Repealed.

This order was made June 3rd 1656 but the last clause thereof was added June 3rd 1657.
The Booke of the Generall Lawes and Liberties of the Inhabitants of the Jurisdiction of New Plymouth Collected out of the Records of the generall Court; and lately Reuised and eftablished and defpozed into an Alphabeticall order and publilhed by the Authoritie of the generall Court held att New Plymouth the 29th day of September : Ann° 1658

Bee Subject to every ordinance of Man for the Lords sake
1 peter 2:9 13th
To our beloued Brethren and Neighbours the Inhabitants of the Jurisdiction of New Plymouth the Gou’; Asilants and Deputies Assembled att the generall Court of that Jurisdiction held att the towne of Plymouth the 29th of September 1658, wisheth Grace and peace in our Lord Jesus Christ.

1658 It was the great priuiledge of Israel of old and soe was acknowledg'd by them Nehemiah the 9th and 13. that God gaue them right Judgments and true Lawes; for God being the God of order and not of confusion hath Comaunded in his word and put man into a Capacitie in some measure to observe and bee guided by good and wholesome lawes; which are soe fare good and wholesome as by how much they are derived from and agreeable to the Ancient platforme of Gods lawe; for although sundry particulars in the Juditiall lawe which was of old Injoyned to the Jewes did more espetially (att least in some cercomstances) befitt their pedagogy; yett are they for the mayne soe exemplary being grounded on principles of morall equitie as that all men Christians espetially ought alwaies to have an eye thervnto in the framing of their politique Constitutions; and although seuerall of the heathen Nations who were Ignorant of the true God and of his lawe haue bine famous in their times for the enacting and execution of such lawes as haue proved profitable for the Gou’mcnt of their Commonwealthes in the times wherin they liued Notwithstanding their exelency appeered soe fare as they were founded vpon grounds of morall equitie which hath its originall from the Law of God; And accordingly wee whose bine actors in the framing of this Smale body of lawes together with other vsefull Instruments who are gone to their rest; can safely say both for our selues and them that wee haue had an eye principally and primarily vnto the afsaid platforme; and 2condaryly vnto the Right Improuement of the liberties graunted vnto vs by our Superiors the State of England att the first beginning of this infant plantation which was to enact such lawes as should most befitt a State in the nonage therof; not rejecting or omitting to observe such of the lawes of our Natixe Countrey as would conduce vnto the good and growtth of soe weake a begining as ours in this Wildernes; as any Impartiall eye Not forstaled with prejudice may ezely deserne in the pusall of this smale booke of the lawes
of our Collonie; The promises duly considered might worke every consien-
cioue sperit to faithfull obeidience, And although wee hold and doe afirme
that both Courts of Justice and majestrates whose are the minnesters of the
lawe are essenially Civill; Notwithstanding wee conceiue that as the majes-
trate hath his power from God soe undoubtedly hee is to Improve it for the
honer of God and that in the vphoulding of his Worship and service and
against the contrary with due respect alseoe to bee had vnto those that are really
consciencyous though differing and decenting in som smaller matters; but if
any really or in pretence of consience shall professe that which eminently
tendeth to the Invildation of Civell State and violation of Naturall bonds or
the ouerthrow of the churches of God or his worship that heer prudence is
to bee Improved in the enacting and execution of lawes; It hath bine our
Indeauor in the framing of our lawes that nothing should bee found amongst
them but what will fall vnder the same pticulares wee haue likewise reduced
them to such order as they may most conducve to our vtilltitie and profit;
posibly it may bee that weaknes may apare in the composure of sundry of
them for want of such plenty of able Instruments as others are furnished
withall; howeuer lett this suffice the gentle Reader that our ends are; to the
vtmost of our power in these our Indeauors to promote the comun good
both of Church and State both att present and for future; and threfore soe fare
as wee haue aimed att the glory of God and comun good and acted according
to God, bee not found a Resister but obeidient lest therby thow resist the
ordinance of God and soe Incurr the displeasure of God vnto damnation;
Romans 13; 2.

By order of the Generall Court

NATHANEELL MORTON Clarke;
A Declaration demonstrating the warrantable grounds and proceedings of the first Associates of the Gou'gment of New Plymouth in their laying the first foundation of the Gou'gment in this Jurisdiction for the making of Lawes and disposing of lands and of all such things as shall or may Conduce to the wellbeing of this Corporation of New Plymouth:

WHEREAS John Carver William Bradford Edward Winslow William Brewster Isaacke Allerton and divers others of the Subjects of our late Sou: Lord Kinge James by the grace of God King of England Scotland France and Ireland Defender of the faith did in the eighteenth yere of his Reigne of England France and Ireland, and of Scotland the fifty fourth which was in the yeare of our Lord God one thousand six hundred and twenty did undertake a voyage into that pte of America called Virginia or New England thervnto adjoyning there to erect a plantation and collenie of English Intending the glory of God the Inlargement of his Majes dominions and the speciall good of the English Nation;

And wheras by the good providence of God the said John Carver William Bradford Edward Winslow William Brewster Isaacke Allerton; and their Associates aried in New England aforesaid in the harbour of Cape Cod or Paomett Scituate and being in New England aforesaid where all the said persons entered into a Civill Combination being the eleventh of November in the yeare aforesaid as the Subjects of our said Sou: Lord the Kinge to become a body politque binding ourselves to obserue such lawes and ordinances and obey such officers as from time to time should bee made and Chosen for our wellordering and guidance; and thervpon by the fauor of the Almighty began the first Collenie in New England there being then noe other within the said Conteniant att a place Called by the Natiues Apavm alli' Patuxet and by the English New Plymouth; all which lands being void of Inhabitants; Wee the said John Carver William Bradford Edward Winslow William Brewster Isaacke Allerton and the rest of our associats entering into a league of peace with Massasoiett since called Woosamequin *Prince or Sachem of these ptes; hee the said Massasoiett freely gaue them all the lands adjacent to them and theirhe heires for euer; acknowledging himselfe content to become the Subject of our Sou: Lord the Kinge aforesaid his heires and Successors; And takeing protection of vs the said John Carver William Bradford Edw: Winslow William Brewster Isaacke Allerton and their associats the naturall Subjects of our Sou: Lord the King aforesaid but haueing
noe speciall letters Patents for the said ptes of New England but onely the
generall leaue and libertie of our Consiences in the Publicke Worship and
service of God where euer wee should settle being therefor now settled and
requiring speciall lycence and Comission from his Ma• for the ordering our
affaires under his gratiousee protection; had sundry Comissiones made and con-
firmed by his said Ma• Councell for New England to John Peirse and his
associates whose names wee onely made vse of and whose associates wee were
in the late happy & memorable Raigne of our said Sou: Lord King James;
but finding our selues still Straightened; and a willingnes in the hono• Councell
afforsaid to Inlarge vs ptely in regard of the many difficulties wee had
vndergone, and ptely in regard of the good seruice wee had done as well in re-
leiuing his Ma• Subjects as otherwise; wee procured a further Inlarge-
ment under the Name of Willam Bradford afforsaid and his Associates whose
names wee likewise vsed and whose associates as formerly wee still are; by
vertue of which said letters patents libertie is giuen to vs deriatory from our
Sou: Lord King Charles bearing date the thirteenth of January 1629 being
the fift yeare of his raigne of England Scotland France and Ireland & and
signed by the Right hono• Robert Earle of Warwicke in the behalfe of his
Ma• said Councell for New England and Sealed with their Comon Scale
allowed; To frame and make orders ordinances and Constitutions for the
ordering disposing and Go•ning of our psons and distributing the lands within
the said Lymitts; To bee holden of his Ma• his heires and Successors as of
his manor of East greenwich in the County of Kent in free and Comon
Soccage and not in Capite nor by Knightes service, viz: all that pte of New
England in America and tract and tracts of Lands that lye within or between
certaine Rivolett or Rundlett there and comonly called Coahassett alias Cona-
hassett towards the North and the River comonly called Narrangansett River
towards the south and the great Westeran Ocean towards the East and between
and within a straight line directly extending into the maine towards the
west from the mouth of the said Riuer called Narrangansett Riuer to the
vtmost bounds and Lymettts of a Countrey or place in New England called
Pocanacutt alias Puckanakieke *alias Sowamsett westward and another like
straight line extending it selfe directly from the mouth of the said Riuer
called Coahassett aliases Conahassett towards the west so fare vp into the maine
land westwards as the vtmost lymettts of the said place or Countrey comonly
called Pocanacutt alias Puckanakieke alias Sowamsett doth extend together
with one halfe of the said Riuer called Narrangansets and the said Rivolett
or Rundlett called Coahassett aliases Conahassett; and all Lands Riuers waters
hauens creekes ports fishings fowlings and all heredetiments proffitts Comodi-
ties and emoluments whatsoever Scituate lying and being or arising within or between the said Lymetts or bounds or any of them; furthermore all that tract or pte of land in New England or pte of America aforesaid which lyeth within or between and extendeth it selfe from the vtmost lymetts of Cobbi-
secontee ariis Comascocontee which adjoyeth to the Rier of Kennebecke ariis Kennebekicke towards the westeren Ocean and a place called the falls at Nequamkicke in America aforesaid and the space of fifteen English miles on each side the said Rier comonly called Kennebeck Rier and all the said Rier called Kennebecke that lyeth within the said Lymetts and bounds East-
wards Westwards Northwards and Southwards last aboue mentioned; and all lands grounds soyles Riuers waters fishings heredetiments and profits whatsoever Scituate lying and being arising happenng or acrewing or which shall arise happen or acrew in or within the said Lymetts or bounds or either of them together with free Ingresse Egressse and Regresse with shipps boats Shallops and other vessels from the Sea comonly called the Westeran Ocean to the Rier called Kennebecke and from the said Rier to the said Westeran Ocean; Together with all prerogatiues Rights Royalties Juridic-
tions priuilidges franchises liberties and emunities and also marine liberties with the escheates and casualties thereof; the Admiraltie Jurisdiction excepted with all the Interest right title claime and demaund whatsoever which the said Councell and their Successors now haue or ought to haue or may haue or require heerafter in or to any of the said portion or tract of lands heerby mentioned to bee graunted or any the premises in as free large ample and benificiall manor to all Intents constructions and purposes whatsoever as the said Councell by vertue of his Ma"tes said tres may or can graunt; To haue and to hold the said Tract and Tracts of land and all and singular the premises aboue mentioned to bee graunted with theire and euer of theire appurtenances; To the said William Bradford his heires Associates and assignes for euer to the onely proper and absolute yse and behoofe of the said William Bradford his heires associates and assignes for euer yeilding and paying unto our said Sou: Lord the Kinge his heires and Successors for euer one fift pte of the Oare of the mines of Gold and siluer and one other fift pte therof to the Presedent and Councell which shalbe had possessed and obtained *within the precints aforesaid for all services and demaunds whatsoever allowing the said William Bradford his associates and assignes and euer of them his and their agents tenants and servants and all such as hee or they shall send or Imploy about his said ptticular plantation shall and may from time to time freely and lawfully goe and returne trad or traffick as well with the English as any the Natiues within the precints aforesaid; with libertie of
fishing upon any pte of the sea coast and sea shores of any the seas or lands adjacent and not being Inhabited or otherwise dispos'd of by order of the said Presedent and Councell forbidding all others to Traffick with the Natiues or Inhabite in any the said Lymetts without the speciall leaue of the said Willam Bradford his heires and associates; and allowing the said Willam Bradford his heires and Associates to take apprehend seize and make prise of all such psons their Shipps and goods as shall attempt to Inhabite or trad with the Salvage people as aforesaid;

Morover Wheres in the first begining of this Collonic diuers merchants and others of the City of London and else where adventered diuers summers of money with the said John Carrier Willam Bradford Edward Winslow Willam Brewster Isaake Allerton and the rest of their associates on certaine tearme of ptenership to continew for the tearme of seuen yeares; the said terme Being expired the said plantation by reason of the manyfould losses and crosses by sea and land in the begining of soe great a worke being largely Indebted and noe meanes to pay the said debts but by the sale of the whole and the same being put to sale; Wee the said Willam Bradford Edward Winslow Willam Brewster Isaack Allerton and other our associates the Inhabitants of New Plymouth and elswhere being loth to bee depruied of our labours bought the same for and in consideration of eighteen hundred pounds sterling viz: all and singulare the pruiildges lands goods Chattles ordinance amunition or whatsoever appertained to the said plantation or the adventerors with all and singulare the pruiildges therunto belonging as appeareth by a deed between the said Isaake Allerton then agent for the said Willam Bradford and his Associates on the one pte; and John Pococke Robert Keine Edward Basse James Sherley and John Beachamp on the other pte being therunto deputed by the said Marchants and the rest adventering as aforesaid as appeareth by A Deed bearing date the sixt of November in the third yeare of the Raigne of our Sou: Lord Charles by the Grace of God Kinge of England Scotland France and Ireland 60 Anno Doff. 1627 one thousand six hundred twenty and seauen;

Bee it Knowne therfore vnto all men by these pseants that according to our first Intents for the better eefecting the glory of God, The Inlargement of the dominions of our said Sou: Lord the Kinge, and the speciall good of his Subjects by vertue as well of our Combination aforesaid as also the seuerall graunnts by us procured *in the Names of John Peirse and Willam Bradford there heires and associates together with our lawfull right in respect of vacanteye donation or Purchase of the Natiues and our full purchase of the adventerors before expressed; haue giuen vnto and alloted assigned and graunteed to all & every pson and psons whose Name or Names shall follow
vpon this publicke Record such proportion or proportions of Grounds with all and singulare the priuillidges thervnto belonging as aforsaid to him or them his or theire heires and Assignes Successiuely for euer to bee holden of his Majestie of England his heires and Successors as of his manor of East greenwich in the Countie of Kent in free & common Sockage and not in Capitie nor by Knights Service yeilding and paying to our said Sou: Lord the Kinge his heires and Successors for euer one fift pte of the Oare of the mines of Gould and siluer and one other fift pte to the fse dent and Counsell which shalbee had possesed and obtained as aforsaid and whatsoever lands are graunted vnto any by the said Willam Bradford Edward Winslow Wilham Brewster Isaack Allerton or their heires or Associates as aforsaid being acknowledging in publicke Court and brought to this booke of Records of the seuerall Inheritances of the Subjects of our Soueraigne Lord the King within this Gou'ment; It shalbee lawfull for the Gou' of New Plymouth aforsaid from time to time Successiuely to giue vnder his hand and the Comon Scale of the Gou'ment a Copy of the said Graunt see Recorded Conforming the said lands to him or them his or theire heires and assignes for euer with the seuerall bounds and Lymetts of the same which shalbee Sufficient Evidencie in law from time to time and att all times for all Intents and purposes; the said ptie or pties his or theire heires or assignes for euer; To haue and to hold the said portion of lands see graunted bounded and recorded as aforsaid with all and singulare the Apurtenances thervnto belonging to the onely proper & Absolute vse and behoofe of the said ptie or pties his or theire heires and Assignes for euer;

*Wee the Associates of New Plymouth coming hether as freeborne Subjects of the State of England Indowed with all and singulare the privilidges belonging to such being Assembled Doe ordeine constitute and enacute that noe acte Imposition law or ordinance bee made or Imposed vpon vs att p'sent or to come but such as shalbee made and Imposed by consent of the body of the Associates or theire Representatives legally assembled, which is according to the free liberties of the State of England;

It is further enacted

That all our Courts bee kept att the Towne of Plymouth except the Gou' and Assistants shall see Reason to keep som Courts of Assistants els-where within this Gou'ment.

Whereas by the first Associates of this Gou'ment the Courts of Election were held in the month of January Anually and afterwards in the month of
March Anually; By reason of the vnseasonablenes of those times of the yeare; It is enacted by the Court and the Authoritie therof That the election Courts bee holden the first Tusday in June Anually; And the other Generall Courts bee holden the first Tusday in October and the first Tusday in March Anually; and that the Courts of Assistants bee holden the first Tusday in August the first Tusday in December the first Tusday in February and the first Tusday in May Anually.

It is enacted by the Court and the Authoritie therof that all such as shall be admitted freemen of this Corporation shall stand one whole yeare propounded to the Court viz: to bee propounded att one June Court and to stand soe propounded vntill the June Court following and then to bee admitted if the Court shall not see cause to the Contrary.

Wheras A Comittee was chosen viz: M' Tho: Prence M' Willam Collyare M' Tho: Dimmacke M' James Cudworth M' Josias Winslow John Dunham seni. Gorge Soule and Constant Southworth to consider of the proposition propounded by the deputies att the Court held in October 1650 concerning the major pte of the Courts to order the adjournments and dissolutions of the generall Courts and the makeing and repealing of lawes they the said Comittee declared theire minds to bee that matters in the aforesaid respects to rest vnsalted as they were and that for the future as formerly in the makeing and repealing of lawes and adjournment of Courts wherein Comittees are requisite the majestrares and deputies bee considered as one body.

*Wheras diuers actes and orders touching the making and repealing of lawes att June Courts and the adjournments thereof is rendered with a dubioue Interpretation; and this Court hauinge by propositions to the freemen of the severall Townships desired theire answares in order to the regulateing thereof but not receiuing any answare from sundry of them haue seen cause to declare theire owne sense thereof and therfor doe enact That fitt and able psone bee annuallly chosen out of the freemen to attend June courts and the severall adjournments thereof by the approved Inhabitants qualified as in such case is provided of this Jurisdiction in their respective townshipps for depu
ties vnto whom with the majestrares as the body Representatiue is committed full power for the makeing and repealing of all lawes as vpon theire seriouse considerations they shall find meet for the publicke weale of this Jurisdiction and that then onely such lawes bee enacted or repealed except the Govr for the time being shall see weightey and nessesary cause by the complaint of the
freemen or otherwise to call a speciall Court either of the whole body of the freemen or their deputys; the freemen of this Jurisdiction being left to theire liberties to send theire voate by proxy for the choise of Gou're Assistants Comissioners and Treasurer in such way as by order of Court is alreddy prouided and this order to stand in full force till the whole body of freemen shall take further order therin; It is alsoe further provided that vpon notice giuen in an orderly way to the Gou're by the major pte of the freemen of this Jurisdiction of theire apprehensions of a nessesitie of the body of freemen to come together; then the Gou're for the time being shall take the first oppor-tunitie to Summon in the body of freemen to advise and acte ther as the matter shall require;

*The Oath of a freeman.

Nouem. 1636. You shall bee truely Loyall to the p'sent State and Gov'ment of Eng. our Soun' Lord the King his heires and Successors land. * You shall not speake or doe deuise or advise Any thinge or thinges Acte or Actes directly or Indirectly by Land or Water that doth shall or may tend to the destruction or ouerthrow of these p'sent plantations or Townships of the Corporation of New Plymouth neither shall you suffer the same to bee spoken or done but shall hinder oppose and descouer the same to the Gou're And assistants of the said Collonie for the time being; or some one of them; you shall faithfully Submitt vnto such good and wholesome Lawes and ordinances as either are or shall bee made for the ordering and Gov'ment of the same; and shall Indeuor to aduance the growth and good of the seuerall townships and plantations within the Lymetts of this Corporation by all due meanes and courses; All which you promise and Sweare by the Name of the great God of heauen and earth simply truely and faithfully to pforme as you hope for healp from God who is the God of truth and the punisher of falhood.

Nouem. 1636. It is enacted by the Court and the Authoritie therof; That on the first Tusday in June anually there shall bee a Gou're and seauen Assistants chosen to Rule and Gouerne the said plantations and Townships within the Lymetts of this Corporation and this election to bee made onely by the freemen therof;

Nouem. 1636. And that the Gou're in due season by warrant directed to the seuerall Cunstables in the Name of his highnes aforeaid giue warning to the freemen either to make their psonall apperance att the Courts of election or to send theire voates by proxy for the choise of officers according to the following order; and that all our Courts warrants Summons and commaunds bee all done directed and made in the Name of his highnes the Lord Protector of England.
*Whereas in regard of age disabilletie of body vrgent occations and other Inconveniencies that doe acrew sundry of the freemen are hindered that they can not appeare att Courts of election, In consideration wherof it is enacted by the Court and the Authoritie thereof that any freeman of this Corporation shal have libertie to send his voate by proxy for the chosie of Gou's Assistants Comissioners and Treasurer; And that the deputies of the seuerall townes chosen to attend the Courts of election and the seuerall adjournments therof shall in the towne meeting in which they are chosien they or either of them giue notice vnto the freemen that those that Intend not to make theire psoneall appearance att the Court of election are now to giue in theire voates Sealed vp for the chosing of Gou's Assistants Comissioners and Treasurer; and the said deputies to obserue by a list of theire Names whoe hath voated and whoe hath not; The which voates soe brought in to bee ymmediately Sealed vp and brought vnto and deliuered in open Court by the said deputies.

It is enacted by the Court that att Courts of election the voates of all the freemen p'sent bee first read and Next after them the deputies of the seuerall townes shall orderly p'sent the proxye of theire owne towne.

It is enacted by the Court and the Authoritie thereof that other public officers besides Gou's and Assistants bee chosen and established att the Court in June Anually viz: Comissioners and Treasurer; and that other Inferior officers; as Cunstables grandjurymen and Survayors for the highwaies bee then alsoc confeirmed if approofd by the Court.

It is enacted by the Court and the Authoritie thereof that incase there shalbee occation for a Corroner that the Next majestrate where such accident falls shall sitt as Corrownr and execute that office according to the Custome of England as near as may bee.

It is enacted by the Court and the Authoritie thereof that all our Courts summons and comauonds bee all done directed and made in the Name of his Ma'tes of England our dread Sou' and alsoc that all Ciuill officers and minnesters of Justice in this Jurisdiction to be sworne in his said Ma'tes name and alsoc that the oath of fidelitie and all other oates shall goe in that tenure.

*The office of the Gou":

The office of the Gou for the time being consisteth in the execution of such lawes and ordinances as are or shalbee made and established for the good of this Corporation according to the bounds and Lymitts therof viz: in calling
together or advising with the Assistants or Councell of the said Corporation upon such matteriall occasions (or soe seeming to him) as time shall bring forth, In wh Assembly and all other the Gou' to propound the Occation of the Assembly and have a double voyage therein; if the Assistants Judge the case to great to bee desided by them and refer it to the Generall Court then the Gou' to Summon a Court by warning all the freeemen that are then extant; as alsoe incase the major pte of the freeemen seeing weighty cause for the whole body to meet together and in an orderly way acquaint him with their desires thereof; Then hee shall Summon the whole body of freeemen together with all convenient Speed; and there alsoe to propound causes and goe before the Assistants in the examination of particulars and to propound such Centance as shalbee determined; further It shalbee lawfull for him to Arrest and committ to Ward any offenders; provided that with all Convenient Speed hee shall bring the cause to hearing either of the Assistants or generall Court according to the nature of the offence; Alsoe it shalbee lawfull for him to examine any suspicous persons for euill against the Collonie as alsoe to Interupt or oppose such letters as hee conceiued may tend to the overthrow of the same; and that this office continew one whole yeare and noe more without renewing by election;

*The Oath of the Gou':

You Shall truely Loyall to our Sou're Lord King Charles his heires and Successors the present State and Government of England. Alsoe according to that measure of Wisdome vnderstanding and deserving giuen unto you shall shalll faithfully Equally and Indifferently without respect of persons Adminnister Justice in all Cases coming before you as the Gou' of New Plymouth; You shall in like manor faithfully duely and truely exequeue the Lawes and ordinances of the Same; And shall laboure to Advance and further the good of The Townships and plantations within the Lymitts therof to the uttermost of your power and oppose any thing that shall seeme to hinder the same Soe healp you God whoe is the God of truth and the punisher of falshood.

*The Office of Ass. Assistant.

The office of an Assistant for the time being consisteth in appeering att the Gou'nors Summons and in giueing his best advise both in publicke court and private Councell with the Gou' for the good of the severall Townships and plantations within the lymetts of this Gou'ment; not to disclose but to keep secret such thinges as concerne the publique good and shalbee thought meet to bee concealed by the Gou' and Councell of Assistants in haueing a
speciall hand in the examination of publicke offenders and in contriving the affairs of the Collonie to have a voyce in the censuring of such offenders as shalbee brought to publicke Court; That if the Gou'r have occasion to bee absent from the Collonie for a short time by the Gou'r with consent of the rest of the Assistants he may bee deputed to Gouerne in the absence of the Gou'r alsoe it shalbee lawfull for him to examine and committ to ward where any occasion ariseth where the Gou'r is absent provided the psone bee brought to hearing with all convenient Speed before the Gou'r and the rest of the Assistants; alsoe it shalbee lawfull for him in his highnes Name to direct his warrants to any Cunstable within the Gou'ment whoe ought faithfully to execute the same according to the Nature and tenure therof and may bind ouer psones for matters of crime to answere at the next ensuing Court of his said highnes after the fact committed or the psone apprehended;

*The Oath of an Assistant.*

You shall all swears to bee truely Loyall to your Sou'r Lord King Charles his heires and Successors of England alsoe you shall faithfully truely and Justly according to the measure of deserving and discretion God hath given you bee Assistant to the Gou'r for this present yeare for the execution of Justice in all cases and towards all psones coming before you without partialitie according to the Nature of the office of an Assistant read vnto you; Moreover you shall diligently duely and truely see that the Lawes and ordinances of this Corporation bee duely executed and shall labour to Advance the good of the several plantations within the lymetts therof and oppose any thinge that shall hinder the same by all due meanes and courses Soe heelp you God whoe is the God of truth and punisher of falselhood;

*It is enacted by the Court and the Authoritie therof that the Gou'r and two of the Assistants at the least shall as occasion shalbee offered in time convenient determine in such triviall cases viz. vnder forty shillinges between man and man as shall come before them as alsoe in offences of smale Nature shall determine doe and execute as in wisdome God shall direct them;

It is enacted by the Court and the authortie thereof

That att euery election Court some one of the Assistants or some other sufficient man bee chosen Treasurer for the yeare following whose place it shalbee to demaund and receive in whatsoever sume or sumes shall appertaine to the Royaltie of the place either coming in by way of fine Amercement or
otherwise and shall Improve the same for the publicke benifitt of this Corporation by order of the Gou'ment.

It is further enacted by the Court that the Treasurer shall att the election Courts Anually glue in his accounts of his receipts and payements for his yeare to any that the Court shall appoint and to bee entered upon Record and thervpon to bee discharged.

It is likewise enacted by the Court that the Treasurer by vertue of his said office shall take order that all debts due to the Countrey bee seasonably brought in vnto such place or places as hee shall appoint that soe all dues and debts due vnto any pson or psons from the Countrey may bee seasonably and Satisfactorily defrayed except the publice officers wages which is otherwise prouided for.

It is enacted by the Court that it shall be in the libertie of the Treasurer after a month is past after Judgment by his warrant to require in any fine as hee shall see reason;

Wheras the Court haue taken notice that diuers of the ffreemen of this Corporation doe neither appeare att Courts of election nor send their voates by proxey for the choise of majestrates &c. It is enacted by the Court and the authoritie thereof That whosoever of the ffreemen of this Corporation that shall not appeare att the Court of election att Plymouth in June annually nor send their voate by proxey according to order of Court for the Choise of Gou'ment Assistants Comissioners and Treasurer shall be fined to the Collonies use the sume of ten shillinges for every such default; vnlesse some unavoidable Impediment hinder such in their appearence.

Memorand that an oath bee formed for the Treasurer and next entered.

*The oath of the Treasurer.*

You shall faithfully serve in the office of the Treasurer in the Jurisdiction of New Plymouth for this p'sent yeare during which time you shall diligently enquire after demaund and receive whatsoever sum or sums shall appertaine to this Gou'ment; arising by way of fine amersment Royaltie or otherwise and shall faithfully Improve the same for the use of the Gou'ment and according to order dispose thereof as occasion shall require you shall be reddy to give in a true account vnto the Court of youer actings in youer said office yearly att June Courts; Soe healp you God &c.
The oath of a Grandjurymen.

You shall true p*sentment make of all thinges giuen you in charge you shall p*sent Nothing of Mallice or illwill your owne Councell and yourer folowes in reference to this oath you shall well and truely keep se healp you God.

*The oath of the Clarke of the Court.

You shall faithfully serue in the office of the Clarke of the Court for the Jurisdiction of New Plymouth You shall attend the Generall Courts held for this Goou*ment att Plymouth Aforsaid and the seuerall Adjournments therof; and the Courts of Assistants and there Imploy youerselfe in such occasions as are behoofull to your said place and office you shall likewise Attend such other meetings of the majestraates of like Nature as aboue expressed that shall or may fall out in the Interims of time betwixt the said Courts you shall not disclose but keep secrett such thinges as concerne the Publicke good and shalbee thought meet to bee Concealled by the Goou and Councell of Assistants You shall faithfully Record all such thinges as you shall haue order from Authoritie to Comitete to publicke Record and shall faithfully keep the publicke Records of this Jurisdiction Soe healp you God who is the God of truth and the punisher of falshood;

It is enacted by the Court and the Authoritie therof that the Clarke of the Court shall haue twenty pounds p annum besides his ordinarie fees Allowed by the Court;

*The fees of the Clarke of the Court allowed and agreed vpon by the Court.

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for an Answer
for recording the verdict
for an ordinary warrant from the Gou'ment
for recording a bargain or gift of house or lands
for entering a bargain or of beasts or Cattle
for entering and drawing a copy of an evidence of land
granted by the Court
for registering a will
for registering the Inventory
for a Suppens for Witnesses
for entering a grant of lands by the Court of Assistants
for a search of an order Will 
for a copy of a will
for a copy of an Inventory
for entering a freeman
for recording of a marriage
for recording of Contracts for servants
for making an execution

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You shall be ready to attend the Generall Courts and there seuerall adjourments and the Courts of Assistants and alsoe the Court of Commissioners when they meet in this Gou'ment and the Gou'ment's persons especially at those Courts You shall faithfully with what speed you may collect and gather all such fines and sums of money you shall have warrant see to doe by the Gou'ment or any of his Assistants; and shall with like diligence leuy the goods of any person for which you shall have Warrant soe to doe by any execution granted by the Court and that the same soe collected or leuyed you shall with all Convenient speed deliver in to the Treasurer or the persons to whom the same shall belong and shall serve all attachments directed to you which shall come to your hands and shall performe doe and execute all such lawfull Comaunds directions and warrants as by lawfull Authoritie heer established shall bee committed to your care and charge without fault or p chiarllitie to any person and shall take only your ordinary fees allowed without exaction vpon any person; and shall safely keep as head Marshall all such persons as shall bee committed to your Custitie by the Gou'ment Gou'ment or any of his Assistants soe heale you God 

Moreover it is enacted by the Court that the cheife Marshall have full
power incase hee see occasion to require Aid and Assistance of any to Assist him in the execution of his office; and the adminnistration of his st office shall extend to all places within the Lymetts of this Gou'ment (6).

The cheife marshall is allowed twenty marke p annum for his wages besides his ordinary fees allowed by the Court.

*The fees of the Cheife Marshall
allowed by the Court.

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<td>It. for seruicing of an execution</td>
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<tr>
<td>It. for a Comitment</td>
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<tr>
<td>It. for Imprisonment 2d. 6d p day</td>
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<td>It. for every action that is entered</td>
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<td>It. the one halfe of all fines not exceeding</td>
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More of the marshall see execution serued.

It is enacted by the Court that the Cheife Mar- shall shall haue two shillings in the pound for gathering of fines if they bee not brought in by the pties themselves.

The office and oath of the vnnder Marshall.

You shalbee redy to attend the generall Courts and Courts of Assist- ants and doe such service as shalbee comanded you by the Gou'r or any of his Assistants and shall reddily execute and Inflict all such Consequences and punishments as by Authoritie of this p'sent Gou'ment shalbee adjudged to bee Inflicted vpon any delinquents and offenders according to the Nature of all such warrants and mandates as shalbee directed to you without favor or pciallitie to any pson and shall faithfully and safely as vnnderkeeper or vnnder Marshall keep all such delinquents Malfactors and fellons as shalbe committed vnto you and shall take onely youer ordinary fees allowed without exaction vpon any soe healp (6).

The Vnder Marshall is allowed twenty Nobles p annum besides his fees allowed by the Court. otherwise altered since ann° 1660:

It is enacted by the Court that the publicke officers wages shalbee paid in Corn;
It is enacted by the Court that all Corne that shalbee paid in defraying the publicke charges of the Countrey shalbee paid att one current prise.

It is enacted by the Court that if any psone or psones shall henceforth cast contempt vpon the Marshall or any of his by reason of and concerning his said office shalbee fined for euerie such default to the use of the gou'ment ten shillings.

It is enacted by the Court that henceforth whatsoeuer Centances or Cencures shall fall out to bee Inflicted by the vnder Marshall hee shalbee paid by the Countrey for the same; and hee shall haue but one shilling and six pence a day for every prisoner hee hath in his Custitie att any time if hee haue more then one att a time; but in case hee haue but one att a time in his Custitie hee is allowed two shillings and six pence a day;

It is enacted by the Court that it shalbee lawfull for the Gou'^e or asistants to press any either tradsmen or others to bee Imployed in the behalfe and for the use of the Countrey as to provide or repairie prisons stockes whiping posts [or other Instruments of Justice and all such to be payed with current Countrey pay.]

The Oath of a Cunstable

You shall sware to bee truely loyall to our Sout Lord King Charles his heires and Successors of England you shall faithfully serve in the office of a Cunstable in the ward of for this p'sent yeare according to that measure of Wisdome understanding and descretion God hath giuen you in which time you shall dilligently see that the peace commaunded bee not broken but shall carry the psone or psones offending before the Gou'^e of this Corporation or some one of his Assistants and there attend the hearing of the case and such order as shalbee giuen you, you shall apprehend all suspisious psones and bring them before the said Gou'^e or some one of the Assistants as aforesaid. You shall duely and truely serue such warrants and giue such Summons as shalbee directed vnto you from the Gou'^e or assistants before mentioned and shall labour to advance the peace and happines of this Corporation and oppose any things that shall seem to anoy the same by all due meanes and courses Soe healp you God whoe is the God of truth and the punisher of falshood;

It is enacted by the Court and the authoritie therto that the Cunstables in euerie towne within this Gou'^ment shall warne the Townsmen wherof they are; to come together as they doe for other townes busines when the Com-
ittees shall thinke it fitt; as well to acquaint them with what is propounded and enacted att the Court; as to receive Instructions for any other busines they would haue done;

It is enacted by the Court that the Cunstables that liue remote hence in the further plantations shalbee freed from attendance at the Generall Courts after they are sworne except there shalbee speciall cause; to retaine them.

It is enacted by the Court that all fines vnder forty shillings that shall fall in any of the remote townes of this Gou'ment shalbee leued by the Cunstable of the towne by warrant from the Treasurer which remote townes are explained by the court to bee Taunton Rehoboth Eastham and Bridgwater.

It is enacted by the Court and the authoritie therof that in every towne of this Jurisdiction there shalbee three or foure men or more chosen by writing there Names in papers as the majestrates are chosen to rate all the Inhabitants of their towne according to their estates or faculties; that is according to goods lands Improued faculties and psonall abilitties whether the rate bee for any of the townes in pticulare or for generall charges; and by Improued lands are vnderstood meddow lands plowed lands and hoed lands the orders therin to be observed.

*first that the Cunstable shall summon the townsmen to meet together; and if hee neglect when hee is thervnto lawfully warned to forfeit twenty shillings.

2condly That if the Townsmen doe not meet vpon the Cunstables warning and chose Raters the Towne to forfeit five pounds.

3rdly That if the Raters soe elected doe not make the Rate and Transcrib and deliuer or cause to bee deliuered a copye therof to the Cunstable within ten daies or sooner if the occation shall require to forfeit ten shillings apecce for every such default.

4th That if the Cunstable doe Neglect to gather the said rates or not cause them to bring it in within forty daies next after hee hath the said rate or sooner vpon speciall occation; hee shall pay it hiselte and to bee recovered by suite.

This is hereby Impowered

5th That the Cunstable shall have power to destraine vpon any that shall Neglect to pay his rate being demaunted and bring it to the place appointed by him and shall haue twelve pence for his paines about the destresse.

Lastly that all fines and forfeitures which shall happen for breach of any of these actes shalbee leued for the Gouverment.
It is enacted by the Court and the authoritie thereof; That if any Cunstable within this Gou'ment haue occasion to goe out of the township wherein hee is Cunstable for some time; hee shall haue power to procure and depute another in his stead as his deputie to execute his place vntill his returne as effectual[y] as hee himselfe might doe; provided that the pson whom hee soe deputeth bee not one that has serued in the place within two yeares before except hee bee willing; and incase any Cunstable shall Neglect to prouide and depute one in his stead as aforesaid to forfeit ten shillings for every default;

In regard that divers ps ons chosen to the office of a Cunstable doe not appear to take oath; It is enacted by the Court that any that shalbee Chosen by any towne within this Gou'ment to serve in the office of a Cunstable and shall refuse to take the oath of a Cunstable being therunto required by any one Majestrate shall pay for a fine fifty shillings.

It is enacted by the Court and the Authoritie thereof That it shalbee Lawfull for the Gou' as well to Impanell such his Majes subjects as are of good report and free holders; vpon Juries although noe freemen to doe seruice theron as well as such as haue taken vp their freedome.

Inacted by the Court and the Authoritie thereof that a great Quest bee impannelled by the Gou' and Assistants which are to bee chosen out of the seuerall townshipes of this Gou'ment according to order of Court and warned to serue his Majes by Inquiring into the abusinges and breaches of such wholesome lawes and ordinances as tend to the preservation of the peace and good of the Subjects; and that they p'sent such to the Court as are guilty that soe they may bee procequed by the Court by all due meanes.

*for the preventing of Idlenes and other euills occasioned therby It is enacted by the Court that the Grandjurymen of epery towne shall haue power within theire seuerall townshipes to take a speciall view and Notice of all manor of psons married or single dwelling within theire seuerall townshipes that have smale meanes to maintaine themselues and are suspected to live Idlely and losly and to require an account of them how they liue and such as they find delinquent and cannot giue a good account thereof vnto them that they cause the Cunstable to bring them before the Majestrate in theire towne if there bee any if there bee none before the Celect men appointed for such
purpos that such course may bee taken with them as in their wisdome 
shalbee judged just and equall;

It is enacted by the Court and the Authoritie thereof that the Grand- 
jurymen in every township once in the yeare annually shall view all the 
measures weights and tole dishes in thire seuerall towneships and see that 
they bee lawfull according to order and that every housholder haue ladders 
sufficient and p'sent the defects.

It is enacted by the Court and the Authoritie thereof That all such mis-
demenors of any pson or pscons as tend to the hurt and detriment of societie 
Ciuititie peace and Naighbourhood bee inquired into by the Grand enqust 
and the pscons p'sented to the Court that soe the desturbers thereof may bee 
punished and the peace and welfare of the Subject peacably p'served.

Whereas Complaint hath bine made that the ffreemen were put to many 
Inconveniencyes and great expences by thire Continewall attendances att the 
Courts It is threfore enacted by the Court and the Authoritie thereof for the 
ese of the seuerall townes of this Gou'ment; that every towne shall make 
Choice of two of thire freemen and the towne of Plymouth of foure to bee 
Comittes or Deputies to joyn with the bench to enact and make all such 
lawes and ordinances as shalbee judged to bee good and wholesome; for the 
whole prouided that the lawes they doe enact shalbee propounded one Court 
to bee considered of till the next and then to bee confirmed if they shalbee 
approved of except the case require p'sent confirmation; and if any acte 
shalbee confirmed by the bench and Comittes which vpon further delibera-

tion shall prove prejudiciall to the whole; That the ffreemen att the next 
election Court after; meeting together may repeale the same and enact any 
other usefull for the whole; and that every towneship shall beare thire

Comitties charges and that such as are not freemen but haue taken the cath 
of fidelitie and are masters of families and Inhabitants of the said Townes; 
as they are to beare thiere pte in the charges of their Comittes soe to haue 
a voate in the choise of them; prouided they chose them onely of the freeme-

of the said towne wherof they are; but if such Comittes shalbee Insuf-

cient or troublesome that then the bench and the other Comitties may dismi-

them and the towne to chose other freemen in thire places;

*It is enacted by the Court and the authoritie thereof 
That whereas the Number of freemen in many places is but smale and the

*25
Inhabitants of the townships many more who have equall voices with the freemen in choice of Deputies who being the body of freemen representative together with the Majestates have equall voices for the enacting of laws who by weakness prejudice or otherwise it hath or may come to passe that very vnfit and vnworthy persons may bee chosen that can not answere the Courts trust in such a place; That all such Courts as Majestrates and Deputies are to acte in making of laws and being assembled the Court in the first place take notice of their members and if they find any vnfit for such a trust that they and the reason thereof bee returned to the town from whence they were sent that they may make choice of more fitt and able persons to send in their stead as the time will permit;

It is enacted by the Court and the Authoritie therof

That if any township in this Gou'ment being orderly thereto required shall neglect and refuse to elect or choose Comittees according to the aforesaid order the townes see Neglecting or refusing to bee fined to the Gou'ments use forty shillings and every Committee see chosen and makes not his persons appearance in the Court att the day appointed there to doe his service to bee fined twenty shillings valesse hee can shew a reason approued by the Court;

Whereas the seuerall townes of this Jurisdiction were to send their Deputies which must arise out of their freemen to attend the three generall Courts of the yeare now vpon the speciall complaints of the Deputies of the townes see sent professing themselves to bee oppressed therby It is enacted by the Court and the Authoritie therof that the whole body of freemen shall appeer att the election Court which is the first Tusday in June Successiuely; and then to make or repeale such lawes orders and ordinances as shalbee found meet and wholesome for the ordering of the Gou'ment and that then alsoe they sent such deputies as have beene chosen by their townes according to order formerly established whoe are to attend the same and its seuerall adjournments as the occasions of the Countrey shall require; and that whatsoever lawes orders and ordinances shalbee made or repealed bee att that Court and the seuerall adjournments therof onely done except the Gou' and Assistants see cause to call a speciall Court) and other Courts to attend matters of Judicature and the Majestrates onely to attend the same.

It is enacted by the Court that att courts of election next after the choise and Swearing of Majestates and other officers the generall occasions of the Countrey wherein deputies are requisit bee attended except extreordinary occasion comes in the way.
It is enacted by the Court that the Court of majestaries and deputys shall haue power; as to receive accounts soe to giue allowance to any person in publicke place Employed in any publicke service for losse or damage bee sustaines as they shall thinke meet;

*It is enacted by the Court and the Authoritie therof
That noe p'sentment hereafter shalbe exhibited to the Grand enquest to bee brought to the bench except it bee done vpon oath and that it shalbe lawfull for any of the Assistants or such as are deputed to adminnester an oath in such case viz: it is to bee vnderstood on there own knowledge or others oath;

It is enacted by the Court that any one that for the future shalbe p'sented to the Court for any fact on the Testimony of one witnesse although vpon oath shal not bee for the same condemned without a 2nd witnesse or concuring cercomstances;

It is enacted by the Court and the authoritie therof
That all trialls whether Capitall or between man and man bee tried by Juryes according to the p'sedents of the lawes of England as neare as may bee;

It is enacted by the Court that if a Jury bee impannelled for tryall of causes and the pties agree after yett they shall pay the Jurye;

It is enacted by the Court that the Jurye shall haue six pence a man and the foreman twelve pence in such cases of Controversy as they shall goe vpon;

It is enacted by the Court and the authoritie therof that att the time of the entery of every action the charges of that action bee defrayed before the action bee entered.

Wheras the Courts held in June annually are usually full of much busines soe as the Court can not then convenient attend the tryall of actions
It is enacted by the Court that it shalbe lawfull for any to comence a suite for the triall of a cause of any value betwixt ptie and ptie att the Court of assistants held in May anually and that noe action shal bee henceforth bee tryed att June courts.

It is enacted by the Court that if a stranger or forraigner haue any occasion to comence a suite att any time betwixt the Courts for the triall of any cause of a considerable value; hee hath libertie to purchase a Court for such a purpose if he shall put in Cecuritie to defray the charge and that there shall not bee lesse then three of the Majestaries att every such Court.
It is enacted by the Court and the Authoritie therof that an execution shall bee graunted forth att the end of one month after the verdict and Judgment is graunted and not before except the ptie bee departing the Gou'ment and that when the marshall goeth to serve the execution the plaintiff or his deputy shall goe with him to praise the goods soe destressed and if occasion shall require the defendant shall haue libertie to choose another man; and the marshall and those two shall appraise the goods or chattles soe taken; but if the defendant doe neglect or refuse to make such a choise; the marshall shall choose a man on his behalfe and as they or any two of them shall praise the goods soe they shallbee *then and there delivered vnto the plaintiff or his deputies and the Marshall discharged and if the said goods come to more then the debt and charges shall amount vnto then the plaintiff shall returne the overplusse vnto the defendant in Countrey pay within six daies Next after hee receiueth the said goods but if the plaintiff liue out of the Gou'ment then hee shall forthwith returne the overplusse or giue Cecuritie to the defendant to doe it within the said six daies.

Enacted by the Court that all actions bee entered vpon the warrants or Summons goeing out; as soone as may bee.

It is enacted by the Court that all executions Issuеing out of the Generall Court or Court of Assistants shall bee executed by the marshall onely.

It is enacted by the Court and the Authoritie therof that it shall bee lawfull for the Gou't and majestrares, or any of them to direct Sommons to any psone within this Gou'ment to answere to any suite commenced against them and it shallbee as Authentickall as if it were done by warrant to attach or arrest them.

It is enacted by the Court that the Prison shall bee erected att Plymouth.

It is enacted by the Court that the Gou'ment shall alow 3d a day to maintaine a prisoner committted for fellonie or misdemeanour if they bee not able to maintaine themselves and to bee paid by the Treasurer and allowed vpon his accounts;

Capitall offences lyable to death

The King the highnesse the Lord Protector against the State or Comonwealth of England or this Corporation Wilfull murder.
Solemn compaction or conversing with the diuell by way of Witchcraft conjuration or the like;  
Wilfull or purposed burning of Shipps or houses. 
Sodomy Rapes Buggery.

It is enacted by the court and the authoritie therof that whosoener shall comitt Adultery shalbe seuerly punished by Whipping two seuerall times; viz: once whiles the Court is in being att which they are convicted of the fact and the 2\textsuperscript{nd} time as the Court shall order and likewise to weare two Capitall letters viz: A D cut out in cloth and sowed on theire vpermest Garments on theire arme or backe; and if att any time they shalbee taken without the said letters whiles they are in the Gou'ment soe worn to bee forth with taken and publickly whipt;

It is enacted by the court that in every township of this Gou'ment there shalbee a paire of Stockes and a whipping post erected in such places as shalbee thought meet by the seuerall Naighborhoods where they concerne uppon the penaltie of ten shillings for any township that shalbee defective therin.

*Offences Criminall;*

It is enacted by the court and the authoritie therof that any pson or psons that shall comitt Carnall copulation before or without lawfull contract shalbee punished by whiping or els pay ten pounds fine a peece and bee Imprisoned during the pleasure of the Court soe it bee not aboue three daies but if they bee or wilbee married the one to the other then but ten pounds both and Imprisoned as aforsaid; and by a lawfull Contract the Court understands the mutuall concet of parents or guardians if there bee any to bee had and a sollemne promise of marriage in due time to each other before two competent witnesses; and if any pson or psons shall comitt Carnall Copulation after contract and before marriage they shall pay each fifty shillings and bee both Imprisoned during the pleasure of the Court soe it bee not aboue three daies; or els in case they cannot or will not pay the fine then to suffer corporall punishment by whiping;

It is enacted by the Court and the Authoritie therof that whosoeuer shall prophane Sweare or curse by the Name of God or any of his titles Attributes word or workes bee or shee shalbee sett in the Stockes soe it exceed not three houres or bee put in prison according to the nature and quallitie of the pson;

It is enacted by the Court that euery pson of the age of descretion which is accounted sixteen yeares whoe shall wittingly or willingly make or publish
any lye which may bee puitious to the publicke weale or tending to the dam-
age or hurt of any particulare person or with intent to deceive and abuse the
people with false newes or reports and the same dewly proued before any
one majestrate who hath heerby power graunted to heare and determine all
offences against this law shall bee fined for every such default ten shillings and
if the pty bee vnable to pay then to bee sett in the Stockes soe long as the
said majestrate shall appoint in some open place not exceeding the space of
two houres;

It is enacted by the Court
That any that shall steale or attempt to steale shippes boates munition or
other things it bee accounted fellony and so to bee punished

It is enacted by the Court that whatsoever servant or apprentice or
laborer that shall ployne or steale or Imbezell his masters goods shall make
double satisfaction of restitution either by paiament or seruitude as the court
shall Judge meet for the first default and for the 2\textsuperscript{nd} default of the laborer
to make double restitution and either find surties for his good behauior or
bee whipt;

It is enacted by the Court that such as either drinke drunke in theire
persons or suffer any to drinke drunke in theire houses bee Inquired into
amongst other misdemenors and accordingly punished or fined or both att the
descretion of the majestrates;

Of drunkenes see more in the law about ordinary keepers

Wheras Complaint is made that some have brought cards into some of
the townes of this Jurisdiction whereby sundry persons mens both children
and servants have beene drawne together to spend theire time in playing att
such vnlawfull games to the coruping of youth with sundry other sad con-
sequences that may follow by the pution of such practices It is enacted by
the Court and the authoritie therof that whosoever shall bring into this Juris-
diction or keep in his house any Cards for such purposes as aforesaid or shall
suffer any to play att Cards or dice att any time in his house or where hee
hath to doe; or any that shalbe acters in playing att such vnlawfull Games
shall bee fined for the same forty shillings and for such as are servants or
children that shall play att Cards or dice for the first offence to bee corrected
att the discretion of theire parents or masters and for the 2\textsuperscript{nd} offence to bee
publickly whipt;

Wheras some abusses have formerly broken out amongst vs by disguising
wearing Visors and strange apparrell to laciuisous ends and purposes; It is
therefore Inacted by the court and the Authoritie therof that if any psone or 
psones shall heerafter vse any such disguisments visors strange apparrell or 
the like to such laciousse and euill ends and Intents and bee therof convict 
by due course of law shall pay fiftie shillings for the first default or else bee 
publiccly whipt and bee bound to the behauiour if the bench shall see cause

It is enacted by the Court that if any psone or psones shall wilfully and 
of sett purpose burne any mans fence or fences shall make good the damage 
and bee bound to his good behauiour

It is enacted by the Court that every psone or psones that shall wilfully 
pluck vp remoue or deface any land marke or bound betwixt pty and ptie 
that haue bine or shalbee orderly and sufficiently sett vp by psones therunto 
designed; shalbee fined from twenty shillings to five pounds; according to 
the Nature of the offence

It is enacted by the Court that every psone or psones that shall wilfully 
and of sett purpose breake downe another mans fence or gate or any common 
Gate or bridge to the anoyance either of a particulare psone or the generall shall 
make vp such said fence gate or bridge att his owne charge and pay the dam- 
age therby sustained and bee fined for the first default fiftie shillings and for 
the 2° default fined five pounds and bound to his good behauiour;

Wheras there is great abuse in takeing of Tobacco in very vnciuell manor 
in the streets and dangerously in out houses as barnes staules about hay 
stackes and other such places It is therfore enacted by the Court that if any 
psone or psones shalbee found or seen heerafter takeing of Tobacco publiccly 
in the open streets of any towne in this Jurisdiction or in and about barnes 
staules hay stackes corn stackes hay yards or other such like places or outhouses 
that euery such psone or psones soe offending shall forfeit and pay to the 
townes vse for the first default twelue pence for the 2° and it shalbee law-
full and by this act warrantable for the Cunstable of euery township without 
urther warrant vpon sight or Information therof to destraine his or theire 
goods for it wh doe refuse to pay it vpon his demand and to bee accountable 
to the Tresurer of what hee receiues yearly att the election court; 
souldiers in time of exersis only excepted

*It is enacted by the Court that wheras many haue sustained great dam-
age by the Indescreet fiering of the woods though Justly ocationed thervnfo 
that none shall fier the woods att any time but they shall giue warning therof 
to the neighbours about them and the time of fiering of them to bee from the 
fifteenth of febrewary to the latter end of aprill; Also that if any psone att
any time shall fier any the woods and hath noe Just occasion soe to doe hee
shalbee fined ten shilling to the use of the Gou'ment or bee whipt

It is enacted by the Court and the Authoritie therof that whosoeuer
shall forge any deed or writing wherby any estate of lands either of Inherit-
ance or for tearme of yeares shalbee passed and the right heires disinherited
and shall produce or publish the same to such decitfull end and purpose and
beo therof convict by due course of law shall pay the pty greied doublle
damage and bee fined halfe soe much as the pty greied recouereth of him ;
and incase hee bee not able to pay it to bee publickly whipt and burned in
the fase with a Roman F

It is enacted by the Court and the authoritie therof That if any officer
or keeper of publieke Records or writings shall wilfully steale Imbezell or
make away any such publieke Records or writinges soe comitted to publieke
Record and keeping or shall alter any of them or any pte of them by raceing
out or ading therto or otherwise; shalbee disfranchised and loose his office
and burnt in the face ; except in truiall cases ;

It is enacted by the Court That if any pson or psions shall indeauor or
goe about directly or Indirectly to corupt any officer keeping any publick
records or writings to procure him to deface corupt alter or Imbezell any such
publicke records or writings shalbee fined according to the Nature of the
offence soe it bee not aboue forty pounds or bee whipt ;

It is enacted by the Court that all such as shall denye the Scriptures to
bee a rule of life shall receive corporall punishment according to the descree-
tion of the mgastrate soe as it shall not extend to life or limb

Wheras there hath bin- many complaints for want of due maintenance
for minnesters (as some naue reported) It is therefore enacted by the Court
that noe Pastor or Teacher of Any Congregation shall remove before his com-
plainth hath bine tendered to the Majestrates and they have heard both sides
and that vpon such complaints if there appeares to bee, a reall defect in the
hearers of the minnesters soe complaining the majestrates shall vse all gentle
meanes to pswade them to doe theire dewty heerin but if any of them shall
not heerby bee reclaimed but shall psist through plaine obstinacy against an
ordinance of God that then it shalbee in the power of the Majestrate to
vse such other meanes as may putt them vpon theire duty ;

Wheras this Generall Court taking into theire seriousse consideration the
great defect that either is or like to bee in seuerall townshipes of this Juris-
diction for want of an able godly teaching minnestrey and the great prejudice to the soules of many like to ensue; and being desirous according to our d韦tys that such defects should not be for want of dew Incuragement to such as either are or shalbee implied in soe good a worke of the Lord for his honer and the good *of soules and in consideration that inasmuch as the seuerall townships granted by the Gou'ment was; that such a Companie might bee receiued as should maintaine the publicke worship of God there; doe therefore Judge that the whole both Church and towne are mutually engaged to support the same and doe therefore order and agree that in whatsoever township there is or shalbee an able godly Teaching minstreys which is approued by this Gou'ment that then foure men bee chosen by the Inhabitants or in case of thereire neglect chosen by any three or more of the majestates to make an equall and Just proportion vpon the estates of the Inhabitants according to thereire abillities to make vp such convenient maintainance for his comfortable attendance on his worke as shalbee agreed vpon by the Church in each Township where any is with the concurrence of the rest of the Inhabitants if it may bee had or by the majestates aforsaid incase of thereire apparent neglect and that destresse accordingly as in other Just cases bee made vpon such as refuse to pay such thereire proportions which is in Justice due but; in case there bee any other way wherby any township doe or shall agree that may effect the end aforsaid this law not to bee binding to them; to bee explained those that onely such psorn or psorns as refuse to bear thereire pte with the rest of the Church or towne in the due maintenance and support of the minstreys this law to bee in force onely to them but not vnto others that doe thereire duty;

It is enacted by the Court that whosoever shall villify by opprobrious tearmes or speeches any Church or minnestrey or ordinance being therof lawfully convicted shall forfeit and pay to the use of the Collonie ten shillings for every default;

It is enacted by the Court That whatsoever psorn or psorns shall neglect the frequenting the publicke worship of God that is according to God in the places where they liue or doe assemble themselues vpon any pretence whatsoever in any way contrary to God and the allowance of the Gou'ment tending to the Subversion of Religion and Churches or palpable prophanation of Gods holy ordinances being duly convicted viz: every one that is a master or dame of a family or any other psorn att thereire owne disposeing to pay ten shillings for every such default;
It is enacted by the Court that if any psoun or psouns in any lazy sloth-
full or prophane way doth Neglect to come to the publicke worship of God
shall forfeit for every such default ten shillings or bee publickly whipt;

It is enacted by the Court That whosoever shall prophane the Lords
day by doing any servill worke or any such like abuses shall forfeit for every
such default ten shillings or bee publickly whipt;

Whereas complaint is made of great abuses in sundry places of this Gou-
ment of prophaning the Lords day by travellers both horse and foot by bear-
ing of burdens carrying of packes &c vpon the Lords day to the great offence
of the Godly welaffectcd amongst vs It is therfore enacted by the Court and
the Authoritie therof that if any psoun or psouns shall bee found transgressing in
any of the precinctes of any towneship within this Gou'ment hee or they
shall bee forthwith apprehended by the Cunstable of such a townes and fined
twenty shillings to the Collonies vse or else sit in the stockes foure hours
except they can giue a sufficient reason for their soe doeing and they that
Transgresse in any of the abouesaid particularaes shall onely bee apprehended on
the Lords day and on the 2d day following shall either pay their fine or
sitt in the stockes as aforesaid;

*It is enacted by the Court and the Authoritie therof that hensforth noe
publicke meetings bee sett vp within this Gou'ment but such as the Court
shall approue of;

Whereas there hath seuerall psouns come into this Gou'ment comonly
called Quakers whose doctrine and practises manifestly tends to the Subver-
sion of the foundamentals of Christian Religion Church order and the Ciuell
peace of this Gou'ment as appeares by the Testimonies giuen in sundry deposi-
tions and otherwise; It is therfore enacted by the Court and the Authoritie
therof that noe Quaker or psoun comonly soe called bee entertained by any
psoun or psouns within this Gou'ment vnder the penaltie of five pounds for
every such default or bee whipt; and in case any one shall entertaine any
such psoun Ignorantly if hee shall Testify on his oath that hee knew not them
to bee such hee shallbee freed of the aforesaid penaltie provided hee vpon his
first decerning them to bee such doe descouer them to the Constable or
his deputie;

It is alsoe enacted by this Court and the Authoritie therof that if any
Rantor or Quaker or psoun comonly soe called shall come into any townes
within this Gou'ment and by any psoun or psouns bee knowne or Suspected to
bee such the pson soe knowing or Suspecting him shall forth with acquaint
the Cunstable or his deputie of them on paine of Presentment and soe lyable
to cencure in court whoe forthwith on such notice of them or any other Intel-
egence hee shall hauze of them; shall dilligently endeavoor to apprehend him
or them and bring them before some one of the majestrares whoe shall cause
him or them to bee committed to Goale there to be kept Close prisoners with
such victuals onely as the Court aloweth untill hee or they shall defray the
charge both of their Imprisonment and their Transportation away; Together
with an Ingagement to returne into this Gou'ment noe more or else to be conti-
newed in close durance till further order from the Court; And forasmuch as
the meetings of such psons whether Strangers or others proueth disturbing to
the peace of this Gou'ment It is therefore enacted by the Court and the
Authoritie thereof That henceforth noe such meetings bee assembled or kept
by any pson in any place within this Gou'ment vnder the penaltie of forty
shillings a time for every speaker and ten shillings a time for every hearer
that are heads of families and forty shillings a time for the owner of the
place that pmits them soe to meet together; and if they meet together at
their silent meetings noe called then, every psone meeting together shall pay
ten shillings a time and the owner of the place shall pay forty shillings a time.

It is enacted by the Court and the Authoritie therof
That noe Quaker Rantor or any such corrupt psone shalbee admited to
bee a freeman of this Corporation.

It is enacted by the Court and the Authoritie therof that all such as are
opposers of the good and whosome lawes of this Collonie or manifest
opposers of the true worship of God or such as refuse to doe the Countrey
service being called thervnto shall not bee admited freemen of this Corpora-
tion; being duely convicted of all or any of these.

It is enacted by the Court and the Authoritie therof that if any psone or
psones that are or shalbee freemen of this Corporation that are Quakers or
such as are manifest Incurragers of them and soe Judged by the Court or such
as shall contemptuousely speake of the Court or of the lawes thereof and such
as are Judged by the Court grosly scandalouse as lyers drunkards Swearer 2 &
shall lose theire freedome of this Corporation.

It is enacted by the Court that all such as refuse to take the oath of
fidelitie as quakers or such as are manifest encouragers of them shall hauze
noe voat in choise of publicke officers in the place wher they dwell or shalbe
employed in any place of trust while they continew such.
*The order of Court Concerning the Councell of Warr.*

In Regard of the many Appearances of danger towards the Countrey by Enemies and the great necessity of Councell and advise in which respect the Court thought meet to make choice of a Councell of war consisting of eleven persons whose names are elsewhere extant in the Records of the court which said eleven or any five of them being orderly called together therire acte to bee accounted in force and they to bee continewed in therire places vntill others bee elected to bee orderly called together is ment being Sumoned by the p'sedent or his deputie or in case of therire absence any two majestaries of the Councell of warr.

That the Councell of warr shall haue power to issue out warrants in his Ma**s** name to presse such a number of men & horses in every towne as by proportion the said towne is to sett forth and alsoe to Issue forth warrants to the said townes for armes and provision and all things Nessessary for them and what charges shall arise to bee leuied on each towne proportionably as other publick rates and to giue Comission to any Cheife officer vnder theire Charge either in time of peace or warr.

The proceeding of the Councell of Warr in the Constituteing and Comissionating of a major.

The Councell of Warr being assembled doe heerby Constitute Impower and Comissionate you our Trusty and welbeloued friend I W to bee as Cheife Officer over the milletary Companies of this Jurisdiction bearing the title of A Major and to Act therin as is provided by order of Court Anexed to your Office according to such Instructions as you haue or shall from time to time receive from the Councell of Warr in psuance wherof all Captaines Inferior officers and souldiers are heerby required to bee in Reddy Subjection to you during your continuance in the said Office which shall bee vntill the Councell of Warr shall see Cause otherwise to order;

Gien vnder our hand and Seale

T P President with the Consent of the Rest of the Councell of Warr.

*Instructions for the Major.*

You shall take into your Comaund the severall milletary Companies of this Jurisdiction both horse and foot and take care that they bee orderly trained vp in the use of Armes.
LAWS.

You shall take care that Armes be fix and scruchable.

You shall Carfully Appoint such watches and Gaūds as may bee Need-ful for the honer and safety of the Gou'ment.

You shall yearly Appoint Generall Masters or meetings of such Companies as can with any conveniency meet together and with the advise of your Council order the same;

Incase of any Suddaine and vniected approach of an enimie or Insurrection in ourselves you shall Indeator to put these Companies into such a Posture of defence as your selve and such of your Council of Warr shall give you Instructions therabouts;

You shalbee redy at all times to obserue and execute such further Instructions either respecting disipline or reall service as shall from time to time by the Council of Warr bee directed vnto you.

You shall on all Occasions advise with such as the Council of Warr shall appoint to bee of your Council ; and they haue for the p'sent chosen these hereafter Nominated &c.

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see booke of orders and passages of the court.

*It is enacted by the Court and the Authoritie therof that incase any Cheife milletary officer bee wanting in any towne within this Gou'ment such Township shall p'sent two or three psons of the fitest they have for that place to the Court and such pson or psons as shalbee approoved of by ye Court shalbee established in such place and office and such cheife officer to chose their under officers with the Consent of the body;

It is enacted by the Court that as the Captaine Leifentant and Ensigne are established into their places by the Authoritie and approbacon of the Court soe such Captaine leifentant or Ensigne shall not lay downe their places but by the consent and approbacon of the Court vpon the penalty of five pound for every Captaine fifty shillings for every Leifentant and fifty shillings for every Ensigne soe laying downe his place without the leisure and likeing of the Court and if any Capt: Leif: or Ensigne shall neglect to traine their men on the daies appointed or shalbee negligenet in his or their places vpon proffe shalbee fined ten shilling for euery such default.

It is enacted by the Court that the Cheife milletary Comaunders in euery towne shall haue power to call forth men to exercishe them in their armes and to appoint daies of training and the sergeants to giue warning therof and to bee done as often as the Court hath appointed;

It is enacted by the Court that in time of feare and danger and sudden assault of an enimie the milletary Comaunder in euery towne shall haue
[Pany II.] power to call the soildiers of that towne together and put them in a posture of warr; whose Comaunds euery soildier shall obey for the defence of the township and that they follow the directions of the milletary Comaunder of that towne in keeping watch and ward prouided that the ordinary watch bee sett and appointed with the majestrates approbation of that towne if there bee any;

It is enacted by the Court that the Cheife milletary officers in euery towne shall sett a fine vpon such as shall absent themselves on daies of training if there bee not sufficient reason giuen for theire absence prouided the fine bee with the Concenc of the Companie or the major pte therof; and such fines to bee gathered by the Clarke of that companie and to bee for the benifitt of the same;

It is enacted by the Court that the milletary officers in euery towne shall see that the Armes of that towne bee fix and compleat for length and boar and p'sent such as are defectiue

*It is enacted by the Court that all the milletary Companies within this Gou'ment shalbee trained att least six times in the yeare

The fines of such as are defectiue in theire Armes

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The Guns or pcecess alowed for service are these viz: musketts fierlockes and matchcockes soe that they haue 4 fathome of match att all times for euery matchcocke; Calliuers Carbines and fowling pcecess soe that they bee not aboue 4 foot and an halfe long and not vnder bastard muskett or Calliuer bore;

Enacted that euery towne that shalbee defectiue in the want of a drum att any time for the space of two months shall forfeit the sume of forty shillings to the Collonies use that shalbee defectiue in Coullers the space of six monthes four pounds.

It is enacted by the Court that all and euery pson within this Gou'ment shalbee Subject to such milletary orders for training and exercise of Armes as hath bine agreed on and enacted by the Court.
LAWS.

It is enacted by the Court that every township in this Gou'ment each township shall provide two sufficient fierlocke peeces two swords and two powches for every thirty men they have in their town and soe proportionable for their number they are to sett forth bee they greater or lesser which shalbee reddy att all times for service vpon any occasion upon such penaltie for every delinkquent as the Court shall Judge meet according to the nature of the offence.

It is enacted by the Court that every township in this Gou'ment shall prouide a barrell of powder and lead or bulletts answarable to bee kept by some trusty man or men in every towne that it may bee reddy for defence in time of need and danger.

It is enacted by the Court that every psone both for himselfe and every man servant that hee keepeth able to bear armes have a peece powder and shott viz: a sufficient musket or other servicable peece for warr with bandaleers sword and other appurtenances and that for himselfe and every such psone under him hee bee att all times furnished with one pound of powder and four pound of bulletts with four fathom of match for every match cocke musket;

That every Towne prouide halberts for theirsejeants of their milletary Companie; see booke of orders and passages of the court 1653.

That a considerable Companie of halfe pikes bee prouided in every towne att the charge of the township viz: where 80 men are able to beare armes there twenty to bee prouided and so proportionable to their number bee they greater or lesser; see booke of orders and passages of the Court anno 1653.

*The oath of A Clarke of A milletary Companie.

You shall faithfully serve in the office of a Clarke of the Milletary Companie of ☉ for this p'sent yeare during which time you shall dillegently attend such sett times of training as yuuer officers shall appoint you shall keep an exact list of the Names of yuuer whole Companie and take notice of all such defects as shall arise by the breach of any wholesome order or orders made by the said Companie and gather in all such fines as belongeth therunto and give a Just account thereof to the Companie or such as they shall appoint; Soe healp you God ☉.

Enacted that such as are chosen Clarke of any milletary Companie shalbee sworne and any that shall refuse to serve as Clarke for one yeare
(being chosen) shall be fined twenty shillings; and hee that is next chosen and
serves to have the said sume; see booke of orders and passages of the Court 1653.

It is enacted by the Court that as the watches are sett by order soe they
shall continue vntill there bee order to lay them downe and that the
watch shall be sett halfe an houre before the sun bee sett and to continew
vntill halfe an houre after the sun is risen except they ward alse in the day
time and then to continew vntill the same time they began that a fresh watch
come to relieve them; and that for every man that shall neither come him-
selfe nor provide a sufficient watchman in his rome or lay downe the watch
without due order shall pay two shillings and six pence for every night to
the Collonies use and foure pence an houre for every houre hee comes after
the watch is sett.

It is enacted by the Court that if any shall shoot off a pece att any fowl
or otherwise in the night time betwixt day light and day light shall forfeit
twenty shillings for every shott to bee paied to the Tresurer for the use of
the Collonie except hee shoot att a woolfe or for the finding of some one lost.

It is enacted by the Court that three peeces shot of distinctly one after
another shall bee an Alarum and two peeces to give warning of an house on fir;

It is enacted by the Court that incase there shalbee need of horses vpon
speciall occasion for the Countreyes service it shall be lawful for the Gover-
nor or any three Assistants to press such and soe many as they shall see reason to
employ provided they take order that the owners bee payed for them; but if
any such horse or horses miscarry in the service the price of such horse or
mare to bee made good to the owner by the Countrey and the horse to bee
prised att his going forth.

*It is enacted by the Court that if any man shalbee sent forth as a
souldier and shall returne maimed hee shalbee maintaine competently by
the Collonie during his life.

It is enacted by the Court that all such Scots and Irishmen as are in
any Township of this Gou'ment shall bear Armes and traine as others except
such as are servants from month to month;

It is enacted by the Court and the Authoritie thereof that a forth pte of
each milletary Companie in this Jurisdiction shall every Lords day carry there
armes to the publicke meeting in the Township where they dwell viz: some
serviceable pece and sword and three charges of powder and bulletts on
paine of the forfeiture of 2 shillings and six pence for each daies neglect;
and this to bee observed from the first of March to the last of November yearly; these defects to bee gathered by the milletary Clarke and the Cunstable to the use of the Companie. It is further enacted by the Court that the cheife milletary Comaunder in each towne shall take care that a list bee drawne and sett vp in the meeting house by which every man may know to what Squadron hee belongs and when hee is to carry armes and alsoe to appoint some ouer every Squadron to take notice and giue an account of the severall defects on the penaltie of the forfeiture of five pounds to the Coun- treys use for such neglect; and that this order take place and begine from the seantenthe of this Instant October i658 except men bee sicke or abroad and haue none att hom to carry theire armes.

It is enacted by the Court and the Authoritie thereof that a Troop of horse well appointed with furniture viz: a Saddle and a case of petternells for every horse shall be raised out of the several Townshipps to bee reddy for service when required and maintained for that purpose to bee raised as followeth

viz: Plymouth - - - 3 Yarmouth - - 3
Duxburrow - - 3 Barnstable - - 3
Scittuate - - 4 Marshfeild - - 3
Sandwich - - 3 Rehobeth - - 4
Tamton - - 3 Eastham - - 3
Bridgwater - - 1

In all thirty and three and that all such shall bee freed from foot service and from watching (warding and theire horses rate free; and to bee reddy by June next ensuinc the date heerof on the penaltie of the forfeiture of ten pounds for euery towne that shall neglect;

It is enacted by the Court and the Authoritie thereof that all Smithes within this Gou'ment bee compelled to amend and repair all defectuie Armes brought vnto them speedily and to bee paiied in wheat or butter and the Smithes refusing to answere it att theire prill;

*The oath to bee Adminnestrated to a Towne Clarke is as followeth.

You shall faithfully serve in the office of a Towne Clarke in the townes of for this p'sent yeare and soe longe as by mutuall consent the towne and you shall agree; during which time you shall carfully and faithfully keep all such Records as you shallbee Intrusted withall and shall record all towne actes and orders and shall enter all towne grants and Conveyances You shall record all beirthes marriages and burials that shallbee brought vnto you within your towne and shall publish all Contracts of marriages you shallbee
required to doe according to order of Court bearing date the twentieth day of October 1646 Soe heulp you God who is the God of truth and punisher of falsehood;

Whereas divers persons vnfit for marriage both in regard of their yeoure yeares and alsoe in regard of their weake estate some practicing the Inveigling of mens daughters and maides vnder guardians contrary to their parents and guardians liking; and of maide servants without leave and likeing of their masters; It is therefor enacted by the Court that if any shall make any motion of marriage to any mans daughter or maide not haueing first obtained leave and consent of the parents or masters soe to doe shall bee punished by fine soe it exceed not five pounds or corporall punishment or both att the descretion of the bench and according to the nature of the offence;

It is enacted by the Court that if a motion of marriage bee dueley made to the master and through any semestrey end or Couetous desire bee will not consent therunto; then the cause to bee made knowne vnto the majestrae and they to sett downe such order therin as vpon examination of the case shall appeare to bee most equall on both ptes;

It is enacted by the Court that noe servuant coming out of his time or other single person bee suffered to keep house or bee for him or them selues till such time as hee or they bee competently prouided for of Armes and amunition according to the order of the Collonies and that if any such bee yet wanting they bee prouided as aforesaid or else prouide themselves such masters as may prouide for them and that to bee done forthwith on due warning;

It is enacted by the Court that none bee alowed to bee housekeepers or build any Cottages or dwelling houses till such time as they bee alowed by the Gou&m and Councell of assistants or some one or more of them; and that this order bee strictly observed;

*It is enacted by the Court that noe servuant coming out of England or elsewhere and is to serve a master for some time bee admited his freedome or bee for himselfe vntill he haue served out his time either with his master or some other although hee shall buy out his time except hee haue bine a house keeper or master of a family or meet or fitt to bee soe;

It is enacted by the Court that if any master of a boate shall bring any passengers into any plantation within this Gou&m that may bee chargable or burthensome to the plantation and not haue leaue soe to doe either from the Gou&m or Comittees of the place; shall keep them whiles they stay and recarry them and their goods to the place from whence they came;
It is enacted by the Court that all such as reside within this Gov't that are att their owne dispose and have not taken the oath of fidelity shall these notice given them by the Deputies of the several towns that they are to reparaire vnto some one of the majestres of this jurisdictioun to take the said oath betwixt the date hereof and the Court to bee holden att Plymouthe the first Tuesday in October 1657 and incase after the time prefix'd any shall refuse to take the said oath for the space of six months after, shall either depart the Gov't or pay a fine of five pounds;.

fforasmuch as it was ordered at the Court last that all such as were housekeepers or att their owne dispouse that were not freemen and had not taken the oath of fidelity to this Gov't should take the said oath by that time then prefix'd or bee fined to the Colonies vse the same of five pounds and whereas divers psions notwithstanding all patience and long forbearance refuse to take the said oath and yet make their residence amongst us. It is threfore enacted by the Court and the Authoritie therof that every such psone or psions shall every election Court bee Sumoned to make their appearance theratt during the time of their abode in this Gov't and if any such psone or psions shall then refuse to take the said oath hee shallbe fined the same of five pounds to the Colonies vse.

The oath of any residing in this Gov't.

You shallbee truly loyal to the State and Gou'ment of England as it our Sou' Lord King Charles his heires and Successors, and Wheras you make choise att present to reside within the Gou'ment of New Plymouth you shall not doe or cause to bee done any Acte or Actes directly or Indirectly by land or water that shall or may tend to the destruction or overthrow of the whole or any the severall plantations or Townships within the said Gou'ment that are or shallbee orderly erected and established but shall contrarywise hinder oppose and discover such Intents and purposes as tend therunto to the Gou' for the time being or some one of the Assistants with all convenient speed; "You shall alsoe submitt vnto and obey such good and wholesome lawes ordinances and officers as are or shallbee established within the limitts thereof Soe healp you God whoe is the God of truth and the punisher of falshood;

It is enacted by the Court That noe psone or psones hereafter shallbee Admited to liue and Inhabite within the Gou'ment of New Plymouth without the leave and likeing of the Gou' and two of the Assistants att least:
It is enacted by the Court That all the townships within this Gou'ment shall have libertie to meet together and to make such town orders as shall bee needfull and requisite for the hearing of Cattle and doing such other things as shall bee needfull for the maintainance of good Neighborhood and to set penalties upon delinquents provided that their orders bee not repugnant nor infringing any publick acts and that the fines and penalties shall bee desposèd of afterwards to theire particular townes;

Whereas the townships within this Gou'ment have formerly had libertie to meet together and make some town orders which are thought to bee defective for that they conceived they had not power to make assessments rates and taxes for raising such necessaries expences as shall be disbursed about the generall occasions of the townes concerning the Commonwealth. It is enacted by the Court that every township shall have libertie to meet together and make levies rates and taxes for their townes charges and to destraine such as shall refuse to pay the same viz. warrant from the Court or Gou' or any Assistant;

It is enacted by the Court that if hereafter any Inhabitant or Inhabitants of any town within this Gou'ment shall receive or bring in any person or persons as is apparently likely to bee chargeable to the townships against whom Just exception is made at the time of his coming or within a month after without the consent and assent of the townsmen in a lawfull generall town meeting the pție or pțies that soe receieved or brought them shall discharge the town of them;

It is enacted by the Court that if any person or persons coming out of England or elsewhere bring any person or persons whose by reason of Impotency deseased or otherwise is apparently likely to bee chargeable to the place where hee shall come to Inhabite; the person or persons soe bringing in any such person or persons shall discharge the township of them during the time of the deseased abode there; but incase any Inhabitant within this Collouie shall bring ouer from England or elsewhere or procure to bee sent to them any servant or servants which by Gods prudence shall fall deseased lame or Impotent by the way or after they come heer they shall bee maintained and provided for by theire said masters during the time of their service and covenants although theire said masters release them out of their said service and afterwards to bee releiued by the township where hee is;

*It is enacted by the Court that if any Children or elder persons shall bee sent or come from one town to another to bee Nursed Scooled or otherwise educated or to a Physition or Chirurgion to bee cured of any disease or wound c.e. if they come to stand in need of releife they shall bee releiued and
maintained by the townships whence they came or were sent from and not by that township where they are soe Nurses educated or att cure; and incase they come or bee sent from any place out of this Collonie then if the Nurse educator or Phisition or Chirurgeon take not sufficient Cenuritie of the psions to bee nursed educated or cured to discharge the township of and from all cost or charge which shall or may come and befall the said Townshipe in which hee or they is soe to bee Nursed educated or cured then they the said Nurse educator or Phisition or Chirurgeon as neglecteth the same shall discharge the said Township of them themselves;

It is enacted by the Court that every psion that liueth and is quietly settled in any township of this Gou'ment and not excepted against within the Compase of three months after his coming; in this case shall bee reputed an Inhabitant of this place;

Whereas It was enacted as abovesaid that a psion quietly settled in any town of this Gou'ment & the space of three months should bee reputed an Inhabitant there; It is -- that that acte shall bee expounded and construed onely to haue relation to poor psions; and it is alsoe prouided that that acte shall not to any waies enable any psion to bee reputed an Inhabitant in any township within this Gouermont that shall or doth refuse to take the oath of fidelitie although hee hath bine resident there for some time;

It is enacted by the Court that those that haue releife from the townes where they liue and haue children and doe not Employ them that then it shall bee lawfull for the Township to take order that those Children bee put to worke in fiting Impployment according to their strength and abillettie or placed out by the townes.

Whereas it is obserued that divers psions in this Gou'ment are not able to prouide Competent and convenient food and raiment for their Children whereby it is that poor children are exposed vnto great want and extremitie;

It is enacted by the Court and the Authoritie therof that two or three men shall bee chosen in evey township of this Gou'ment that all such as are not able to provide nessesary and convenient food and clothing for their Childen and will not dispose of them themselues soe as they may bee better prouided for; such said children shall bee disposed of by the said men soe appointed as they shall see meet soe as they may bee comfortably prouided for in the p'ises and the severall townes shall returne the names of such men as shall bee reputed and chosen vnto the Court;

*It is enacted by the court that evey township within this Gou'ment shall make competet provision for the maintainece of their poor according...
as they shall find most convenient and suitable for themselves by an order
and Generall agreement in a publicke towne meeting;

It is enacted by the Court that the Gou" and Assistants shall appoint
some to sett forth the bounds of townships as formerly they haue done;

It is enacted by the Court that if an highway bee wanting in any town-
ship of this Gou"ment vpon due complaint that then the Gou" or any of the
Assistants Impanell a Jury and vpon oath charge them to lay out such waies
both for horse and foot as in Consience they shall find most beneficall for the
Comonwealth and as little prejudiciall as may bee to the p ticulares and that
all old pathes shalbee still allowed except other provision bee orderly made;
and that where there are allowed foot pathes ouer any mans ground which is
fenced vp; the owners of such fences shall make convenient stiles or Gates;

It is enacted by the Court That the Surveyors of the highwaies shall
give three daies warning to the teames and other p ticulares psons when they
are to amend the highwaies as often as need shall require provided they doe
not waone one teame or one psone twise before they haue gon ouer all y" teames
and psons in their township and if any bee orderly warned as aforesaid
and shall neglect bee shalbee fined three shillings a day and for euery teame
soe warned that shall neglect shalbee fined eight shillings a day and that the
Surveyors of such townes where such neglect is shall returne theire Names to
the next majestrate that by warrant the said fines may bee required by the
Cunstable of the towne for the townes vse; and euery Surveyor that shall
neglect his duty in repairing the highwaies shall forfeit five pounds to the
Collonies vse; and if it soe fall out that in the yeare all the teames and
psons haue not bine warned to the worke aforesaid that they bee all warned ouer
before they begine againe; and that the new Surveyors shall begin where the
old ends; and that incase a teame or man bee wanting that the Surveyors shall
hir a teame or man and to bee paid out of the fine of him that is absent;

It is enacted by the Court that the Wills and Testaments of such as die
bee proued orderly before the Gou" and assistants the next Court after the
ptie is deceased prouided the Court bee not within a month after the death
of the Testator; and that a full Inventory duey valuated bee presented with
the same before letters of Administration bee granted to any; of all the
goods and Chattles of the said psons; also if incase any man die without
Will then his goods bee by his wife or others nearest to him Inventoried and
duey valuated and presented to the Gou"nor and assistants at the time formen-
cioned; and if it bee a single psone without kined hear resident that then
the Gou" appoint some to take a Just Inventory of the same vpon oath to bee
ture and Just as in other the cases before mentioned;
It is enacted by the Court that if any man being sicke and weake and otherwise but of disposing memory to declare his mind and will concerning the disposing or bequeathing of his lands or goods before two or more of the freeholders of the place where hee liues; It shall bee vpon their oathes recorded and remaine seirm according to such devise and bequest.

It is enacted by the Court that none doe keep Victualling houses or Ordinarys or draw wine but such as are allowed by the Generall Court and that if any Victualler or ordinary keeper doe either drink drunke himselfe or suffer any pson to bee drunken in his house they shall pay five shillings apeece; and if the Victualler or ordinary keeper doe suffer any townsmen to stay drinking in his house aboue an houre att one time the victualler or ordinary keeper shall pay for euery such default twelue pence and the pson soe staying aboue the said houre three shillings and foure pence; and by drunkeness is understood a pson that lapes or faulters in his spech by reason of ouermuch drinke or that stagers in his going or that vomitts by reason of excessiue drinking or cannot follow his calling the pson or psous that shalbee found guilty in these or any of them shall for the first default pay five shillings and for the second default ten shillings to the Collonies vse and for the third time to bee bound to the good behavor and if hee or they can not or will not pay the fines then to bee sett in the Stockes; and soe for the fourth time to bee fined five pounds or bee whipt and soe from time to time as often as they shall soe Transgresse;

It is enacted by the Court that none shall bee suffered to retaile wine stronge waters or beer either within dores or without except in Inns or Victualling houses allowed and that noe beer bee sould in any such place to exceed in prise two pence the Winchester quart;

It is enacted by the Court that the Children and servants of such as dwell neare any Victualling house bee not entertained or suffered by the master of the said house there to drinke and spend theire time but if any such can bee proued it bee esteemed a misdemeanour punishable in the said Victualler and to bee Inquired into;

forsasmuch as great Inconveniencies have bine occasioned by young men and other labourers that have dieted in Inns and Ale houses especially whoe have had other houses to reparaie vnto in the same towne It is threfoere enacted by the Court that none shall diett in Inns and Alehouses nor haunt them which are in the townes they lye in nor make them the ordinary place of theire abode;
It is enacted by the Court

That incase of weaknes or sicknes of any pson or psions in any towne within this Gou'ment and that such as are deputed to draw and sell wine or strong waters haue none It shalbee lawfull for any one that hath any such that they may sell it for such Intents and purposes as to relieue the weake and sicke notwithstanding any former order to the contrary prouided it bee with the likeing and approbation of the majestrate if theire bee any in that towne and incase there bee none that then it bee with the concet of the Cunstable of the Towne;

It is enacted by the Court that fishing fowling and hunting bee free prouided if any damage comes to any pticulare by the procecution of such exercise restitutions bee made or the case actionable but if any man desire to Improve a place and stocke it with fish of any kind for his private vse It shalbee lawfull for the court to make any such graunt and forbid all others to make vse of it;

It is enacted by the Court that six score fishes shalbee accounted to the hundred of all sorts of fishes;

It is enacted by the Court that whereas the publicke charges of the Countrey are Increased and that by Gods providence many whales and other fishes are cast on shore in many ptes of this Jurisdiction out of which the court sees reason to require some pte of the oyle made of them this court now ordereth that of every whale either cast on shore or bought of any Indian or Indians or taken on drift att sea and brought to shore in any pte of this Jurisdiction there shalbee one barrell of marchantable oyle paied to the publicke Treasury to the Collonies vse to bee raised and paied as followeth viz: euery towne shall pay one barrell of marchantable oyle for every drift whale cast or brought on shore and seized on within the liberties and precincts of theire seuerall townships or traded or bought of the Indians within theire townships and the pson or psions as first seize or cutt any whale or shall purchase or trade any such whales of the Indians that shalbee soe cast on shore in any place within this Jurisdiction out of the bounds of every pticulare township shall pay one full barrell of marchantable oyle for every such whale which shalbee deliuered att Boston to such as the treasurer shall appoint to receiue it from yeare to yeare and the fraight thereof shalbee fully discharged by those that shall deliuer it and a receipt taken from such as to whom it is deliuered shalbee a discharge to those that shall deliuer it; and the pson or psions as first seizeth any whale or shall purchase or trade any
such whales of the Indians that shall bee so cast on shore in any place within this Jurisdiction out of the bounds of any particular township bee or they are heerby Authorised to cause all such psions as cutt with him or them to pay theire equall proportion to him according to what they cutt towards the said barrell of oyle and alsoe that it shall not bee lawfull for any psion or psions of any townshipp to cut for themselves or trad with the Indians for any blubber or oyle cast vp or cut within the precinctes of another township provided that if any man take a drift whale of att sea and bring or tow it to the shore it shallbee accounted his owne goods; if within an harbour or mile of the shore they are to bee reputed the townshipes where they are taken;

"It is enacted by the Court
That one Comon Standard bee vsed by all for waights and measures and that according to Winchester which is the Standard of England

It is enacted by the Court
That euery Towne within this Gou'ment shall have a Standard for measures of Corn made by those that are provided att Plymouth by a former order of Court; for that end to try and Seale their measures by; which are to bee uneforme amongst them and to bee made round; and those to bee provided by the last of November 1658 and to bee kept by the Seallers of euery townes for the townes vse;

It is enacted by the Court
That euery towne within this Jurisdiction there bee one appointed to try and seale measures and to haue for euery measure four pence which shallbee tryed and sealed by him; and onely round measures to bee allowed to by and sell by; and that the seuerall townes shall choose a fitt psion for each towne for sealler and p'sent him to a majestrate to bee Sworne;

It is enacted by the Court that none shall sell by vnsealed weightes and measures which are not weight and measure by the Standard and that if any shall doe doe they shall loose such weightes and measures and make restitution to the psions soe wronged by such weight and measure and shall pay to the Collonies vse for euery such default of falce weight and measure for the first time six shillings for the 2nd time thirteene shillings and foure pence and for the third time twenty shillings and such weightes and measures to bee burnt and that a pile of weightes according to Winchester bee procured to bee standard and that the sealler shall haue for sealing a peny for euery weight vnnder a quarter of a pound; and for all above a quarter of a pound to six pound 2 pence a pece; and for all above six to an hundred weight four pence;
It is enacted by the Court that noe miller within this Jurisdiction shall take aboue the sixteenth pte of a bushelel for grinding such Corn as is brought vnto him to bee ground; and that all Millers within this Jurisdiction shall either grind theire Corn sufficiently that is brought vnto them for that end or else that vpon complaint to the Court therof and the thinge proned the Miller shall pay for every such default six pence for every bushelel to the pty Greiued and six pence to the Treasurer to the use of the Collonie.

It is enacted by Court that every Miller within this Jurisdiction shall have two toule dishes viz: a quart and a pottle but to bee soe made that vpheaped they will hould noe more then a quart and a pottle by the measure alowed and those to bee sealed by the last of November 1658 or else to pay ten shillings for every month soe longe as the said miller keepeth them vnsailell after and that all Millers shall prouide Scales and weightes to way mens Corn as occasion shall require.

*It is enacted by the Court and the Authorite therof that all such caske as are or shalbee made by any Cooper within this Gou'ment shall have the two first letters of his Name sett on every such caske hee makes; by a burnt marke vpone penaltie of the lose of his Caske the one halfe to the Countrrey the other halfe to the enformer; and this order to bee in force forthwith.

It is enacted by the Court that all Coopers within this Gou'ment are to make all theire Caske according to London Gage vpon the like penaltie;

It is enacted by the Court that every towne within this Gou'ment shall choose a fitt pson for serching of Caske and packing of fish and meat and to p'sent them to a majestrate to bee Sworne.

It is enacted by the Court

That such fences as are Judged sufficient against oxen and Cowes shalbee alowed sufficient against horses and mares; and if any horse beast breake into any Corn or grasse ouer such sufficient fence; the owners of such horses shall pay the damages proued as if they were Impounded.

It is enacted by the Court that every Cunstablericke have a sufficient pound to Impound Cattle that shall Transgresse any such orders as are or shalbee made;

It is enacted by the Court that incase any cattle horses or hoggs shall trespass vpon any and bee by them Impounded and after they are Impounded they remayne foure daies after notice giuen to the oweners and bee neither replieuied nor agreed for; It shalbee lawfull for them as Impound them to
make publicke sale of them after publicke notice giuen to the Inhabitants of the towne of their Intention see to doe; and after damages Satisfied the remainder to bee returned to the owners.

It is enacted by the Court

That whatsoever damage comes to any by Cowes goates mares sheep or hoggs by breaking into mens sufficient Inclosures It shall bee lawfull for the psons soe damnified to Impound them; and two sufficient men to view the damage which shall accordingly bee giuen and paiied;

It is enacted by the Court that noe man shall heard his owne Cattle or other mens to the p'judice of any; att or neare his or their house vpon theire land; but vpon due notice and warning shall reforme it or the case bee actionable;

It is enacted by the Court that if any Indian shall kill a woule in any township of this Jurisdiction hee shall bee paiied a Coate of Trading Cloth and if any English shall kill a woule hee shall bee paiied fifteen shillings to bee paiied by the Countrey and defrayed by the Treasurer

*It is enacted by the Court and the Authoritie therof

1. That euerie Towne in this Gou'ment shall haue some publike brand marke for theire horses to destinguish them from other townes and alsoe some fitt pson appointed to take notice of mens publicke marke for horses and regester them in a booke with theire day and yeare which may bee the towne Clarke and the said pson to haue four pence a piece for euerie horse kind hee regester[^52]

2. That all psions that are resident in any towne ship and haue horses goeing there giue in vnto the said pson from time to time theire seuerall marke for theire horses with theire age that soe they may record them;

3. That if any horse kind being aboue two yeares old and noe marke whereby the owner of them may bee clearly knowne that the said pson soe deputed takeing notice of any such signify the same to the marshall the next generall Court that soe hee may bee three times cryed with his age and couller and that if within six moneths afterwards any vpon due evidence can owne them paying all nessesarie charges hee may hame him; but if in six moneths time none can owne him that then the said horse kind bee looked att as belonging to the Countrey and the Treasurer to take order to despose of him for the Countreyes vse as the Countreyes stocke defraying all nessesarie charges.

4. That noe pson or psons marke any horse kind younge or old but before sufficient witnesse that none bee wronged;
5. That noe pson or psions take vp any horse kind soc as to send them out of this Gou'ment before hee or they cary the same to the psion deputed and soc evidence it to bee his or theirres for whom taken vp and take a note vnder his hand and that hee shall enter it both day and yeare;

6. That noe Indians bee pmited to course or take vp any horses except in companie with the English and that with the consent and approbacon of a majestrate if there bee any in that towne; if not the approbacon of the Towne clarke;

7. That if any psion or psions shalbee found carying any horse kind out of this Jurisdiction without a note vnder the hand of the ptie deputed as abouesaid from whence hee came that the horse bee Cecured att the Owners charge vntill a note bee procured and the psion that brought him bee fined five pounds to the Countrey if an Inhabitant; but if a stranger not knowing the order the like penaltie vpon him that deliuered him if an Indian to bee publickely whipt by the Custable where hee shalbee taken with the horse;

8. That wheras seuerall complaints haue bee made to the Court by diuers of great wronge and damage by straying horses not onely of other townes but alsoe of other Jurisdictions and noe redresse; This Court ordereth That all such psions whose horses bee Treasps and yett noe redresse or satisfaction Tendered; that the Townshipes bee agreued as they haue opportunitie; doe Impound the said horses vntill some due satisfaction bee giuen or Composition made for the treasps and alsoe all other dues for theire Impounding; and hee that keeps the pound to haue six pence for every horse that is Impounded;

*Wheras it hath bee an ancient and wholesome order bearing date March the seauenth 1636 that noe psion coming from other ptes bee alowed an Inhabitant of this Jurisdiction but by the approbacon of the Gou' and two of the majestrates att least and that many psions contrary to this order of Court are crept into some townshipes of this Jurisdiction which are and may bee a great desturbance of our more peacable proceedings bee it Inacted by the Court and the Authoritie therof that if any such psion or psions shalbee found that hath not doth not or will not apply and approve themselves soc as to procure the approbacon of the Gou' and two of the assistants that such bee enquired after and if any such psions shalbee found that either they depart the Gou'ment or else that the Court take some such course therin as shalbee thought meet;

It is enacted by the Court That none shall make sale of any boards planks or Timber out of the Gou'ment that hath bee growing in any
swampes that are reserved for publicke use without leave but shall onely soe doe of such as arise out of theire owne proper grounds.

It is enacted by the Court that for the preuenting of such Inconveniences as may befall the Gou'ment by the want of Timber that noe man of what condition soeuer shall sell or Transport any manor of workes as frames for houses planks boards shiping Shallopes boates cannoes or whatsoever may tend to the destruction of timber how little soeuer the quantitie bee without the consent aprobacon and liking of the Gou' and Asistants and if any bee found faulty hererin and shall Imbarque or convey to that end to make sale of any of the ptcularaces aforesaid expressed or Intended by this order the said Timber to bee forfeited and to bee fined twice the value thereof soe sould to bee leuied for the vse of the Collonie except what ariseth within theire owne township or ptcularie lands;

It is enacted by the Court that whosoever shall saw any boards in any place within this Gou'ment that is not in the bounds of any ptcularie township shall pay to the vse of the Gou'ment one shilling and eight pence for every Thousand to bee paid to the Treasurer for the vse of the Collonie and of timber and planke according to the proportion answereble;

Whereas Complaint is made that much Timber is feld on the comon and lett lye and not Imployed and suffered to rott there by those that feled it and therby the Country much damnified It is enacted by the Court that whosoever shall or hath felled any Timber on the Comon and doth not either Square or Rie it within halfe a yeare after it is felled it shalbee lawfull for any other to make vse thereof as they shall see meet;

It is enacted by the Court that after December 1658 noe raw hides (either slaughtered or otherwise falling or any skines viz: dear skins sheep skins goate skins or calue skins that shall fall shalbee Transported out of the Gou'ment on the penaltie of forfeiting them or their vallue to the Collonies vse;

*It is enacted by the Court that when the vpper Marshall shall have occasion to levy any fine or fines hee hath libertie by this order to choose one to prise the goods or Chattles taken by destresse; and the delinquent hath libertie to choose another if hee please but if the delinquent shall refuse to choose another then the Marshall and him whose hee hath chosen shall prise the said goods or Chattles and incase any bee required by the Marshall to prise the said goods or Chattles and shall refuse hee shalbee fined fve shillings for every such default to the Collonies vse; and what expence of time
and pains any shalbee att in prising such said goods or Chattles hoe shalbee reasonably satisfied for the same.

1658. It is enacted by the Court that if any shalbee chosen to serve ou the Grand enquest and shall refuse to serve hee shalbee fined to the Collonies vse the sume of ten shillings for every Court that hee is absent within the yeare for which hee is chosen to serve and incase hee shall wholly exclude himselfe all the yeare hee shalbee fined the sume of forty shillings to the vse of the Collonie vnslesse hee can give sufficient reason to the Contrary vnto the Court;

1658. Wheras sundry psons both Quakers and others wander vp and downe in this Jurisdiction and follow noe lawfull calling to earne theire owne bread and alsoe vse all Indeauours to Subvert Ciuill State and to pull downe all churches and ordinances of God to thrust vs out of the ways of God notwithstanding all former lawes provided for the contrary;

Bee it therefore enacted by this Court and the Authoritie therof that with all convenient Speed a worke house or house of Correction bee erected that all such vagrants as wander vp and downe without any lawfull calling and alsoe all Idle psons or rebellious children or servants that are stuborne and will not worke to earn theire owne bread and yet haue not wherewith to main-taine themselues may bee put to this house of Correction and there bee Im-ployed in such worke as shalbee there prouided for them and to haue noe other Supply for theire sustainece then what they shall earne by theire labour all the while that they continew there and alsoe that some faithfull man bee appointed by the Court to bee overseer of this house of correction whoe shall carfully observe such orders as shalbee from time to time directed to him from the Gou''ment or any of his assistants concerning any psone or psons that may bee sent to him;

1658. Wheras it is obserued that divers psons in this Gou''ment are not able to provide competent and convenient food and raiment for theire Children wherby it is that poor children are exposed vnto great want and extremitie It is enacted by the Court and the Authoritie therof that two or three men shalbee chosen in euerie townehip of this Gou''ment that all such as are not able to provide nessesary and convenient food and clothing for theire children and will not dispose of them themselves soe as they may bee better provided for; such said children shalbee disposed of by the said men soe appointed as they shall see meet soe as they may bee comfortably provided for in the p''mises; and the scouerall townes shall returne the names of such men as shalbee soe deputed vnto the Court;
*It is enacted by the Court that incase any shall bring in any Quaker or Rantor or other Notorious heritable by land or water into any pte of this Government shall forthwith upon order from any one magistrate returne them to the place from whence they Came or cleare the Government of them on the penaltie of paying a fine of twenty shillings for every weeke that they shall stay in the Government after warning;

It is enacted by the Court and the Authoritie thereof that incase any towne of this Government shalbee fined that the Court shall appoint three men to make a rate to leuy the fine whose shall proceed therein according to the rules sett downe in the orders about the rates of the Countrey as neare as may bee and incase such men as shalbee soe appointed to make the said rates shall neglect it; they shall pay the fine themselves and such said rates as shalbee made; a copy thereof shalbee delievered to the Cunstable to bee leuied as rates for other charges;

It is enacted by the Court and the Authoritie thereof that incase there shalbee occasion to Impoy a messenger in the Countreyes busines that it shalbee lawfull for any of the magistrates to presse any pson or psions to goe on the Countreyes occations and to bee payed out of the Countreyes stocke.

It is enacted by the Court that every township in this Government shall have a booke of the lawes of the Collonie and that they bee read openly once every yeare;

*Acts and orders of Court made and concluded the seuenth of June 1659

fforasmuch as many psions are greatly corrupted with the Quakers doctrines by reading therein bookes writings or Epistles which are sent and distributed into sundry places within this Jurisdiction; It is therefore enacted by the Court and the Authoritie thereof that incase the Cunstable or Grandjurymen or Marshall shall find or heare of any Quakers bookes epistles or writings hee shall seize on them and p'sent them to a magistrate or the next court;

Whereas the grand enquest is a place of great trust and concernment in the Comon wealth; in discharge wherof is required expence of time and Charge; It is therefore enacted by the Court that the seuerall townes of this Jurisdiction shall pay their grandjurymen towards their expence of time and Charge att three Courts two shillings and sixpence a day and nothing att election Courts and that onely fit and able psions bee chosen for that service; [and that the new grandjury men need not to appeare to take their Oath till the fifth day in the Court weeke. S.]
Repealed the 14 of June 1660.

It is enacted by the Court that the Majestates shalbee hencforth freed from all publicke rates as respecting the majestates table Clarke and Marshalls wages.

It is enacted by the Court that such horses and mares as shall appeare to bee the Countreyes by order of Court the one halfe of them shalbee the townes where they are taken vp the due charge being taken out of the said halfe and the other halfe to bee the Gou'ners then in being;

*It is enacted by the Court that a proposition bee made to the Quakers that such of them as will promise and engage to remoue their dwellinges out of this Gou'ment within six monethes after this p'sent Court and pforme it; that noe fine bee exacted of them as soe engage; and such as whose estates are soe Impouerished as they are disabled to remoue they shall haue som supply made them out of the Tresury to healp them;

It is enacted by the Court that whatsoeuer psen or psons shall frequently absent or neglect vpon the Lords day the publicke worship of God that is approued of by this Gou'ment shall forscite for every such default ten shillings

It is enacted by the Court that wher highwaies are wanting in any towneship of this Jurisdiction that there the next Majestrate vnto such Towneshipp shall Impannell a Jury for the laying out of such wayes as shalbee found by them convenient.

It is enacted by the Court that every Cunstable of this Jurisdiction shall haue a Cunstable staffe wherby to distinguish them in their office from others and to bee prouided by the treasurer and to bee deliuered by the forgoing Cunstable to him that Succeeds yearly;

*It is enacted by the Court that a proposition bee made vnto the seuerall townshippes of this Jurisdiction whether in respect vnto the repealing of such lawes as were made in March i657 and June i658 and Septem: i658 they shall thinke it meet to sumon the whole body of freemen to come together; that soe the minds of the major pte of the freemen may bee knowne about the p'mises and to send their minds to the next October Court.

It is enacted that the law respecting the oath of fidelitie shall stand in full force onely that it shalbee in the power of the majestates to metegate the execution therof to such as are or shall appeare to bee low in their estates.

It is enacted by the Court that all sentances and Censures that shall fall out to bee Inflicted by the vnder Marshall viz: whipping Stocking stickmatiesing or puting to death bee shalbee payed for the same by the Countrey out of the Treasury:

The two lawes respecting this paticular made in 1651 were repealed both of them this Court; 1659, 1659.

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1659.

The law about the vnder Marshalls pay made 1658 is repealed.
It is enacted by the Court that such as stay drinking or tippling wine or strong drinke abusively in any house of any township of this Jurisdiction the Constable or grandjurymen of the towne are hereby authorised to make enquiry into such abuses and finding any to transgresse to warne them or cause them to bee warned to the Court to answer for their misdemeanors therin;

*It is enacted by the Court that three men bee Nominated in the voates for choise of Comissioners that soe incase of the fayling of either of the first two nominated in the voates by reason of some evident hand of God Impeding then the third nominated to supply his place;

Wheras Complaint is made that the Indians in seuerall ptes of this Jurisdiction liuuing in remote places from any townships haue receuied great damage by the horses and hoggs of the English; It is enacted by the Court that it shalbee lawfull for the Indians soe anoyed by the horses or hoggs of the English whoe liue remote from any towne to bring such horses or hoggs to the pound in the next township and there to bee kept till the owners take a course to satisfy the damage; and such Indians to haue twelve pence a piece for horses and six pence apeece for hoggs, if they bring them aboue eight miles; and alsoe that if any neat Cattle shall trespas the Indians; It shalbee lawfull for them to Impound them that soe they may haue resonable Satisfaction;

It is enacted by the Court that the Vnder Marshall shall haue of any prisoner comited to his charge two shillings and six pence for Comitment and two shillings and six pence for his release and one shilling and six pence a day for the time hee keepes him afterwards.

It is enacted by the Court that every towne of this Jurisdiction shall haue a pound to impound Cattle by the Next october Court on the penalty of five pounds for every towne that shall neglect; and a pounder to keep it;

*It is enacted by the Court that if any towne in this Jurisdiction shall Neglect to procure a brand marke by the last of July next for to marke their horses according to order shalbee fined five pounds;

It is further ordered that every owner of horses shall take the first opportunitie to marke and enter theire horses according to order and incase any shall neglect soe to doe betwixt this and March court next shall forsite five shillings to the towne for such default for every horse found unmarked;
The mark for horses for destinction of the townes

for Plymouth a P on the neer buttcke
Duxburrow a D on the neer buttcke
Scituate an S on the neer buttcke
Taunt a T on the neer shoulder
Sandwich an S on the neer shoulder
Yarmouth a Y on the neer shoulder
Barnstable a B on the neer Buttocke
Marshfield an M on the neer Buttocke
Rehoboth an R on the near Buttocke
Eastham an E on the far shoulder
Bridgewater B on the neer shoulder;

The Court understanding that some in an vnnderhand way have given vnto the Indians money or goods for their lands formerly Purchased according to order of Court by the majestretes therby Insinuating as if they had dealt vnjustly with them It is enacted by the Court that some course bee taken with those whom wee vnnderstend [have lately transgressed in that kind. S.]

*It is enacted by the Court that the Grandjurymen in each towne of this Gou'ment bee warned att election Courts to make their appearance on the sft day of that weeke.

[The law for hides is repealed. the law about the Marshalls wages Anno 1658. is repealed. the Two lawes about neglecting the worshipp of God made 1651 are repealed. S.]

Wheras some have desired and others thinke it meett to pmitt some psions to frequent the Quakers meetings to endeavor to reduce them from the error of theire wayes the Court Considering the p'mises doe pmitt John Smith of Barnstable Isacke Robinson John Chipman; and John Cooke of Plymouth or any two of them to attend the said meetings for the ends aforesaid att any time betwixt this Court and the next october Court;

The Court alloweth vnto each Towne in this Gou'ment thirty shillings to bee Imployed towards the setting forth of the troop of Horse viz thirty shillings for every horse they shall sett forth.

[The Court Alloweth to Each Towne in this government to be employed towards the setinge forth A Troop of Horse the sum of thirty shillings for every horse they set forth and is to bee disposed off by the deputyes of the Townes for ye ends Aforesayd and this is to bee payd by the Treasurer. Leis-
tenant Torrey Joyned to goodman Stetson to act in this Busines. S.]

It is enacted by the Court that noe Strong liquors shalbee sould in any place within this Gou'ment to exceed in prise three shillings a quart.
*Acts and orders made and concluded At the
Generall Court held att New Plymouth
the 10th of June 1660:

WHEREAS there hath severall ps ons come into this Gou'ment comonly
called Quakers whose doctrine and practices manifestly tends to the
Subversion of the foundamentals of Christian Religion Church order and the
Ciuill peace of this Gou'ment as appeers by the Testimonies gien in sundry
depositions and otherwise It is therfore enacted by the Court and the Author-
tie thereof; that Noe Quaker or pson comonly doe called bee entertained by
any pson or ps ons within this Gou'ment vnder the penaltie of five pounds for
every such default or bee whipt; and incase any one shall entertaine any
such pson Ignorantly if hee shall Testify on his oath that hee knew not them
to bee such bee shall bee freed of the aforesaid penaltie; prouided hee vpon his
first desiring them to bee such doe descover them to the Cunstable or his
deputie;

It is alsoe enacted by the Court and the Authoritie thereof that if any
Rantor or Quaker or pson comonly doe called shall come into any towne
within this Gou'ment; and bee apprehended by the Cunstable or any other;
they shall bring them before some one of the majestates of this Jurisdiction
whoe shall comitt him or them to the Jayle; and there to bee kept in close
durance and to have onely such provision as the Countrey aloweth which is
thripe a day and doe to remaine vntill the next Court after theire Comit-
ment; and then to bee presented before the Court and by them Injoyned;
directly to depart out of the Gou'ment; and incase hee or they shall refuse
or neglect doe to doe; then that they shall bee publickly whipt and sent out of
the Gou'ment paying their fees; and forasmuch as the meetings of such
ps ons whether strangers or others proueth disturbing to the peace of this
Gou'ment;

It is therfore enacted by the Court and the Authoritie thereof that henc-
forth noe such meetings bee Assembled or kept by any pson in any place
within this Gou'ment vnder the penaltie of forty shillings a time for every
speaker and ten shillings a time for every hearer (that are heads of families)
and forty shillings a time for the owner of the place that prmitts them doe to
meet together; and all such as shall bee found att any such meetings; as are
vnder the Gou'ment of others as wifes children or seruants; &c. The Cunsta-
ble of such a towne where such meeting is shall forthwith carry them either
into the stockes or Cage whoe shall remaine there according to the descretion
of the said Cunstable prouided if hee put them into the stockes they shall not
continew there aboue two houres if in the winter nor aboue four houres if in the summer; and if hee put them Into the Cage they shall not continew there longer then vntill night if in the winter; and not longer then the next morning in the summer; and for all young psoms whom are at thaire owne dispose and shalbee found att any such meetings that the same course bee taken with them either by putting them into the Cage or stockes;

*It is enacted by the Court that there shalbee in the seuerall Townshipes of this Jurisdiction a Cage erected especially att Sandwich Duxburrow Marshfeild and Scitteate and that the charge of them shalbee defrayed out of such fines as shall arise out of the said Townshipes sece that the said charge exceed not three pounds;

Whereas by a former order of Court all psoms were required to give notice to the Cunstables of thaire seuerall precints of all such psoms as were knowne to bee foraigne Quakers; Now this p'sent Court doth enacte that it shalbee lawfull for any Inhabitant within this Jurisdiction vpon thaire knowlidge; and haueing opportunitie to vse all endeavours to Apprehend all such Quakers and to deliver them to the Cunstable or bring them before the Gou'ment or some one of the majestrates;

Whereas wee find that of late time the Quakers haue bine furnished with horses and therby they haue not onely the more speedy passage from place to place to the poisoning of the Inhabitants with thaire cursed Tenetts; but alsoe therby haue escaped the hands of the officers that might otherwise haue apprehended them It is thercfore enacted by the Court and the Authoritie thereof That if any psom or psoms whatsoever in this Gou'ment doth or shall furnish any of them with horse or horse kind the same to bee forfeited and seized on for the vse of this Gou'ment; or any horses that they shall bring into the Gou'ment or shalbee brought in for them and they make vse of shalbee forfeited as afsaide; and that it shalbee lawfull for any Inhabitant to make seizure of any such horse and to deliver him to the Cunstable or the Tresurer for the vse of the Countrey.

In reference to the putting in execution the order about the house of Correction; it is ordered by the Court that an addition shalbee erected of fourteen foot longe of equall hight with the prison att the one end thereof with two Chemnuyes in it; one in the lower rome and the other in the vper rome; with a yard afore it of about eight foot high made of boards; and the Tresurer is to take some Speedy course for the doing of it; and that a fitt psom bee chosen by the Majestrates to bee the ouerseer thereof;
*It is enacted by the Court that any one that shall bring in any Quaker or Rantor by land or water into this Government viz: by being a guide to them or any otherwise shall be fined to the use of the Government the sume of ten pounds for every such default;

Whearas some Trouble and Inconvenience hath arisen by reason that some haue beene chosen to the office of Cunstable and have rather chosen to pay the fine formerly Amerced for such default then to serue in the said office; and soe the townes Nessesitated to make a new choice thereby putting them to further Charge; It is enacted by the Court and the Authoritie therof that if any man being chosen by any Towne in this Government to serue in the office of a Cunstable and shall refuse to serue therein shall be fined the sume of four pounds the one halfe therof to the towne in which they are chosen and the other halfe therof to the use of the Collonie;

It is enacted by the Court that the Vnder Marshall shall haue twenty Nobles more aded to his former wages To bee payed out of the Tresury; and that for the future hee shall not expect any fees for the keeping of any prisoner; saue onely to haue two shillings and six pence for comittment and two shillings and sixpence for release as formerly;

Whearas the Court hath taken notice that divers of the freemen of this Corporation doe neither appeare att Courts of election nor send their voates by proxy for the Chois of magistrates &c. It is enacted by the Court and the Authoritie therof; that whosoeuer of the freemen of this Corporation; that shall not appeare att the Court of election att Plymouth in June annually nor send their voate by proxy according to order of Court for the chaise of Govt Assitants Comissioners and Treasurer shall be fined to the Collonies vse the sume of ten shillings for every such default; vnalesse some vnavoidable impediment hinder such in their appearance;

*Whearas the millitary Companies of this Jurisdiction are entered into a Regementall Posture and therfore that the use of Pikes is nessecery and some alreddy proovided for that end; It is enacted by the Court that the charge of the said pikes shalbe borne by the townes respectiuely and that notwithstanding this order that such as exersiceth with the said pikes shall keep their other Armes viz: Muskett &c fix and fitt for service;

In reference vnto the order of Court concerning carying of Armes to the meetings on the Lords day it is enacted by the Court and the Authoritie that if any ouerseer of any Squadron in any millitary Companie of
this Jurisdiction that shall neglect to take notice of and present a true list of such as are defective in bringing their Armes to the meeting on the Lords day shall bee fined the sume of three pounds to the Collonies vse;

It is enacted by the Court that for matter of ordinary delinquency about penall lawes It shall bee lawfull for the Court of Majestrates to Issue the same in point of sensure without Impanelling of a Jury for the tryall of the case encase the fine exceed not the sume of ten pounds;

It is enacted by the Court that all Controouersyes that shall arise betwixt man and man not exceeding forty shillings shall bee ended by the majestes att the Court of assistants without Impanelling of a Jury for the tryall of the case;

It is enacted by the Court that whosoever shall sell by Retael any wine or stronge waters in any towne of this Gov'ment being not alowed by the Court shall bee fined five pounds to the vse of the Collonie for every such default; except they sell it to such as are alowed to retael.

It is enacted by the Court that henceforth noe fines due to the Countrey shall bee payed in Wampampeak.

*forasmuch as Complaint is made that many Indians presse into divers ptes of this Jurisdiction; wherby some of the plantations begine to bee oppressed by them; It is enacted by the Court that noe strange or foraigne Indians shall bee permitted to come into any pte of this Jurisdiction soe as to make their residence there; and for that end that notice bee giuen to the severall Sagamores to prevent the same;

It is enacted by the Court and the Authoritie therof that every pson of the age of discretion which is accounted sixteen yeares whose shall wittingly and willingly make or publish any lye which may bee pnisious to the publicke weale or tending to the damage or hurt of any peticular pson or with Intent to deceiu and abuse the people with falce newes or reports shall bee fined for every such default ten shillings; and if the pty bee vnable to pay then to bee sett in the stockes soe longe as the Court shall think meet;

[The former Order About lyinge is Repealed and likewise the Order about Tryalls at May Courts soe that henceforth all Tryalls by way of Jury are to bee Tyred either at October or March yearly and at no other court. S.]

Memorandum That Duxbarrow bee eased in the charg about the troop of horse the next yeare;
THE Court have ordered that the law concerning not coming to our meetings that the fines shall not be levied until the Court shall be in a capacity to order otherwise;

It is enacted by the Court and the Authoritie therof That all our Courts warrants Summons and Comaunds bee all done directed and made in the Name of his Ma: of England our dread Sou'; and alsoe that all Suiull officers and minnesters of Justice within this Jurisdiction to bee Sworne in his said Ma: Name as alsoe that the oath of fidelitie and all other oathes shall goe in that tenure;

In reference vnto the law prohibiting buying or hirring land of the Indians directly or Indirectly bearing date 1643 the Court Interpretts those words alsoe to comprehend under the same penaltie; a prohibition of any mans receuicing any lands vnder pretence of any gift from the Indians without the approbation of the Court; likewise the prohibition of any English to gine any powder shott or Amunition horses or boates is Intended alsoe vnder the same tearme of Indirect selling vnto the Indians vnder the same penaltie;

The fift of June 1661 Charles the second; Kinge of England Scotland France and Ireland &c; was Solemly Proclaimed Att Plymouth in New England;

IT is enacted by the Court 'and the authoritie thereof That all sons within this Gou'ment that are att theire owne dispose and haue not taken the oath of fidelitie shall repairre vnto some one of the meajstras of this Jurisdiction to take the said oath; which if they shall neglect or refuse to doe such psone or psONES shallbee Sumoned to euery election Court to make theire appeareance theratt; during the time of theire abode in this Gou'ment; and if any such psone or psONES shall then refuse to take the said oath they shallbee fined the same of five pounds to the Collonies vse;
or them and vpon examination soe appearing hee shall whip them or cause them to be whipt with rodds; soe it exceed not fifteen stripes; and to give him or them a passe to depart the Go[u]ment; and if any such psone or psones bee found within the Go[u]ment; without their passe or not acting according thervnto they shallbee punished againe as formerly; and incase any Constable of this Jurisdiction shallbee unwilling or cannot procure any to Inflict the punishment aforesaid that then they shall bringe such psones to Plymouth to the vnder Marshall and hee shall enflict it;

And foras much as the meetings of such psones whether strangers or others proueth disturbing to the peace of this Gou'ment It is enacted by the Court and the Authoritie therof That henceforth noe such meetings bee assembled or kept by any psones in any place within this Gou'ment under the penaltie of forty shillings a time for the owner of the place that permits them soe to meet together or bee whipt; and for all such as are speakers in such meetinges to pay the like penaltie of forty shillings or bee whipt;

It is enacted by the Court That the marshall Gorge Barlow shall hane libertie to apprehend any forraigne Quaker or Quakers in any pte of this Jurisdiction and to bee proceeded according to order prouided in that case;

*It is enacted by the Court and the Authoritie therof that henceforth noe psone or psones shall pmiit any meetinges of the Quakers to bee in his house or housing on the penaltie of being sumoned to the generall Court and there being convicted thereof shallbee publickly whipt or pay fiue pounds to the Collonies vse.

Whereas there is a Constant monthly meeting together of the Quakers from divers places in great numbers which is very offencive and may prove greatly prejudicialll to this Gou'ment; and inasmuch as the most constant place for such meetinges is att Duxburrow; This Court have desired and appointed Mr Constant Southworth and Willam Payboddy to repaire to such there meetinges together with the marshall or Constable of the Towne; and to use their best endeauors by argument and discourse to convince or hinder them; and incase the place of there meeting should bee changed, The Court desires the abowe named or any other meet psones to attend them there alsole;

It is enacted by the Court and the Authoritie therof That hensforth noe Summons bee Issued forth before the action bee entered and Charges defrayed.

It is enacted by the Court that henceforth all euidences and Testimonials that shallbee produced for the clearing of any case shallbee giuen into the Court in writing and to bee kept vpon the file;
florasmuch as Jurymen for Tryall of causes betwixt pty and p'ty have bine Sumoned out of the Towne of Plymouth and other townes neare therunto and that by the frequency therof it hath proued burthenome to such; It is enacted by the Court and the Authoritie therof that out of other townes of this Jurisdiction; the most remote excepted; as occasion shall require there shalbee one man out of each towne required to attend the Courts for such purpose whose name shalbee specified in the warrants that are Issued forth to warne the Court.

It is enacted by the Court that all stray horses or horse kind that noe particular pson can make any Just proffe that they are his or theires shall appertaine vnto the Countrey.

It is enacted by the Court that all such as take any strayes that shalbee found and proued soe to bee They that take them vp and gine enformation concerning them; shall haue one pte of three for theire labour therein;

It is enacted by the Court that the rules and wayes to bee obserued for the tryall of strayes shalbee by theire age markes Couller &c

*It is enacted by the Court That all woulues that shalbee killed by any English in any pte of this Jurisdiction; They that kill them shalbee payed by the townes in whose precints they are killed; and such Indians as kill any woulues; they shalbee satisfied by the Treasurer.

It is enacted by the Court That noe Stranger or forraignner shall Improse our lands or woods att the Cape for the makeing of fish without liberty from the Gou'ment; and that all such as shall haue libertie shall attend such further orders as shalbee giuen them concerning the same; and that they shall pay six pence a kentell for all such fish as shalbee made as aforesaid; to the Collonies vse;

It is enacted by the Court and the Authoritie therof That all ordinary keepers or other retailers of strong waters doe pay an excise of foure pence a gallon for all such liquors as is made in the Collonie and drawne forth and retailed by them; and eight pence a gallon for all such as they shall bring in or haue brought in to them from other pt'es which they shall draw forth and retaile as aforesaid; and that when they bring home any Liquors they shall enter it with the towne Clarke before it bee broached on the penaltie of the forfeiture of the third pte of the value of what is drawne out before it bee excised;
It is enacted by the Court that five shillings shall be paid to the Country vpon every barrel of Oysters that is carried out of the Gou'ment and that the Country bee not defrauded hee shall enter them with the Towne Clarke before hee carry them away or else to forfeit twenty shillings per barrel on any carried away not entered.

It is enacted by the Court that all Tarr That goe out of the Gou'ment six pence a barrel bee payed for the Country vpon all such Tarr as shalbee made on any lands that are within any Township; and twelve pence per barrel on such as is gathered on the Countryes Comons and that the same Course bee taken for the entry thereof before any bee Carried away on penalty of forfeiting four shillings per barrel for any see Carried away; It is with this provision that all such Tarr is made and knotts that are gathered att the time of the entry of this order comes not vnder this order and that this order take place and begin on the first of July next.

*It is enacted by the Court that for all boards and planke that shall bee Transported out of the Gou'ment three pence a hundred bee payed to the vse of the Country; and sixpence per hundred bee payed vpon barrel Staues and heading and eight pence an hundred on hogshead staues and hogshead headings and that both boards planke and cooper stuffe bee entered with the towne Clarke before it bee carried away on the penalty of the forfeiture of the one third pte of the value of what is carried away not entered.

It is enacted by the Court and the Authoritie therof that whosoeuer shall Transport any Iron out of the Gou'ment shall pay vnto the Countryes vse twelve pence on every hundred and hee shall enter such Iron as hee caryth or selleth away with the Towne Clarke on penalty of forfeiting a third part of the value of it to the Countryes vse;

The Court haueing declared by theire voste that in theire Judgments and Consciences the benifft of whales is yet the Countryes notwithstanding any thing formerlie done; have ordered concernig them as followeth viz: That the townes where any shall come on shore may rent them for three yeares at the rate of two hogshead for a fish yearly to bee payed att Boston full and marchantable and that the deputies of those townes doe signify this tender to theire townes which incase they doe not accept the Treasurer to have power att october Court to lett it to the best advantage to any other that will hier it and then to allow to such Townes where any fish comes on shore; two hogsheads out of each fish to any publicke vse of the towne on Condition
that they suffer any man that hiereth it; freely to Cart and try it on their lands and with their wood.

It is enacted by the Court that whosoever taketh any Whale on drift att sea without those bounds and limitts alreddy sett; and doe bring them on shore hee shall haue the one halfe and the Countrey the other halfe; the Countrey to allow Cask for their pte of the oyle;

It is enacted by the Court that whosoever shall find any whale on shore on the Cape or elsewhere; That is out of any townes bounds; and is on the Countreyes bounds or limitts shall alowe the Countrey two hogsheads of oyle cleare and payed att Boston;

"It is enacted by the Court and the Authoritie therof that if any man die without Will his wife shall haue a third part of his Land during her life and a third pte of his estate foreuer;"

It is enacted by the Court That a sufficient man in every town; bee appointed to take vp what excice shalbee due to the Countrey whether Iron Tarr boards oysters ℒ and that the said men bee vnder oath and that they shall haue power to make serch and what forfeites they find they shall haue the one halfe therof; and out of the said excice evidenced to haue three shillings vnpon the pound; and that they giue a Just account To the Treasurer Repealed June 1662.
the first of Novemver and the first of May Annually; The Names of such as are apointed are as followeth

For Plymouth John Morton        For Yarmouth Rich: Tayler Tayler
For Duxb: Gorg Partrich         For Barnstable John finney
For Scituate John Turner Jnî:  For Marshfield John Bourne
For Sandwich Gorg Barlow        For Rehoboth Wîlham Carpenter
For Taunton Wîlham Harvey       For Eastham Job Cole or some other the towne shall app.
For Bridgewater John Haward Juniî.

The oath to bee giuen to those that receiue the excice;

forasmuch as the Court haue seen cause to order an excise to bee layed vnpon sundry thinges you shall dilligently attend the execution of all such orders in such case provided; and both demaund and receiue such sume or sumes as shalbee due to bee payed by vertue of any the said orders; you shall faithfully keep a true account of all such sumes as you shall Therby receiue and faithfully deliuer vp a true account therof vnto the Treasurer as hee shall demaund it; according to order See healp you God;
The oath of a sealler of measures
is as followeth

Wheras you are chosen to the office of a sealler of measures for the
Towne of Plymouth You shall during your continuance in the said office Truly and
faithfully seize and seale all such measures as are at any time brought in
unto you for that end; according to the best of yourer abilities as exact as
may bee according to such Standards as are allowed and prouided by the
Countrey Soe healp you God.

*It is enacted by the Court that all Tarr that goes out of the Gou' ment;
six pence a barrell bee payed to the Countrey; vpon all such Tarr as shalbee
made; on any lands that are within any Township; and twelve pence a barrell
on such as is gathered on the Countreyes Comons; and that the same
course bee taken for the entery therof before any bee carryed away on penal-
tie of forfeiting fourue shillings a barrell for any soe carryed away; prouided
that all such Tarr as is made or shalbee made att any time within this Instant
month of June shall not fall vnder this order;

*Actes and orders made and concluded by the Generall Court
held att Plymouth for the Jurisdiction of New Plymouth the
third of June Ann 1662.

Wheras there hath bine much controuersye ocationed for want of a full
and cleare settlement of matter relating vnto such whales as by Gods prou-
dence doe fall into any pte of this Jurisdiction This Court doth therefore order
for the preuision of any discontent or controversy for the future and for a
finall Issue and settlement soe farr as in the Court lyeth about the same; that
for all such whales as by Gods prouidence shalbee cast on shore on any pte
of this Gou'ment or shalbee by any cut vp att sea and brought on shore in the
Gou'ment; there shalbee for ebery such fish one full hogshead of Marchant-
able oyle payed vnto the Countrey deliuered att Boston by such townes or
psons as are Interested in the lands where they fall or shall soe cutt vp
any fish att sea; and incase that any fish bee soe considerably torne or
wasted that a full quarter pte bee gone; then to pay but halfe a hogshead
and for such Inconsiderable peeces of fish as are lesse then halfe they shall
pay nothing; and for the resedew of such fish or the produce of them as
remains the Countreyes pte being discharged It shalbee freely att the dispose
of such Townes where it falls or for the Benefitt of such as Cutt them vp;
if taken on drift without such bounds as haue bine formerly sett; the same
being still continewed;
LAWS.

The Court proposeth it as a thing they Judge would bee very comendable and benificiall to the Townes where Gods Prudence shall cast any whales; if they should agree to sett apart some pte of every such fish or oyle for the Incurrament of an able Godly Minnester amongst them;

*Whereas great Complaint is made of Intollerable abuse in divers ptes of this Jurisdiction by soe great quantitie of Strong Liquors brought into and drawne forth in the Collonie whereby is great excesse both amongst Indians and English and alsoe to prevent the abuse of trading powder and shott to the Indians It is enacted by the Court and the Authoritie therof That whatsoever wine or stronge waters shott or ledd shalbee brought into this Gouernment by any boate Barke or other Vessell; or into any Inland Plantation by any Carrier or waggoner that is knowne to them the said Master Carrier or waggoner shall within three dayes of his ariual; or sooner if it bee demanded of him giue in an Invoiece of the same either to the towne clarke; or other man appointed thereunto; on penall of forfeiting of the value of such wine or liquor the one halfe to the enformer and the other halfe to the use of the Collonie.

And incase any master carrier or waggner shall haue cause to suspect any such goods may bee concealed in any caske or bagg amongst other goods; It shalbee lawfull for them to detaine it vnder his Charge untill hee haue enformed the person or persons appointed to take Care thereof; in whose power it shalbee to open and serch the same; and incase it shalbee found that hath bine soe concealed; It shalbee forfeited the one halfe to the Collonie; and the other halfe to the master or any other that shall enforce;

And that all such persons as are appointed to take Invoiece of such goods shall giue an accoune into euer of the generall Courts that soe they may enquire after and take due Course for the prevenation of such abuse; and this Court doth Impower the Majestrates to take such effectuall Course against any that they shall find to transgresse in this kind; as they may in Case of other misdeemors;

*Whereas great complaint is made of Intollerable abuse in divers ptes of this gonerment by the bringing in of such great quantitie of wine and stronge waters by which greate excesse is obctioned both amongst Indians and English; and alsoe to prevent the abuse in trading powder shott and ledd to the Indians;

It is enacted by the Court and the Authoritie therof That whatsoever wine or stronge waters powder shott or ledd shalbee brought into this Gouernment by any boate Barke or other Vessell or into any Plantation by any Carrier.
or waganor that is knowne to them; the said master Carrier or waganor; shall within three days of his arraile or sooner if it bee demanded of him; giue in an invoice of the same to such pson or psions as the Court shall appoint thervnto on penaltie of his forfeiting the value of all such goods the one third to the Informer and one third to the Collonie, and a third to them that is appointed to Invoice and serch;

Morover incase any Master Carrier or waganor shall have cause to suspect any such goods may bee concealed in any Cask or sacke amongst other goods; It shall be lawfull for him to detaine it vnder his charge vntill hee haue enformed the pson or psions appointed to take care therof in whose power it shall bee to open and serch the same; and incase any shallbee found that hath bee soe concealed it shall bee forfeited the one third to the Collonie another third to the master or any other that shall enforme; and another third to the searcher and that all such psions as shallbee appointed to take Invoice of such goods shall giue an accounte into euerie of the generall Courts that soo they may enquire after and take due course for the preuension of such abuse

And this Court doth Impower the majestrautes to take such effectuall course against any that they shall find to transgresse in this kind as they may incase of other misdemenors

And further the Court doth require all psions within this Gou'ment that doe or shall still any stronge waters to giue in an account vnto the psions appointed thervnto of theire disposall of them both of the quantitie and the psions to whom sold on penaltie of his forfeiting the value of such liquors as hee shall not giue in; a third to the Collonie a third to the enformer and a third to such psions as are appointed to take Invoyce therof;

*It is enacted by the Court that all ordinary keepers or retaillers of strongwaters doe pay an excise of four pence a gallon for all such liquors as are made in the Collonie and drawne and retailed by them and eight pence a gallon for all such as they shall bring in or haue brought in to them from other ptes which they shall draw forth and retaile as aforesaid; and that all retaillers and ordinary keepers shall twise in the yeare viz: in the month of may and in the month of october; giue in to the Treasurer or his assignes a true account of all such liquors as they shall bringe in or shallbee brought in vnto them and retailed as aforesaid vpon the penaltie of paying a fine of five pounds for any that shallbee brought in and not accounted for as aforesaid;

Wheras It is giuen forth that divers are vsnsatisfied about the sale of Kenebecke and that oppertunitie is lately presented vnto vs for the hauing of
it againe the deputies haung considerd of the p'misos; and finding noe way p'senting it selfe by the takeing of it againe for the better advantage of the Collonie haue with one consent agreed that they desire not to meddle with it againe but doe ratify the sale therof.

The Treasurer is ordered by the Court to procure a booke of the statutes of England for the use of the Collonie

*Wheras Complaint is made of some ordinary keepers in this Jurisdiction that they doe alow psions to stay on the Lords daies drinking in their houses in the Intrimes of times betwixt the exercises especially young psions and such as stand not in need thereof; It is enacted by the Court and the authority thereof that noe ordinary keeper in this Gou'ment shall draw any wine or liquor on the Lords day for any except in case of nessesitie for the releife of those that are sicke or faint or the like for their refreshing; on the penalty of paying a fine of ten shillings for every default;

It is ordered1 by the Court that the Generall training shalbee one yeare att Duxburrow and another yeare att Yarmouth; that is to say every other yeare for the future att one of those townes; onely this p'sent yeare for special cause it is ordered to bee att Plymouth on the third2 Weddensday in September next;

It is enacted by the Court that if any one of the foot souldiers of any milletary Companie of this Jurisdiction shall vunessasarily exempt himself from appearance att the generall trainings att the time and place appointed except incase of sickness lamenes Countrey busines or the like shalbee fined five shill. a day for every day they shall see neglect incase they cannot gue a satisfactory reason thereof vnto the milletary Comaunder in cheife of that Companie and that all such fines shalbee to the vse of the Companie to which the delinquents doe belonge;

It is enacted by the Court that the whole troop of horse both they and the voulenteers aded to them shall have the same libertie that was gruanted to those that were the first Troopers viz: to bee freed from foot service watching and warding; and likewise theire horses to bee rate free.

*Wheras Notwithstanding former orders that haue bine made for the preventing of wrong done to the Indians by the horses and hogggs of the English; it doth appeare that the Indians lineing in remote ptes from any townshipes doe sustaine much wrong by horses and that the English likewise may sustaine much damage in their ptilulas therby; the Court haung seriously considered therof and finding some Inconveniency in coming to a

[Part II.]

[enacted.]
general order about the same; have thought good to propose it to the severall townships of this Jurisdiction as a thing much concerning them that such Townships where such wronge is done; doe speedily take some course within themselves about the same; either by agreeing with the Indians to helpe them to fence theire Corne or by compounding with them to secure theire Corn themselves where places are vncaopable of fencing for want of stuffe or otherwise as shalbee found most suitable to theire Condition; to prevent future Inconveniencyes that may come by theire neglect of the same;

Whereas the Court have formerly provided against the prophanation of the Saboth by vnnesesarie Travelling on that day; and have alse provided against the setting vp of any publicke meeting without allowance of the Gou'ment This Court doth desire that the Transgression of these orders may bee carfully looked vnto and p'uented; if by any due course it may bee;

*It is enacted by the Court and the Authoritie therof that all psons within this Gou'ment that are att theire owne dispose and have not taken the oath of fidelitie shall repaire vnto some one of the majestates of this Jurisdiction to take the said oath; which if they shall neglect or refuse to doe such pson or psons shalbee summoned to euery election court to make theire appearance theratt during the time of theire abode in this Gou'ment; and if any such pson or psons shall then refuse to take the said oath they shalbee fined the sume of fine pounds to the Collonies vse;

It is enacted by the Court that every pson of the age of descretion which is accounted sixteen yeares whoe shall wittingly or willingly make or publish any lye; which may bee pnisious to the publicke weale or tending to the damage or hurt of any ptcular pson or with Intent to deceine or abuse the people with falce newes or reports shalbee fined for every such default ten shillings; and if the pty bee vnable to pay then to bee sett in the stockes soe longe as the Court shall thinke meet.

Whereas there hath bine much Controuersy for want of a full and Cleare settlement of matters relateing vnto such whales as by Gods providence doe fall into any pte of this Jurisdiction

This Court doth therfore order for the preuension of any discontent or Controuersy for the future and for a finall Issue and settlement soe farr as in the Court lyeth about the same; That for all such Whales as by Gods providence shalbee Cast on shore in any pte of this Gou'ment or shalbe by any Cutt vp att sea and brought on shore in the Gou'ment there shalbee for every such fishe one full hogshed of marchantable oyle payed vnto the Countrey
delivered at Boston by such Townes or persons as are entered in the lands where they fall or shall see Cutt vp any fish att sea; and incase that any fish shalbe see Considerable torne or wasted that a full quarter be gon; then to pay but halfe a hogshed; and for such Inconsiderable pieces of fish as are lesse then halfe they do nothing; and for the resedew of such fish or the produce of them as remaines the Countreyes pte being discharged It shalbe freely att the dispose of such Townes where it falls or for the benifitt of such as Cutt them vp if taken on drift without any such bounds as haue bine formerly sett the same being still continued;

The Court proposeth it as a thinge that they Judge would bee very Comendable and benificiall to the Townes where Gods Providence shall Cast any Whalcs if they should agree to sett apart some pte of euery such fish or oyle for the Incuragement of an able Godly Minnester amongst them;

It is enacted by the Court That whosoeuer shall find any whale on shore on the Cape or elswhere That is out of any Towne bounds and is on the Countreyes lands or limetts shall alowe the Countrey two hogsheds of oyle Cleare and payed to the Countrey.

*It is enacted by the Court that the Treasurer shall procure a booke of the Statutes of England for the use of the Collonie.

*85 It is enacted by the Court that if any one of the foot soldiers of Any milletary Companie of this Jurisdiction shall vunnecessaryly exempt himselfe from appearenc att the Generall Training att the times and places appointed; except incase of sickness lamnes Countrey busines or the like shalbe fined five shillings a day for euery day they shall neglect incase they Cannot give a satisfying reason therof vnto the milletary Comaunder in Cheife;

It is enacted by the Court That the whole Troop of horse both they and the voulenteers aded to them shall haue the same libertie that was graunted to those that were the first Troopers viz: to bee freed from foot seruice watching and warding; and likewise there horses to be rate free;

Notwithstanding all the orders that haue bine made for the preventing of wronge to the Indians by the horses and hoggs of the English It doth appeer that the Indians liuing in remote ptes from any Townshipes doe sustaine much wronge by the horses and that the English doe sustaine much damage in theire particulars therby; The Court hauing seriously Considered therof and finding some Inconvenience in coming to a Generall order about the same haue thought good to propose it to the severall Townshipes
of this Jurisdiction as a thing much concerning them. That such Townshippes as where any such wrong is done speedily take some course within themselves about the same either by agreeing with the Indians to healp them to fience there Corne or by Compounding with them to Cecure there Corne themselves where places are inca­pable of fencing for want of stuffe or otherwise as shal­bee found most suitable to there Condition to prevent future Inconveniency that may come by there Corne neglect of the same;

Whereas the Court have formerly provided against prophanation of the Saboth Day by vnnessary Travelling theron and alsoe have provided against the setting vp of any publicke meeting without the alowance of the Gon'ment; this Court doth desire that the transgression of these orders may be Carefully looked vnto if it may be;

It is enacted by the Court, that if any Indian or Indians shalbee found drunke in any Township of this Gon'ment; That they bee forthwith taken by the Constable of the Towne and set in the stockes; and that if any liquors shalbe found with the Indians that it be forfeite to the vs of the Gon'ment; and that it shalbe lawfull for any man to seize any Indian found drunke or any liquors found with the Indians and bring him or it to the Constable to be ordered and disposed of as aforsaid; vnlesse any Indian shall make it appeer that hee hath such Liquors according to order of Court; and the said Indians that shalbe sett in the stockes as abouesaid shall defray the charge therof which is two shillinges and six pence a time for every of them;

*It is enacted by the Court That every towne of this Gon'ment shall have a booke of the lawes of the Collonie and that they be openly read once every yeare;

In reference vnto such woulues as are or shalbe killed by the Indians the Collonie being out of stocke It is ordered by the Court That a peell of Wampam in the Treasurers Custody shall be divided and put into the hands of Lieftenant Freemau Leiftenant Hunt and the Treasurers for the paying of the Indians fifteen shillinges p head they bringing there head when the pay is demaunded and these men to give an account this time twelue month what they shall disburse on this account; and if any of them shall disburse more then the peage comitted to them; then they to be repayed againe either by rate or otherwise.

It is enacted by the Court and the authoritie therof concerning the settleing of New Plantations in an orderly way that notwithstanding the graunt
of lands to any particular persons incase such lands lye soe remote as the Inhabitants thereof can not ordinarily frequent any place of publicke worship. That then noe person be admitted after the date hereof to goe to Inhabitants upon any such lands without such a competent companie or number of Inhabitants as the Court shall Judge meet to begine a societie as may in a measure carry on things in a satisfactory way both to Civil and Religious respects; and for the more comfortable carrying on thereof; It is further ordered that such person or persons as shall have the graunt of such lands about such places and will neither att the present live on them themselves nor sell nor lett them to others that would; that then such lands not yet inhabited att the beginning or progress of such societies shalbe lyable to be rated in some meet proportion towards the defraying of such necessary charges as shall arise either on Civil or Religious respects as abouesaid especially respecting an able godly minister in such place or places;

Alsoe as for such places already begun with an Inconsiderable Number viz: Saconeessett Acushenett &c that it be comended vnto them to apply themselves in some effectuall way for the Increase of their number as they may carry on things to better satisfaction both in Civil and Religious respects especially that they Indeauer to procure an able Godly man for the dispensing of Gods word amongst them; and for their quickening and Incurragement therin this Court doth order That all such lands as are within their respective places though not inhabited shalbe lyable to be rated in some measure of proportion for the defraying of such charges as shall necessary arise concerning the promises;

And for the quickening and Incurragement of the well affected in the towne of Sandwich or any other plantation within this Goument whose shalbe actie this way; this Court takeing into their serious consideration the great need thereof in every plantation as to the propagation of the Gospell and flourishing of Religion the great and knowne end of our Transplanting into these, ptes of the world as alsoe of the graunt of competent quantities of lands to the respective plantations; and therefore according to their duties incoombent on them; doe hereby declare their redlines to assist such well affected as aforesaid; by puting forth their power (wher there shalbe need) for the raising of comfortable and competent maintainance for such able faithfull men as shalbe procured in such Townships and make it their worke to attend vpon the minnestry of the Word of God amongst them; from all such respective Inhabitants as shall Inhabit any such lands according to such former order as by the Court is already provided in such case;
It is proposed by the Court unto the severall Townshipes of this Jurisdiction as a thing they ought to take into their serious consideration That some course may be taken that in every Towne there may be a Scoolmaster sett vp to traine vp children to reading and writing;

Wheras the Clarke of each milletary Companie of this Jurisdiction is required to gather in all fines which are or shall be belong to their Companie. It is enacted by the Court and the Authoritie therof That in case any shall refuse to pay any such fines as are or shall be orderly amased That the said Clarke is hereby authorised by destresse to levy all such fines by vertue of his said office without any further order;

Wheras the Towne of Scittuate preferred a petition to this Court requesting that the Treasurers accoumt may be more pticularly sent to the severall Townshipes of this Jurisdiction; The Court have ordered That henceforth at every election Court; any of the Townes aforesaid may if they please to send any meet psnon to Joyne with others to take the Treasurers accoumt; and soe to acquaint their respective Townes therwith in as particular a manor as may be; which we hope may satisfy;

It is enacted by the Court that the Constable in each Township in this Gou'ment shall gather in all fines that shall fall within his liberties not exceeding five pound; and to have two shillings on the pound for gathering of them;

It is enacted by the Court That all psbons lyable to be rated in every Towne of this Gou'ment; be rated according to their visible estates and faculties. That is according to their faculties and psbonall abilities whether they are in lands; both meddow lands Improued lands or dormond lands appropriated; or in cattle goods or stocke Imploied in Trading in boates Barques & mills or other visible estate but for the Incurragment of trafficke That it be ordered That Barques Catches and bigger vessells may not be rated above halfe therein vallue dormond lands both vpland and meddow to be rated for every hundred acres according to forty shillings estate; and if any psbon lay downe any pte of his propriety to the Comonage of the Companie there associated together. hee shall bee rated but for what quantitie hee keepes his propriety in; and concerning stockes Imploied in trading att home in and about the place where hee liues shall bee rated onely for two thirds of such stockes soe Improued; As thus one hundred and twenty pound stocke to be Imploied in trading shall bee rated for eighty pounds; and soe proportionable.
Concerning dornond lands that the psons be rated for them in such Townshipes as the psons That owns them Inhabites.

*It is enacted by the Court That in every Towne of this Jurisdiction there be three or ffe Celect men Chosen by the Townsmen out of the freemen such as shall be approued by the Court; for the better managing of the afaire of the respectiue Townshipes; and that the Celect men in every Towne or the major pte of them are heerby Impowered to heare and determine all debtes and differences arising between pson and pson within their respectiue Townshipes not exceeding forty shillings; as alsoe they are heerby Impowered to heare and determine all Differences arising betwixt any Indians and the English of theire respectiue Townshipes about damage done in Corne by the Cowes swine or any other beastes belonging to the Inhabitants of the said respectiue Townshipes; and that the determination of the abovesaid Differences not being satisfied as was agreed, the pty wronged to repaire to some Majestrate for a warrant to recover such award by distraint;

It is further enacted by the Court That the said Celect men in every Township approued by the Court or any of them shall have power to give forth sumons in his Majes Name to require any psons complained of to Attend the hearing of the Case and to sumon witnesses to give Testimony vpon that account and to determine of the Controuersyes according to legall evidence; and that the psons Complaining shall serve the summons themseules vpon the psons complained against; and in case of theire non appearance to proceed on Withstanding in the hearing and determination of such controuersyes as comes before them; and to have twelve pence apeece for every award they agree vpon.

It is likewise enacted by the Court that such Indians as plant in any Township of this Jurisdiction; that they shall cecure theire Corne by sufficient fences from any damage that may come thervnto by any Cattle of the English amongst whom they dwell; and for such Indians as shall plant on their owne land out of the bounds of any township That the English are either to healp them in fencine theire Corne or to satisfy for such damage as shalbe done vnto them by theire cattle or beastes therin; they

It is enacted by the Court That all matters of misdemenior That the majestrates shall take cognizance of without p'sentment by the Grandenquest Thay haue full power and determine them by fine or otherwise as the nature of the offence may require as if p'sented.

fforasmuch as noe house of Correction is yett prouided in this Gov'ment
to receive and punish such as not onely line Idley and vnprofitably but are otherwise vicious and wicked in theire carryage towards theire parents or otherwise;

It is enacted by the Court That any two Majestrates of this Jurisdiction hauing examined the case shall haue power any offender to be punished by stocking or whiping according to the nature of the offence;

*1<sup>a</sup> Whereas Wee are certainly Informed that it hath pleased God; to Etablish our Sou' Lord Kinge Charles the second in the Injoyment of his vndoubted Right to the Crownes of England Scotland ffrance and Ireland; and is soe declared and owned by his Good subjects of these Kingdomes

Wee therefore his Ma'ties Loyall subjects the Inhabitants of the Jurisdiction of New Plymouth doe hereby declare our free and Reddy concurrence with such other of his Ma'ties Subjects and to his said Ma'ties his heires and Successors wee doe Most humbly and faithfully submitt and oblide our selues for euer; God save the Kinge;

June the fift Ann° Dom: i66i.

*The fift day of June i66i.
PLYMOUTH RECORDS.

Laws.

PART III.
THE Booke of the Generall Lawes and liberties of the Inhabitants of the Jurisdiction of New Plymouth Collected out of the Records of the generall Court; and lately Revised and established and disposed into an Alphabetical order; and published by the Authoritie of the General Court held at New Plymouth the 29th day of September: Ann° Dom: i658.

Pee Subject to every ordinance of Man for the Lords sake

1 peter 2: 13:

(147)
To our beloued bretheren and Neighbours the Inhabitants of
the Jurisdiction of New Plymouth; The Gou': Afflittants
and Deputies assembled att the generall Court of that
Jurisdiction held att the Towne of Plymouth the 29th day
of September Ann°: DoM: i658, witheth grace and peace
in our Lord Jefus Chrift;

It was the great privilidge of Israell of old and soe was acknowledged
by them Nehemiah the 9: 13 That God gane them right Judg-
ments and true lawes; for God being the God of order and not of confusion
hath Comaunded in his word; and put man into a capacitie in some measure
to obserue and bee guided by good and wholsome lawes which are soe fare
good and wholsome; as by how much they are derived from and agreeable to;
the Ancient platforme of Gods lawe; for although sundry pticulaires in the
Judiciall law which was of old jniynd to the Jewes: did more especially
(att least in some cercomstances) befitt theire Pedagogye; yett are (they for
the maine) soe exemplary being grounded on principalls of morall equitie as
that all men; (Christians especially) ought alwaies to haue an eye thervnto; in
the framing of theire Politique Constitutions; and although seuerall of the
heathen Nations whoe were Ignorant of the true God and of his lawe haue
bine famous in theire times for the enacting and execution of such lawes as
haue proued profitable for the Gou'ment of theire Commonwealth in the times
wherin they lined; yett notwithstanding theire exelencye appeared so fare;
as they were founded vpon grounds of morall equitie which hath its originall
from the lawe of God; and accordingly wee whoe haue bine actors in the
framing of this smale body of lawes together with other vsefull Instruments
whoe are gone to theire rest; can safely say; both for ourselues and them; that
wee haue had an eye principally and primarily vnto the afsaid platforme;
and Secondly vnto the Right Improuement of the liberties granted vnto vs
by our Superiours the state of England att the first begining of this Infant
plantation which was to enact such lawes as should most befitt a state in the
nonage thereof; not rejecting or omitting to obserue such of the lawes of our
Natiue Countrey as would conduce vnto the good and growth of soe weake a
begining as ours in this Wildernes as any Impartiall eye not forestaled with
prejudice may eazely descerne in the pusall of this smale booke of the lawes
of our Collonie; The p'mises duly considered might worke euery consicide-ns sperit to faithfull obedience; and although wee hold and doe affirme that both Courts of Justice and Majestrates; whose are the minnesters of the lawe are esencially Ciuill; Notwithstanding wee conceiue that as the Majes-}


It hath bine our endeauors in framing of our lawes that nothinge should bee found amongst them but that which will fall vnder the same pticulares; wee haue likewise reduced them to such order as they may most conduce to our vtilitie and profit; possibly it may bee that weaknes may appeer in the composure of sundry of them for want of such plenty of able Instruments as others are furnished withall; howeuer lett this suffice the gentle Reader; that our ends are to the utmost of our powers; in these our endeauors to promote both Church and State both att the p'sent and for the future; and therefore doe fare as wee haue aimed att the glory of God and comon good; and acted ac-}


Resist the ordinance of God and doe Incurr the displeasure of God vnto damnation; Romans 13: 2:

Laws.

[Part III]
A Declaration demonstrating the warrantable grounds and proceedings of the first associates of the Gou'ment of New Plymouth in theire laying the first foundation of the Gou'ment in this Jurisdiction for making of lawes and disposing of lands and all such things as shall or may Conduce to the welbeing of this Corporation of New Plymouth;

WHEREAS John Carver Wilham Bradford Edward Winslow William Brewster Isacke Allerton and divers others the subjects of our late Soue: Lord Kinge James by the grace of God Kinge of England Scotland ffrance and Ireland Defender of the faith & did in the eighteenth yeare of his Raigne of England ffrance and Ireland; and of Scotland the fifty fourth which was in the yeare of our Lord God one thousand six hundred and twenty; undertake a voyage into that pte of America called Verginnia or New England thervnto adjoyning; there to erect a plantation and Collonie of English; Intending the glory of God the enlargment of his Ma'tes dominions and the speciall good of the English Nation

And Wheras by the good Providence of God the said John Caruer William Bradford Edward Winslow William Brewster Isacke Allerton and their associates arising in New England aforsaid in the harbour of Cape Cod or Paomett Scittuate and being in New England aforsaid; where all the said persons entered into a Gial Combination; being the eleuenth day of November in the yeare aforesencion; as the subjects of our said Soue: Lord the Kinge; to become a body Politique binding our selues to observe such lawes and ordinances and obey such officers as from time to time should bee made and Chosen for their well ordering and guidance; and thervpon by the favour of the Almighty; began the first Collonie in New England; there being then none other within the said Continent; att a place Called by the Natiues Apaum aHis Patuxett; and by the English New Plymouth; all *which Lands being void of Inhabitants; Wee the said John Carver William Bradford Edward Winslow William Brewster Isacke Allerton and the rest of our Associates; entering into a league of Peace with Massasoiett since called Woosamequen Prince or Sachem of these ptes; bee the said Massasoiett freely gaue them all the lands adjacent to them; and their heires for euer; acknowledging himselfe content to become the subject of our Soue: Lord the Kinge aforsaid his heires and Successors and taking protection of vs the said John Carver William Bradford Edward Winslow William Brewster Isacke Allerton and their Associates the naturall subjects of our Soue: Lord the Kinge aforsaid But haueing
noe speciall letters Patents for the the said ptes of New England but onely the generall leaue and libertie of our Consciences in the publicke wor-
ship of God where euer wee should settle; *being therefore now settled and requiri-
ing speciall lycence and Comission from his Ma"° for the ordering of our affaires vnder his gracieouse protection; had sundry Comissions made and Con-
feirmed by his said Ma"° Councell for New England to John Peirse and his associates; whose names wee onely made use of and whose associates wee were in the late happy and memorabel Raigne of our said Sou": Lord King James; But finding our selues still straightened; and a willingnes in the hono"° Councell aforesaid to enlarge v.; ptely in regard of the many difficulties wee had vndergone; and ptely in regard of the good service wee had done; as well in relieueng his Ma"° Subjects as otherwise wee procured a further enlargement vnder the name of William Bradford aforesaid and his Associates whose names wee likewise vsed; and whose associates as formerly wee still are; By vertue of which said letters Patents libertie is giuen to vs deriatory from our Sou": Lord King Charles bearing date the thirteenth of January 1629 being the fift yeare of his raigne of England Scotland France and Ireland & signed by the Right hono"° Robert Earle of Warwick in the halfe of his Ma"° said Councell for New England; and sealed with theire Comon seale to frame and make *orders ordinances and Constitutions for the ordering disposing and Go"°ning of our persons and distributeing of our Lands within the said Lymetts To bee holden of his Ma"° his heires and successors as of his mannor of East greenwich in the County of Kent in free and Comon Soccage and not in Capite nor by Knights seruice, viz: all that pte of America and tract and tracts of land that lyeth within or between a certaine Rivolett or Rundelett comonly called Coahassett allHis Conahassett towards the north; and the Riuers called Narragansett Riuers towards the south and the great Wester fen Ocean towards the East; and within and between a straight line directly extending into the maine towards the west; from the mouth of the said Riuers called Narraganssett Riuers to the vtmost bounds and lymetts of a Countrey or place in New England called Pocanacutt allis Puckanakicke allis Sowamsett westwards; and another like straight line extending it selfe directly from the mouth of the said Riuers called Coahassett allis Conahassett towards the west so fare vp into the maine land westwards as the vtmost lymetts of the said place or Countrey comonly called Pokanacutt allis Puckanakicke allis Sowamsett doth extend; together with the one halfe of the said Riuers called Narragansetts; and the *said Rivolett or Rundelett called Coahassett allHis Conahassett; and all lands Riuers wauens creekes ports fishings fowlings; and all heredetiments profits Comodi-
ties and emoluments whatsoever; Situate lying and being arising within or between the said lymetts or bounds or any of them; furthermore all that Tract or pte of land in New England or pte of america aforesaid which lyeth within or between; and extendeth it selfe from the utmost lymetts of Cobbasecontee all His Comacecontee which adjoyndeth to the Riuers of Kenebecke & his Kenebeckie towards the western Ocean; and a place called the falls at Nequamkieke in America aforesaid; and the space of fifteen English miles on each side of the said Riuers commonly called Kenebecke Riuers; that lyeth within the said bounds Eastwards Westwards Northwards and southwards last aboue mentioned; and all lands grounds soyles Riuers waters fishings heridetiments and profitts whatsoever situate lying and being arising happening or accruing in or within the said lymetts or bounds or either of them; together with free Ingresse egresse and Regresse with shippes boates shallopes and other vessels from the sea called the western ocean; to the Riuers called Kenebecke and from the said Riuers to the said Western Ocean; together with *all prorogatues Rights Royalties Jurisdictions privileges franchises liberties and emunities and alsoe marine liberties with the escheats and casualties therof; the Admiraltie Jurisdiction excepted; with all the Interest right title clame and demand whatsoever which the said Councell and theire successors now haue or ought to haue or may haue or require hereafter in or to any of the said Tract or portion of lands hereby mentioned to bee graunted; or any the pmes in as free large ample and beneficall manor to all Intents and constructions whatsoever as the said Councell by vertue of his Majestie said letters may or can graunt; To haue and to hold the said Tract and tracts of land and all and singulare the pmes aboue mentioned to bee graunted with theire and euer of theire appurtenances; To the said William Bradford his heires associzates and assignes for euer To the onely proper vse and absolute boeoffe of the said William Bradford his heires associates and assignes for euer; yeilding and paying vnto our said Soue: Lord the Kinge his heires and successors for euer; one fift pte of the Oare of the mines of Gould and siluer; and one other fift pte thereof to the Presedent and Councell; which shalbee had possesed and obtained within the precincts afofrd for all services and demands whatsoever; allowing the said William Bradford his associates and assignes and euer of them his and theire agents tenants and servants; and all such as hee or they shall send *or Imploy about his said ptcular plantation; shall and may from time to time freely and lawfully goe and returne trad or trafficke as well with the English as any the Natiues within the precincts aforesaid; with libertie of fishing vpon any pte of the sea coast and sea shores of any the seas or Ilands
adjacent; and not being Inhabited or otherwise disposed of by order of the
said Presedent and Councell forbidding all others to traffick with the Natiues
or Inhabitants in any of the said Lymetts; without the speciell leave of the
said William Bradford his heires and associates; and allowing the said Wil-
liam Bradford his heires and associates to take apprehend seize and make
prise of all such psions theire Shipes and goods as shall attempt to Inhabite or
trad with the salvage people as aforsaid;

Morouer Wheras in the first begining of this Collonie diuers Marchants
and others of the City of London and elswhere adventured diuers sumes of
money with the said John Caruer William Bradford Edward Winslow William
Brewster Isacke Allerton and the rest of theire asosiates on certaine tearmes
of ptenorship to continew for the tearme of seauen yeares the said tearme
being expired; the plantation by reason of manifold losses and Crosses by
sea and land in the begining of soe great a worke being largly Indebted and
noe *meanes to pay the said debtes but by the sale of the whole and the same
being put vpon sale; the said William Bradford Edward Winsow William
Brewster Isacke Allerton and other our associates the Inhabitants of New
Plymouth and elswhere being loth to bee depruied of our labours bought the
same; for and in consideration of eighteen hundred pounds sterling viz: all and
singulare the priuillidges lands goods Chattles ordinance amunition or what-
soever appertained to the said plantation or the adventures; with all and singul-
are the priuillidges thervnto belonging; as appeers by a deed between the
said Isacke Allerton then agent for the said William Bradford and his Associ-
ates on the one pte; and John Pococke Robert Keine Edward Basse James
Sherley and John Beachamp on the other pte being thervnto deputed by the
said Marchants and the rest adventuring as aforsaid; as appeers by a Deed
bearing date the sixt of November in the third yeare of the Raigne of our
Sou\; Lord Charles by the grace of God Kinge of England Scotland France
and Ireland &c Ann\; Do\;: 1627 one thousand six hundred twenty and
seauen; Bee it Knowne vnto all men by these $sents that according to our
first Intents for the better effecting the glory of God; the Inlargment of the
dominions of our said Sou\; Lord the Kinge, and the speciell *good of his
subjects by vertue as well of our Combination aforsaid; as alsoe the seuerall
graunts by vs procured; in the Names of John Peirce and William Bradford
theire heires and associates together with our lawfull right in respect of
vacantye donation or Purchase of the Natiues and our full purchase of the
adventures before expressed; haue giuen vnto and alloted assigned (¢
graunted to all and euery psion and psions whose name or names shall follow
vpon this publicke Record such proportion or proportions of grounds with all and singulare the priuilidges thervnto belonging as aforsaid; to him or them his or there heires and assigns successively for euer to bee holden as of his Ma'te his manor of East Greenwich in the Countey of Kent in free and comon Socage and not in Capite nor by Knights service Yeilding and paying vnto our said Sou': Lord the Kinge his heires and Successors for euer one fift pte of the Oare of the gould and siluer and one other fift pte to the Presedent and Councell which shalbee possed and obtained as aforsaid; and whatsoever lands are graunted vnto any by the said William Bradford Edward Winslow William Brewster Isacke Allerton or there heires or associates as aforsaid; being acknowledg'd in publicke Court and brought to this booke of Records of the seuerall Inheritances of the subjects of our Sou' Lord *the King within this Gou'ment It shalbee lawfull for the Gou' of New Plymouth from time to time successively to give vnder his hand and the Comon scale of the Gou'ment a Coppy of the said Graunt soe Recorded Confirming the the said lands to him or them his or their heires or assigns for euer with the seuerall bounds and lynnetts of the same; which shalbee sufficient evidence in law from time to time and att all times for all Intents and purposes the said ptie or pties his or their heires or assigns for euer To haue and to hold the said portion of lands soe graunted bounded and recorded as aforsaid with all and singulare the appurtenances belonging thervnto; To the onely proper and absolute use and behoofe of the said pty or pties his or their heires and assigns for euer;

Nouem 15. 1636. *15

*Wee the Associates; of New Plymouth coming hither as freeborne subjects of the State of England; endowed with all and singulare the priuilidges belonging to such being assembled; doe ordeine constitute and inacte That noe acte Imposition law or ordinance bee made or Imposed vpon vs att p'sent or to Come but such as shalbee made and Imposed by Consent of the body of the Associates or theire Representativenes legally assembled, which is according to the ffree liberties of the State of England;

It is further enacted That all our Courts bee kept att the Towne of Plymouth; except the Gou' and Assistants shall see Reason to keep some Courts of assistants elsewhere within this Gou'ment.

Wheras by the first Associates of this Gou'ment the Courts of election were held in the month of January anually; and afterwards in the month of
March anually; by reason of the vnseasonablenes of those times of the yeare; It is enacted by the Court and the Authoritie thereof that the election Court bee holden the first Tisdai in June anually and the other general Courts to bee holden the first Tisdai in october and the first Tisdai in March anually; and that the Courts of Assistants bee holden the first Tisdai in August the first Tisdai in December and the first Tisdai in February and the first Tisdai in May Anually.

*It is enacted by the Court and the Authoritie thereof that all such as shallbee admitted freemen of this Corporation shall stand one whole yeare propounded to the Court viz: to bee propounded att one June Court and to stand see propounded vntill the next June Court following and then to bee admitted if the Court shall not see cause to the Contrary;

Wweras a Comittee was chosen viz: Mr Thomas Prence Mr William Collyare Mr Thomas Dimmacke Mr James Cudworth Mr Josias Winslow John Dunham senir Gorge Soule and Constant Southworth to consider of the proposition propounded by the deputies to the Court held att Plymouth in october 1650 concerning the major pte of the Court to order the adjournments and desolutions of the general Courts and the makeing and repealing of lawes; they the said Comittee declared their minds to bee that matters in the aforesaid respects to rest vnaltered as they were; and that for the future as formerly in the makeing and repealing of lawes and adjournment of Courts wherein Comitties are requisite the majestrates and deputies to bee considered as one body.

Wweras diuers acts and orders touching the makeing and repealing of lawes att June Courts and their adjournments is rendered with a dubiouse Interpretation; and that this Court haveing by propositions to the seuerall towneshipes; desired their answares in order to the regulating therof; but not receiuing any answare from sundry of them; have seen cause to declare their owne sense thereof and therfore doe enact; that fit and able persons bee anually chosen out of the freemen to attend June Courts and the seuerall adjournments thereof by the approved Inhabitants quallified as in such case is provided; of this Jurisdiction in their respective Towneshipes; for deputies vnto whom with the majestates as the body Representatiue is comited full power for the makeing and repealing of all lawes as vpon their serious considerations they shall find *meet for the publicke weale of this Jurisdiction; and that then onely such lawes bee enacted; or repealed except the Gou' for the time being shall see waighty and nessesary cause by the complaint of the
freemen or otherwise to call a special Court; either of the whole body of the freemen or their deputies; the freemen of this Jurisdiction being left to their liberties to send their voates by proxey for the choice of Gover Ants Comissioners and Treasurer in such ways as by order of Court is alreddy provided and this order to stand in full force till the whole body of freemen shall take further order therin; It is alsoe further provided that upon notice given; in an orderly way to the Gover by the major pte of the freemen of this Jurisdiction of their apprehensions of a nessesitie of the whole body of freemen to come together; that then the Gover for the time being shall take the first oppurtunitie to summon in the body of freemen to advise and acte therin as the matter shall require;

It is enacted by the Court and the Authoritie therof That on the first Tuesday in June anually there shalbee a Gover and seaven assistants chosen to Rule and Goveren the said plantations and Townshipes within the lymitts of this Corporation; and this election to bee made onely by the freemen thereof;

And that the said Gover in due season by warrant directed to the seuerall Constables in the name of his Majestie give warning to the freemen either to make their psonall appearance att the Courts of election or to send their voates by proxey for the choice of officers according to order and that all our Courts Warrants Summons and Comaunds bee all done directed and made in the Name of our Sou Lord the Kinge &

It is enacted by the Court and the authoritie therof That all our Courts Summons warrants and comaunds bee all done directed and made in the Name of his Majestie of England our dread Sou: and alsoe that all Ciuill officers and minnesters of Justice in this Jurisdiction to bee sworn in his said Majesties Name; as alsoe that the oath of fidelitie and all other oaths shall goe in that tenure;

*The oath of a freeman.

You shalbee truely Loyall to our Sou Lord the Kinge his heires and Successors; You shall not doe nor speake deuise or advise any thinge or thinges act or actes directly or Indirectly by Land or water; that shall or may tend to the destruction or ouerthrow of any of these plantations or townshipes of the Corporation of New Plymouth; neither shall you suffer the same to bee spoken or done but shall hinder oppose and discover the same to the Gover and Assistants of the said Collonie for the time being or some one of them; you shall faithfully submitt vnto such good and wholesome lawes and ordinances; as either are or shalbee made for the ordering and Goverment of the same; and shall endeavour to advance the good and growth of the seuerall
*Wheras in regard of age disabilitie of body vrgent occations and other Inconveniencyes that doe accrue sundry of the ffreemen are hindered; that they cannot appeare att Courts of election; in consideration wherof; It is enacted by the Court and the Authoritie therof that any freeman of this Corporation shall have libertie to send his voate by proxy for the choise of Gou' Assistants Comissioners and Treasurer and the deputies of the seuerall Townes chosen to attend the Courts of election and the seuerall adjournments therof; shall in the Towne meeting in which they are chosen; they or either of them; giue notice vnto the ffreemen; that those that Intend not to make their personall appearance att the Court of election are now to giue in their voates Sealed vp for the chosing of Gou' Assistants Comissioners and Treasurer; and the said deputies to observe by a list of their names whoe haue voated and whoe haue not; the which voates soe brought in to bee ymmediately sealed vp and brought vnto and delievered in open Court by the said deputies;

*Wheras the Court hath taken notice that divers of the ffreemen of this Corporation doe neither appeare att Courts of Election nor send their voates by proxy for the Chois of majestates &c. It is enacted by the Court and the authoritie therof that whosoeuer of the ffreemen of this Corporation; that shall not appeare att the Court of election; att Plymouth in June anually nor send their voat by proxy according to order of Court for the choise of Gou' Assistants Comissioners and Treasurer shall be fined to the Colonies vse the sume of ten shillings for every such default unlesse some unavoidable Impediment hinder such in their appeareance;

*It is enacted by the Court and the Authoritie therof that att Courts of election the voates of all the ffreemen p'sent bee first read; and next after them the deputies of the seuerall Townes shall orderly p'sent the proxy of their owne Towne.

It is enacted by the Court and the Authoritie therof that other publicke officers besides Gou' and Assistants bee chosen and established att the Court in June Annually viz: Comissioners and Treasurer and that other Inferior officers as Constables Grandjurymen and Surveyors of the highwaies bee then alsoe confirmed if approved by the Court;
It is enacted by the Court and the Authoritie therof that incase there shalbee occasion for a Corrowner that the next majestrate where such accident falls shall sitt as Corrowner and execute that office according to the Custome of England as neare as may bee; It is further enacted by the Court as an addition to this order, That the Corrowner shall psnonally repaire vnto the place where such accident falls out and view the Corpses himselfe vnless it shall fall out att soe great a distance of place as hee cannot goe or some other Inevitable Impediment doe hinder; and in such case the constable of the Township where such accedent falls shall supply his place; and the Corrowners enquest to be payed ordinary wages according to the time they are out;

It is enacted by the Court and the Authoritie therof That the Gou;r; and two of the Assistants att least shall as occasion shalbee offered in time convenient; determine in such Cases viz: vnder forty shillings between man and man as shall Come before them; as alsoe in offences of smale nature shall determine doe and execute; as in wisdome God shall direct them;

*It is enacted by the Court*

*The office of the Gou;r;*

The office of the Gou;r; for the time being consisteth in the execution of such lawes and ordinances as are or shalbee made and established for the good of this Corporation according to the bounds and lymetts thereof; viz: in calling together or advising with the Assistants or Councell of the said Corporation vpon such matteriall occasions (or soe seeming to him) as time shall bringe forth In which assembly and all other the Gou;r; to propound the occasion of the assembly and have a double voyce therin; if the assistants Judge the case to great to bee desided by them and refer it to the Generall Court then the Gou;r; to Summon a Court by warning all the freemen that are then extant; as alsoe incase the major pte of the freemen seing weightye cause for the whole body of freemen to meet together and in an orderly way acquaint the Gou;r; with their desires thereof; then hee shall sumon the whole body of freemen together with all convenient speed; and there alsoe to propound Causes and goe before the Assistants in the examination of pticulares and to propound such sentance as shalbee determined; further it shalbee lawfull for him to arrest and comitt to ward any offenders; prouided that with all convenient speed hee bringe the cause to hearing either of the Assistants or generall Court according to the nature of the offence; alsoe it shalbee lawfull for him to examine any suspisious psons for euill against the Collonie; as alsoe to Interupt or oppose such letters as hee conceiueneth may tend to the ouerthrow of the
same; and that this office continew one whole yeare and noe more without renewal by election.

*The Oath of the Gou'm.*

You shalbee truely Loyall to our Sou'r Lord King Charles his heires and Successors; Alsoe according to that measure of Wisdom understanding and discerning giuen vnto you; shall faithfully equally and Indifferently without Respect of psone Admininester Justice, in all Cases Coming before you as the Gou'r of New Plymouth; You shall in like manr faithfully duely and truely execute the lawes and ordinances of the same; and shall laboure to advance and further the good of the Townshipes and plantations within the Lymetts therof; to the uttermost of youer power; and oppose any thing that shall seeme to hinder the same; see healp you God whoe is the God of truth and the Punisher of falselhood;

Att the Court held att Plymouth the 11th of June 1664
this following Aced and the Gou'r tooke oath therunto

You shall alsoe Carefully attend what is Required by his Majest Priuie Councell; of the Gou'nors of the respetive Collonies; In reference vnto an acte of Parliament for the Incurrageing and Increasing of shipping and Navigation bearing date from the first of December 1660;

*The office of an Assistant.*

The office of an Assistant for the time being consisteth in appearing att the Gou's summons and giuing his best advise both in publicke court and private Councell with the Gou' for the good of the seuerall Townshipes and plantations within the Lymetts of this Gou'ment not to disclose but to keep secret such things as concerne the publicke good and shalbee thought meet to bee concealed by the Gou' and Councell of Assistants; In hauing a speciall hand in examination of Publicke offenders; and in contriuing the affaires of the Collonie; To haue a voyce in the sensing of such offenders as shalbee brought to publicke Court; And That if the Gou' haue occasion to bee absent from the Collonie for a short time; (by the Gou' with the consent of the rest of the Assistants) hee may bee deputed to Gou'en in the absence of the Gou'; alsoe it shalbee lawfull for him to examine and Comitt to ward wher any occasion ariseth where the Gou' is absent proided the psone bee brought to hearing with all convenient speed before the Gou' and the rest of the Assistants alsoe it shalbee lawfull for him in his Majest Name to direct his warrants to any Constable within this Gou'ment whoe ought faithfully to
execute the same according to the nature and tenure thereof; and may bind
over persons for matter of crime to answer at the next ensuing Court of
his Majesty after the fact committed or the person apprehended.

*25

*The Oath of an Assistant.

You shall all swear to be truly and lawfully your Lord King Charles
his heirs and Successors; you shall faithfully and justly according
to the measure of discerning and descretion God hath given you; be
according to Law
Assistant to the Governor for this present year; for the execution of Justice, in all
cases; and towards all persons coming before you without psiallitie according to
the Nature of the office of an Assistant read unto you. Moreover you shall
diligently and truly see that the laws and ordinances of this Corpora-
tion be duly executed; and that you labour to advance the good of the several
plantations within the lymett thereof; and oppose any thing that shall
hinder the same by all due means and courses soe healp you God whoe is
the God of truth and the Punnisher of falshood;

*26

*It is enacted by the Court and the authority thereof that at every elec-
tion Court some one of the Assistants or some other sufficient man be chosen
Treasurer for the year following whose place it shall be to demand and
receive in whatsoever sume or sums shall appertaine to the Royaltie of the
place either coming in by way of fine amercement or otherwise; and shall
Improve the same; for the publicke benifitt of this Corporation.

It is further enacted by the Court that the Treasurer shall at the
election Courts Annually giue in his accounts of his receipts and payments for
his yeare to any that the Court shall appoint and to be entered vpon Record
and therepon to be discharged;

It is likewise enacted by the Court that the Treasurer by virtue of his
said office shall take order that all debts due to the Countrey be seasonably
brought in vnto such place or places as hee shall appoint that see all dues and
debts due vnto any person or persons from the Countrey may bee by him sea-
sonably and Satisfactorily defrayed except the publicke officers wages which
is otherwise provided for;

It is enacted by the Court that it shall be in the libertie of the Treasurer
after a month is past after Judgment; by his warrant to require in any fine as
hee shall see reason.
*The Oath of the Treasurer.*

You shall faithfully serve in the office of the Treasurer in the Jurisdiction of New Plymouth for this present year during which time you shall diligently enquire after demand and receive whatsoever sums or sums shall appertain to this Government arising by way of fine Amercment Royalty or otherwise and shall faithfully improve the same for the use of the Government and according to order dispose thereof as occasion shall require; you shall be ready to give in a true account unto the Court of your acting in your said office yearly at June Courts. So help you God!*

It is enacted by the Court that three men shall be nominated in the voates for Choice of Commissioners that so in case of failing of either of the first two nominated in the voates, by Reason of some evident hand of God Impeding that then the third nominated to supply his place;

*The Oath of the Clarke of the Court.*

You shall faithfully serve in the office of the Clarke of the Court for the Jurisdiction of New Plymouth. You shall attend the Generall Courts held for this Government at Plymouth aforesaid and the several Adjournments therof; and the Courts of Assistants and there Imply your selfe in such occasions as are behoofful to your said place and office; you shall likewise attend such other meetings of the magistrates of like nature as above expressed that shall or may fall out in the Interims of time betwixt the said Courts; you shall not disclose: but keep secret such things as conserve the Publicke good; and shall be thought meet to bee Concealed by the Government and Council of Assistants; You shall faithfully record all such things as you shall have order from Authority to Comit to Publicke Record and shall faithfully keep the Publicke Records of this Jurisdiction Soe help you God!

It is enacted by the Court and the Authoritie therof that the Clarke of the Court shall have twenty pounds per annum besides his ordinary fees allowed by the Court;

*The fees of the Clarke of the Court allowed and agreed upon by the Court;*

1. For every Recognizance for the good behavior four shillings taking and four shillings the releasing - - - 00. 08. 00 To the Cryer.
2. Item for every Recognizance of the peace 2 shillings the taking and 2s the releasing - - - 00. 04. 00 To the Cryer.

21
Item for a warrant of the peace or any other graunted by the Court 00. 02. 00
for a warrant of the good behawior - - - - - 00. 04. 00
for a Copy of an order two shillings - - - - - 00. 02. 00
for an Inditement - - - - - - 00. 02. 00
for a Repleauine - - - - - - 00. 02. 00
for entering of an action - - - - - - 00. 00. 06
for a warrant to Summon a Jury - - - - - - 00. 00. 06
for recording a verdict - - - - - - 00. 01. 06
for an ordinary warrant from the Gou' - - - - - 00. 00. 06
for recording of a bargaine or gifts of house or lands - - - 00. 02. 06
for enterung of a bargaine of beasts or Cattle - - - 00. 00. 06
for drawing and entering a coppy of an evidence of land
graunted by the Court - - - - - - 00. 05. 00
for registering of a Will - - - - - - 00. 02. 06
for registering an Inventory - - - - - - 00. 02. 06
for a supena for witnesses - - - - - - 00. 00. 06
for entering a graunt of land by the Court - - - 00. 01. 00
for a serch of an order will &\$ - - - - - - 00. 00. 04
for a coppy of a will - - - - - - 00. 01. 00
for a coppy of an Inventory - - - - - - 00. 01. 00
for entering a freeman - - - - - - 00. 00. 06
for recording of a marriage - - - - - - 00. 00. 06
for recording Contracts for servants - - - - - - 00. 00. 04
for drawing vp or makeing of an execution - - - - - - 00. 01. 06


You shall bee reddy to attend the Generall Courts and theire senerall Adjournments and the Courts of Assistants and alsoe the Court of Commissioners when they meet in this Gou'ment; and the Gou'ners psen especially at these Courts; You shall faithfully with what speed you may collect and gather all such fines and sumes of money you shall haue warrant soe to doe by the Gou' or any of his Assistants; and shall with like dilligence leuy the goods of any psen for which you shall haue warrant soe to doe by any execution graunted by the Court and that the same soe collected or leuied you shall with all Convenient speed deliver into the Treasurer or the psens to whom the same shall belonge and shall serne all Attachments directed to you which shall com to youer hands; and shall pforme doe and execute all such lawfull Comaunds directions and warrants; as by lawfull Authoritie heer established shallbee comitted to youer care and charge without favor or psiallyty to any psen
and shall take only your ordinary fees allowed without exaction upon any person; and shall safely keep as head marshall all such persons as shall be committed to your custody by the Government or any of his Assistants so as help. 

Moreover it is enacted by the Court that the Chief Marshall have power (incase he see occasion to require aide and assistance of any to assist him in the execution of his office; and the administration of his s^d office to extend to all places within the Lymetts of this Government.

*The Chief Marshall is allowed twenty marke p anum for his wages besides his ordinary fees allowed by the Court.

The fees of the Chief Marshall;

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item for serving an execution</td>
<td>00. 05. 00</td>
</tr>
<tr>
<td>Item for his Journey about it two pence p mile</td>
<td>00. 00</td>
</tr>
<tr>
<td>Item for serving an Attachment</td>
<td>00. 02. 06</td>
</tr>
<tr>
<td>Item for a Commitment</td>
<td>00. 02. 06</td>
</tr>
<tr>
<td>Item for Imprisonment 2s 6d p day</td>
<td>00. 00. 00</td>
</tr>
<tr>
<td>Item for every action that is entered</td>
<td>00. 00. 06</td>
</tr>
<tr>
<td>Item the one half of all fines not exceeding</td>
<td>00. 06. 00</td>
</tr>
</tbody>
</table>

It is enacted by the Court that the Chief Marshall shall have 2s in the pound for gathering of fines if they be not brought in by the parties themselves.

More of the Chief Marshall see execution served; and fines levied.


You shall be ready to attend the General Courts and Courts of Assistants and doe such service as shall be commanded you by the Government or any of his Assistants; and shall redly execute and inflict all such sentences; and punishments as by Authoritie of this present Government shall be judged to except putting to death bee inflicted upon any delinquents and offenders, according to the Nature of all such warrants and mandates as shall be directed to you without favor or partiality to any person and shall faithfully and safely as under keeper or under Marshall keep all such delinquents malefactors and felons as shall be committed unto you and shall take only your ordinary fees allowed without exaction upon any soe help.

The Under Marshall is allowed twenty Nobles p anum besides his fees allowed by the Court;
It is enacted by the Court that the under Marshall shall have twenty nobles more added to his former wages to be paid out of the Treasury and that for the future hee shall not expect any fees for the keeping of any prisoner save only to have 2s 6d for Comitment and two shillings and six pence for Release as formerly.

It is enacted by the Court that all sentances and sensures that shall fall out to bee Inflicted by the Vnder Marshall viz: whipping stocking & stickmatising hee shall be payed for the same; by the order of the Court.

It is enacted by the Court that if any person or persons shall henceforth cast contempt upon the Marshall or any of his by reason of and concerning his said office shall be fined to the use of the government ten shillings for every default;

*It is enacted by the Court that it shall be lawfull for the Govt or Assistants to presse any either trades men or others to bee Employed in the behalfe and for the use of the Countrey as to provide or repaire prisons stockes whipping posts or other Instruments of Justice and all such to be payed with current Countrey pay.

It is enacted by the Court that the Publicke officers wages shall be payed in Corne;

It is enacted by the Court that all Corne that shall be paid for paying the publicke charges of the Countrey shall be payed at one current prise;

At the Court of his Majest holden att Plymouth the 10th day of March 1675 Jonathan Pratt was established in the office of Vnder Marshall and took his oath to performe the said office according to the Nature and in the particulars thereof; excepting putting to death; of any offender which the Court did unanimously engage to him that hee shall be Clearly freed from; and that they will otherwise provide for such executions when they shall at any time fall out;

*The Oath of A Constable;

You shall sweare to bee truly Loyall to our Sou Lord King Charles his heires and Successors you shall faithfully serue in the office of a Constable in the ward of for this present yeare according to that measure of Wisdome Vnderstanding and Discretion God hath giuen you in which time you shall dilligently see that his Majest peace Comaunded bee not broken but shall carry the person or persons offending before the Govt of this
Corporation or some one of his Assistants and there attend the hearing of
the case and such order as shall bee giuen you; you shall apprehend all suspi-
sious persons and bring them before the said Gou"r or some one of his Assistants
as aforesaid. You shall duely and truly serve such warrants and giue such
summons as shall bee directed vnto you from the Gou" or Assistants before
mensioned and shall labour to advance the peace and happines of this Cor-
poration and oppose any thinge that shall seeme to any the same by all due
meanes and courses soe healp you God whoe is the God of truth and the
punisher of falshood;

*It is enacted by the Court and the Authoritie therof that the Constables
in euery Towne within this Gou"ment shall warne the Townsmen wherof
they are to come together as they doe for other townes busines when the
Comites shall thinke it fitte; as well to acquaint them with what is pro-
pounded and enacted at the Court as to receiue Instructions for any other
busines they would haue done;

It is enacted by the Court that the Constable that liue remote hence in
the further plantations shall bee freed from attendance att the Generall Courts
after they are sworne except there shall bee speciall cause to retaine them;

It is enacted by the Court that all fines vnder forty shillings that shall
fall in any of the remote townes of this Gou"ment shall bee levied by the Con-
stable of the Towne by warrant from the Treasurer which remote townes are
explained by the court to bee Taunton Rehoboth Eastham and Bridgewater;

It is enacted by the Court and the Authoritie therof that if any Con-
table within this Gou"ment have occasion to goe out of the Townshipp wherein
hee is Constable for some time hee shall haue power to procure and depute
another in his stead as his deputie to execute his place vntill his returne as
effectually as hee himselfe might doe; provided that the person whom hee soe
deputeth be not one that hath serued in the place within two yeares before
except hee bee willing and incase any Constable shall neglect to prouide and
depute one in his stead as aforesaid to forfeit ten shillings for euery default;

*It is enacted by the Court that every Constable of this Jurisdiction
shall haue a Constable staffe whereby to distinguish them in their office from
others and to bee provided by the Treasurer and to bee delivered by the fore-
going Constable to him that succeeds them yearly;

Wheras some Trouble and Inconvenience hath arisien that some haue bine
chosen to the office of Constable and haue rather chosen to pay the fine for—
merly Amerced (for such default) then to serve in the said office and soe the towne Nessesitated to make a new choice putting them to further Charge. It is enacted by the Court and the Authoritie therof that if any man being chosen by any Towne to the office of a Constable and shall refuse to serve therin shalbee fined the sume of four pounds the one halfe thereof to the Towne in which they are chosen; and the other halfe thereof to the use of the Collonie;

It is enacted by the Court and the Authoritie therof That in every Towne of this Jurisdiction there shalbee three or foure men chosen by writing of their Names in papers as the majestrates are chosen; to rate all the Inhabitants of their Towne according to their estates or faculties that is according to goods lands Improved faculties and personal abilities whether the rates bee for any of the Townes in particular or for Generall Charges; and by Improved lands are understood meadow lands plowed lands and hoed lands the orders therin to bee observed are these;

first that the Constable shall Summon the Townsmen to come together and if hee neglect when hee is thervnto lawfully warned to forfeit twenty shillings;

*37 That if the Townsmen doe not come together vpon the Constables warning and choose Raters the towne to forfeit five pounds.

That if the Raters doe elected doe not make the Rate and Transcribe and deliver or cause to bee delivered a Copy therof to the Constable within ten daies or sooner if the occasion shall require to forfeit ten shillings a peece for every such default.

That if the Constable doth Neglect to gather the said rates or cause them to bring it in within forty daies next after hee hath the said rate or sooner vpon special occasion; hee shall pay it himselfe and to bee recovered by suite;

That the Constable is hereby Impowered shalbe have power to distraine vpon any that shal neglect to pay his rate being demanded and bring it to the place appointed by him and shall haue twelve pence for his pains about the destresse;

Lastly That all fines and forfeitures which shall fall by the breach of any of these actes shalbee leuied for the Gou'ment;

It is enacted by the Court and the Authoritie therof that incase any Towne of this Gou'ment shalbee fined that the Court shall appoint three men to make a rate to leuy the fine whoseh shall proceed therin according to the rules sett downe in the orders about the rates of the Countrey as neare as may bee; and incase such men as shalbee soe appointed to make the
rates shall neglect it they shall pay the fine themselves; and such said rates as shalbee made a Coppy therof shalbee deliuered to the Constable to bee levied as rates for other Charges.

*It is enacted by the Court and the Authoritie therof That it shalbee lawfull for the Gou' as well to Impannell such his Maties Subjects as are of good report and freeholders vpon Juries although noe freemen to doe service theron as well as such as haue taken vp their sreedome.

It is enacted by the Court that all tryalls whether Capittall or between man and man bee tried by Juries according to the presedents of the lawes of England as neare as may bee.

It is enacted by the Court and the Authoritie therof that if a Jury bee Impanneled for tryall of causes and the pties agree afterwards; yett they shall pay the Jury;

It is enacted by the Court that the Jury shall have six pence a man and the foreman twelve pence in such cases of Controversy as they shall goe on.

It is enacted by the Court that att the entry of every action the charges of that action bee defrayed before the action bee entered.

forsomuch as the Jury men for tryall of causes betwixt pty and pty haue bine summoned out of the Towne of Plymouth and other townes neare thervnto and by the frequency therof it hath proved burthensome It is enacted by the Court that out of other Townes of this Jurisdiction the remote townes excepted as occasion shall require there shalbee one man of every town required to attend the Courts for such purpose whose names shalbee specified; in the warrants that are Issued forth for the warning of the Court;

It is enacted by the Court That henceforth noe summons bee Issued out before the action bee entered and the charges defrayed.

*It is enacted by the Court and the Authoritie therof That a great Quest bee Impanneled by the Gou' and Assistants; which are to bee chosen out of the seuerall Towneshipes of this Gou'ment according to order of Court; and warned to serue his Matie by enquiring into the abuses and breaches of such wholesome lawes and ordinances as tend to the preseruation of the peace and good of the Subject and that they p'sent such to the Court as are guilty that soe they may bee prosecuted by the Court by all due meanes.

It is enacted by the Court that all misdemeanors of any pson or psons as tend to the hurt and detriment of societie ciuillity peace and Naighbour-
hood bee enquired into by the Grand enquest and the psons p'sented to the Court that see the disturbers therof may bee punished and the peace and welfare of the Subject peaceably preserved;

It is enacted by the Court and the Authority therof that the Grand jury men in everie Township shall once in the yeare; yearly view all the measures weights and toile dishes in theire severall Townships and see that they bee lawfull according to order; and that every housholder have ladders sufficient and p'sent the defects;

It is enacted by the Court that the Grand jury men in each Towne of this Gou'ment; bee warned att election Courts to make their appearance the fift day of that weeke to take oath.

*for the preventing of Idlenes and other euills occasioned therby It is enacted by the Court That the grandjurymen in every Towne shall haue power within theire severall Townships to take a speciall view and Notice of all manor of psons married and single dwelling within theire severall Townships that haue snaile means to maintaine themselves and are suspected to live Idely and losly; and to require an account of them how they live; and such as they find delinquents; and can not gine a good account vnto them That they cause the Constable to bringe them before a Majestrate in theire towne if there bee any; if there bee none before the Celect men appointed for such purpose That such course may bee taken with them as in theire wisdomes shalbee Judged Just and equal;

It is enacted by the Court that noe p'sentment heerafter shalbee exhibited to the Grand enquest to bee brought to the Court; except it bee done vpon oath and that it shalbee lawfull for any of the Assistants or any such as are deputed; To adminnester an oath in such case; viz: it is to bee vnderstood on theire owne knowledge or others oaths;

It is enacted by the Court that any one that for the future shalbee p'sented to the Court for any fact on the Testimony of one witnes although vpon oath shall not bee for the same condemned without a second witnes or concurring cercomstances.

*Whereas the Grand enquest is a place of great trust and concernment in the Comonwealth in discharge wherof is required expence of time and Charge It is enacted by the Court that the severall Townes of this Jurisdiction shall pay their grandjury men towards their expence of time and Charge att theire severall Courts two shillings and sixpence a day and
nothing att the election Courts and that onely fitt and able psons bee Chosen for that seruice;

The oath of a Grandjury man;

You shall true p'sentment make of all thinges giuen you in Charge; You shall p'sent nothing of mallice or illwill; your owne Counsell and yourer fellowes; in reference to this oath you shall well and truely keep Soe healp you 

It is enacted by the Court that if any shalbee chosen to serue on the grand enquest and shall refuse to serue; hee shalbee fined to the Collonies vse the sume of ten shillinges for every Court that hee is absent in the yeare for which hee is chosen to serue and incase hee shal wholly exclude himselfe all the yeare; hee shalbee fined the sume of forty shillinges to the Collonies vse; vnlesse hee can giue sufficient reason to the Contrary vnto the Court;

*Wheras Complaint is made that the ffreemen are put to many Inconveniencies and great expences by theire Continuall attendance att the Courts;

It is therefore enacted by the Court and the authoritie therof for the case of the seuerall Townes of this Gou'ment that every towne shall make Choise of two of their ffreemen and the towne of Plymouth of foure to bee Comittees or Deputies; to Joyne with the bench to enact and make such lawes and ordinances as shalbee Judged to bee good and wholesome for the whole; provided that the lawes they doe enact shalbee propounded one Court to bee considered of vntill the next and then to bee approvd of; except the case requires p'sent confeirmination and if any acte shalbee confeirned by the bench and Comittees which vpon further deliberation shall prove prejudisiall to the whole; that the ffreemen att the next election Court after meeting together may repeale the same and enact any other usefull for the whole; and that every Townshipe shall beare theire Comittees charges; which is two shillings and six pence a day; and that such as are not ffreemen but haue taken the oath of fidelitie and are masters of families and Inhabitants of the said Townes as they are to beare a pte in the charges of the Comittees soe to have a voat in the choise of them; provided they choose them onely of the ffreemen of the same towne wherof they are; but if such Comittees shalbee Insufficient or troublesome; that the bench and the other Comittees may dismiss them and the towne to Choose other ffreemen in their places;

*It is enacted by the Court and the Authoritie therof That wheras the Number of ffreemen in many places is but smale and the Inhabitants of Townshipes many more whose haue equall voates with the ffreemen in the choise
of Deputies who being the body of freemen representative together with the majestrae have equal votes for the enacting of lawses whose by weaknesses prejudice or otherwise it hath or may come to pass that very vnfit and vnworthy persons may be chosen that can not answer the Courts trust in such a place; That all such Courts as Majestraes and Deputies are to act in making of lawses and being assembled the Court in the first place take notice of their members; and if they find any vnfit for such a trust that they and the reason thereof bee returned to the town from whence they were sent that they may make Chose of more fit and able persons to send in their stead as the time will permit;

It is enacted by the Court that if any Townshipe in this Gou'ment being orderly thereto required shall neglect and refuse to elect and choose Committees according to the aforesaid order That townse doe Neglecting or refusing to bee fined to the Gou'ments vse forty shill and every Comitie soe chosen and makes not his persons appearance; in the Court att the day appointed there to doe his service to bee fined twenty shillings vnsesse hee can shew a reason approved by the Court;

*Whereas the severall Townes of this Jurisdiction were to send their Deputies which must arise out of the freemen to attend the three general Courts of the yeare Now vpon the speciall complaints of the Deputies of the townes soe sent professing themselves to be oppressed therby; It is enacted by the Court and the Authority thereof That the whole body of freemen shall appear at the election Court which is the first Tuesday in June successively and then to make or repeal such lawses orders and ordinances as shall bee found meet and wholesome for the ordering of the Gou'ment and that then alsoe they p'sent such deputies as have been chosen by their Townes according to order formerly established whoe are to attend the same and its severall adjournments as the occasions of the Countrey shall require; and whatsoever lawses orders and ordinances shall be made or repealed bee at that Court and the severall adjournments thereof onely done except the Gou' and Assistants see cause to call a speciall Court; and other Courts to attend matters of Judicature and the majestrae onely to attend the same;

It is enacted by the Court that att Courts of election next after the choice and swearing of Majestraes and other officers the Generall occasions of the Countrey wherein depuities are requisite bee attended except extraordinary occasion comes in the way.
*It is enacted by the Court that the Court of magistrates and deputies shall have power as to receive accounts soe to give allowance to any psone in publicke place for lose or damage hee sustaines as they shall thinke meet;

It is enacted by the Court that if any stranger or forraigne have any occasion to comence a suite at any time between the Courts for the tryall of a cause of considerable value; hee hath libertie to purchase a Court for such a purpose if hee shall put in Ccecuritie to defray the charge; and that there shall not bee lesse then three of the Majestrates att every such Court;

It is enacted by the Court and the Authoritie therof That an execution shalbee graunted forth att the end of one month after the verdict and Judgment is graunted and not before the party bee departed the Gou'ment; and that when the marshall goeth forth to serve the execution the plaintiff or his deputie shall goe with him to prize the goods soe distressed and if occasion shall require the defendant shall haue libertie to choose another man; and the Marshall and those two shall apprise the goods or chattles soe taken; but if the defendant doe neglect or refuse to make such a choice; the Marshall shall choose a man on his behalf; and as they or any two of them shall prize the goods soe they shallbee then and there delivered vnto the plaintiff or his deputie and the Marshall discharged; and if the said goods come to more then the debt and charge amount vnto then the plaintiff shall returne the ouerpluse vnto the defendant in Countrey pay within six daies next after hee receiueth the said goods; but if the plaintiff lineth out of the Gou'ment; then hee shall fourthwith returne the ouerpluse or giue Ccecuritie to the defendant to doe it within the said six daies;

*It is enacted by the Court that all executions Issueing out of the general Court or Court of Assistants shalbee executed by the Marshall onely;

It is enacted by the Court and the Authoritie therof that it shalbee lawfull for the Gou' and Majestrates or any of them to direct Summons to Any psone in this Gou'ment to answare to any suite comenced against them; and it shalbee as Authenticall as if it were done by warrant to Attach or arrest them;

It is enacted by the Court that the Prison shalbee erected att Plymouth.

It is enacted by the Court that the Gou'ment shall alow fourpence a day to maintaine a prisoner Comitted for fellonie or misdemenor if they bee not able to maintaine themselves and to bee payed by the Treasurer and alowed vpoun his accounts.
It is enacted by the Court That in every Township of this Gou'ment there shall bee a pair of Stockes and a whipping post erected in such places as shall bee thought meet by the severall Neighborhoods where they Concerne upon the penaltie of ten shillings for every Townshipe that shall bee defective therin.

*Capitall offences Lyable to death

Treason or Rebellion against the psone of our Sou' Lord the King; the State and Comonwealth of England; or this Corporation

Wilfull murder;

Sollemne Compaction or Conversing with the diuill by way of witchcraft or the like;

Wilfull or purposed burning of shipps or houses

Sodomy Rapes buggery;

It is enacted by the Court and the Authoritie therof That whosoever shall comitt Adultery shall bee severely Punished by whipping two severall times viz: once whiles the Court is in being att which they are convicted of the fact and the second time as the Court shall order and likewise to were two Capitall letters viz: A D Cut out in Cloth and sewed on theire vpermost garments on their arme or backe; and if att any time they shall bee taken without the said letters whiles they are in the Gou'ment soe wore to bee forthwith taken and publickly whipt;

*Offences Criminnall

It is enacted by the Court and the Authoritie therof That any psone or psons that shall Comit Carnall Copulation before or without lawfull Contract shall bee punished by whipping or els pay ten pounds fine apecce and bee Imprisoned during the pleasure of the Court soe it bee not aboue three daies but if they bee or wilbee married the one to the other; then but ten pounds both and Imprisoned as aforesaid; and by a lawfull Contract the Court vnderstands the mutuall consent of parents or guardians if there bee any to bee had; and a sollemne promise of marriage in due time to each other before two competent witnesses; and if any psone or psons shall Comitt carnall Copulation after contract and before Marriage they shall pay each fifty shillings and bee both Imprisoned during the pleasure of the Court soe it bee not aboue three daies; or else incase they cannot or will not pay the fine then to suffer corporall punishment by whipping;

It is enacted by the Court and the Authoritie therof that whosoever shall prophanly sweare or curse by the name of God or any of his Attributes
word or works hee or shee shalbee sett in the Stockes soe it exceed not three
houres or bee put in prison according to the Nature and quallitie of the psone;

It is enacted by the Court that whosoever shall steale or attempt to steale
shippes boates munition or other things it bee Accounted fellowe and soe to
bee Punished;

It is enacted by the Court that such as either drinke drunke in their
psones or suffer any to drinke drunke in their houses; bee enquired into
amongst other misdemenors and according Punished or fined or both att the
descretion of the majestrate;

*It is enacted by the Court that whatsoeuer servant or apprentice or
labourer shall ployne or steale or Imbezell his masters goods shall make
double satisfaction and restitution either by payment or servitude as the Court
shall Judge meet for the first default; and for the second default of the
labourers to make double restitution and either find surties for his good
behavior or bee whipt;

Whereas Complaint is made that some haue brought Cards into some
Townes of this Jurisdiction wherby seuerall psones; mens both servants
and Children haue bine drawne together to spend their time in playing at
such vnlawfull games to the coruping of youth with other sad consequences
that may fall by the pmision of such practices; It is enacted by the Court
and the Authoritie therof That whosoever shall bring into this Jurisdiction
or keep in his house any Cards for such purposes as afsaid or shall suffer
any to play at Cards or Dice att any time in his house or where hee hath to
doe; or any that shalbee acters att such vnlawfull Games shalbee fined for
the same forty shillinges and for such as are servants or children that shall
play att Cards or Dice for the first offence to bee corrected att the descretion
of their parents or masters; and for the second offence to bee publickly whipt;

It is enacted by the Court and the Authoritie therof that every psone of
the age of descretion (which is acoumpted sixteen yeares) whoe shall wittingly
or willingly make or publish any lye which may bee pmisious to the publicke
dewe or tending to the damage or hurt of any pticulare psone or with Intent
to deceive or abuse the people with falce newes or reports shalbee fined for
every default ten shillings; and if the pty bee vnable to pay; then to bee sett
in the Stockes soe longe as the court shall thinke meet;

*Wheras some abuses haue formerly broken out amongst vs by disguising
wearing visors and strange apparrell to laciouose ends and purposes; It is
Therefore enacted by the court and the Authoritie therof. That if any persons or persons shall hereafter use any such disguise or visors strange apparel or the like to such lascivious and evil ends and intent and bee thereof convicted by due course of law shall pay fifty shillings for the first default or else bee publickly whipt and bee bound to the behawour if the Court shall see meet;

It is enacted by the court that if any persons or persons shall wilfully and of set purpose burne any mans fence or fences shall make good the damage or bee bound to his good behawour.

It is enacted by the Court that any persons or persons that shall plucke vp remove or deface any land marke or bounds betwixt pty and pty that have bine or shalbee orderly and sufficiently sett vp by psons thervnto designed; shalbee fined from twenty shillings to five pounds according to the nature of the offence.

It is enacted by the Court and the Authoritie therof. That any persons or persons that shall wilfully and of set purpose breake downe another mans fence or gate or bridge to the annoyance of either a ptycular pson or the generall; shall make vp such said fence gate or bridge att his owne charge and pay the damage therby sustained; and bee fined for the first default fifty shillings and for the second default fined five pounds; and bound to his good behawour.

*Wheras there is great abuse in taking of Tobacco in very vnicuill manor in the streets and dangerously in out houses as barnes stannales about hay stackes and other such places. It is therefore enacted by the Court that if any persons or persons shalbee found or seen heerafter taking Tobacco publickly in the open streets of any Towne of this Jurisdiction or in and about Barnes stannales hay-stackes Corn stackes hay yards or any such like places or out houses. That every such persons or persons soe offending shall forfeite and pay to the Townes vse for the first default twelve pence for the second default two shillings; and it shalbee lawfull by this acte warrantable for the Constable of every Township without further warrant upon sight and Information to distrain his or their goods for it which doe refuse to pay it upon his demand; and to bee accountable of what he receuies yearly att the election Courts; soldiers in time of exercice excepted;

Wheras many have sustained great damage by the vndescrect fering of the woods though Justly occasioned thervnto. It is enacted by the Court that none shall fire the woods att any time but they shall give warning thervnto to the Neighbours about them; and the time of fering them to bee from the
fifteenth of February to the latter end of April alsoe that if any person att
any time shall fir any of the woods; and hath noe Just occasion soe to doe
hee shall bee fined ten shillings to the vse of the Gou'ment or bee whipt.

*It is enacted by the Court and the Authoritie thereof that whosoeneuer
shall forge any deed or writing wheryby any estate of lands either by Inheritance
or for tearme of yeares shall bee passed and the right heires disinherited
and shall produce and publish the same to such deecightfull ends and purpose
and bee therof convict by course of law shall pay the pty greiued double
damage and bee fined halfe soe much as the pty greiued recouereth of him;
and incase hee bee not able to pay it to bee publickely whipt and burned in
the face with a Roman \( \Gamma \);

It is enacted by the Court and the Authoritie thereof That if any officer
or keeper of publike Records or writings shall wilfully steale Imbezell or
make away any such publike Records or writing soe comitted to publike
Record or keeping or shall alter any of them or any pte of them by Raseing
out or ading thereto or otherwise; shall bee disfranchised and lose his office
and burnt in the face except in triuall Cases;

It is enacted by the Court that if any person or persons shall endeavor or
goee about directly of Indirectly to Corrupt any officer keeping any publicke
Records or writings to procure him to deface alter or Imbezell any such
Records or writings shall bee fined according to the Nature of the offence soe
it bee not above forty pounds or bee whipt;

*It is enacted by the Court that all such as deny the Scriptures to bee a
Rule of life; shall receive corporall punishment according to the descretion
of the majestrate soe as it shall not extend to life or limb;

Whereas there hath bine many Complaints for want of due maintinance
for minnesters (as some haue reported) It is enacted by the Court that noe
Pastoure or Teacher of any Congregation shall remoue before his Complaint
hath bine tendered to the majestrates and they haue heard both sides; and
that vpon such complaints if there appeers to bee a reall defect in the hearers
of the minnesters soe complaining; the majestrates shall vse all gentle means
to pswade them to doe their duty heerin; but if any of them shall not
heerby bee reclaimed but shall psist through plaine ostinacye against an
ordinance of God then it shall bee in the power of the majestrate to vse such
other meanes as may put them vpon their duty;

Whereas this Generall Court takeing into their serious Consideration the
great defect that either is or like to bee in severall Townshipes of this Jurisdiction for want of an able Godly teaching minnestyre and the great prejudice to the soules of many like to ensue and being desirous according to our duties that such defects should not bee for want of due Incurragement to such as either are or shalbee Employed in soe good a worke of the Lord for his honor and the good of soules; and in Consideration that inasmuch as the severall Townships granted by the Gou'ment was that such a Companie might bee received as should maintaine the publicke worship of God there; doe Therefore Judge that the whole both Church and Towne are mutually engaged to support the same; and doe therefore order and agree *That in whatsoever Townshipe there is or shalbee an able Godly Teaching minnstery which is approved of by this Gou'ment That then foure men bee chosen by the Inhabitants or incase of theire neglect chosen by any three or more of the majestrates to make a Just an equall proportion vpon the estates of the Inhabitants according to theire abilities to make vp such a convenient maintanance for his comfortable attendance on his worke as shalbee agreed vpon by the Church in each Township where any is with the concurrence of the rest of the Inhabitants if it may bee had or by the majestrates aforesaid incase of theire apparent neglect; and that distresse accordingly as in other Just cases bee made vpon such as refuse to pay such theire proportions which is in Justice due But incase there bee any other way whereby any Township doe or shall agree that may effect the end aforesaid this law not to bee binding to them; To bee explained those; That onely such psone or psions as refuse to beare theire pte with the rest of the Church or Towne in due maintanance and support of Minnestyre this law to bee in force onely to them but not vnto others that doe theire duty;

It is enacted by the Court That whosoever shall villify by opprobrous speeches or tearmes any Church or ordinance being therof lawfully convicted shall forfeit and pay to the vs of the Collonie ten shillings for every default;

It is enacted by the Court That whosoever shall prophane the Lords day by doing seruill worke or any such like abuses shall forfeit for every such default 40 shillings or bee publickly whipt;

*It is enacted by the Court That whatsoever psone or psions shall frequenty absent or neglect vpon the Lords day the publicke worship of God that is approved of by this Gou'ment shall forfeit for every such default; ten shillings;
It is enacted by the Court and the Authority thereof That hence forth no publicke meeting bee set vp within this Gou'ment but such as the Court shall approuoe of.

Whereas complaint is made of great abuses in sundry places of this Gou'ment of Prophaning the Lords day by Travellers both horse and foot by bearing of burdens carrying of packes & upon the Lords day to the great offence of the Godly well affected amonst vs; It is enacted by the Court and the Authoritie thereof That if any pscon or pscons shalbee found Transgressing in any of the precepts of any Township of this Gou'ment bee or they shallbe forthwith apprehended by the Constable of such a Towne and fined twenty shillings to the Collonies use or else sit in the stocks four houres except they can give a sufficient reason for their se doing; and they that transgresse in any of the aforesaid particulares shall onely bee apprehended on the Lords day and on the second day following shall either pay therei fine or sitt in the stocks as aforesaid;

It is enacted by the Court and the Authoritie thereof That all such as refuse to take the oath of fidelitie as Quakers or such as are manifest encouragers of such shall have noe voyce in choice of publicke officers in the place where they dwell or shallbee Imploed in any place of trust while they continew such;

*It is enacted by the Court and the Authoritie thereof
That noe Quaker Rantor or any such corrupt pscon shalbee admited to bee a freeman of this Corporation;

It is enacted by the Court and the Authoritie thereof; That all such as are opposers of the good and wholsome lawes of this Collonie or manifest opposers of the true worship of God or such as refuse to doe the Countrey service being called thervnto shall not be admitted freemen of this Corporation being duele convicted of all or any of these;

It is enacted by the Court and the Authoritie thereof That if any pscon or pscons that are or shallbee freemen of this Corporation that are Quakers or such as are manifest encouragers of them and soe Judged by the Court or such as shall speake contemptuously of the Court and of the lawes thereof and such as judged by the Court grossly Scandalous; as lyers drunkards swearers y3 shall lose therei freedom of this Corporation;

It is enacted by the Court and the Authoritie thereof That all pscons within this Gou'ment that are att therei owne dispose and have not taken the oath of fidelitie shall repaire vnto some one of the majestrates of this Jurisdiction to take the said oath; which if they shall neglect or refuse to doe; such pscon
or persons shall be summoned to every election Court to make their appearance theret during the time of their abode in this Government; and if any such person or persons shall then refuse; to take the said oath they shall be fined; the sume of five pounds to the Colonies vse;

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*The order of Court Concerning the Council of War.

In regard of the many appearances of danger towards the Countrey by enemies; and the great necessity of Council and advise in which respect the Court thought meet to make choice of a Council of War consisting of eleven persons whose names are else where extant in the Records of the Court; which said eleven or any five of them being orderly called together their act to bee accompted in force; and they to bee continuewed in their places vntill others be elected to bee orderly called together is ment being summoned by the Govr or Major or the President of this Council or his deputie; or in case of their absence any two majestaries of the Council of war;

It is enacted by the Court and the Authoritie thereof That the Council of War shall have power To issue out warrants in his Majesty name to Impresse such an Number of men and horses in every Towne as by proportion the said Towne is to set forth and alsoe to issue out warrants in said Majesty Name to the said Townes for Armes and provision and all things necessary for them; and what charges shall arise; to be levied on each Towne proportionable as other publicke rates and to give Commission to any Cheife officer vnder their Charge either in time of peace or war;

The proceeding of the Council of War in the Constituteing and Commissioning of a Major.

The Council of War being Assembled doe hereby Constitute Impower and Commissionate you our Trusty and wellbeloued frind I W to bee as Cheife Officer over the milletary Companies of this Jurisdiction bearing the title of a Major and to acte therein as is provided by order of Court Anexed to your office; according to such Instructions as you haue or shall from time to time receive from the Council of War In pursuit whereof all Captaines Inferiour officers and soldiers are hereby Required to bee in Reddy Subjection to you during your Continuance in the said office which shall be vntill the Council of War shall see cause to order otherwise;

Given vnder our hand and Scale T P President with the consent of the rest of the Council of war;
*Instructions for the Major;

You shall take into your Command the several Military Companies of this Jurisdiction both horse and foot and take care that they be orderly trained up in the use of arms.

You shall take care that arms be fix and serviceable.

You shall carefully appoint such watches and guards as may be needful for the honor and safety of the Government;

You shall yearly appoint general Musters or meetings of such Companies as can with any convenience meet together and with the advice of your Council order the same.

In case of any sudden and unexpected approach of an enemy or Insurrection within our selves you shall endeavor to put those Companies into such a posture of defence; as yourself and such of your Council of War shall give you Instructions therabouts;

You shall be ready at all times to observe and execute such further Instructions either respecting discipline or real service as shall from time to time by the Council of War be directed to you;

You shall on all occasions advise with such as the Council of War shall appoint to bee of your Council; and they for the present have chosen those hereafter nominated; &c.

See booke of orders and passages of the court;

*It is enacted by the Court and the Authority thereof That in case any Cheif Military officer be wanting in any town within this Government such Township shall present two or three persons of the finest that have for that place to the Court; and such persons or persons as shall be approved by the Court shall be established in such place and office; and such Cheif officer to choose their under officer with the Consent of the body.

It is enacted by the Court that as the Captain Lieutenant and Ensigne are established in their places by Authority and approbation of the Court; so such Capt: Lieutenant and Ensigne shall not lay downe their places but by the consent and approbation of the Court; upon the penalty of five pounds for every Captain fifty shillings for every lieutenant and fifty shillings for every Ensigne soe laying downe his place without the leave and liking of the Court and if any Captain lieutenant or Ensigne shall neglect to traine their men on the daies appointed or shall be negligent in his or their places; upon professe thereof; shall be fined ten shillings for every default;

It is enacted by the Court that the Cheif Military Command in every
The Colony Records

Towne shall have power to call forth men to exercise them in their arms and to appoint daies of training and the sarjents to give warning thereof and to bee done as oft as the Court hath appointed;

It is enacted by the Court that all the milletary Companies within this Gou'ment shalbee trained at the least six times in the yeare;

*It is enacted by the Court that in the time of feare and danger and sudaine assault of an enimie the cheife milletary Comaundr in every towne shall have power to call the souldiers of that towne together and put them in a posture of warr; whose Comaunds every souldier shall obey for the defence of the Township and that they follow the directions of the milletary Comaundr of that towne in keeping watch and ward provided that the ordinary watch bee sett and appointed with the magistrates aprobation if there bee any.

It is enacted by the Court that the Cheife milletary officers in every Towne shall sett a fine vpon such as absent themselfes on daies of training if there bee not sufficient reason giuen for there absence provided the fine bee with the Consent of the Companie or the major pte therof and such fines to bee gathered by the Clarke of that companie and to bee for the benefitt of the same;

It is enacted by the Court that the milletary officers in every Towne shall see that the Armes of that towne bee fix and compleat for length and bore and p'sent those that are defectiue;

It is enacted by the Court that all and every poerson within this Gou'ment shalbee subject to such milletary order for training and exercise of armes; as hath bine agreed vpon and inacted by the Court;

The fines of such as are defectiue in their armes

That are wholly defectiue - - - - - - - 60. 10. 00
That want a peec - - - - - - - 00. 06. 00
That want a sword - - - - - - - 00. 02. 06
That want powder - - - - - - - 00. 05. 00
That want bulletts - - - - - - - 00. 02. 00
That want match - - - - - - - 00. 01. 00

*The Guns or peeces allowed for service are these viz: musketts fierlockes and matchcockes see that they have four fathom of match at all times reddy for every matchcocke Calliuer Carbines and fowling peeces see that they bee not above bastard muskett or Calliuer bore;
LAWS.

It is enacted by the Court that every Township in this Gou'ment each TowneArmes. 

township shall provide two sufficient fierlocke peeces two swords and two
powches for every thirty men they have in their town; and so proportion-
able to their Number they are to sett out bee they greater and lesser;
which shall bee reddy att all times for service vpon any occasion vpon such
penalty for every delinquent as the Court shall Judge meet according to the
Nature of the offence;

It is enacted by the Court that every Township in this Gou'ment shall
provide a barrell of powder and ledd or bulletts answarable; to bee kept by
some trusty man or men in every Towne that it may bee reddy for defence
in time of need and danger.

It is enacted by the Court that every pson both for him selfe and every
man servant bee keepeth able to bear armes haue a piece powder and
shott viz: a sufficient muskett or other servicable peece for warr with banda-
leurs sword and other appurentances; and that for himselfe and every such
pson vnder him bee bee att all times furnished with one pound of powder
and four pound of bulletts with foure fathom of match for every match-
cocke muskett;

*It is ordered by the Councell of Warr

That every Towne that shall bee defectiue in the want of a Drum att any
time for the space of two monthes shall forfeit the sume of forty shillings.

It is ordered by the Councell of warr that every towe provide halberts
for their sarjeants of their milletary Companie;

It is ordered by the Councell of warr that a Considerable Companie of
halfe pikes bee prouided in every towne att the charge of the township;
viz: wher eighty men are; able to beare Armes; there twenty to bee pro-
vided and soe proportionable to their Number bee they greater or lesser;

The oath of a Clarke of a milletary Company.

You shall faithfully serue in the office of a Clarke of the milletary Com-
panie of £6 for this p'sent yeare during which time you shall dilligently
obserue such sett times of training as your officers shall appoint You shall
keep an exact list of the Names of your Millitary Companie; and take
notice of all such defects as shall arise by the breach of any wholsome orders
made by the said Companie; and gather in all such fines as belong therunto
and giue a Just account therof to the Companie or such as they shall appoint.
It is ordered by the Councell of warr that all such as are chosen Clarke of any miliary Companie of this Jurisdiction shall be sworn; and any that shall refuse to serve as Clarke for one yeare shall be fined twenty shillings and hee that is next chosen to haue the said summe;

"It is enacted by the Court that in case there shall be need of horses vpon speciall occasion for the Countryees service it shall be lawfull for the Gou' or any three Assistants to press and see many as they shall see reason to Imply prouided that they take order that the owners bee payed for them; but if any such horse or horses miscarrie in the service; the prize of such horse or mare to bee made good to the owner by the Countrrey; and the horse to bee prised att his going forth.

It is enacted by the Court that if any shalbee sent forth as a soouldier and shall returne maintaine hee shalbee maintained competently by the Countrrey during his life;

It is enacted by the Court that all such Scotes or Irish as are in any Township of this Gou'ment shall beare Armes and traine as others; except such as are servants from month to month;

It is enacted by the Court that all Smithes within this Gou'ment bee compellled to amend and repair all defective armes brought vnto them speedily and to bee payed in wheat or butter and the Smith refusing to answere it att his prill;

"It is enacted by the Court and the Authoritie thereof That a Troop of horse well appointed with furniture viz: a saddle and a case of petternells for every horse shalbee raised out of the seuerall Townships to bee reddy for service when required; and maintained for the purpose to bee raised as followeth;

viz: Plymouth - - 3 Yarmouth - - 3
Duxburrow - - 2 Barnstable - - 3
Scituat - - 4 Marshfield - - 3
Sandwich - - 3 Rehoboth - - 3
Taunton - - 3 Eastham - - 3
Sowamsett - 1 Bridgewater - - 2

In all thirty and three; and that all such shalbee freed from foot service and from watching and to bee reddy by June next ensueng the date heerof on the penaltie of the forfeiture of ten pounds for every town that shall neglect:
Liberty is granted unto the Major to Admitt of soe many vouleenteers into the troop of horse as will make vp the Number forty eight; the Commission officers excepted and all such to continue three years at the least;

Wheras the milletary Companies of this Jurisdiction are entered into a Regimentall posture and therefor that the use of Pikes is nessesarie; and some already provided for that end; It is enacted by the Court that the charge of the said pikes shall bee borne by the Townes respectively; and that notwithstanding this order; That those that eexeriseth with the said Pikes shall keep there other armes & fix and compleat soe as they may bee fitt for service;

"forasmuch as Complaint is made that many Indians presse into divers ptes of this Jurisdiction whereby some of the plantations begin to bee oppressed by them It is therefore enacted by the Court and the Authoritie thereof that noe strang or forraigne Indians shall bee permitted to come into any pte of this Jurisdiction soe as to make there residence there; and for that end that notice bee giuen to the seuerall Sagamores to preuent the same;

It is enacted by the Court that wheras it is holde very vnlawful and of dangerous consequence and it hath bine our constant costome from our very first begining that noe p'son or p'sons have or euer did purchase rent or hier any land herbage wood or timber of the Indians but by the maestra's consent; That if any p'sou doe heerafter purchase rent or hier any lands herbage wood or timber of the Native in any place within this Gou'ment without the consent and assent of the Court every such p'son or p'sons shall forfeite five pounds for euer acree which shal bee paid in the Socmony of the Native or and for wood and Timber to pay five times the valuel thereof to bee leued to the Collony there of; and in case that any Inhabitant of this Gou'ment or other notwithstanding this order shall presume to purchase hier or any way appropriate or posesse themselues of any of the lands of the Indians without the Courts approbation and leave; although the fine or forfeiture cannot att p'sent be obtained yett the lands soe purchased or procured by any; shalbe forthwith seizd vpon for the Countrie.

In reference vnto the law prohibiting buying or hiering land of the Indians directly or Indirectly bearing date Ann 1643. The Court Interprets these words alsoe to comprehend vnder the same penaltie a prohibition of any mans receuineing of any lands vnder pretence of any gift from the Indians without approbation of the Court likewise the prohibition of any English to give powder shott Ammunition horses or boates is Intended vnder the same tearme of Indirect selling vnto the Indians vnder the same penaltie;
"It is enacted by the Court and the Authoritie therof; That all Indians
lieing neare any Township of this Jurisdiction shalbee strictly charged not
to make any alarum in the night by shooting or otherwise vnlesse nessesitated
thereunto; as they will answere it att theire prill;

It is enacted by the Court and the Authoritie therof that noe Indian
shall discharge any gun on the Lords day att any thinge to the breach of
the sabbath and disturbance of the English as they will answere it att theire pill;

It it enacted by the Court and the Authoritie therof that henceforth the
Indians within this Jurisdiction bee not pmitted to doe any servuill worke on
the Lords day as by fishing fowling hilling planting or carrying of bur-
dens &c and if they doe after notice giuen therof; they shalbee warned to the
next generall Court by the Constable of the place where they see transgresse.

It is enacted by this Court and the Authoritie therof that none shall
giue trad trucke or exchange directly or Indirectly with the Natiues or
Indians; other then Englishmens servants to giue or pay him mony gould
or siluer for the same vpon the penaltie of forfeiting twenty for one by him or
her that shall see doe;

It is enacted by the Court that whosoever shall sell or barter directly
or Indirectly any wine or strongwaters to any Indians vnlesse incase of
sicknes or faintnes; and then onely with the consent or foreknowlidge of a
majestrate if theire bee any in the Township or in defect of him; with the
concent and foreknowlidge of the Comitites or Grandjurymen of the said
Township and but a smale quantitie; and for euyer default to pay five
pounds to the Collonies vse.

It is enacted by the Court that henceforth noe one shall make sale
of any manor of Barques or boates sayles or Riging to any Indian or Indians
on paine of forfeiting that which is see sold and ten times the vallue therof.

It is enacted by the Court that none shall sell any horse or mare coult
or foale to any Indian or Indians vpon paine of forfeiting euyer such horse or
mare coult or foale that shalbee see sold and ten times the vallue therof.

It is enacted by the Court that noe pson within this Gou'ment shall fur-
nish any Indian with any cask vpon the penaltie of the lose of the prise of
the caske the one halfe to the Countrey and the other halfe to the enformer.

It is enacted by the Court that whosoever shall giue trade trucke or
exchange with the Natiues for any kind of milletary Armes; as guns of any
length or sort; or any shott ledde bulletts or powder; or swords daggers rapiers or mend or repair any kind of armes for them shall forfeite twenty for one to the use of the Collonie; as much of this order as prohibith the selling of powder and shott to the Indians is repealed. July 1669.

And the like penaltie to them that shall lend any gun to an Indian;

"Wheras Complaint is made that many under pretence of hiering Indians for to bee their servents for a month or longer time doe furnish them with guns powder and shott to kill foule deare & It is enacted by the Court that whosoeuer henceforth shall hier or Imploy any Indian or Indians and furnish them with guns powder or shott or any one of them shall forfeite for every such default forty shillings; except they bee Indians that haue bin servents for diuers yeares; and are in a good measure Ciuillliced and approoved of by the Gou' and Assistants;

It is enacted by the Court that noe man shall make any particular use of any of the Indians lands without leaque of the Court;

This Court takeing notice that there is a very great defect of appearance att the Generall trainings and that hitherto nothing hath bine done effectually in reference vnto the troopers for the gathering of their fines;

This Court doth order that such fines as are by the troop settled for defect of appearance att any Generall Training that vpon an order from the Major or the Captaine of the Troope the Constables of such Townes where any such defects are shall forthwith collect the fine in some good and current pay and soe much besides as may Transport it vnto the Clarke or some place that hee shall appoint for the receiuing of it;

It is also enacted by the Court that noe Trooper whilst he stands listed in the Troope shall att any time put away or dispose of his Trooping horse vnlesse hee haue some other horse that is approved by some of the Comision officers of the Troop on penaltie of double the fine of non appearance.

Morover it is enacted by the Court That sufficient warning being giuen of a generall Muster; noe busines or ocATIONS by sea or land; if in the Countrey shall excuse non appearance therat; nor any thinge but sicknes lamenes or Countrey service;

It is enacted by the Court that if any one of the foot souldiers of any milletary Companie of this Jurisdiction shall vnnesesaryly exempt himselfe from appearance att the generall Traininges att the times and places appointed except incase of sicknes lamenes Country busines or the like shall bee fined five shillings a day for every day they shall neglect incase they can not giue a
sufficient reason therof to the military Comaundar in cheiffe and these
fines to bee as well for the daies of marching out and home; as for the
daies of exercise in training.

*69

*Att the Generall Court of Election held att
Plymouth the 8th day of June 1664.

The body of the freemen of this Corporation being assembled it was
agreed and voated by them that an addresse shalbee made vnto his Ma: for
the further confermation of our Pattent with as much conveniency as may
bee; and for the management and ordering of matters concerning it both for
the raising of moneyes and appointing of men to bee Employed therein The
Country haue reffered the same to the Court of Majestaries and deputys;

The body of the freemen of this Corporation being assembled in Court;
haue ordered; and doe heerby declare theire resolutions to maintaine theire
Just Rightes which for many yeares they haue bine posessed of in all these
lands from Cape Codd to Saconett point with Pochassett Causumsett and the
lands about Rehoboth to Patuckett Riuier and as farr vp the said Riuier till
wee meet the Massachusetts line which crosses the said Riuier and thence to
Coahassett as the line Runs;

And that incase any peon or peons bee seated or shall seat themselues
within any the said lands or cause any cattle to bee brought within the said
bounds or otherwise acte to our Treaspe without leaue from this Gou'ment
and not withdraw after warning giuen them; that then some effectuall course
bee taken for the remoueall of them;

And for that end it was likewise voated by the said Court that letters
should bee directed from this Generall Court to the Gou' and Councell of
Road Iland for the asserting of our Just Rightes as aforesaid; and that they
would Imploy theire interest ouer such to reclame them as haue thrust in
vpon vs neare to Pochassett or elsewhe;

*70

*It is enacted by the Court and the Authoritie therof That all ordinary
keepers or retaylers of stronge waters doe pay an excise of six pence a gallon
for all such liquors as are made in the Collonie and drawne forth and retailed
by them; and twelue pence a gallon for all such as they bring in or haue
brought in vnto them from other ptes and eight pence a gallon for all wine
that shalbee brought in and retailed as aforesaid and that those that are
appointed in each Towne to looke after the law concerning excessiu bringing
liqours into the Gou'ment shall alsoe take vp the excise; and to haue two
pence a gallon for all liquors destilled in the Gou'ment and four pence a
gallon for all such as shall be brought into the Government and two pence a gallon for all wine that is brought in and retailled as aforesaid and that all such retailers or ordinary keepers shall; make payment of the said Excise unto those that are appointed to receive it; at the same time that they bring in such wine or liquors or that it is brought in unto them; or give a bill under their hand for the payment thereof in some short time after; upon the penalty of paying a fine of five pounds for any that shall be brought in and not excised or securitie given for the payment thereof as aforesaid; and if any one chosen shall refuse to serve he shall be fined forty shillings to the use of the Colony;

The Names of the Receivers of the Excise in each Towne.

Plymouth  John Morton John Damam
Wilham Harlaw Marshfield John Bourne

Duxbur.  Benjamin Bartlett Edw. Jenkens

Scittuate  John Damam Rehoboth Lieutenant Hunt

Sandwich  James Skiffe Richard Bullocke
Thomas Tobey

Taunton  James Walker Eastham John Done Juni
Francis Smith William Walker

Yarmouth  Mr Hawes Bridgewater John Willis
Rich: Tayler

The oath to be given to those that receive the excise.

fforasmuch as the Court having seen cause to order an excise to be layed vpon sundry things
You shall diligently Attend the execution of all such orders in such case provided and both demand and receive £ in such sume or sumes as shall be due to be paid by any the said orders; You shall faithfully keep a true account of all such sumes as you shall therby receive and faithfully deliver vp a true account thereof unto the Treasurer as hee shall demand it; according to order Soe healp £;

*It is enacted by the Court and the Authoritie thereof That Inheritances shall descend according to the comendable Custom tenure and hold of east greenwich.

It is enacted by the Court and the Authoritie thereof That all exchanges giufts morgages leases or other conveyances of houses and lands shall be recorded.
It is enacted by the Court and the Authoritie therof that if any man
die without Will his wife shall have a third pte of his Lands during her life
and a third pte of his estate for ever;

It is enacted by the Court and the Authoritie therof That the Assistants
or any one of them shall have full power to take the acknowledgment of a
bargaine and sale of houses and lands see that they keep a booke therof and
cause them to bee recorded with all convenient speed; and that the wife
heerafter come in and consent vnto and acknowledg the sale therof alsoe; But
all bargaines and sales of houses and lands made before this day to remaine
feirme to the buyer notwithstanding the wife did not acknowledg the same;

It is enacted by the Court that if any dies more in debt then their eases of goods and chattles comes vnto if the psongs see deceased haue
bought any lands in his lifetime to the Impaireing of his estate otherwise;
That the lands soe bought be sold to make satisfaction to his Creditors; but
whereas a portion of lands is disposed to each for the subsistence of his or her
selfe and family; That such land remaine vnto the Survivers him or her heires
and noe seizure being allowed the creditor in such case;

*It is enacted by the Court that such children as are heer borne and
next vnto them such as are heer brought vp vnder their parents; and are
come to the age of descretion allowed and want lands for their accomodations
be provided for in place convenient before any that either come from
England or elsewhere.

It is enacted by the Court that whosoeuer shall covenat to give lands
by Indentures; to their servents att the expiration of their seruice shall
make good the same out of their proper lands the country being free from
any such engagement; and therfore not to bee expected;

It is enacted by the Court and the Authoritie therof that all townes in
this Gou'ment; take course that the true bounds of every of their Inhabitants
land bee sertainely knowne; and sufficient bound markes to their pticulare
lands on the penaltie of the forfeiture of ten shillings for every such neglect
the one halfe to the enformer and the other halfe to the Towne; and this to
bee done att or before the fiftenth day of 1659; and incase the Towne
bee neglectiue they to bee liable to the fine of three pounds to the Collonies vse;
It is enacted by the Court that where lands and tenements falls in Joynt ptenorship either by gift graunt or purchase or otherwise ; that if any of the ptenors doe die before the deuision therof shal bee made That the heires and assignes of such as shall soe decease shall not bee deprived of their Right title and Interest into such lands and tenements but shall haue his or their proportion ; as duely and equally as any of the surviuer or their heires or assignes any acte order costome and provision made by this Court to the contrary in any wise notwithstanding as fully and amply as if deuision therof had bine formerly ; made ;

It is enacted by the Court that euyr Towne in this Gou'ment shall provide a booke for the recording of such lands as are possesed by any for which they have not evidence ; and all such shall bringe Testimony of witnesses vnto such as the Towne shall appoint to take notice of the said evidence ; which shal bee fiew in number of the same townes ; and what the said fiew or any three of them being mett together shall conclude of they shall cause the Towne Clarke of the same towne to enter the same into the towne booke abouesaid ; and to bee published that if any within the terme of two yeares can make better claime they shal come in ; and incase none doe by the time prefixed ; that it may be brought to the Court Record and Recorded and soe shal bee reputed sufficient evidence for the future ;

*It is enacted by the Court that any that are p'sented by any Towne in this Jurisdiction to any Majestrate in this Gou'ment to bee Surveyors or Measures of lands ; and such as are apointed to try and scale measures and all towne Clarkes shall haue an oath adminnestred vnto them by the Majestrats ;

It is enacted by the Court that there shal bee in every towne within this Gou'ment a Clarke or some one appointed and ordained to keep a Regester of the day and yeare of the marriage beirth and buriall of every man woman and child within their township ; and to haue thirpence acepe for each p'ticulare psone soe registered ; and further it is enacted that every father or mother and next in relation shall certify to the towne clarke or register keeper the name and day of the beirth of every child soe borne in his house within one month next after it is borne or bee fined for every such default three shillings the one halfe to the Gou'ment and the other halfe moyetie therof to the clarke or register keeper vpon his complaint and that every psone married shall signify his and her name with the day on which they are married vnto the said clarke or register keeper within one month next after his said marriage vpon the like penaltie of three shillings the one halfe therof to the
vse of the Collonie; and the other halfe to the said clarke or register keeper
upn his complaint and alsoe that every master or mistris of the family in
the which any psone dieth or psone next in relation to them soe dead shall give
notice vnto the said Clarke or register keeper; the name of the psone and the
day of his said buriall and in defect therof to forfeit three shillings for every
default; the one halfe to the Gou'ment and the other halfe to the clarke or
register keeper upon his complaint; and that the clarke or register keeper
of each Township shall exhibite a true and pfect Copy fairly written anually
att March Courts vnto the Court of the beirthes marriages and burials of the
yeare past; and lastly that the Clarke or register keeper of every Township
shall publish all the contracts of marriages and haue twelue pence for his
fees for every marriage as hee publisheth orderly;

*The oath of a Towne Clarke.

You shall faithfully serve in the office of a Towne Clarke of the Towne
of    for this p'sent yeare and soe long as by mutuall Consent the Towne and
you shall agree during which time you shall carfully and faithfully keep all
such Records as you shall bee Intrusted withall; and shall record all Towne
acts and orders and shall enter all Towne graunts and Conveyances you shall
record all beirtes marriages and burials that shall bee brought vnto you within
your towne and shall publish all Contracts of marriages you shall bee required
to doe according to order of Court bearing date the 20th day of October 1646
soe healp you God;

It is enacted by the Court that none bee alowed to Marry that are vnder
the Couert of Parents but by their Consent and approbation but incase con-
sent cannot bee had then it shall bee with the consent of the Gou'r or some
assistant to whom the psones are knowne whose Care it shall bee to see the mar-
riage bee fitt before it bee alowed by him; and after approbation bee three
seuerall times published before the sollemnising therof.

*Wheras divers psones vnfit for marriage both in regard of their young
yeares and alsoe in regard of their weake estate some practising the Inveigle-
ing of mens daughters and maides under Gaurdians contrary to their parents
and Gaurdians likeing; and of maid servants without the leave and likeing
of their Masters; It is therefore enacted by the Court that if any shall make
any motion of marriage to any mans daughter not haueing first obtained
leave and consent of the parents or masters soe to doe shall bee punished by
fine soe it exceed not five pounds or corporall punishment att the discretion
of the bench and according to the nature of the offence;
LAWS.

It is enacted by the Court that if a motion of Marriage bee duely made to the master and through any senistry or Covetuous desire hee will not consent therunto; then the cause shall bee made knowne to the magistrates; and they to sett downe such order therin as upon examination of the case shall appeer to bee most Just and equal on both pties;

It is enacted by the Court that noe servant coming out of his time; or other single person bee suffered to keep house or bee for themselues till such time as bee or they bee competently provided for of armes and amunition according to order of the Collonies and that if such bee yett wanting they bee provided for as aforesaid or else provide themselues such masters as may provide for them;

It is enacted by the Court that none bee alowed to bee housekeepers or build any Cottages or dwelling houses till such time as they bee alowed by the Gou' and Council of Assistants or some one or more of them and that this order bee strictly observed;

*It is enacted by the Court that noe servant coming out of England or elsewhere; and is to serue a master for some time bee admited to bee for himselfe; vntill he haue serued out his time either with his master or some other; although hee shall buy out his time; except hee haue bin an houskeeper or master of a family or meet or fitt to bee soe.

It is enacted by the Court That no person or persons shall bee admitted heroafter to live and Inhabite within the Gou'ment of New Plymouth without the leave and likeing of the Gou' and two of the Assistants att least:

The oath of Any residing in this Gou'ment.

You shall bee truely Loyall to our Sou' Lord ye Kinge his heires and Successors; and wheras you make Choise att Present to reside within the Gou'ment of New Plymouth; you shall not doe or cause to bee done any act or actes directly or Indirectly by land or water that shall or may tend to the destruction or overthrow of the whole or any of the seuerall plantations or Townships within the said Gou'ment That are or shall bee orderly erected and established; but shall Contrarywise hinder oppose and discouer such Intents and purposes as tend therunto to the Gou' for the time being or some one of the Assistants with all Convenient speed You shall also submit unto and obey all such good and wholesome lawes ordinances and officers as are or shall bee established within the limetts thereof Soe healp you God whoe is the God of truth and the punisher of ffalchhood;
*It is enacted by the Court and the Authoritie therof That all psons within this Gou'ment that are att their owne dispose and haue not taken the oath of fidelitie shall reparie unto some one of the majestrates of this Jurisdiction to take the said oath; which if they shall neglect or refuse to doe such pson or psons shalbee summoned to every election Court to make their appearance theratt during the time of their abode in this Gou'ment and if any such pson or psons shall then refuse to take the said oath they shalbee fined the sume of five pounds to the Collonies vso;*

It is enacted by the Court that all Townshipes in this Gou'ment shal haue libertie to meet together and to make such towne orders as shalbee needfull for the maintainance of good neighbourhood; and to sett penalties vpon delinquents; provided their orders bee not repugnant nor Infringe any publicke actes; and the fines and penalties shalbee disposed of afterwards to their particular townshipes;

Whereas the Townes within this Gou'ment haue formerly had libertie to meet together to make some Towne orders which are thought to bee defective for that they conceiuied they had not power to make assessmes rates and taxes for raising such necessary expences as shalbee disbursed about the generall occasions of the Towne concerning the Comonwealth It is enacted by the Court and the Authoritie therof that euery Township shal haue libertie to meet together and make levies rates and taxes for their townes Charges and to distraine such as shall refuse to pay the same vpon warrant from the Court or Gou' or any of the Assistants;

*It is enacted by the Court that if heerafter any Inhabitant or Inhabitants of any towne within this Gou'ment shall receive or bring in any pson or psons as is apparently likely to bee chargable to the township; against whom Just exception is made att the time of his coming or within a month after; ℒ without the consent and assent of the Townsmen in a lawfull generall townmeeting the ptie or pties that soe receiued or brought them shall discharge the towne of them;*

It is enacted by the Court that if any pson or psons Coming out of England or elsewhere bring any pson or psons whose by reason of Impotencye desease or otherwise is apparently likely to bee Chargable to the place where hee shall come to Inhabit; the pson or psons soe bringing in any pson or psons shall discharge the township of them during the time of the deceaseds abode there but incase any Inhabitant within this Collonie shall bringe ouer from England or elsewhere or procure to bee sent to them any servant or ser-
vants which by Gods prouidence shall fall deseased lame or Impotent by the way or after they come heer they shalbee maintained and provided for by their said Masters during the time of their service and covenants although their said masters release them out of their said service; and afterwards to bee releuied by the townshipe where bee liues.

It is enacted by the Court; that if any Children or elder psongs shalbee sent or come from one towne to another to bee Nursed Scooled or otherwise educated or to a Phisition or Chirurgion to bee Cured of any desease or wound &c and come to stand in need of releisfe; they shalbee releuied and maintained by the townshiopes whence they came or were sent from; and not by that township where they are see nursed educated or att cure and incase they come or bee sent from any place out of this Collonie then if the nurse educator or Phisition or Chirurgeon; take not sufficient Cecuritie of the psongs to bee nursed educated or att cure; to discharge [the township] of and from all cost or charge which shall or may come and befall the said Township in which bee and they is see to bee nursed educated or cured; that they the said Nurse educator Phisition or Chirurgeon; as negligeteth the same shall discharge the township of them; them selues;

*It is enacted by the Court that every psong that liueth and is quietly settled in any Township of this Gou'ment; and not excepted against within the Compas of three montes after his coming; in this case shalbee reputed an Inhabitant of this place;

Wheras it was enacted as abovesaid that a psong quietly settled in any towne of this Gou'ment &c the space of three montes should bee reputed an Inhabitant there; It is enacted by the Court; that that acte shalbee construed onely to haue relation to poor psongs; and it is alseprovided that that acte shall not any ways enable any psong to bee reputed an Inhabitant in any Township within this Gou'ment that shall or doth refuse to take the oath of fidelitie &c although bee hath bine resedent there for some time;

It is ordered by the Court that those that haue releisfe from the townes where they liue; and haue children and doe not Imploy them that then it shalbee lawfull for the Township to take order that those Children bee put to worke in fiting Imployment according to their strength and abilitie or placed out by the townes.

Wheras it is observed that there are divers psongs in this Gou'ment which are not able to prouide Competent and convenient food and rayment for their Children; whereby it is that poor children are exposed vnto great want and extremitie
It is enacted by the Court and the authoritie thereof that two or three men shalbee chosen in every township of this Gou'ment That all such as are not able to provide necessary and convenient food and clothing for their Children and will not dispose of them; themselves soe as they may bee better provided for; such said children shalbee disposed of by the said men soe appointed as they shall see meet soe as they may bee comfortably provided for in the premises; and the severall townes shall returne the names of such men as shalbee deputed and chosen to the Court;

"It is enacted by the Court that every Township within this Gou'ment shall make competent provision for the maintenance of their poor according as they shall find most convenient and suitable for themselves by an order and generall agreement amongst them; in a publicke Towne meeting;

It is enacted by the Court that the Gou' and Assistants shall appoint some to sett forth the bounds of Townshipes as formerly they haue done;

It is enacted by the Court that if an highway bee wanting in any Township of this Gou'ment vpon complaint That then the Gou' or any of the Assistants Impanell a Jury and vpon oath charge them to lay out such waies both for horse and foot as in conscience they shall find most beneficall for the Commonwealth and as little p'judiciall to ptilicares as may bee; and that all old foot pathes shalbee still alowed except other prouision bee orderly made; and that where there are allowed foot pathes over any mans ground which is fenced vp; the owners of such fences shall make sufficient stiles or gates.

It is enacted by the Court That the Surveyors of highwaies shall giue three daies warneing to the teames and other ptilicares psons when they are to amend the highwaies as often as need shall require prouided they doe not warne one Teame or one pson twise; before they haue gon ouer all the Teames and psons in theire Townshipes; and if any bee warned as aforsaid and shall neglect bee shalbee fined three shillinges a day; and for euery Teame soe warned that shall neglect eight shillinges a day; and that the Surveyors of such Townes where such neglect is shall returne theire names to the next majestrate that by warrant the said fines may bee required by the Constable of the Towne for the Townes vse; and euery Surveyor that shall neglect his duty in repairing the highwaies shall forfeite five pounds to the Collonies vse; and if it soo fall out that in the yeare all the Teames and psons haue not bine warned to the worke aforsaid that they bee all warned ouer before they begine againe; and that the Surveyors shall hier a teame or man and to bee payed out of the fine of him that is absent;
*It is enacted by the Court that the will and Testaments of such as die bee orderly proved before the Gou's and Assistants the next Court after the pty is deceased provided the court bee not within one month after the death of the Testator and a full Inventory duely valued bee presented with the same before letters of adminstration bee granted to any; of all the goods and Chattles of the said psons; alsoe if incase any man die without will; then his goods bee by his wife or other nearest to him Inventoried and duely valued and presented to the Gou's and assistants att the time forementioned and if it be a single pson without kinred heer resedent; that then the Gou's appoint some to take a Just Inventory of the same vpon oath to bee true and Just as in other the cases before mentioned;

It is enacted by the Court that if any man being weake and sickle and otherwise of disposing memory to declare his mind and will concerning the disposing of his lands or goods before two or more of the freeholders of the place where hee liues; It shall bee vpon theire oatthes recorded and remaine feirme according to such devise or bequest.

It is enacted by the Court that none shall bee suffered to retaile wine strong waters or beer either within dores or without except in Inns or victualling houses allowed; and that noe beer bee sold in any such place to exceed in prise twopence the Winchester quart;

It is enacted by the Court that noe stronge Liquors shall be sold in any place within this Gou'ment that shall exceed in prise three shillinges a quart;

It is enacted by the Court that noe Liquors shall be sold in any pte of this Gou'ment that shall exceed in prise six shillinges the gallon except it bee English speritts.

It is enacted by the Court that whosoeuer shall sell any wine or stronge waters in any towne of this Gou'ment being not allowed by the Court shall bee fined five pounds to the use of the Collonie;

*It is enacted by the Court and the Authoritie thereof That noe ordinary keeper in any Towne of this Gou'ment shall permit any single psons either children or servants vnder the Gou'ment of parents or masters or any that are not housekeepers to buy any stronge liquors or wine in theire houses or where they have to doe without libertie from theire parents or masters; vpon the penaltie of paying a fine of five shillinges; for euery default.

Whereas great Complaint is made of Intollerable abuse in divers ptes of this Gou'ment by the bringing in of soe great quantities of wine and stronge
water by which great excesse is occationed both amongst English and Indians; It is enacted by the Court and the Authoritie therof that whatsoever wine or strong waters shalbee brought into this Goumement by any boat barque or other vessell or into any plantation by any Carrier Wagganor or boates master; they or any of them soe bringing in strong water or wine; shall empedently vpon their arriual; before they breake bulke or vnload glue in an Invoyce therof to such pson or psions as the Court shall appoint therunto vpon the penalty of forfeiting all such goods one third to the Collonie a third to the enformer and a third to those that are appointed to Invoyce and serch; and incase the goods soe forfeited shall appeare not to bee the masters of the vessell or the wagganors, the damage that shall acrew to the owners of such goods shalbee made good by the said master or wagganor and incase any such goods shalbee brought into any Towne of this Goumement by any vessell or wagggon; the master or wagganor not knowing therof That then the forfeiture therof shall fall vpon the owner of such said goods and incase any such goods shalbee in any mans costody that is not invoyced; they or the value of them shalbee forfeited as asforesaid; and incase any master of a vessell or a wagganor shall arriue att such times as the psions appointed to Invoyce are not att home That then it shalbee sufficient notice given if the said master or wagganor leave a note therof att the house of the said pson deputed with his wife or some other of descretion in his family; and incase any master carrier or wagganor shall haue cause to suspect any such goods may bee concealed in any caske or sacke amongst other goods; It shalbee lawfull for him to detaine it vnder his hand vntill hee haue enformed the pson or psions appointed to take care therof in whose power it shalbee to open and serch the same; and incase any shalbee found that hath bine soe concealled It shalbee forfeited one third to the Collonie one third to the master and another third to the sercher; Morover all such as are appointed to Invoyce such goods are authorised by the Court to serch any mans boate house or wagggon for such goods as oocation shall require and incase any shalbee found that hath bine soe concealled It shalbee forfeited as asforesaid; and that all such psions as shalbee appointed to take Invoyce of such goods shall glie in an account into every 1 of the Generall Courts; That soo the Court of Majestraates may as they shal see cause enquire after the orderly dispose of such wines or strong liquors wherein if they haue not a satisfactory answare they may inflict such suitable penalty by fine or otherwise on such abusive disorderly disposers therof as they may Judge requisitett for remedy of that abuse;

1 The original law has here been changed by the substitution of the last five lines on this page as an amendment or addition, being written upon a slip of paper so pasted over the original as to conceal
It is enacted by the Court that none doe keep victualling houses or ordinaries or draw wine but such as are allowed by the Generall Court; and that if any victualler or ordinary keeper doe either drink drunkenly himselfe or suffer any psions to bee drunken in his house they shall pay five shillings a pence and if the victualler or ordinary keeper doe suffer any Townsmen to stay drinkinge in his house above an houre at one time the victualler or ordinary keeper shall pay for every such default twelve pence; and the psion soe staying above the said houre three shillings and four pence; and by drunkenes; is understood a psion that lispes or faulters in his speech by reason of ouermuch drinke or that staggers in his goinge or that vomitts by reason of excessive drinking or can not follow his calling The psion or psions that shall bee found guilty in these or any of them shall for the first default pay five shillings and for the second default ten shillings to the Collonies vse and for the third default bee bound to the good behavioir; and if hee or they can not or will not pay the fines then to bee sett in the stocks and soo for the fourth time to bee fined five pounds or bee whipt and soo from time to time as often as they shall soo Transgresses;

It is enacted by the Court that the Children or servants as dwell neare any victualling house bee not allowed Intertained or suffered by the Master of the said house there to drinke and spend their time but if any such can bee proued it bee esteemed a misdemeanour punishab in the said victualler and to bee enquired into.

Forasmuch as great inconveniencyes haue bine occasioned by younge men and other labourers that haue dieted in Inns and Alehouses especially whose haue had other houses to repaire vnto in the same Towne; It is therefore enacted by the Court that none shall diet in Inns and Alehouses nor haunt them which are in the Townes they liue in; nor make them the ordinary place of their abode;
*It is enacted by the Court that incase of weaknes or sicknes of any pson or psions in any Towne within this Gou'ment; and that such as are deputed to draw and sell wine and strongwaters have none It shalbee lawfull for any one that hath any such That they may sell it for such Intents and purposes as to releue the weake and sicke notwithstanding any former order to the contrary provided it bee with the likeing and approbation of the majestreate if there bee any in that towne; and incase there bee none that then it bee with the consent of the Constable; of the Towne;

It is enacted by the Court That fishing fowling and hunting bee free provided if any damage comes to any pson by the prosecution of such exercice; restitution bee made or the case actionable but if any man desire to Improve a place and stocke it with ffish of any kind for his private vse; It shalbee lawfull for the court to make any such graunt and forbid all others to make vse of it;

It is enacted by the Court that six score ffishes shall bee accounted to the hundred of all sorts of ffish;

It is enacted by the Court that one Comon Standard bee vsed by all for waigbts and measures and that according to Winchester which is the Standard of England;

It is enacted by the Court That every Towne within this Gou'ment shall haue a standard for measures of Corne made by those that are provided att Plymouth by a former order of Court for that end to try and seal their measures by which are to bee uniorme amongst them and to bee made round; and these to bee made by the last of November 1658 and to bee kept by the seallers of every Towne for the Townes vse;

It is enacted by the Court
That in every Towne within this Jurisdiction there bee one appointed to try and scale measures; and to haue for every measure foure pence which shalbee tried and sealed by him; and onely round measures to bee allowed to by and sell by; and that the seauerall Townes shall choose a fitt pson for each of them for sealler and to p'sent him to a majestreate to bee sworne;

*The oath of a Sealler of Measures

Wheras You are Chosen to the office of a sealler for the Towne of Plymouth You shall during your continuance in your said office truly and faithfully seize and scale all such measures as are or shalbee att any time brought in
vnto you for that end; according to such Standards as are allowed and
provided by the Countrey Soe helpe C9;

It is enacted by the Court that none shall sell by any vnsealled weightes
and measures which are not weight and measure by the Standard; and that
if any shall see doe they shall loose such weightes and measures and make
restitutions to the pties soe wronged by such weightes and measures; and shall
pay to the Collonies use for every such default of false weight and measure;
for the first Time six shillings for the second time thirteen shillings and
foure pence; and for the third time twenty shillings and such weightes and
measures to bee burnt; and that a pile of weightes according to Winchester
bee procured to bee the Standard; and that the sealler shall have for sealling a
peny for every weight vnder a quarter of a pound; and for all above a quarter
of a pound to six pound two pence a pencee; and for all above six to a hun-
dred pound foure pence;

It is enacted by the Court that noe Miller within this Jurisdiction shall
take aboue the sixteenth pte of a bushell for grinding such Corne as is brought
vnto him to bee ground and that all Millers within this Jurisdiction shall
either grind their Corne sufficiently that is brought vnto them for that end
or else that vpon complaint to the Court therof and the thinge proued; the
Miller shall pay for every such default six pence for every bushell to the
pty greied and six pence to the Treasurer to the use of the Collonie;

*It is enacted by the Court that every Miller within this Jurisdiction
shall have two toule dishes viz; a quart and a pottle but to bee seale made that
vpheaped they will hold noe more but a quart and a pottle by the measure
allowed and those to bee sealed by the last of November 1658 or else to pay
ten shillings for every month soe longe as the said Miller keepeth them
vnsealled; and that all millers shall prouide Scales and weightes to vey mens
Corne by; as occation shall require;

It is enacted by the Court that all such cask as shallbee made by any
Cooper within this Jurisdiction shall have the two first letters of his Name sett
on every such caske hee makes by a burnt marke; vpon penaltie of the losse
of such Caske the one halfe to the enformer and the other halfe to the Countrey.

It is enacted by the Court that all Cooper within this Goument; are
to make all their Caske according to London gage vpon the like penaltie.

It is enacted by the Court that every towne within this Goumen shall
choose a fitt pson for serching of Caske and packing of shish and meate and
psent them to a majestrate to bee sworne.
It is enacted by the Court that every Constablericke have a sufficient pound to Impound Cattle that shall transgresse any such orders as are or shalbee made; on the penaltie of five pound for every towne that shall Neglect;

It is enacted by the Court that every pound keeper shall have six pence for every horse that hee Impoundeth.

It is enacted by the Court that whosoever shall by pound breach lett out any beast or cattle lawfully Impounded shall pay a fine of fifty shillinges for every such default;

*It is enacted by the Court that whosoever damage comes to any by Cowes goates mares sheep or hoggs by breaking into mens ptciculare Inclosures; It shalbee lawfull for the psons soe damnified to Impound them; and two sufficient men to view the damage which accordingly shalbee giuen and payed;

It is enacted by the Court that such ffences as are Judged sufficient against oxen and Cowes shalbee allowed sufficient against horses and mares; and if any horse beast breake into any Corne or grasse ouer such sufficient ffence; the owners of such horses shall pay the damage proved as if they were Impounded.

It is enacted by the Court that incase any cattle horses or hoggs shall trespas vpon any and bee by them Impounded; and after they are Impounded they remaine foure daies after notice giuen to the owners; and bee neither repleuied nor agreed for; It shalbee lawful for them as Impound them; to make publicke sale of them after publicke notice giuen to the Inhabitants of the towne of their Intension soe to doe; and after damages satisfied the remainder to bee returned to the owners.

It is enacted by the Court that noe man shall heard his owne Cattle or other mens to the p'judice of any att or neare his or theire house vpon their land but vpon due Notice and warning shall reforme it or the case bee actionable;

It is enacted by the Court and the authoritie therof that every Towne within this Gou'ment shall have some publick brand marke for their horses to distinguish them from other townes and alse some fitt psongs appointed to take notice of mens publicke marks for horses and register them in a booke with theire day and yeare which may bee the towne clarke and the said psen to haue four pence a pece for every horse kind hee registreth.
That all persons that are resident in any Township and have horses going there; give in unto the said person from time to time there sevcrall markes of their horses with their age that soe they may record them.

*That if any horse kind being above two years old and noe marke whereby the owners of them may bee clearly knowne that the said person soe deputed takeing notice of any such doe signify the same to the Marshall the next generall Court that soe hee may bee three times cryed with his age and couller; and that if within six months afterwards any vpon due evidence can owne them paying all Nessesary charges hee may haue him; but if in six months time none can owne him that then the said horse kind bee looked at as belonging to the Countrey; and the Treasurer to take order to dispose of him for the Countreyes use as the Countreyes stocke defraying all nessesary charges.

That noe person or persons marke any horse kind younge or old but before sufficient witness that none bee wronged;

That noe person or persons take vp any horse kind soe as to send them out of this Gou'ment before hee or they carry the same to the person deputed and soe evidence it to bee his or theires for whom taken vp and take a note under his hand and that hee shall enter it; both day and yeare;

That if any person or persons shall bee found carrying any horse kind out of this Gou'ment without a note under the hand of the pty deputed aforesaid from whence hee came; That the horse bee secured att the owners charge vntill a note bee procured; and the person that brought him bee fined five pounds to the Collonies use; If an Inhabitant; but if a stranger not knowing the order; the like penaltie vpon him that deliuere d him; if an Indian to bee publikly whipt by the Constable where hee shallbee taken with the horse.

That noe Indians bee emited to course or take vp any horses except in companie with the English and that with consent and approbation of a majestrate if there bee any in that towne if not with the approbation of the Towne clarke;

Wheares seuerall Complaints haue bine made to the Court by diuers of great wronges and damages by straying horses not onely of other townes but alsoe of other Jurisdictions and noe redresse this Court ordereth That all such persons whose horses doe trespas and yet noe redresse or satisfaction tendered; that the Township doe agreeu'd as they haue opportunite doe Impound the said horses vntill some due satisfaction bee given or Composition made for the Trespas and alse all other due for there Impoundinge;
PLYMOUTH COLONY RECORDS.

*The Markes for horses for distinctions of the Townes;

for Plymouth a P on the neer buttocke
for Duxburrow a D on the neer buttocke
for Scittuate an S on the neer buttocke
for Taunton an T on the neer shoulder
for Sandwich an S on the neer shoulder
for Yarmouthia Y on the neer shoulder
for Barnstable a B; on the neer Buttocke
for Marshfeld an M on the neer buttocke
for Rehoboth an R on the neer buttocke
for Eastham an E on the farr shoulder
for Bridgewater a B on the neare shoulder
Swanse an S: on the farr shoulder.

It is enacted by the Court that if any Towne shall neglect to procure a brand marke by the last of July next for to marke horses according to order shalbee fined five pounds;

June
1659.

It is enacted by the Court that every owner of horses in this Jurisdiction shall take the first opportunitie to marke and enter theire horses according to order and incase any shall neglect soe to doe betwixt this and March next shall forfeite five shill: to the Towne for every horse found vnmarked;

1661.

It is enacted by the Court that all stray horses or horse kind that noespeculare can make any Just proffe that they are his or theire is shall appertaine unto the Countrey;

It is enacted by the Court that all such as take vp any strays that shalbee found and proved soe to bhee they that take them vp and giv enformation concerning them shall have one pte of three for theire laboure;

1661.

It is enacted by the Court that the rules and waies to bhee observd for the tryall of strays shalbee by theire age markes and Couller;

*Wheras Complaint is made that the Indians in seuerall ptes of this Jurisdiction lineing in remove ptes from any towne shipes; have received great damage by the horses and hoggs of the English; It is enacted by the Court that it shalbee lawfull for the Indians soe anoyed by the horses or hoggs of the English whoe lie remote from any towne; to bring such horses or hoggs of the English to the pound in the next township; and there to be kept till the owners take a course to satisfy the damage and such Indians to have
twelve pence a piece for hoggs (if they bring them above eight Miles and
alsoe that if any nente Cattell shall trespas the Indians; it shalbee lawfull
for them to Impound them that soo they may haue reasonable satisfaction.

It is enacted by the Court That none shall make sale of any boards
plankes or timber out of the Gou'ment that hath bine growing in any
swampes that are reserued for publicke vse without leaque but shall onely soo
doe of such as arise out of theire owne proper grounds;

It is enacted by the Court that for the preventing of such Inconveni-
cencyes as may befall the Gou’ment by the want of Timber; That noe man
of what condition soeuer shall sell or Transport any manor of workes; as
frames for houses plankes boards shiping shallopes boates canoos or what-
soever may tend to the destruction of Timber how little soeuer the quantity
bee without the consent approbation and likeing of the Gou’ and assistants
and if any bee found faulty heerin and shall Imbarque or convey to that end
to make sale of any of the pticulares aforsaid expressed or Intended by this
order the said timber to bee forfeited; and to bee fined twice the value therof
soe sold to bee leuied for the vse of the Collonie; except what ariseth within
theire owne Township or pticulaire lands;

It is enacted by the Court that whosoever shall saw any boards in any
place within this Gou’ment that is not in the bounds of any pticulare Town-
ship shall pay to the vse of the Gou’ment one shilling and eight pence for
every Thousand to bee payed to the Treasurer for the vse of the Collonie and
of timber and planke according to the proportion answarably;

*Wheras Complaint is made that much Timber is fell on the comon
and lettye and not Employed; and suffered to rott there; by those that
felled it; and therby the Countrey much damnifyed; It is enacted by the
Court that whosoever shall or hath felled any timber on the Comon and doth
not either square or riue it within halfe a yeare after it is felled; It shalbee
lawfull for any other to make vse thereof as hee shall see meet;

Wheras sundry persons both Quakers and others wander vp and downe in
this Jurisdiction and follow noe lawfull calling to earne their owne bread;
and alsoe vse all Indeauors to subvert Civill state and to pull downe all
churches and ordinances of God; to thrust vs out of the waies of God; Not-
withstanding all lawes prouided to the contrary; Bee it therfore enacted by
the Court and the authoritie therof that with all convenient speed a worke
house or house of Correction bee erected; That all such vagrants as wander vp and downe without any lawfull calling; and alsoe all Idle psons or rebellious children or servants that are stubborn and will not worke to earne their owne bread and yet haue not wherewith to maintaine themselves may bee put to the house of Correction; and there bee Imployed in such worke as shalbee there provided for them; and to haue noe other supply for their subsistence then what they shal bee earne by their labour all the while that they continew there; and alsoe that some faithfull man bee appointed by the Court to bee ouerseer of this house of correction whose shall carefull observe such orders as shalbee from time to time directed to him from the Gou'r or any of his assistants concerning any pson or psons that may [bee] sent to him.

In reference to the puting in execution the order about the house of Correction; It is ordered by the Court that an addition shalbee erected of fourteen foot long of equall hight with the prison att the one end thereof; with two chimneyes in it; one in the lower rome and the other in the vper rome with a yard before it fenced with a fence of eight foot high made of boards and the Treasurer is to take some speedy course for the doeing of it; and that a fitt psone bee chosen by the majestrares to bee the ouerseer thereof.

*Wheras it hath bine an ancient order bearing date March the seauenth i636 That noe psone coming from other ptes bee allowed an Inhabitant of this Jurisdiction but by the approbation of the Gou'r and two of the majestrares att least; and that many psongs contrary to this order of Court are crept into some Townshipes of this Gou'ment; which are and may bee a great disturbance to our more peacable proceedings bee it enacted by the Court and the Authoritie thereof that if any such psone or psongs shalbee found that hath not doth not apply and approve themselves see as to procure the approbation of the Gou'r and two of the assistants That such bee enquired after and if any such psongs shalbee found that they either depart the Gou'ment; or else that the Court take some such course therin as shalbee thought meet f2;

It is enacted by the Court that when the vper Marshall shall haue occasion to leuy any fine or fines hee hath libertie by this order to chose one to prise the goods or Chattles taken by destresse and the delinquent hath liberty to chose another if hee please but if the delinquent shall refuse to gitt another then the Marshall and him whom hee hath chosen shall prise the said goods or Chattles and incase they bee required by the Marshall to prise the said goods or chattles and shall refuse hee shalbee fined fine shillinges for euery such default to the Collonies vse; and what expence of time and paines
any shalbee att in prising such said goods or chattles hee shalbee reasonably satisfied for the same;

forasmuch as many pscons are greatly corrupted with the Quakers doctrines by reading their bookes writings or epistles which are sent and distributed into sundry places within this Jurisdiction; It is therfore enacted by the Court and the authoritie thereof that incase the Constable or grandjurnymen shall find or heare of any Quakers bookes epistles or writings hee shall seise on them and p'sent them to a majestrate or the next Court.

It is enacted by the Court that there shalbee in the seuerall townshipes of this Jurisdiction a Cage erected especially att Sandwich Duxburrow Marshfeild and Scittuate and that the charge of them shalbee defrayed out of such fines as shall arise out of the said Townshipes see the charg exceed not three pounds.

*Wheras by a former order of Court all pscons were required to give notice to the Constables of theire seuerall p'sents of all such pscons as were knowne to bee foraigne Quakers now this p'sent Court doth enact that it shalbee lawfull for any Inhabitant within this Jurisdiction vpon theire knowledge and hauing opportunitie; to use all such Indeauors to apprehend all such Quakers and to deliuer them to the Constable or bring them before the Gou'ment; or some one of the Majestrates.

Wheras wee find that of late times the Quakers have been furnished with horses and thereby they have not onely the more speedy passage from place to place to the poisoning of the Inhabitants with their cursed tenants; but alsoe thereby have escaped the hands of the officers; that might otherwise have apprehended them; It is therfore enacted by the Court and the authoritie thereof; That if any pson or pscons whatsoever in this Gou'ment doth or shall furnish any of them with horse or horse kind; the same to bee forfeited and seized on for the vse of this Gou'ment; or any horses that they shall bring into this Gou'ment or shalbee brought in for them and they make vse of shalbee forfeited as aforesaid; and that it shalbee lawfull for any Inhabitant to make seizure of any such horse and to deliuer him to the Constable or the Treasurer for the vse of the Collonie;

It is enacted by the Court that any one that shall bringe in any Quaker or Rantor by land or water into this Gou'ment; viz: by being a guide to them or any otherwise shalbee fined to the vse of the Gou'ment the same of ten pounds for every such default;
It is enacted by the Court that the Law Concerning not coming to our meetings that the fines shall not bee levied vntill the Court shallbee in a capasitie to order otherwise;

*It is enacted by the Court that henceforth noe psong or psongs shall pmitt any meetings of the Quakers to bee in their house or housing on the penaltie of being summoned to the next generall court and there being convicted thereof; shallbee publickly whipt or pay a fine of fife pounds to the Collonies vse;

It is enacted by the Court and the Authoritie thereof that if any psong or psongs shall come into this Gou'ment That according to the law of England may Justly bee accounted vagabonds; the Marshall or the Constable of the Towne whereunto they come; shall apprehend him or them; and vpon examination soe appeering; hee shall whip them or cause them to be whipt with rods; soe as it exceed not fifteen stripes; and to give him or them a passe to depart the Gou'ment and if any such psong or psongs shallbee found without their passe; or not acteing according therunto they shallbee punished againe as formerly; and incase any Constable of this Jurisdiction shallbee unwilling or can not procure any to Inflict the punishment aforsaid; that then they shall bringe such psongs to Plymouth to the vnder Marshall and hee shall Inflict it;

It is enacted by the Court and the Authoritie thereof that incase there shallbee occasion to Imploy a messenger in the Countreyes busines that it shallbee lawfull for any of the Majestrates; to presse any psong or psongs to goe on the Countreyes occations and to bee paied out of the Countreyes stocke.

It is enacted by the Court that henceforth all evidences and Testimonies that shallbee produced for the clearing of any case shallbee gien vnto the Court in writing and to bee kept vpon the file;

It is enacted by the Court that all woulues that shallbee kild by any English in any pte of this Jurisdiction they that kill them shallbee payed by the townes in whose precincts they are killed and such Indians as kill any woulues they shallbee satisfied by the Treasurer;

*It is enacted by the Court that noe stranger or forraignuer shall Improue any of our lands att the Cape for the makeing of fish without libertie from the Gou'ment and that all such as shall have libertie shall attend such further orders as shallbee gien them concerning the same and they shall pay six pence a kentle for all such fish as shallbee made as aforsaid; for the Collonies vse;
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It is enacted by the Court and the Authoritie therof that all ordinary keepers or retaillers of strongewaters doe pay an excise of six pence a gallon for all such liquors as are made in the Collonie and drawne and retailed by them; and twelue pence a gallonne for all such as they bring in or haue brought in vsnto them from other ptes; which they shall draw forth and retaile as aforsaid and that all retaillers and ordinary keepers shall twice in the yeare viz: in the month of May and in the month of October giue in to the Treasurer or his assigns a true account of all such liquors as they bring in or shallbee brought in to them and retailed as aforsaid vpon the penaltie of paying a fine of five pounds for any that shallbee brought in; and not accounted for as aforsaid;

Whereas Complaint is made of some ordinary keepers that they doe allow psons to stay on the Lords daies drinking in their houses in the Intrimes of time betwixt the exercises especially young psons and such as stand not in need therof; It is enacted by the Court and the authoritie therof That noe ordinary keepers in this Gou'ment shall draw any wine or Liquors on the Lords day for any; except in case of Nessesitie for the releife of those that are sicke or faint or the like for theire refreshing on the penaltie of paying a fine of ten shillings for every such default;

*Whereas there hath bine much controvrsy occasioned for want of a full and cleare settlement of matters relating vnto such Whales as by Gods prouidence doe fall into any pte of this Jurisdiction;

This Court doth thersore order for the preuension of any discontent or of whales. *97 of the Countreys due of evry such whale was altered from a hoggesed to a barrell the 14th of June 1670. the Court propoeth it as a thinge they Judge would bee very comendable and benificiall to the townes where Gods Prouidence shall cast any more of whales.
whales if they should agree to sett apart some pte of evey such fish or oyle for the Incurragement of an able Godly minnester amongst them;

It is enacted by the Court and the Authoritie therof That whosoeuer taketh any Whale on drift att sea without those bounds and limites alreddy sett and bring them on shore bee shall have the one halfe and the Countrey the other halfe; and the Countrey to allow Caske for theire pte of the oyle;

It is enacted by the Court that whosoeuer shall find any whale on shore on the Cape or elswere that is out of any Townese bounds and is on the Countreyes bounds or limittes shall allow the Countrey two hogsheads of oyle cleare and payed to the Countrey;

*Whereas it is given forth that divers are vsnatisfyed about the sale of Kenebecke and that oppurtunitie is presented vnto vs for the hausing of it againe the deputies hausing considered of the p'mises; and finding noe way p'senting it selfe by the taking of it againe for the better advantage of the Collonie haue with one consent agreed; and doe expresse themselves hereby; that they; desire not to meddle with it againe but doe ratify the sale therof;

It is ordered by the Court that the Treasuer shall procure a booke of the Statutes of England for the vs of the Collonie.

It is enacted by the Court that the generall Training shalbee one yeare att Duxburrow and another yeare att Yarmouth; that is to say every other yeare att one of those places for the future;

It is enacted by the Court that if any one of the foot soldiers of any milletary Companie of this Jurisdiction shall vunessessarily exempt himselfe from apperance att the generall training att the times and places appointed except incase of sicke and lamenes Countrey busines or the like shalbee fined five shillings a day for every day they shall neglect incase they can not give a satisfactory reason therof vnto the milletary Comaundor in cheife.

It is enacted by the Court that the whole troop of horse both they and the volenteers aded to them shall haue the same libertie that was graunted to those that were the first troopers viz: to bee freed from foot service watching and warding and likewise their horses to bee rate free;

*Whereas Notwithstanding all orders that haue bine made for the preventing of wronge done to the Indians by the horses and hoggs of the English; It doth appeare that the Indians liueing in remote ptes from any Towneshippes doe sustaine much wronge by the horses and that the English
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The Court, having seriously considered the matter and finding some inconvenience in coming to a general order about the same, have thought good to propose it to the severall Townships of this Jurisdiction as a thing much concerning them; that such Townships where such wronge is; doe speedily take some course within themselves about the same either by agreeing with the Indians to heelp them to shalbee theire Corne or by compounding with them to secure theire Corne themselves where places are vncapable of shalbeeing for want of stuffe or otherwise as shalbee found most suitable to theire Condition to prevent future inconveniencees that may come by theire Neglect of the same.

Whereas the Court have formerly provided against the prophanation of the Lords day by unnecessary Travelling on that day; and also have provided against the setting vp of any publicke meeting without allowance of the Government this court doth desire that the Transgression of these orders may bee carefullie looked vents if it may bee.

It is enacted by the Court that if any Indian or Indians shalbee found drunke in any Township of this Government that they bee forthwith taken by the Constable of the town and sett in the stockes and that if any Liquors shalbee found with the Indians; that it bee forfeite to the use of the Government; and that it shalbee lawfull for any man to seize any Indian found drunke or any liquor found with the Indians and bring him or it to the Constable to bee ordered and disposed of as aforesaid vntlesse any Indian shall make it appeare that hee hath such liquors according to order of Court; and the said Indians that shalbee sett in the stockes as aforesaid shall defray the charge thereof which is two shillings and six pence a time for euy of them;

It is enacted by the Court That every Township of this Government shall haue a booke of the lawes of the Collonie; and that they bee read openly once euy yeare;

In reference vnto such woules as are or shalbee kild by the Indians the Collonie being out of stocke It is ordered by the Court that a peell of Wampam in the Treasurer's Custody may bee deuided and put into the hands of Lieutenant Freeman Leift: Hunt and the Treasurer; for the paying of the Indians fifteen shillings p head; they bringing in the head when they demand their pay and these men to give an account this time twelue month of what they shall disburse on this account and if any of them shall disburse more then the peage committted to them; then they to bee repayed againe either by rate or otherwise.
*It is enacted by the Court and the Authoritie thereof concerning the settling of New Plantations in an orderly way that Notwithstanding the grant of lands to any particular persons; incase such lands lie soe remote as the Inhabitants thereof can not ordinarily frequent any place of publicke worship that then noe person bee admitted; after the date heerof to goe to Inhabite vpon any such lands without such a competent companie or number of Inhabitants as the Court shall Judge meet to begine a societie as may in a measure carry on thinges in a satisfactory way both to Civill and Religiose respects; and for the more comfortable carrying on thereof; It is further ordered that such person or persons as shall have the grant of such lands about such places and will neither att the present time use on them themselves; nor sell nor lett them to others that would; that then such lands not yet Inhabited att the begining or progress of such societys shallbee lyable to bee rated in some meet proportion towards the defraying of such Nessesary charges as shall arise either on Civill or Religious respects as abouesaid especially respecting an able godly minnistry in such place or places;

Alsoe for such places alreddy begun with an Inconsiderable Number viz: Saconeasset Accushenett &c That it bee comended vnto them to apply themselves in some effectuall way for the Increase of theire number as they may carry on thinges to better satisfaction both in Civill and Religious respects especially that they endeavour to procure an able Godly man for the dispensing of Gods Word amongst them and for theire quickening and Incurragement therein this Court doth order that all such lands as are within theire respective places though not Inhabited shallbee lyable to bee rated in some measure of proportion for the defraying of such charges as shall nessesaryly arise concerning the p'mises;

And for the quickening and Incurragement of the well affected in the Towne of Sandwich or any other plantation within this Gou'ment whose shalbe actiue that way; This Court taking into theire serious consideration the great need thereof in euery plantation as to the propagation of the Gospel and flourishing of religion; the great and knowne end of our Transplanting into these ptes of the world as alsoe of the grant of competent quantities of lands to the respective plantations and; therafore according to theire duties Incombent on them; doe hereby declare theire redlines to assist such well affected as aforesaid by putting forth theire power (where there shallbee need) for the raising of comfortable and competent maintaineance for such able faithfull men as shall be procured in such Townshippes and make it theire worke to attend vpon the minnistry of the Word of God amongst them from all such respective Inhabitants as shall Inhabite any such lands; according to such former order as by the Court is alreddy provided in such case;
It is proposed by the Court unto the several Townships of this Jurisdiction as a thing that they ought to take into their serious consideration that some course may bee taken that in every town there may bee a School-master sett vp to traine vp children to reading and writing;

Septem: 1664.

*Wheras the Clarke of each Military Companie of this Jurisdiction is required to gather in all fines which are or shallbee belonging to their Companie It is enacted by the Court and the Authoritie therof; that incase any shall refuse to pay any such fines as are or shallbee orderly Amersed The said Clarke is hereby Authorised by destresse to lony all such fines by vertue of his said office without any further order;

Septem: 1664.

Wheras the Towne of Scituate prefered a petition to this Court requesting that the Treasurers account may bee more particularly sent to the several Townships of this Jurisdiction; The Court have ordered that henceforth att every election Court any of the Townes aforesaid may if they please to send any meet pson to Joyne with others to take the Treasurers account; and see to acquaint their respective towns therwith in as particular a manor as may bee; which wee hope may satisfy;

It is enacted by the Court that the Constable of each Towne in this Gouv'ment shall gather in all fines that shall fall within his liberties not exceeding five pound; and to haue two shillings on the pound for gathering them;

It is enacted by the Court that all psons lyable to bee rated in every town of this Gouv'ment bee rated according to their visible estates and faculties that is according to their faculties and psonnall abilities whether they are in lands both medow lands Improued lands or dormant lands appropriated or in cattle goods or stocke Imployed in Trading in boates barques &c: mills or other visible estate; but for the Incurrence of traffickes; that it bee ordered that barques Catches and bigger vessels may not bee rated above halfe their value; dormant lands both vpland and medow such as lyeth without \(\times \frac{1}{3}\) to bee rated for every hundred acres according to forty shillings estate; and if any pson lay downe any pte of his proprietie to the Comonage of the Companie theire associated together; bee shallbee rated but for what quantitie bee keepes his propriety in; and concerning stockes Imployed in trading att home in and about the place where hee lies; shallbee rated onely for two thirds of such stockes see Improued as those one hundred and twenty pound stocke to bee Imployed in trading shallbee rated for eighty pound and see proportionable;
*Actes and orders made and concluded by the Generall Court of Majestrates and Deputies Assembled att Plymouth the eleventh day of October 1665.

Whearsh in regard of the remote distance of our honored Gou' his former habitation and being; the Countrey saw reason to desire and request his remouall vnto the town of Plymouth for the more convenient administration of Justice; and that by Gods Prudence hee is now remoued to his great Inconvenience and detriment;

This Court have ordered and doe vnaminously agree to allow vnto him the sume of fifty pounds per annum soe long as hee shall remaine in the place of Gou':

And wheras hee is resident in a place purchased by the Countrey for that end;

This Court have likewise ordered that incase hee shall decease att any time while hee is in the place of Gou' and Inhabiting the said seat or being; that then his family shall and may without molestation continew in the said place or seat for the full tearme of one yere after his decease att the least; and likewise that incase there should bee any alteration that any other should bee chosen to the place of Gou' whiles hee liueth that hee shall and may notwithstanding remaine in the said place without molestation for the full tearme of one yere after such alteration att the least;

In reference vnto the more comfortable carying on of Gou'ment It is enacted by the Court that the Countrey proceeding on in their election of Assistants as formerly; such of the old majestrates as shalbee chosen that they bee alowed each ten pounds a yere and the charge of theire Table defrayed soo many of them as shall serve in that place;

And for such as shalbee chosen that haue not formerly servied that they bee allowed onely the charge of theire Table;

And incase any shalbee chosen and shall refuse to servue hee shalbee fined five pounds to the use of the Collonie;

It is enacted by the Court that both that which is allowed for the charge of the Majestates Table and likewise that which is allowed them by way of sallary shalbee Transfered into the costody of the Treasurer and that what is to bee for the charge of theire Table it bee payed in specye according vnto former order concerning the same and wheras the sume of fve pounds thereof was formerly to bee payed in money to the Treasurer as pte of the said pay;
that this yeare the said five pounds bee payed in money to bee raised out of
the oyle that shalbee due to the Countrey; and the Treasurer to make vp the
said five pounds vpon account in other pay in leiu thereof vnto the Countrey;

It is enacted by the Court that in every Towne of this Jurisdiction
there bee three or five select men Chosen by the Townsmen out of the freemen
such as shalbee approved by the Court for the better manageing of the affaires
of the respective Townships; and that the select men in every Towne or
the major pte of them are hereby Impowered to hearre and determine all debts
and differences arising between psone and psone; within their respective Town-
ships not exceeding forty shillings; As alsoe they are hereby Impowered to
heare and determine all Differences arising between any Indians and the
English of theire respective Townships about damage done in Corne by the
COWES SWINE or other beasts belonging to any Inhabitants of the said respecti-
tive Townships and that the determinations of the abonesaid Differences
not being satisfied as was agreed; the ptie wronged to repaque to some
majestrate for a warrant to recover such award by distraint;

It is further enacted that the said select men in every Township appro-
ounced by the Court; or of any them shall have power to giue forth summons
in his mathe name to require any psone complained of to Attend the hearing
of the Case and to sumon witnesses to giue Testimony vpon that account and
to determine of the Controuersyes according to legall evidence and that the
psones Complaining shall serve the sumons themselues upon the psone com-
plained against; and incase of theire none appearance; to proceed on notwithstanding
in the hearing and determining of such controuersyes as comes before
them; and to have twelue pence a piece for every award they agree vpon;

It is likewise enacted by the Court that such Indians as plant in any
Township of this Jurisdiction that they shall secure theire Corne by suffi-
cient fences from any damage that may come therunto by the Cattle of the
English amongst whom they dwell; and for such Indians as shall plant on
theire owne land out of the bounds of any Township That the English are
either to healp them in fencinge theire Corne or to satisfy for such damage as
shalbee done vnto them by theire cattle or beasts therin;

*It is enacted by the Court and the Authoritie thereof; That all matters
of misdemeniors that the majestrates shall take cognizance of without p'sen-
tment by the Grand enqust; they have full power to proceed and determine
therin by fine or otherwise as the nature of the offence may require as if p'sented;
Inasmuch as noe house of Correction is yet provided in this Gou'ment to receive and punish such as not onely live Idlely and unprofitably but are otherwise vicious and wicked in their carriage towards their parents or otherwise;

It is enacted by the Court That any two majestaries of this Jurisdiction having examined the case shall have power to Centance such offenders to bee punished by stocking or whipping according to the nature of the offence;

It is enacted by the Court that such as shall be sentenced by the Court to pay any fine to the Countrey shall give sufficient securitie vnto the Treasurer for the same before he depart the Court and incase hee refuse shall be committed vntill hee see doe;

It is enacted by the Court that any person that shall be summoned to appeare att the Court as a witness in a case shall pay two shillings and sixpence a day;

It is enacted by the Court that a Constable be allowed twelve pence for the seruing of a summons; and two shillings and six pence for an attachment;

Whereas complaint is made vnto the Court of great abuse in sundry townes of this Jurisdiction by persons therein behauing themselves prophanly by being without dores att the meeting house on the Lords daies in time of exercise and there misdemening themselves by Jestings sleeping or the like It is enacted by the Court and hereby ordered that the Constables of each Township of this Jurisdiction shall in their respective townes; take speciall notice of such persons and to admonish them; and if notwithstanding they shall persist on in such practices that hee shall set them in the stockes and incase this will not reclaime them that they returne their names to the Court;

It is enacted by the Court that what Comissions haue been formerly granted by the Court to any to Purchase land for the Countrey bearing date above twelve moneths from this p'sent Court; bee called in and bee of none effect as to future Improvment;

It is enacted by the Court That in every Township within this Gou'ment there bee two sufficient woule trapps made betwixt this date and the first of march next and to bee constantly baited and dayly attended vpon the penaltie of five pounds on each Townshipp as are negligent and defective therin to bee payed to the Collonie;

It is enacted by the Court that noe master of a family shall make or cause to be made within this Gou'ment above the number of sixteen barrells
of Tarr for this following yeare vnder the penaltie of three shillinges p barrel forfeite to the Collonie; and every single psen is hereby prohibited from makeing any Tarr directly or Indirectly for this following yeare vnder the aforesaid penaltie; and this order to take place from the first of march next ensuing the date heerof

The order prohibiting the selling of Powder and shott to the Indians is repealed;

*forasmuch as That notwithstanding all former orders against abuse by stronge liquors; there is great quantities brought in; To the great prejudice of the Gov''ment

It is by this Court further enacted as an addition to former orders respecting Liquors That all strongwaters that are brought into this Collonie by private psons or for theire vse shalbee excised as well as what is drawne in publicke houses; and for the Incurragement of such men as in each Township are or shalbee appointed to serch or enquire after abuse or breach of order respecting liquors the Court doth alow vuto them the one halfe of all such forfeitures and confiscations as shall arise in that towne by any breach of order respecting the same and the like allowance shalbee made to any other that shall discover such abuse; and that they may more carefully attend theire charge the Court doth require them to take oath to bee faithfull and carefull respecting the p'mises.

Wheras it is prohibited for any to sell trad or guie liquors directly or Indirectly to the Indians the Court conceining that if any Indian or Indians have any; that they must have it in some ereguar way;

This Court therefore orders That if any man either English or Indian shall find any Indian or Indians hauing or carrying any liquors It shalbee lawfull for him to apprehend the said Indian or Indians and seize on the said liquors as stollen goods vntill the said Indian or Indians make it Justly appeare before some Majestrate or the select men of that Township of whom and wher and how they had the same and for theire paines that any expend in the p'mises they shalbee allowed the one halfe of the said liquors soe apprehended or the value of it;

*Actes and orders made and concluded the seauneth of June Ano Doct i666.

It is enacted by the Court and the authoritie therof That the warrants bee Issued out yearly from the June Courts for the bringing in of the rates for publicke charges of the Countrey; and the seuerall sumes to bee deliuered to the Treasurer or att Boston or att Plymouth as hee shall appoint;
by the first weeks of November and the Constables to have the receipts by the forementioned time; and each Constable is hereby Impowered to press Boates or Cartes with oxen or horses; and the boates Cartes oxen and horses to bee payed for fraughting and carriage according to the ordinary prise for carrying goods or corne vpon other occasions for their neighbours and for the kinds of pay to accomplish this designe for the Countreyes occasions the one third pte is to bee in wheate or porke or both one other third pte in barly or butter or both and the other third pte in beife Indian Corne pease or rye or any of these or some pte in Tarr provided it exceed not a third pte of the last third;

It is enacted by the Court and the Authority thereof That all debts shalbee payed in the specye for which a man doth agree and that all damages which shall arise according to the Judgment of the Court vpon occasions of debt defamation or Traspas shalbee payed in any good currant Countrey pay att prise Current.

It is enacted by the Court and the authorite thereof that henceforth nothinge bee entered vpon the Record of the Court respecting lands in reference to exchanges morgages leases or other conveyances but such as shalbee vader hand and scale before witnesses and that all such deeds bee exhibited to a majestrate according to order and that the said Majestrate endorse theron and the same alseoe to bee entered and noe other.

It is enacted by the Court and the Authoritie thereof That all sales g[ifts] exchanges leases morgages or other conveyances whatsoeuer of any houses or lands heerafter made or to bee made which shall not be acknowledgd within six months after the making thereof before the Gou' or some one of the Assistants shalbee accounted null and void in law; except such lands as by the Will or Testament of any man disposed which may not have convenient opportunitie of acknowledgment thereof before a Majestrate.

It is enacted by the Court and the Authoritie thereof that there shalbee but three Courts in the yeare for the tryall of causes by Jury (viz) The first Tuesday in March the first Tuesday in July and the last Tuesday in October Annually; alwaies provied it shalbee lawfull on speciall occasions which shalbe judged of by the Gou' and two of the Assistants for any either of our owne Collonic or others to purchase a Court in the Interims of time betwixt the said Courtes; and that there shalbee att euery such Court the Gou' and three of the majestrates att the least and that henceforth there shalbee noe Courtes of Assistants except the Gou' on speciall occation shall see reason to
summon such a Court; and it is further enacted by the Court that all tryalls 
under forty shillinges shalbee tryed by the select men; and that none under 
fourty shillinges shalbee tryed att the aforesaid Courtes except in cases of appeale 
from any of the Respectiue Townes;

It it enacted by the Court and the Authoritie therof That one or two of 
the select men whom the Court shall appoint in each Township of this Juris-
diction bee hereby Impowered to adminnester an oath in all cases comitted to 
them as aleeo to graunt an execution for such psons as neglect or refuse to pay 
theire Just dues according to the verdicte of the said psons; and that the said 
select men in eueri Towne; bee vnder oath for the true pformance of theire 
office; and if any pson finds himselfe agreeued with the verdicte of the said 
select men; Then they haue theire liberty to apeale to the next Court of his 
Mats holden att Plymouth provided that forthwith they put in Cecuritie to 
prosecute the apeale to effect and aleeo enter the grounds of their apeale; 
and incease any Towne doe neglect to chose and p'sent such yearly vnto the 
Courts of election; That euery such Towne shalbee lyable to pay a fine of 
fue pounds to the Countreyes vse ;

"The oath of a Celect man.

You shall according to the measure of wisdome and descretion God hath 
given you faithfully and Impartially try all such cases between pty and pty 
brought before you; as aleeo giue sumons respecting yourer trust according to 
order of the Court as a Celect man of the Towne of for this 
p'sent yeare see healp c&.

It is enacted by the Court ;

That the Celect men in every Township of this Gou'ment shall take 
notice of all such psons That are or shall come into any of the Townshipes 
without the approbation of the Gou' and two of the Assistants according to 
order of the Court and the said Celect men shall warne the said psons to aple 
themselves for approbation according to order; which if they shall refuse or 
neglect; the said Celect men are hereby Impowered to require the pson or 
psons to appeer att the next court to bee holden att Plymouth and to require 
Cecuritie for theire appeareance which if any refuse to doe the said Celect men 
shall enforme the Constable of the Towne where hee liueth which said Con-
stable shall forth with carry the said pson or psions before the Gou' or some 
one of the Assistants of this Gou'ment;

Whearas the Court takes notice of great neglect of frequenting the pub-
lkke worship of God vpon the Lords day ; it is enacted by the Court and the
[PART III.]

authoritie therof That the Celect men in each Townshipe of this Gou'ment shall take notice of such in theire Townshipps as neglect through prophannes and slothfulness to come to the publicke worship of God; and shall require an account of them; and if they give them not satisfaction that then they returne theire names to the Court.

It is enacted by the Court that henceforth the Majestrates bee not freed from Countrey rates or charges;

It is enacted by the Court that henceforth noe psom or psoms within this Gou'ment shall still any Strongwaters without lycence on the forfeiture of such stronge liquors or the value of them;

It is enacted by the Court That noe horse or horse kind shal bee druen or carried out of any Township of this Gou'ment by any psom or psoms that are not of the said towne without the consent of the owner thereof vnder the penaltie of ffe pounds for every such horse beast;

Whereas complaint is made of the Indians theire stealing of the hoggs of the English and makeing sale of them and concealing of them by cuting of theire eares &c: It is enacted by the Court and the authoritie thereof That henceforth noe Indian shall give any eare marke to his swine vpon the penalty of the forfeiture of such swine the one halfe to him that shall seize on them; and the other halfe to the Countrey except hee bringe true Testimony where hee had such swine soe marked before a majestrate or the Celect men; and that the Indians haue due notice heerof; and this order to take place from october next;

Memorandum that the Receivers of the excise in each Township of this Gou'ment are freed from theire office by the Court and that the Treasurer hath liberty to lett it forth in the behalfe of the Countrey.

*At the 2cond session of the Generall Court holden att Plymouth the 2cond of July 1667.
It is enacted by the Court That fifty pounds yearly be allowed to such assistants as shall for the future be chosen and serve in that place and the charge of their Table be defrayed;

In reference to military concerns It is enacted by the Court that noe single persons vnto twenty yeares of age either children or servants shall vote as to that accompt or any that are not settled Inhabitants of that place and have taken the oath of fidelitie.

It is enacted by the Court that such as comitt fornication or comon drunkards that noe fine be receiued from them for their fact vntill they have bin convicted thereof before the Court vntill some unavoidable Impediment shall hinder their appearance theratt.

It is enacted by the Court That the Townsmen or particular persons whose horses or any cattle doe Trespas vpon the Indians vpon their owne lands out of Townships by spoiling their Corn; shall agree with them for the peruation thereof or to healp them to fence; and incase they shall neglect soe to doe; they shall pay the full damage that shall come by their Cattle see Trespasing.

It is enacted by the Court That whosoever are or shalbe chosen to be surveyors of the highwayes shall att the expiration of the yeare giue an account of there actinges about the highwayes to the select men of that Towne.

It is enacted by the Court That such Constables which doe or shall neglect to bring in the rates according to times appointed That whatsoever damage shalbe sustained therby shalbe payed and made good by such Constable or Constables.

It is enacted by the Court that the Indians be prohibited to make any use of any horses neat cattle or hoggs appertaining to the English which may be woired or otherwise killed by any accident vntill they have libertie from the owners of such cattle see doe.

The order prohibiting selling of powder and shot to the Indians revived this againes repealed July 1669.

It is enacted by the Court That incase any Indian or Indians shalbe found to have any powder or shott Armes or Liquors and will or doth affirme that they had it of this or That person of the English; if the said person shall vpon his oath Testify and affirme That hee or shee hath not sold giuen or healped the said Indian or Indians vnto the said powder or shott or Liquors they shalbe accompted to bee ffree and cleare of the said fact or otherwise to
be rendered guilty and to be prosecuted accordingly; and this tryall to be
before either a majestrate or one of the Celect men of the Towne appointed
to giue an oath;

*It is enacted by the Court That henceforth noe more lands be graunted
to pesons without the pticulare Townshipes for the tearme of seauen yeares;

It is enacted by the Court that in such Townshipes where occasion
ariseth for the destressing vpon the estates of any for the minnester such
estate soe destressed shall by the Constable of That Towne be delievered to such
of the Towne as shalbe appointed and in defect therof to such as by two majors-
trates shalbe ordered to receive it and to dispose of it as they shall see cause;

It is enacted by the Court That the lands which are not as yett bounded
betwixt the English and the Indians may be bounded and mutually agreed on
by both p'ties;

It was concluded by the Court that a proposition shalbe made from the
Court to the seuerall Townshipes of this Jurisdiction in reference to a Collect-
ion or Contribution to be made towards the defraying of the charge of the
printing of the history of Gods dispensations towards NE: in Generall in
speciall towards this Collonie;

[Acts and orders made and concluded by the Generall Court held
at Plymouth the third day of June 1668]

*IT is enacted by the Court and the authoritie therof that noe knotts be
henceforth gathered by any either English or Indians To make Tarr of
them; And that noe Tarr be made by any either English or Indian within this
Gour'ment from the sixteenth day of July next; on the penaltie of the for-
feiture of all such knots or Tarr the one halfe therof to the Informer and the
other halfe to the vse of the Collonie.

Whereas great Complaint is made of great abuse by reason of ffishermen
that are strangers who fishing on some of the ffishing ground on our Coast in
Catches dresing and splitting their fish aboard through their Garbidg over-
board to the great anoyance of fish which hath and may prone greatly detre-
mentall to the Countrey; It is ordered by the Court that somthing be directed
from this Court to the Court of the Massachusetts to request them to take
some effectuall course for the restraint of such abuse as much as may bec;

It is ordered by the Court that there shalbe a Generall Training of both
horse and foot att the Towne of Plymouth in the second weeke of october
1669 and once in three yeare for the future the places to be att Plymouth Taunton and Yarmouth successiuely that is to say this first att Plymouth as aforesaid the second att Taunton and the third att Yarmouth att the time of the yeare aboue mentioned and that euery yeare the time appointed to be Improued in the said expeditions and exercises att his owne charge; the Townes Charge.

An acte for the prevention of the diversion of the execution of Justice by fraud or couen;

That where an estate can not be found to satisfy any fine or mult due vnto the Countrey or to answere a Judgment obtained against any pson att the pticulare suite of any; The pson of any soc fined or cast in law shalbe secured to be responsable thervnto.

It is ordered by the Court and the authoritie therof That noe pson neither Inhabitant of this Jurisdiction nor any other shall att any time either by vertue of libertie from the Court to purchase lands of the Indians or vpon any pretence whatsoeuer shalbe suffered to buy or receiue (in any way of the Indians) any of those lands that appertaine vnto mount hope or Cawsumsett necke or any other such neckes or tracts of land as there is a body of Indians vpon; and the Court shall judge they can not liue without;

It is enacted by the Court That all the Kings highwaies within this Gou'ment shalbe forty foot in breadth att the least;

In reference vnto the proposition made to the Court concerning the makeing of provision for the Securing of such lands as are held by doubtfull title It is refered and heerby p'sented to the serious consideration of the seuerall Townes of this Jurisdiction to send in there Judgments and proposalls concerning the same vnto the next Court of election.

It is ordered by the Court That wheras the recognizance for the good behauior the fees therof was formerly four shillings the takeing and foure shillings the releasing; That henceforth it shalbe two shillings and sixpence the takeing and two shillings and sixpence releasing.

*It is enacted by the Court; That libertie is heerby graunted to the English in this Gou'ment to Sell horses to the Indians; provided euery horse soe sold be brought to the Towne Clarke of that Towne where hee is sold and ten shillings in mony and deliuer it to the said Clarke for the Collonies use whoe shall record his marke or markes; and haue twelve pence of the said
mony for his paines; and Incase any shall sell any horses to the Indians and
Neglect soc to doe; hee shall forfeit evry such horse or the value thereof to
the Collonies vse;

It is further enacted by the Court That noe persons within this Gou'ment
shall sell or give any mare to the Indians on the penaltie of the forfeiture of
evry such mare or the value thereof to the vse of the Collonie; and that noe
Indian shalbe suffered to keep any mare in this Collonie on like penaltie of
the forfeiture of evry such mare or the value thereof to the Collonies vse;

It is enacted by the Court and the Authoritie thereof; That none shall sell
wine liquors Cyder or beer by retaile in this Collonie except they have a
Lycence: and to pay for their lycence according to the Capasitie of the
place where they liue;

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Morover it is enacted by the Court that all such Lycenced ordinaries
shall not suffer prophane singing daunceing or reuelling in their houses on
the penaltie of ten shillings for evry default and that all ordinary keepers be
ordered to keep good beer in their houses to sell by retaile and that some
one in evry towne be appointed to see that the beer they sell be suitable to
the prise they sell it for;

It is enacted by the Court and the authoritie thereof That noe barkes
nor board shalbe transported out of this Collonie nor noe kind of Timber
except it be wrought vp in vessells or Caske on penaltie of forfeiting of all
the same or the value thereof; to the vse of the Collonie;

It is enacted by the Court that noe boards shalbe brought into this Col-
onie and that noe boards shalbe sold in this Jurisdiction to exceed in prise
five and forty shillings a thousand delivered at the watersyde in the Town-
shipp where they are sawen on the penaltie of paying a fine of ten shillings
a Thousand to the use of the Collonie and this order not to take place vntill the next october Court;

*It is enacted by the Court that some one of the Ceect men of euyery Towne of this Jurisdiction be hereby Impowered to Issue forth warrants in his Master name to arrest or attach any pson or psions or in defect of them theire goods to answere any suite within theire Cognizance as ocation may require

It is enacted by the Court that none shall vocate in Towne meetings but freemen or freeholders of twenty pound ratale estate and of good conversation having taken the oath of fideltie;

It is enacted by the Court that all Censures by fine from ten shillings and vnder shalbe payed in mony; and that the fine for fornication be payed forthwith in Mony or else to be punished with corporall punishment.

It is enacted by the Court that the Constables in euyery respective Towneship of this Jurisdiction shall serve such executions as shalbe directed to them by any of the Ceect men of the respective townships.

It is enacted by the Court that whosoeuer hath three sonnes in his family that beare armes in the Milletary Companie; theire father shalbe freed from that service if the Councell of warr or any three of them shall see cause

Wheeras great Inconvenience hath arisen by single psions in this Collonie being for themselves and not betaking themselves to live in well Gourned families It is enacted by the Court that henceforth noe single pson be suffered to live of his own or in any family but such as the Ceectmen of the Towne shall approve of; and if any pson or psions shall refuse or neglect to attend such order as shalbe given them by the Ceectmen That such psion or psions shalbe sumonned to the Court to be proceeded with as the matter shall require;

Whearas by order of the Councell of Warr the Townes of this Jurisdiction respectiuely are to find drumes pikes halberts and Coullers att theire owne Charge; It is thought meet and accordingly ordered by the Court that all such troopers as find and maintaine theire owne armes be excused from bearing any charge in such drumes pikes halberts and Coullers.

Whearas seuerall psions liuing out of this Jurisdiction doe possesse seuerall p'sells of land within this Jurisdiction which is out of any p'ticular township; It is enacted by the Court that all such land be Rated accordingly as other lands dormant or Improued to the Countryes use; viz: such as are dormant as other dormant lands and such as are Improued as other Improued lands within this Jurisdiction;
It is enacted by the Court that a Cerconstantiall error in a Summons or warrant shall not be taken as a sufficient ground for a nonsuite wher otherwise both the ptie and case concerned therin may be rationally vnderstood;

Concerning the order about the next Generall training the latter pte of the order to run thuse; and that every fierman be prouided with two pound of powder against the time appointed to be Improued in the said expedition and exercises att the Townes charge.

**It is enacted by the Court that henceforth noe psone shall haue libertie to bring any Liquors into this Gou'ment for themselues or others to giue or sell but such as are Lycenced; more then for theire owne pticular vse; which shall not exceed six gallons in the yeare and each mans that is soe brought in shalbe distinct in vessells one from another and incase any doe it shalbe forfeite or the value therof one third to the Countrey and one third to the Informer and one third to those that are lycensed to sell; but if it appeer that any man of quallitie whose condition calleth for further expeince in his family that then this law shall not reach them; onely this is to be vnderstood that vnder pretence of this hee shall not giue or sell to be carried abroad except it bee see that the ordinary keepers haue none to supply the nessesities of them that are sicke;

It is enacted by the Court that wheras minnestres maintainance is to be raised by rate according to order of Court bearing date 1657 which vpon neglect is to be taken by distresse as by the said order doth appeer; yet for preuenting off offence (and if it may be of destresse) This Court doth order; That the Majestrate in each Towne where there is any; and the Celect men or any one of them where there is noe Majestrate; be heerby Impowered vpon notice of default heerin; To Summon every such psone or psones; to the next Court to answere the said Neglect; and incase such psone or psones doe not make out Just cause for such neglect they shalbe amerced doubble the same proportioned to him or them to the Collonies vse to be disposed of by the Court;

It is enacted by the Court that the Constable or his deputie in each respective Towne of this Gou'ment shall dilligently looke after such as sleep or play about the meeting house in times of the publicke worship of God on the Lords day and take notice of theire names and returne such of them to the Court whoe doe not after warning giuen to them reforme;

As alseoa that vnessesary violent ryding on the Lords day; the psones that soe offend; theire names to be returned to the next Court after the said offence;

It is enacted by the Court That any psone or psones that shalbe found
smoaking of Tobacco on the Lords day; goeing too or coming from the meetinges within two miles of the meeting house shall pay twelue pence for every such default to the Collonies use;

It is enacted by the Court that none shall suffer to goe att large to slee in any Commons within this Gou'ment any stoned horse being above two years old; and not thirteene hands high att lease from the lower pte of the hoofe to the vpet pte of the whither; euery hand containing four inches standard measure; in paine to forfeite the same horse or the valuel thereof the one halfe to the Country and the other halfe to him or them which shall seize such horse of lower stature; see that first by the assistance of the Constable or Celect men of Any township where such seizure is made or seizior dwelleth; such horse being by the seizor first brought to the next pound, shall there by such an officer in the p'sence of three sufficient men be measured and found lower then the stature aboue mentioned; this order to take place from and after the first of October 1670.

The orders prohibiting the selling of powder and shott and mony to the Indians are repealed;

*for quieting mens estates and avoiding suites in Law

It is enacted by the Court and the authoritie therof; That noe psen or psons haueing had for the space or tearme of ten yeare fully past and expired any right or titles of enterey into or cause of action for any lands teniments or heredittiments whatsoever now detained from him or them shall therinto enter or comence suite for but within fivye yeares next after the end of this p'sent session of Court and att noe time after;

And that none shall att any time heerafter make any enterey into or comence suite for any lands teniments or hereditiments but within fifteen yeares next after his or their right title or cause of action or suite which shall heerafter first descend fall or screw to the same; otherwise such title shallbe for euuer after barred and the pty claiming and his and theirheires utterly excluded from entry into the same; Provided Neuerthelesse that if any pson or psons which hath or shall have such right title or cause of action be or shalbe att the time of the said right title or cause of action first descended acrewed come of 1 fallen within the age of twenty one yeares feme Couert non compos Mentis Imprisoned or beyond the seas then such pson or psons his or theirheires shall or may notwithstanding the said fiftene yeares expired; bring his action or make his enterey att any time within fivye yeares next after his or their full age discouerture coming of sound

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mind Inlargment out of prison or coming into this Countrey; take benifitt of and sue forth the same and att noe time after the said five yeares;

It is further enacted by the Court that such pson or psons as have had right or title vnto or cause of action for any lands teniments or heridittiments hetherto detained from him or them for the space or tearme of twenty yeares fully past and compleat and neglected hitherto to make his or their enterie or to comence suite for the same or hauing had such right title or cause of action for the space or full tearme of eighteen yeares now past and shall neglect to make such enterie into or suite for within the space or full tearme of two yeares next after the end of this p'sent session of Court shall in either of these cases be for euer barred excluded and utterly disabled from such enterie or suite to be made excepting as in the abouesaid proviso according as by the statute of England made Ann° 21 Jacobi Regis Capt: 16 Instituted an acte for limitation of actions and avoiding suites in law as in such case provided; It hauing bine the usuall manor and costome of this Court to haue recourse as much as might be to the Lawes of England in such case when there is noe other law proyded by this Court more suitable to our Condition;

*This being aded to a former order of Court bearing date June i657 is determined to be the way for raising minnesters Maintenance; and all other orders respecting the same are herby repealed;

it doth as much as it appeareth to be greatly Inconvenient that the minnsters should be troubled to gather in the rates for their maintenance; and may be an occasion to prejudice some psons against them or their minnistry; It is enacted by the Court that att June Courts yearly two meet psons in each Towne be appointed by the said Court vntlesse the townes haue alreddy provided; whoe shall take care for the gathering in of their minnesters maintenance for that yeare by Inciting of the people to theirie duty in that respect demandaung it when due and if need be by procuring distraint vpon the estate of any that shall neglect or refuse to pay their rates or proportions towards his support according to order of Court in that case provided; and incase any minnester shall Scruple to receive what is soo raised; It shall Neuertheles be gathered as abouesaid and be disposed as the Court shall order or advise for the good of the place.

Wheras It hath bine and is the pious care and true intent of this Court that all such plantations and Townshipes as are by them Graunted should maintaine the publicke sabbath Worship of God and the preaching of the
word and doe to that end afford them such proportions of lands as may accommodate such a society as may be able to maintain the same; and yet through the corruption or sinful neglect of many or most of the Inhabitants of some plantations they content themselves to live without the minstry of the word to the great dishonor of God and danger of their souls; there being great reason to feare that many may be acted therein by worldly covetous principles; It is by this Court enacted that in such Townshipes where noe Minnester is resident; especially if it appeares that the generallyt of the Inhabitants are remise in the obtaining of one the generall Court may and shall henceforth Yearly Impose a certaine sume to be raised by rate vpon the Inhabitants of such plantations or Townshipes which shalbe kept as a stocke for building of a meeting house or for Incurragement of a minnester to labour amongst them or other such pious vses as the Court may Improue it in for their good;

And in reference to the Towne of Dartmouth that the sume of fifteen pounds be leuied by rate with the Countrey rates vpon all the Inhabitants to be in a redlines for and towards the vses abowe expressed;

It is enacted by the Court That whosoeuer being chosen by any Towne of this Jurisdiction to serue as a Celect-man in the said Towne and shall refuse to serue in that place shall pay the sume of twenty shillings the one halfe to the Towne and the other halfe to the vse of the Collonie; and that the Gove shall chose another to serue in his stead.

It is enacted by the Court That there shalbe noe attachment granted by the Celect men against any freeman or settled Inhabitant and that there shalbe three Courts of the Celect men in the yeare: viz: in the month of February in the month of May and in the month of October; and noe other except the Celect men shall see cause;

It is enacted by the Court that in case of Appeale the appealant shall sumons the defendant to answere att that Court to which hee appeals and shall produce all the Testimonies that were made vse of att the first Tryall of the case vnder the hand of the Celect men or any one of them from whence the appeale comes and noe new Testimony to be admitted; and the case to be tryed by Jury and if the appealant be againe caist; to pay double damages and all costes and that any one of the Majestrates of this Jurisdiction shall grant a precept for such an appeale as occasion may require;

Whereas a former order respecting the Issuing of differences between English and Indians seemes dubiose this Court doth determine That all In-
juries complained of arisinge between English and Indians shalbe brought to
Issue by the Ceect men in each Townshipe before whom any complaint shall
legally apper ; except onely in capitall matters and titles of lands ;

for the prevention of the prophanation of the Lords day It is en-
acted by the Court and the authoritie thereof That the Ceect men of the seu-
erall Townes of this Jurisdiction or any one of them may or shall as there
may be occasion take with him the Countstable or his deputie and repaire to any
house or place where they may suspect that any slothfully doe lurke att hom
or gett together in companies to neglect the publicke worship of God or pro-
phane the Lords day and finding any such disorder shall returne the names
of the ps ons to the next Court and giue notice alsoe of any p ticulare miscar-
ryage that they haue taken notice of that it may be enquired into ;

*Wheras the Prouidence of God hath made Cape Cod comodious for vs
for fishing with saines ; and some careles ps ons haue anoyed the same by
casting theire ballast neare the shore where such conveniency is ; or by leave-
ing the Garbidge of fish or dead fish to lye there roting whereby such ano-
ynce is ; This Court doth thherefore order that whosoeuer shall trespas in any
of the said kinds of Annoyance shall pay the sume of forty shillings to the
Collonies vse for every such default vnto the ps on that the Court doth
appoint to looke after the same ; alse this Court doth further order that
whosoeuer of our Inhabitants that draw Mackerell on shore there ; shall pay
to the Collonies vse sixpence p barrell for every barrell see taken or the quan-
tity that may amount to a barrell ; and for every barrell or the quantitie therof
see taken by any foraigners in the aforesaid place shalbe payed one shilling
and sixpence to the Collonies vse by the ps on or ps ons that see fish there
and att the begining of any voyage attempted there ; the ps on or ps ons see
doing shall att the enterance on the voyage put in sufficient Cecuritie vnto
the ps on appointed by the Court vnder this trust for the payment of the
aforsaid sume or sumes ;

Thomas Paine is appointed by this Court and impowered as a bayley by land
and water to demande and receiue for the Collonies vse the aboue mentioned
sumes as they may att any time become due or payable ; and to take such Ce-
curitie for their pformance as abouesaid ; and is heerby Impowered to comand
such aide as hee att any time shall Judge requisite respecting the p'mises.

Wheras wee haue formerly seen Great Inconvenience of taking Mackerell
att vntseasonable times whereby there encreas is greatly diminished and that
it hath bine proposed to the Court of the Massachusetts that some course
might be taken for preventing the same and that they have lately drawne vp an order about the same this Court doth enacte and order that henceforth noe makerell shalbe caught except for spending while fresh before the first of July Annually on penaltie of the losse of the same the one halfe to the Informer and the other halfe to the vse of the Collonie; and this order to take place from the 20th of this Instant June;

It is enacted by the Court that whosoener hauing committed vnclanes in another Collonie and shall come hither and haue not satisfied the law where the fact was committed they shalbe sent backe or heer punished according to the Nature of the crime as if the acte had bine heer done;

It is enacted by the Court That wheras diuers psons secke to evade the payment of ten shillings for every horse that is sold to the Indians that none shall glue lend or hier any horse to any Indian or Indians on the penaltie of paying a fine of ten shillings to the Collonies vse.

It is enacted by the Court That one witnes shalbe sufficient for the Grand enquest to ground a p'sentment on but the p'tie not to be condemned without a second witnes or concurring cercomstances And that incase any shall publish any matter of a Scandalous nature except vnto a majestrate or grandjuryman; It shalbe accounted a defamation actionable;

And That in all matters p'sentable except Capitall noe evidence shalbe receiued either by a Majestrate or grandjuryman from any pson or psons whoe hath or shall neglect to give in such evidence within one full yeare and a day after his or her knowledge thereof.

Wheras diuers psons have complained of great wrong for the want of a packer in theire Townshipe this Court hath ordered and enacted That whatsoever Towne in this Gou'ment shall see cause to desire a packer to repacke meat they may p'sent a fitt pson to the Court or to some one of the Majestates of this Jurisdiction to be Sworne;

*It is enacted by the Court and the authoritie therof That it shalbe lawfull on speciall occasion which shalbe judged on by the Gou'r and two of the Assistants for any either of our owne Collonie or others to purchase a Court in the Interems of time betwixt the other Courts and that there shalbe at every such Court the Gou'r and three of the Assistants att the least; and that any that shall purchase such a Court shall pay the Jury men each three shillings a day for soe long a time as they shall attend that service and bear all other nessesary charges of that Court;
It was att this Court voated and generally agreed on by the Court; that our Confeederacion with two Collonies: viz: Massachusetts and Conneticott shall stand and remayne as it did formerly with three;

It is enacted by the Court and the authoritie therof that a Comittee be chosen to puse all our lawes; and to gather vp from them or any other healpse they can gett and compose therfrom a body of Lawes; and present the same to the next election Court for a further settlement therof and the charge thereof to be bourne and defrayed by the Treasurer.

The Comittee appointed by the court were the Gouv. and Mr. Walley, and Mr. Hinckley, and if any of the deputies or others shall propose any things to this Comittee for their consideration when they meet together it shalbe well accepted;

Whearas seuerall psions haue bine greatly Indangered by seting of Guns. It is enacted by the Court and the authoritie therof that none shall set any Guns except in Inclosures and that the gun be sufficiently enclosed soe as it be Cecure from hurting man or beast and that hee that seteth the gun doe give warning or notice therof to all the Neighbours on the penaltie of paying a fine of five pounds to the use of the Collonie for every default;

It is enacted by the Court that if there be any psions that will buy all the Tarr that shalbe made within this Collonie and will pay eight shillings a barrell for itt in mony; and for every halfe hogshed twelve shillings for it in mony; they shall haue it soo; for the tearme of two yeares from the date hereof; and to receive it at a place appointed in every Township and it is further enacted by the Court that if any others except those that soo engage to buy all the Tarr shall carry or cause any to be carryd out of the Collonie within the aforesaid tearme of two yeares they shall forfeite either the Tarr or the value thereof; the one halfe to the Collonie and the other halfe to those that are engaged to buy all the said Tarr.

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*forasmuch as seuerall Townes in this Collonie are alreddy much Straightened for building timber and through Gods prouidence some other towns are well accomodated to afford them a supply that townes soo straightened be not nessesitiated to fech their supplyes from another Jurisdiction; whilst wee haue of our owne;

June 1672.

Be it Inacted by this Court and the Authoritie therof That noe timber of any sort may or shall within the tearme of seauen yeares next after the first of November next ensuing; be att any time transported or carryed away by land or water out of any Township in this Jurisdiction into any other
Jurisdiction; other then what is first sawne into boards or wrought into Shingle or wrought vp into Caske boates barques or other vessels of burden; on the forfeite of all such timber plancke Cooper stuffe bolts Claboard &c or the value therof; the one halfe to the Countrey and the other halfe to the Informer if dulye proved within twelue months after such Transportation made; and that some meet pson be appointed and authorised by the Court in such Townes as they shall see cause for to take care for the due observation of this order; and that noe master of any boate or other vessell presume to receiue aboard any such timber plancke or Cooper stuffe &c without first repaireing to such pson appointed and Impowered as aforesaid and guing in sufficient Cecurity for his vnlading and leauing such timber &c in som townes within this Jurisdiction, the dangers of the seas excepted; vnder the penaltie of forty shillings forfeite; the one halfe to the Countrey and the other halfe to the Informer and officer appointed as aforesaid; forthwith to be payed; And that such master of boate &c shewing a Certificate from vnder the Constables hand; or any of the Celect men of the Townes where hee shall vno load as aforesaid; shall free and discharge him from the Cecurity giuen as abovesaid;

And that noe barke shalbe transported out of this Jurisdiction vnder the penaltie and forfeiture as aforesaid;

Notwithstanding the former order concerning the Transportation of Timber it is ordered That any pson or psons may transport any timber, out of any Townshipps that shall grow vpon theire owne p'ticular proprieties, provided that they make it appeare to any one of the Celect men or Constables of the respective Townshipps by the testimony of one pson not Interested therin; and that shipcarpenters be vnder the same restraint as others; and that in defect of any officer neglecting to take notice of the transgression of this order such transgression of the said law shalbe p'sentable by the Grand enquest

*Actes and orders made and concluded the 4th of July 1672

It is enacted by the Court that if any pson or psons that shall att any time heerafter shipp; or load on board any ffish into any vessell; which shalbe caught att Cape Cod but such as hee or they shall giue an accoumpt off to the water Bayley; all such ffishes shalbe forfeite to the Collonies vse;

And that the Water bayley be heerby Impowered to make seizure of all such ffish as shall att any time become forfeite; and to giue an accoumpt therof vnto the Treasuror; or such as shalbe appointed by the Majestrates or any four of them; to take the said accoumpt;
for the Regulateing of the troope It is ordered by the Court that they be deuided into three Squadrions viz: To the Captaine Leiftenant and Cornett to exercise each Squadron twice in the yeare;

And that they take a list of the troopp and see that they keep horses with Armes Amunition and Acoulterments ffit for that service;

As alsoe that every trooper shall provide himselfe with a fix Carbine or horsmans peece betwixt this and the next election Court; or returne vtnto the foot Companie where they dwell;

An order directed from the Court to the Comission officers of the Milletary Companies of this Jurisdiction as followeth

Gentlemen;

The Court hauing reason vp on the Intelligence wee haue receiued to feare that wee may haue trouble from the States Generall of the vnited Belgicke Provinces or others before the revolution of the yeare; and how soone wee know not; doe see reason to take notice of what condition our people are in to defend themselves against an enimie and doe therfore hereby require you speedily and very strictly to make serch how your men are provided with fixd armes and amunition according to order of Court; and that as well ancient peons that are out of the lists as others; and that you alsoe enquire into the Townes stocke of Armes and amunition; and uppon an Impartiall view you cause the Constable by vertue heerof forthwith to Leuy the fine by distresse if not otherwise payed; The fines of Listed soldiers to the vse of the Companie; and of others to the Townes vse; and make speedy returne to the Gouv or Major how they find the Townes stocke that they may know how your town are provided.

And incase of a suddaine assault or approach of an enimy the Court orders you as much as may be to be Guided by the orders of the Councell of Warr that sits att Plymouth the second day of April 1667 vntill you shall receive more pticular orders from the Gouv Major or Councell of warr; and that you doe alsoe take Notice of the troopers as to defect of armes and Amunition in yourer Towne and leuy there fines as abouesaid to the vse of the troope; vnlesse in such Townes wherein any Comission officer of the troop doth reside.

Wee being Informed that it is vp on the harts of our Neighbours of the Massachusetts Collonie to support and Incurrage that Nursary of Learning att harverd Colledge in Cambridge in New England from whence haue through the blessing of God Issued many worthy and vsefull persons for Publique
service in Church and Commonwealth; being also informed that divers Godly and well affected in England are ready to assist therein by way of contributing considerable sums provided the Country heer are forward to promote the same; and that the severall Townes in the Massachusetts have been very free in their offerings thervnto; wee also being by letters from them Invited and Inspected to Joyn with them in soe good a worke; and that wee may have an Interest with others In the blessing that the Lord may please from thence to convey vnto the Country; this Court doth therefore earnestly commend it to the Minnesters and Elders in each Towne, that they taking such with them as they shall thinke meet; would particularly and earnestly move and stir vp all such in their severall townes as are able to contribute vnto this worthy worke be it in mony or other good pay; and that they make a returne of what they shall effect heerin vnto the Court that shall sit in October next whose will then appoint meet psons to receive the contributions and faithfully to dispose of the same for the ends proposed.

*It is ordered by the Court that the charge of the free Schoole, which is three and thirty pounds a yeare shalbe defrayed by the Treasurer out of the profits arising by the fishing att the Cape vntill such Time as that the minds of the freemen be knowne concerning it which wilbe returned to the next Court of election;*

Notwithstanding the former order concerning the Transportation of Timber it is ordered by the Court That any psone or psones may Transport any timber out of any Townships in this Collonie; that shall grow vpon there owne particular proprieties provided that they make it appeer To any one of the Celect men or Constables of the respective Townships by the testimony of one psone vnjnterested therin; and that shipcarpenters be vnder the same restraint as others; and that in defect of any officer neglecting to take Notice of the Transgression of this order such transgression of the said law shalbe p'sentable by the Grand enquest;

It is enacted by the Court That whatsoever evidence of Land is or shalbe brought from any Towne booke to be placed in the Court Records shalbe shewed in open Court before it be entered;

It is enacted by the Court that the one halfe of the Excise due to the Country on the Mackerell to be caugt att the Cape bee henceforth abated: viz: that whereas it was twelve pence a barrel to our owne it shall henceforth be but sixpence a barrel from our owne and whereas it was formerly two shillings a barrel to forraignors it shall henceforth be but twelve pence a barrel to forraignors; except any shall come in before the next Court and rent the said privilidge of Cape fishing;
The Court have ordered that the pay for killing of woulues be lowered from thirty to twenty shillings a head;

The Court have ordered that nothing shall stand in force in our written bookes of lawes; but what the printed lawes Refer vnto;

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Acts and orders made and concluded the 4th of July 1673

It is enacted by the Court That the Comission officers of each Township of this Jurisdiction as often as they see cause shall make serch and take notice of the defects in Armes and amunition in each Township; which defects being deliered to the Constable by the above said officers the Constable with the Clarke of that Companie shall leuy the fines by destresse for the vse of the Companie according to order of Court, and that the said Militeary officers, have the like power; to make serch and leuy fines for defect on ancient psions, and all Inhabitants althro not of the traine band; and the fine of such to be to the poor of the Towne or other Towne vse;

Rules for Aprisments of Goods or other estate to be leuyed by destresse or execution; viz:

That two meet men of good Judgment be chosen apprisors, one of them by the Constable and the other by the pson on whose estate the distresse is made or incase of his default then to be chosen by the Constable; and where the pty concerned refuseth to sett forth suitable estate both as to nearnes of the same to be leuyed and to the specue due, there the Constable shall seize such goods as may best suite thervnto to be equally and Indifferently apprised according to the specue due and not ouerprised;

And incase the apprisors refuse to attend that service on the Constables warning then such refuser to forfeite five shillings to the Countrys vse.

It is enacted by the Court That such Indians especially young men as Run in debt to any English for thinges nessesary for them shall be made to worke it out att reasonable rates if they have not else to discharge there just debts;

It is enacted by the Court That whosoever takes any pledge or paune of any Indian for siluer or any sort of drinke shall vpon complaint of the Indian loose both his pledge and the mony payed;

It is enacted by the Court that noe ordinary keeper or other pson shall henceforth sell any beer to any Indian vpon penaltie of five shillings for every quart soe sold to be payed to the Treasurer for the Countrys vse;

And if any Indian be found destempered with drinke and be brought before the Court; in Court time or before any majestrate; or in townes where noe Majestrate is before any of the Celect men of the Towne if as soon as hee
is capable hee will not declare of whom hee had his drinke; he shalbe forthwith whipt; and his accusation *of any p'son shalbe prove against them except they shall clear themselves by their oath, as in case of liquor is provided and if it manifestly appeer that such Indian doth wrongfully accuse any p'son, hee shalbe severely whipt for his drunkenes and false accusation.

It is enacted by the Court that on the sixt day of the weeke in October Indians. Court and July Court; and att noe other Courts or other dayes in those weeke shall Indian busines be attended by the Court to the prejudice of the other Occations of the Court and Countrie;

In reference to such that come to vntimely death It is enacted by the Court that noe such pson be buried before such time that a Corroner or Constable wher no Corroner is, be Informed of such death vpon the penaltie of ffeue pounds and that such pson or psions that are most nearily related to such psons soe dieing shall forthwith give notice to a Corroner or Constable; and in defect heerof any other pson is heerby bound, haueing knowledge of it forthwith to giue Information as aforesaid and be payed out of the estate of the pson soe deceased or by the Treasurer where no such estate is found.

It is enacted by the Court

That noe pson whatsoever in this Collonie shall haue libertie to keep Horses. aboue three horse kind on the Comons; viz: euery householder Inhabitant or that hath twenty pound rateable estate shall haue libertie to keep one; and hee that hath forty pound rateable estate hath libertie to keep two and such as haue sixty pound rateable estate may keep three; but none aboue three as abouesaid; a colt not to be reckoned for one till a yeare old

And if any p'son or p'sons shalbe found to keep more horse kind running Horses. on the Comons then this law aloweth him; It shalbee lawfull for any trespassed by such horse kind to kill them;

Pay ffeue shillings a weeke for every horse kind more then his number for the Townes vse;

And what horses or horse kind soeuer doe or shall treaspass any in their Horses. Corne or other enclosed lands or meddowes after warning giuen; if they continew soe to trespas It shalbe lawfull for the pson soe trespassed to kill them.

It is enacted by the Court that what is in our written booke of lawes be by vs looked vpon for law and be taken out of the said booke and by a Committee drawne vp into one volume.

It is enacted by the Court that those that are or shalbe sent from the Deputies. seuerall Townes for to serue as deputies shall haue a voste with the Majes-trates in the purging of the Court vntill by the abouesaid disacptected.
It is enacted by the Court That 15 Gallons beer measure shalbe a settled Gage for tarr barrels;

*Actes and orderers made and concluded the fourth day of June Anno Domini 1674 as followeth;

Freemen. It is enacted by the Court and the authority thereof as to the orderly Admittance of ffreemen; first that the Names of the ffreemen in each Towne be kept vp on Towne Record; and that noe mans Name shalbe brought into the Court to be propounded to take vp his freedome vnlesse hee haue had the approbation of the Major pte of the ffreemen att home, and the same to be signifiied to the Court vnnder the Towne Clarkes hand by the Deputies;

Ordinaries. It is enacted by the Court; That as to the restraining of abuses in ordinaries, That noe ordinary keeper shall sell or giue any kind of drinke to Inhabitants of the Towne vp on the Lords day; and alsoe that all Ordinary keepers be required to cleare their houses of all Towne dwellers and strangers that are there (on a drinking account) except such as lodge in the house; by the shutting in of the day light vp on the forfeiture of five shillings, the one halfe to the Informer and the other halfe to the Townes use;

Pound keeper. It is enacted by the Court that whatsoever Neat Cattle horse kind sheep or swine henceforth being Impounded for Treasps or damage done; that the p'son that oweneth the said cattle sheep swine or horskind doe giue to the pound keeper Cecuritie, to satisfy the damage done by them for which they were Impounded: viz: Ingage before two witnesses or giue vnder his hand to the keeper of the pound to satisfy such Just and legall damages as abovesaid; and the poundkeeper that releaseth such beasts being alsoe satisfied for his Impounding of them;

Race.* It is enacted by the Court that whatsoever p'son shall Run a Race with any horse kind in any street or Comon Road shall forfeite five shillings in mony forthwith to be leuied by the Constable or sit in the stockes one heure if it be not payed

Indians. It is enacted by the Court That Wheras many Controversyees doe arise between the English and the Indians that are brought to tryall of the severall Courts of this Gou'ment; and it is observed that the Indians would be greatly disadvantaged if noe Testimony should in such case be accepted but on oath; This Court orders, that any Court of this Jurisdiction before whom such tryall may come shall not be strictly tyed vp to such Testimonyes; on oath as the Comon law requires but may therin acte and determine in a way of Chancery; vallueing Testimonies not sworne on bothsydes according to theire Judgment and Consience;
The order forbidding powder and shott to be sold to the Indians is Repealed;

It is enacted by the Court that whereas Mannamoiett Paomitt and Satuck-ett haue bin put vnder the Constableshipp of Eastham; That they shall be-longe vnto, and be off the said Township vntill the Court shall see cause otherwise to order and all other places in like Capacitie shall be-longe vnto p'ticullar townships as the Court shall see meet;

*This Court haueing receiued by the deputies of the severall townes the signification of the minds of the Major pte of the freemen of this Collonie that all the proffitts of the fishing att Cape Code graunted by the Court for the erecting and Maintaining of a Scoole be still continuwed for that end if a competent Number of Scollars shall appeer to be devoated thervnto, which this Court Judges not to be lesse then eight or ten Doe therfore heerby conforme the Graunt of the afsaid proffitts of the fishing att the Cape to the Maintainance of the Scoole; and that there be noe further demaunds, besides the said proffitts of the Cape demaunded of the Country for the Maintainance of the said Scoole.

It is enacted by the Court that such Indians as liue Idlely and will not Indians. take care to pay there Jus debts after conviction, shalbe made to serue either those to whom they are Indebted or some other man vntill the debt be satisfied for twelue pence a day in summer time and six pence a day in winter time and there diett, and if they will not serue but run away; then it may be lawfull to sell them by order from two Majestrates of this Jurisdiction or the Selectmen of the Towne for see longe a time as they shall see fitt, vntill the debt be satisfied for, and all such charges as shall arise vpon defect as afsaid;

And for all younge p'sons of the Indians as spend their time Idlely It Indians. shalbe in the power of the Celect men or Constable in each Towne vpon complaint for to put them to some p'sons that shall keep them to worke and not abuse them, but if such p'sons shall or doe run away they shall forfeite double for such time as they are absent;

It is enacted by the Court that such Indians which shall or doe steale Indians. any things from the English hee or they shall make restitution by payment of four fold either by seruicing it out; or some other way or be sold for his theft; att the descretion of two of the Majestrates of this Jurisdiction.

It is enacted by the Court; that concerning Indian claimes that are or Indians. shalbe made to any lands within this Gou'ment; which are now orderly pos-
It is enacted by the Court that it be signified to the Townes that the Court expects that the troopers in each town be as many in Number as before and that they be provided with armes and other acultermnts fitt for that service, and that therie Names be sent in to the next July Court;

*Actes and orders made and concluded the first of June 1675 by the Generall Court then assembled at Plymouth for the Jurisdiction of New Plymouth as followeth;

Respecting the Celect mens Courts; there may arise such acteings as may be crosse to the maine end of that Constitution For the better Regulateing thereof it is ordered by the Court and the authoritie thereof; that the Courts of Celect men nor any of them shall have power to send forth any precept to seize any estate without their Respectie Townships, or to compel any p’son that is not found within their respective Townships, vnto their obedience; nor shall have power to try any of the Kings officers respecting the execution of their office for any damage to any pson pretended thereby to be received; nor to try any action of defamation battery, or that respects Title of lands; nor to make allowance for more witnesses then is necessarie to any case brought before them nor to allow more then eighteepence a day for one witnes attendance theron, nor to allow any cost for any Atorneyes nor to hold more then two Courts in a yeer; viz: one to be kept on the last Tusday in September; Annually, and the other the first Tusday in february Annually, nor to ajorne any of their Courts longer then vntill the next day Imediately following such respectiue Court sauing their libertie only to call a speciall Court incase they see vrgent cause thereof, onely on the accoumt of a stranger, being concerned in a case, which without much damage can not well be defered to one of the Cettled Courts; and further it is ordered that incase where a plaintiff is Inhabitant of an other Towne; and neglects to prosecute or to signify to the defendant, and to one of the Celect men his leting fall his action; then appearing, the defendant hee shall have his cost allowed, which vpon certificatereof to any of the Majestrates; hee shall Issue forth a warrant to the Constable to Leuy such cost on the goods of the said offending plaintiffe and make payment therof to the said defendant damnified;
*This Court voates the Country to repay, within two yeares after the date hereof the fifty pounds to Gou' Prence his executrix which hee in his life time payed to the Treasurer in the Countries behalfe as pte of the purchase of his late dwelling house and lands att Plymouth on condition that if the said Executrix; together with all the children concerned therin; which are in this Country, shall resign vp the deeds which was gien to the said late Gou' Prence by the Treasurer in the Countries behalfe; and alsoe shall and doe giue sufficient evidence in law to the Treasurer in the behalfe of the Country for the said house and lands; with warrantice onely from by and vnder them the said executrix and children their and euery of theire heires and assignes for ever; and that then vpon theire signeing and sealing euidences vnto the Treasurer aforesaid, hee alsoe in behalfe of the Country signe and seal a generall release to them of all debts dues bills bonds and demaunds whatsoever.

It is alsoe further ordered by this Court That Mr Thomas Hinckley Capt: James Cudworth and Leift: Morton are Impowered to acte with the Treasurer in the p'mises; or incase of his neglect or refusall to acte in the p'mises or any pte thereof; That then the s'd Mr Thomas Hinckley Capt: Cudworth and Leift: Morton be heerby fully Impowered to acte therin in the Countries behalfe without him as alsoe to dispose of the said house and lands, by seting leasing or selling the same in the Countries behalfe as they shall see cause.

It being moused by some of the Comissioners which mett this yeer att Indians.

Boston That some one of the Majestrats might be appointed and Impowered to be healpfull to the praying Indians in this Jurisdiction in Matters ciuill for theire better Gou'ment and the Issueng of such controversies as may arise amongst them; This Court being sensible that it may haue a good tendencye to the ciuillisinge of the said Indians; and that it may be some ease both to this Court and to the Indians doe therefor order and impower the Worsh'a Thomas Hinckley, to call and keep Courts amongst the said Indians att such times and in such places of this Gou'ment; as hee shall thinke meet; for such end; and doe heerby Impower him; together with the heads or cheife of the Indians In the generall places to make orders, respecting the Gou'ment of the said Indians; and to punish them for misdemenors except in cases capitall, and to issue amongst them all ciuill controverses provided that the said Indians, shall haue libertie, to make their appeales from that power to our Court of New Plymouth if they see reason soe to doe;

*It is enacted by the Court and the Authoritie therof That if any man haue damage done by horses swine sheep or neat Cattle and the damage done is full a mile or more from the Towne pound; Then it shalbe lawfull for such
an one to Impound the beast that hath Treaspsased in a pound house or place of restraint, erected upon his owne ground twenty four houres and that hee shall within six houres give Notice to the pson that owenes the beast or cattle, which if the owner will not come and satisfy; Then hee that hath the Treas-pas don him may drue them to the Towne pound; and shall haue what is Nessesarie for the drueling of them together with the damage, and hee that Impounds the cattle or beast shall give oath before a majestrate or Celect man (if required) what cattle or beast did the damage soe farr as hee knoweth; and that shalbe taken for sufficient proffe when other can not be obtained.

It is enacted by the Court that all fences for securing of corne shalbe full four foot high or otherwise sufficient by the judgment of Indifferent men;

Wheras it is observed that some by lending Guns &c to the Indians wherby theire Nessesary armes are many times out of Culture or out of the power of the owners for theire use if any exegencye should fall; the Court have ordered that henceforth none shall lend any Gun or Guns to the Indians on paine of forfeiting them or the value of them to the Collonies use.

It is ordered by the Court that four halberteers be in a reddines to Attend the Gou' and Assistants on dayes of election yeerly and two after the election is over all the time which that Court contineweth;

Wheras it was ordered by the Court that the Troope were Required to procure Carbines; and serve as a troop of Dragoneers, understanding that they have Generally declined it; the Court have ordered that they returne againe to theire foot Companies and doe service therin and be subject to such orders as are requisite in that behalfe in the seucrall Townshipes whervnto they belonge,

It is enacted by the Court that there be a publicke house erected in euery Towne of this Gou'ment for the Towne comfortably to meet in to wor-ship God; and incase any Towne shall apparently neglect or refuse to build the said house; it shalbe in the power of the Gou' and Majestrates to appoint and authorise a pson or psoms to build the said house according to the abill-itie and Nessesitie of the people and the charge thereof to be defrayed by all the Inhabitants and proprietors of the Towne;

*It is ordered by the Court that wheras Graunts of land haue bin formerly made vnto sundry freemen; and many more freemen haue petitioned the Court for land; and the Court not knowing what lands are yet undisposed of by reason of former Graunts vnto seucrall Townes whose bounds are not certainly knowne this Court doth order Mr Constant Southworth and Wil-
fam Paybody with such psons as the respectiue townes shall see cause to 
Joyne with them to run the line; and to sett the bounds of all such Townes; 
where there bounds border on the Comons or vndisposed lands; whoe are 
Impowered together, or where any Towne shall omit or neglect to send or 
appoint men as aforesaid to Joyne in running such line or settling Townes 
bounds; then the abowe said Mr Constant Southworth and Wilham Paybody 
shall have power to doe it, themselves, as neare as they can; according to 
Graunts and Records Respecting the p'mises; and what they shall doe therin 
to stand valled and vnviolable for the future and the charge to be defrayed by 
the seuerall Townes about which they shalbe Imploied; 
Alsoe the Court have ordered and Impowered the abowe named Mr Con-
stant Southworth and Wilham Paybody to Run the line between Bridgwater 
and Middlebery 
Incase of the Treasurers Neglect that then Nathaniell Thomas Leiften-
ant Morton and John Thompson to supply;

*Actes and orders of the Court made and concluded the 4th of Novembe 
1676

I t is ordered by the Court and the Authoritic thereof; That there be a 
true List taken of the Names of all male psons in each Towne of this 
Gou'ment that are betwixt the age of sixteen yeers and sixty yeers whether 
they doe Judge them able to doe seruice or disabled thervnto; and those in 
each towne that are Judged by the Towne or Comission officers to be disabled 
from seruice that they be listed by themselves after the rest; and this to be 
brought to Plymouth vnder the hand of the Clarke of the Company or Com-
ission officers against the next June Court.

It is ordered by the Court that each Towne choose two or three men to 
rate. 
take a more p'tect and exact list of the Rateable estate of the Inhabitants of 
each Towne and for the better and more cleare bringing in of an Inventory 
of the Rateable estate of each Towne, these Rules are to be observed;
First That a list of the Rateable estate of this Collonie shalbe taken be-
tween the 20th of May and June Court; and p'sented to June Court;
2. That in all townes noe Inropriated lands lying dorman that is within 
the Towneshipp is to be listed as Rateable
3. That in taking of a list That beasts cattle sheep hoggs and the 
Number of them with the p'ticular age shalbe expressed, and not a valluation 
of the worth of them; in a lumpe estimated by them that take a list
4. That after the list Taken that the Towne meet together to hear the 
list red; that if any be wronged hee may make it appeer that hee may be
righted and if any have not giuen a true list of his estate it may happily be
discouered and made manifest by some Neighbours;

Wheras there is an acte or order made by the Councell of warr bearing
date July 1676 prohibiting any male Indian captiue to abide in this Jurisdi-
tion that is aboue fourteen yeares of age att the begining of his or theire cap-
tiuity and incase any such should continew in the Collonie after the time then
prefixed they should be forfeite to the use of the Gou'ment this Court sees
cause to ratifie and confeirme that order; and acte and doe therfore order;
that all such as have any such Indian male captiue that they shall dispose of
them out of the Collonie by the first of December next on paine of forfeiting
every such Indian or Indians to the use of the Collonie; and the Constables
of each Towne of this Jurisdiction; are hereby ordered to take notice of any
such Indian or Indians staying in any the respective townes of this Collonie,
after the time prefixed; and shall forthwith bring them; To the Treasurer; To
be disposed off to the use of the Gou'ment; as aforesaid;

Captaine, Church hauing; for and in the behalfe of the Collonie,
engaged to seuerall Indians; about five or six; That incase they did carry
well they should abide in this Jurisdiction; and not sold to any forraigne
p'tes; accordingly this Court doth confeirme the said engagement and doth
hereby tollerate theire stay as aforesaid; notwithstanding any law of this
Collonie to the contrary; excepting; if any of them should appeare to have
had a hand in any horred murder of any of the English p'ticularly excepting
one Crossman; whoe is accused to have had a speciall hand in the crewell
murder of Mr Hezekiah Willett;

*It is enacted by the Court That noe Indian or Indians of those that
came in and submitted themselves to mercye shalbe p'mitted they nor any
of their posteritie to beare Armes for the future within this Collonie;

It is enacted by the Court That noe Indians that are servants to the
English shall be p'mitted to use guns for fowling or other exercise; as being
Judged that it may prove prejudicial in time to the English; and threfore
that none shalbe p'mitted soe to doe on paine of forfeiting every such Gun soe
vsed to the use of the Collonie;

fforsomuch as by frequent and sad Experience it is found that selling of
armes and amunition to the Indians, is very p'nisious and destructive to the
English It is therefore ordered decreed and Inacted by the Court and the authoritie thereof; That whosoever shall be found to sell barter or give directly or Indirectly any Gun or Guns or Ammunition of any kind; to any Indian or Indians; and the same legally proved against them; every such pson or persons shall be put to death; And in defect of full and legall proffe there the printed law prohibiting the same selling guns or ammunition &c: To take place;

See printed booke of lawes Chap: 14 page 43:

The Court haue ordered That the necke of land called Showamett shall be sold the prise wherof to be Improued for the releffe of maimed soldiours and others that are in Great Nessesitie in our Collonie whose Pouertie hath bin caused by the late warr; as alsoe for the defraying of such Just debts as the Country stands engaged vnto any.

The Gou'r Mr Hinckley Major Cudworth and the Treasurer or any two of them; are appointed, and Impowered by the Court to make sale of Showamett Mount hope and Pocassett in the behalfe of the Collonie; and to make and scale deeds in the Collonies behalfe; for the confirmacion of the sale of them or any of them; and on receipt of the monies; to giue acquittances and discharges as occasion may require;

And the same psoms, viz: The Gou'r Mr Hinckley Major Cudworth and the Treasurer, are Impowered; together with one chosen and deputed by each Towne in this Collonie; or as many of them as shall appeer att the time & place appointed; To make distribution of the prise onely of Showamett for the releffe of maimed soldiours and p'sons Impoverished by the warr and poor widdowes such as have lost their husbands in the warr and others in Great Nessesitie and for the defraying such apparent and just debts as are by the Collonie owing vnto any;

*Att the Generall Court held att Plymouth the fift of June i677

WHERAS by frequent and sad Experience great disorder screwes by the Indians, great concourse of Indians vnto Plymouth in Court times in that very oftens they drinke themselves drunke wherby God is much dishonored and sober minded men offended; It is ordered by the Court that all Indians be prohibited from appeaering att Plymouth in Court times, except vpon speciall occasions, without order from some one of the Majestrates of this Jurisdiction, or a Celect man, on paine of the payment of a fine of five shillings; for any that shall appeer without a certifeycates, as aforesaid or to be publickly whipt;
Att the 20th session of the General Court held at Plymouth the 10th of July anno Domini 1677 acts and orders made and concluded as followeth.

As an addition to former orders of the Court for prevention of the growing intollerable abuse by wine stronge liquors &c both amongst the Indians and English.

It is ordered by this Court and the authority thereof that the order mentioned in the printed book of laws Chap. 13: N: 1; of retailing wine stronge liquors &c without licence is to be construed as intending Strangers as well as others.

It is enacted by the Court that no ordinary keepers or other person or persons shall sell draw or suffer to be drawne any wine or stronge Liquors to any but strangers except in case of manifest sickness or necessity in that kind; on paine of ten shillings forfeiture for every such default the one half to the Country and the other half to the enformer.

It is ordered by the Court and the authority thereof that none shall presume to deliver any wine stronge Liquors or Cyder to any person or persons whose they may suspect will abuse the same; to or to any boyes Gerles or single persons the pretending to come in the name of any sick person without a note under the hand of some sober person in whose name; they come on paine of five shillings for every such Transgression; the one half to the Country and the other half to the enformer.

And forasmuch as it is judged that letting the Indians have silver money is a great means whereby they are furnished with Liquors to their Great abuse through the Inordinate love of their money by some contentious or sullen minded English it is therefore ordered by the Court that no English or other Nation whatsoever lying with ye shall give trucke or lend any silver money to any Indian or Indians on any pretence whatsoever on paine of five times the value thereof to be forfeite; the one half to the Country and the other half to the enformer.

The names of the men appointed by the Court in every Towne to see the orders about and against abuse of drinke and liquors put in execution are as followeth:

Plym. Serjeant Harlow
Andrew Ringe
Duxburr. John Wadsworth
Benjamine Bartlett

Barns. Mr. Huckens
Mr. Barnabas Loythorp
Swansey John Butterworth

seni

This order was repealed No. uem: first 1677.
At the second session of the General Court held at Plym the 10th of July 1677

Actes and orders made and concluded

It is enacted by the Court and the authority thereof, That, the order adjoining the Militery Commission officers in each Towne of this Government shall again be put in execution for the Training and exercising of these Companies four days in a year; and that they not only traine their soldiers in their postures and motions; but also in shooting at markes &c:

It is enacted by the Court That all such persons in this Government whoe have served under Commission in the late Warr against the Natiues shall not be compellable to serve in the Militery Companie in any lower capassitie than Commission officers; and those officers who served in lower degree shall returne to their former stations;

It is enacted by the Court That the order made by the General Court Militery. October the fourth 1675 Respecting carrying of Armes to the Meeting be put in execution by all such persons as are by the Lawes of this Collonie Required to beare armes viz: the one halfe of the Companie one day and the other the other day; and soe continewed vntill further order to the Contrary from the Gou'r or Councell;

It is enacted By the Court That the order of Court made Ann° i644 Military. allowing Matchcockes be repealed; and that all persons Required by the Lawes of this Collonie to keep and Maintain armes; be att all times provided with sufficient fix fier lockes or snaphance Musketts or other servicable peeces not exceeding four foot and an halfe longe; nor vnder Colliuer bore on penaltie of six shillings to be leuied on the estate of all and every such person or persons as by order are appointed to keep and Maintain the same; and that every person required to keep and Maintain Armes shall for every fier locke or snaphance be alwaies provided with thirty flints on penaltie of twelve pence fine;
It is enacted by the Court; that the Commission officers in each Towne of this Government doe speedily put in execution the order of Court made the fourth of July (73) for searching for defects of armes and ammunition;

It is enacted by the Court that the Order of Court bearing date 1640 shall by the Milletary Comission officers of this Jurisdiction, be put in execution againe viz. The order concerning Training; with this, limitation, and addition that whereas formerly the Milletary Companies were required to train six times in a yeer they are to traine or be exercised but four times in a yeer; and that they not onely traine thire souldiers in thire postures and motions but alsoe att shooting att Markes &c

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The Generall Court held att Plymouth the first of Novembe Ann 1677

It was enacted;

That whereas complaint is made that the order of Court made June 1675 concerning Celect Courts that there should be but two in a towne Annually, proueth very prejudiciall to seuerall of our Inhabitants;

It is therefore ordered by this Court that the Celect men in any of our seuerall Townes may hold one or two Courts more in a yeer in their respective townshipes; one on the first Tuisdaj the month of December yeerly and on the first Tuisdaj in May; if they see cause soe to doe;

**forasmuch as great inconvenienc doth arise by strangers lying with thire vessells in our harbours trading with the Indians wherby such as belonge to the said vessells have not onely opportunity by thire Trading to defeat such just debts as the said Indians are indebted to our English Inhabitants, by thire carrying all they haue to such traders but also being found by experience, that therby the Indians are furnishd with prohibited goods contrary to the lawes and peace of this Government; as liquors guns and ammunition &c

This Court doth therefore order that noe ffloraignor doe hence forth lye with his vessell in any of our harbours soe as to trade with any of the Indians of this Jurisdiction vnder any pretence whatsoever on paine of the forfeiture of his vessell and goods to the Collonies vse; or the sume of five or ten pounds as any of the Majestrates or court may see cause as the matter may be ceromstanced;

**forasmuch as the Maintainance of good litterature doth much tend to the advancement of the weale and florishing estate of societies and Republics
This Court doth therefore order; That in whatsoever Township in this Government consisting of fifty families or upwards; any meet man shall be obtained to teach a Gramer scoole such Township shall allow at least twelve pounds in currant marchantable pay to be raised by rate on all the Inhabitants of such Towne and those that have the more emmediate benifit thereof by their childrens going to scoole with what others may voulentarily give to promote soe good a work and generall good, shall make vp the resedue necessarie to maintaine the same and that the profitts ariseng of the Cape fishing; herefore ordered to maintaine a Gramer scoole in this Collonie, be distributed to such Townes as have such Gramer scooles for the maintaine thereof; not exceeding five pounds p annum to any such Towne vnslesse the Court Treasurer or other appointed to manage that affaire see good cause to add to thervnto any respective Towne not exceeding five pounds more p annum; and further this Court orders that every such Towne as consists of seaunty families or upwards and hath not a Gramer scoole therin shall allow and pay vnto the next Towne which hath such Gramer scoole kept vp amongst them, the same of five pounds p annum in currant Marchantable pay, to be leuied on the Inhabitants of such defectiu Townes by rate and gathered and delivered by the Constables of such Townes as by warrant from any Majestrate of this Jurisdiction shalbe required;

The 5th of June 1678 It was enacted by the Generall Court That in euery place in this Government where a Township is or that is capable for a Township being begun to be peopled though not filled with Inhabitants; they or few of them being desirous to promote the publicke worship of God amongst them; shalbe assisted by this Government, soe as that the charge to gett an able faithfull preacher of Gods word and to Maintain the same shalbe Raised vpon all the Chattles and Lands or other Rateables, of all the Propriaters of any such place that is there found;

Att the said Court it was ordered that all fines falling by the Transgres-
sion of the lawes prohibiting the retailing of wines Liquors beer or cyder without lycence; and all fines for selling of wine beer liquors or cyder to the Indians shalbe payed in siluer mony;

*Att the Generall Court of his Majesty held at Plymouth for the Jurisdiction of New Plymouth the fift of June 1678.

It was enacted by the Court that there be a publicke house or houses erected finished repaired and Inlarged as there shalbe need; in euery Towne and village; in this Government; allowed; to be sett vp the worship of God
[PART III.] in; for the people in such Respective places, to meet together for that end; and incase the people of any such place shall refuse or neglect soe to doe; It shall then be in the power of the Court; to appoint or authorise a person or persons to build finish Repair and Inlarge such said house, from time to time as Need may be; according to the abilitie of the people of any such place; Requiring men to make a rate or rates upon all the Inhabitants and proprietors, of any such Towne or village; To defray the charge of any such worke; and alsoe to Require the Constable to gather such Rate or Rates, and make payment thereof where it shallbe due for such worke;

Whereas Complaint is Made that the voateing of persons that haue not taken the oath of fidellity, doth much obstruct the carrying on of religion in the publicke weale

It is enacted by the Court that noe person whom hath Not taken the oath of fidellitie shall haue libertie to voate in any Towne meeting vntill hee hath taken the aforesaid oath and that there shalbe a Record of the names of all that haue or doe take the said oath, and kept by the Clarke of euery towne of their owne men that haue taken the same;

for the preventing of prophanes Increasing in the Collonie which is soe provoakeing to God and threatening to bringe Judgments upon vs;

It is enacted by the Court as an addition to our printed order Chapter 9th folio 30th That none shall come to inhabite without leave &c: and if any have or shall att any time Intrude themselves to Inhabite any where within this Collonie, not attending the aforesaid order, shall forthwith be warned to be gon out of the Collonie, which if they shall not speedily doe, then euery such offender shall pay fiue shillings p weeke for euery weeke continuance in this Collonie after warning, to be gon;

And if any of our Inhabitants shall att any time sell or hier out accommodacion in this Collonie To any that haue not according to Court order bin accepted, into this Gou'ment, or otherwise entertaine any such Inhabitant they shalbe fined fiue or ten pound, or more according to the descretion of the Court; hoping the Court wilbe careful; that whom they accept off; are persons orthodox in their Judgments;
*Att the Generall Court held by adjourment att Plymouth for the Jurisdiction of New Plymouth on the third of July anno: Do[en] i679 Acts and orders made and concluded as followeth;

It is enacted by the Court and the Authoritie therof

That the sealers shall make serch within their limitts in any house shopp or ware house where they shall conceiue such defectue leather is to be sold or deliuered whether made vp into shoes Boots or otherwise as oft as they shall thinke meet; And seize all such lether or shooes And any lether sold or offered to be sold brought or offered to be serched or sealled contrary to the true Intent and meaning of this order; The same to seize and retaine in his or their Custody and if the owner shall not submit to the Judgment of such officer or officers; shall within three dayes; call to him two or three honest and skilfull men in such ware to view the same in the p'sence of the p'tie concerned, or without him (hee hauing notice thereof) whoe shall certify vpon their oaths to the Court or some one of the Majestrates, the defect of the said leather;

And that the forfeiture of such lether or shooes as aforsaid one third Ditto therof shall goe to the searcher, and the other two thirds to the Plantation wherein the offence is committted

And if any sealler of Leather shall refuse with convenient speed to Ditto scale any leather sufficiently tanned, wrought, and vsed according to the true meaning of this order, or shall seale that which ought not to be sealled according to this order, shall forfeit for every such default twenty shillings.

It is enacted by the Court &c: To the intent; That the Countryes affaires may be the better carryed on att the Generall Courts of election; That the answere to p'sentments and thinges of like nature; that may conveniently; be refered to July Courts;

It is enacted by the Court &c:
That All publicke ciull officers haue an oath formed for each office and Oaths. brought to the printed booke.

It is enacted by the Court That the Secretary be yeerly vnder oath.

It is enacted by the Court &c: That the deputie Gou'r be vnder oath as such and therafore annually chosen.

It is enacted by the Court &c. That all evidences p'sented in the Court be kept vpon the file; and that henceforth none be admitted written by the plaintiffe or defendant or either of theirre Attorneyes, but by some Indifferent
psop and in the witnesses owne words; and alsoe strictly examined by Court or Majestrate, as the case may require for the clearing of the truth.

It is enacted by the Court &c:

That all costs of Court graunted in any action be payed in siluer mony as hath bine Accustomed.

It is enacted by the Court &c:

That in all executions for the leuying of debts in specue according to contract and gathering of rates and fines as by order of Court is required that where the specue will not be tendered nor can not be found, there other goods leuied or destrained shall be sold att an outcry to procure the same vpon publicke notice giuen thereof.

It is enacted by the Court; That the Constables are Impowred without warrant to make destresse for all sorts of Rates orderly made and comitted to them to collect And that the Constables in the severall Plantations shall haue the power of Water Bayleyes in the respective plantations where theire is occasion for the same.

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*Att the third session of the Generall Court held att Plymouth the 28th of Septem: 1680

Indians. I T was ordered by the Court, that it shalbe Lawfull for any of the Majes-
trates, to giue a lycence to Any English; to sell to our ffrendly Indians, such smale quantities of powder and shott, and to lend such armes to such of them, as such Majestrates, shall see cause, to lycence thervnto; vnder; his hand; Which tickett shalbe a sufficient Warrant to such English, any order of Court, to the contrary, In any wise Notwithstanding;

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*Actes and orders of Court made and concluded by the Generall Court Att theire second session att Plymouth the 7th of July Ann° Doûi: 168i as followewth

Apprisemt. F OR the apprisment of Goods or other estate to be leuied by destresse or execution, it is ordered and enacted by the Court; That hee whose estate is to be prised, is to choose one aprisor; and hee that is to receiue the estate prised, is to choose another appriser, and incase either neglect to choose; Then the Constable or Marshall to choose one for him; and if they two agree not, Then the Marshall or Constable to be the third man; and where the p'tye concerned refuseth to sett forth suitable estate; both as to Nearnes of sume to be leuied and to the spey due; there the Constable or
Marshall shall seize such goods as may best suite thervnto; To be equally and Indifferently prised according to the specye due and not ouerprised;

Wheras there was an order to sell goods att an outcry In reference to the p'mises; it is now by the Court repealed.

It is ordered by this Court that there shall not be allowed aboue fiue shillings cost for any attorney or attorneys to any one action and where there shall happen to be but one Attorney entertained but one day in any one action; then to haue two shillings and six pence onely allowed him for cost therin;

It is ordered by the Court that euery Towne in this Jurisdiction choose three men to be Joyned together with those of the Comission officers to be of their towne Councell; Concerning Celect Courts Wheras some times it falls out that the plaintiffe Not residing in the same Towne where the case is depending They shall putt in Caution to repaire the defendant if found Inosent before the plaintiffe hath sumons graunted him;

Wheras the Law saith that the Celect men shall haue their pay att the Scelect men. bringing in of their verdict it is now ordered by the Court that they shall haue theirie pay att the entering of the action;

Wheras wee find Noe provision in the law to obtaigne any Witnes out of any other towne to bringe evidence in any case that is depending out of the Towne where the witnes lies, it shalbe lawfull for either plaintiffe or defend-ant to require a subpena of any Celect man of the same Towne where the wit-nesses live; to require any pson to appeare before some one of the Celect men of the same Towne; To giue evidence before some one or more whoe shall convey it to the Celect Court of that Towne where the case is depending;

If any pson being legally subpenaesd to giue in his evidence before any Neglect. Celect Court or Celect man, and shall either refuse or neglect to giue in his evidence, being capeable to giue evidence in the case; shall pay for euery such default; a fine of twenty shillings, to the use of the ptie wronged; for want of such evidence;

*It is enacted by the Court in reference vnto Milletary disipline That all the Milletarye Companies in this Gourment be made compleat in theire Military. officers of as able and fit men as they may be.

It is enacted by this Court That euery soildier in this Jurisdiction that beares Military. Armes be with all convenient speed furnished with a compleat sword or cutlas;
It is ordered by the Court and the Authoritie therof that the choise of
Select men be specified in the warrants that are sent downe to the seuerall
Townes for the choise of his Majesties officers; and theire names to be returned
unto the Court vnder the Constables hand and to be called in Court to take
theire oath as is in such case provided; and if incase any prudence pvent,
theire appearance then to appeare before some Majestrate of this Gou'ment;
within one Month after the said Court to take oath vnder the penalty of
twenty shillings further it is enacted by this Court That each Towne of this
Gou'ment doe provide a booke wherein shall be entered all those orders of
Court as are or shalbe made for direction of said Select Courts by the
Secretary being first to enter all said lawes in each of the said booke or
send coppyes therof to each Towne.

It is ordered by this Court that the Comission officers of the Millitary
Companies of each Towne in this Gou'ment doe take care That one fourth
pte of said Millitary Companies doe bringe theire armes fixed to the Meetings
every Lords daye; with every souldier bearing armes six charges of Powder
and shott viz beginning from the beginning of April to the end of October
yearly and every yeer as well in times of peace as warr; onely in times of
danger they shalbe increased as the Millitary Comaunders and Towne Coun-
cell shall see cause and that such as palpably neglect or refuse to pforme
theire duty therein shall forfeite two shillings for every such Neglect; and ten
shillings incase it appers to be in contempt; To be gathered by order from
the Comission officers to the Constable; and where it appers that any doe
ordinarily and p'posely keep from meeting because they would not bring
theire Armes as aforesaid to be summoned to the Court to haue such reasonable
fines as to the Court shall seem meet, sausing such townes whereby agreement
amongst themselves they haue such a number of men proportionable to aforesaid
order constantly to carry theire armes on every Lords day; to the meetings.

*Lawes and orders made by the Generall Court holden att Plymouth
July the 7. 1682.

WITH reference to the Indians for theire better regulateing and that
they may be brought to liue orderly soberly and dilligently
first It is enacted by this Court And the Authoritie thereof That in each
Towne of this Jurisdiction where Indians liue; some one able descreet man
be apointed by the Court of Assistants; from time to time as oftens as need
shall require to take the oversight and Gou'ment of the Indians in the said
Towne according to such lawes orders and instructions as are or shalbe made
and giuen by the Generall Court;
LAWS.

It is ordered by the Court that the said overseer with the Tithingmen in that Towne shall have power to hear and determine all causes that may happen betwixt Indian and Indian Capitals and titles vnto lands onely excepted alwaies allowing liberty of appeale to any party grieved at their Judgment to the Court of Assistants.

It is enacted by the Court; That the said overseer shall have power by warrant under his hand to commaund any English Constable in his Township and all Indian Constables whatsoever to Arrest attach Summons & serue executions on the body or goods of any of the Indianes for any matter or cause that may in his Court be heard and determined;

That in each town where Indians doe reside every tenth Indian shall be chosen by the Court of Assistants or said overseer yeerly who shall take the Inspection care and oversight of his nine men and present their faults & Misdemenors to the overseer which said overseer shall keep a list of the Names of the said Tithing Men and those they shall have the charge of and the said tithingmen shall be Joyned to the overseer in the Administration of Justice and in hearing and determining of causes and incase two Tithingmen doe not agree with the overseer in any case that may come before them in Judgment then the said overseer shall have Negative voyce and such case shall be removed to be determined by the Court of Assistants.

That the overseer and tithing men shall appoint Constables of the Indians yeerly who shall attend their Courts and the said Constables shall obey all the warrants of the overseer on such penalty as the Court of Assistants shall inflict.

Every Indian shall pay such Rates for his head and estate as the Court of Assistants shall appoint from time to time; which Rates shall be made and proportioned by the overseers Court and gathered by their Constables and payed to the Treasurer or his order.

That once every yeer the overseer shall sumons all the Indians within his Township to meet together where and when hee shall appoint and there shall hee cause to be read to their understanding all the capital and criminal lawes of this Collonie that they may know and observe them;

That every Indian in this Collonie shall be subject to all the capital and criminal lawes that are or shall be made for the English of this Collonie and for breach of them suffer the same penalty wher noe other law is provided for them;

All Indians for drunkenesse shall be severly punished for the first Transgression they shall be fined five shillings or be whipt for the second ten shillings
or be whipt and see for every time any of them shalbe convicted of drunkenes before any Court Majestrate ouerseer tithing man or English Constable;

As an addition to a law made in November 1676 prohibiting all such Indians as were our Enemies to bære armes It is further enacted That the ouerseer of the Indians in each Towne shall take speciall Notice and make Inquiry from time to time whoe of the said Indians haue procured any English armes and seize the same for the use of the Collonie allowing one halfe of the vallue to the Informer;

That noe forraigne Indian of other Collonies or Plantations shalbe suffered to hunt in any Towne or Plantation of this Collonie without a pmitt from a majestrate or the Celect men of that Towne wher they shall desire to hunt shewing for how longe they desire to stay; on penalty of the forfeiture of all such furr and skins as they shall there gett; Nor shall any forraigne Indian haue a pmitt to hunt in this Collonie vnlesse they bring a certificate from the place whence they came;

*Wheras the Indians by their disorderly remoueing from one Place to another live Idlely and on the Labours of others and spend their time to Noe Profit. It is therefore enacted by the Court that noe Indian whatsoever shall remoue from one place to another without a pmitt in writing, from his ouerseer declareing for what cause or how; long and whether hee or they are going; and if any Indian shall remoue from one place to another without his pmitt hee shalbe taken vpp by the Constable of that place where such wanderer shalbe found and carryed before the next ouerseer whose shall cause him to pay a fine of five shillings or be whipt; and sent home to his owne place; and where Noe ouerseer is to be found the English Constable in that Towne where such Indians are to be found as aforesaid shall execute this office as the ouerseer aboue named might doe nor shall any Indians remoue from one place or Plantation to any other ther to abide aboue three dayes but shall goe to the ouerseer of that towne wher hee is remoued for his pmitt; declaring for what cause hee came thither and how longe hee or they desire to stay; and if any Indian shall stay in Any place without a pmitt; in writing as aforesaid hee shalbe fined five shillings or be whipt and alsoe sent backe to the place of his former abode.

fforasmuch as the office of an ouerseer is wilbe burthensome and chargable It is therefore ordered that hee shalbe allowed out of the publicke Treasury a yeerly sallery.

The said ouerseers and Constables shalbe accountable to the Treasurer for all Indian Rates and fines;

And that all Indian and English Constables shalbe payed by the ouer-
seers for serueing warrants in Criminall cases and Inflicting of Punishments on the Indians out of the Indian fines or Rates;

It is enacted by the Court and the Authoritie thereof; that if an Indian whoe is a servant to the English shall run away amongst any Indians such Indians whither such a runaway Indian is come shall forthwith give notice of the said Run away to the Indian Constable whoe shall Immediatly apprehend such Indian servant; and carry him or her before the ouersee or Next Majestrate whoe shall cause such servants to be whipt; and sent home by the Constable to his or her master whoe shall pay said Constable for his service therin according as the Majestrate or ouersee whoe sent such servant home shall Judge meet;

This Court doth Request our Honored Gou', that now is; to take the Generall ouersight & Inspection of the whole affaire of the Gou'ment of the Indians in such manor; as by law is or shalbe prescribed from time to time and to take care of the Preaching of the Gospell amongst them; and Aminiting such of the Indians to preach to them as hee shall thinke fittest for that service; and alsoe to distribute amongst them; what for that end comes yeerly from England and is allowed to them by the Comissioners of the United Colonies in such manor as hee shall see meet.

Whereas divers Marchants Shopkeers Tradsmen and Handicrafts men have traded sold and trafficked theire goods wares and Marchanteice to divers persons in private and theire Costomers oftens sending for such thinges as they Need by children and servants vnnder age &c: wherby such Marchants shop keepers and Tradsmen have Noe opportunity to take bonds bills or wintes of the delivery of theire goods yett just it is that such dealers should be duly payed for theire wares and Marchantice It is therfore enacted that all and euery Marchant shopkeeper dealer &c: shall keep a booke of theire dealing and trading fairely writtg downe therin both debt and credit and the said Marchants theire ffactorers or servants or any of them that shall deliver any such wares or Marchandice; making oath that the said Booke of accompts is true both for debt and credit; such Booke of accompts shalbe held sufficient in law for the recovery of any debt within four yeers after the delivery of any such goods; But if the defendant will take his oathe that hee had not those goods charged in the booke or accompt; or that hee hath payed for the same; then the case shalbe tryed and determined according to the best and strongest presumptions the ptyes concerned shall produce;

*for the settleing and maintaining of Right amongst Neighbors about fences It is enacted by the Court and the Authoritie therof That all such psons as doe or shall make Improuement of theire land by tilling moweing or
grasing which doth or may lye and be adjacent to the lands of any other whoe make Improvement of their land aforsaid; The one proprior or Improver shall make and Maintain one halfe of the fence and the other the other halfe of the fence in the line or range between the said land;

And where one p'son shall Improve his Land before his Naigbour and make the whole fence himselfe; if afterward his said Naighboure shall Improve his land alsoe hee shall pay his Naighbour for halfe the fence against his land; according to the present value of it and shall Maintaine the same and if any such p'son shall cease to Improve his land as aforsaid then any p'son that hath Joyned fence shall haue liberty to purchase his p'te of the fence that seaseth to Improve paying him according to present valley by Apprisement of indifferent p'sons;

And when any p'sons shall make Improvement of their land lying together; and either of them shall refuse or neglect to make or Maintaine one halfe of the fence between their land lying together as aforsaid; The p'tye Making the whole fence in the line or Range as aforsaid; shall cause the same to be viewd and apprised by p'sons mutually chosen by him and his Naighbour; but if the Naighbour whoe refuseth to fence shall refuse to chose any to view and apprise the fence then hee that made the fence shall haue liberty to make chosse of Indifferent p'sons to view and apprise the said fence; and the pty refusing or Neglecting his halfe of fence shall pay to him that makes and Maintaines it the full value of his cost and charges for said halfe from time to time to be recoverd by due course of law in any Court proper for the same provided this law be not binding to such as haue their land lye together in a comon field in such case if any p'son fence in his land Intirly hee shall doe it wholy att his owne proper charge;

As an addition to the printed law allowing libertie to men to cleare themselves by their oath incase of being acused for selling strong drinke to the Indians It is ordered That Noe English pson that is acused by an Indian for glieing selling &c strong drinke to them shall be put to swear further then the ticular accusation;

The law made July 1673 about horses: viz: the two latter clauses of it allowing the killing of them is repealed;

The law prohibited the catching of ffish before they have spanned is to be Reviued by the Comissioners at their next sessions;

Wheras complaint is made that diuers p'sons in disorderly manor haue taken vp horses as strayes which were then Runing in the woods for preven-
tion wherof for the future it is enacted that noe pson shall take vp any horse kind as a stray which is taken Runing in the woods between the first of Aprill and the first of December yeerly on penalty of ten shillings fine to the Collonie besides damage to the owner of such horses.

Wheras in diuers Townes and places of this Collonie there are seuerall Tracts of land which belong to and are held by diuers psons in comon as the propriators therof and noe order hath bine yet made for theire orderly meeting together to devide the said lands or to make orders for the 1st and settlement of the same; It is threfore enacted that where need doth require in any such place or Towneshipp; if the matter doe not concern the Towne as a Towne in Generall vpon request made by the said propriators or some of them to any magistrates of this Collonie an order shalbe granted them to warne all the propriators belonging to any such Towne to come together att some certaine time and place to Transact such matters as may concern them and what shalbe lawfully acted att such meeting by the propriators or the Major pte of them shalbe vallid and binding ;

*It is enacted by the Court That in every case of cieull Nature between pty & pty where there shalbe soe neare a relation between any Judge and either of the ptyes as father and son by Nature or by Marriage brother and brother Vnkel and Nephew Landlord and tenant such Judge though hee may giue reasonable advice in the case yet shall hee not haue power to cen-
tance therin as a Judge ;

It is enacted by the Court and the Authoritie therof that none shalbe allowed to keepe an ordinary or publike house of entertainment but such as first be approued soe to doe by the townes wherein they liue ;

Wheras complaint is Made of much damage don by swine Rooting vp Swine, meddowes and Inclosures for the prevention wherof it is ordered and enacted that on Notice giuen to the owners of such swine from the pty damified, said owners shall forthwith Ringe or cause to be sufficient Ringed all such swine; on penalty of one shilling to be payed for euer such swine that shalbe found vnringed after warning giuen by the wronged pty; and as often as the owner of such swine shalbe warned to ringe them and Neglect it.

It is enacted that if any Shipp or other vesseill be it frind or enimy shall suffer Shipwracke vpon our Coast there shalbe noe violence vsed nor wrong offered to theire psons or goods but theire p'sons shalbe receiued & harboured; and theire
goods preserved in safety vntill Authoritie may be certifeyd and gie further order therin.

It is enacted that in euery place wher week day lectures are kept, all victuallers and ordinary keepers shall cleare theire houses of all psons able to goe to meeting during the time of the Exercyse except in extraordinary cases for the Nessesary releiffe of Strangers vnexpected repairing to them on penalty of five shillings for euery such offence.

It is enacted that none shall p'sume to attend servill worke or labour or attend any sports on such dayes as are or shalbe appointed by the Court for humiliation by fasting and prayer or for publicke Thanksgiueing on penalty of five shillings.

To prevent prophanation of the Lords day by fforaigners or any others vnnesessary travailing through our Townes on that day; It is enacted by the Court that a fitt man in each Towne be chosen vnto whom whosoever hath Nessesity of travell on the Lords day incase of danger of death or such Nessesitous occations shall repaire and makeing out such occations satisfyingly to him shall receive a Tickett from him to pas on about such like occations which if the traveller attend not vnto; It shalbe lawfull for the Constable or any man that meets him to take him vp and stop him vntil hee be brought before Authority or pay his fine for such transgression as by law in that case is provided; and if it after shall appeare that his plea was sfalce then may hee be apprehended att another time and made to pay his fine as afsaid;

It is enacted that all forraigners that sell Liquors theire vessell shalbe confisicate vntill theire fine is payed.

It is ordered That the Gou're or any of the Assistants shall haue power to presse men Artificers or others to make or repaire prisons or other Instruments of Justice and to order theire payments att such reasonable rates as for other worke is accustomed and the Court of Majestrautes is to order the pay of such as are Imployed in any occations for the Countryes vse;

That euery Towne in this Gou'ment shall haue a paire of stockes and a whiping post.

The order Chapt: 4: Secti; 5 for two shillings six pence p day for witnesses shall be intended onely for such as for the wight of the matter are justly required to make theire psonall appeareance att Court; other witnesses on oath are to haue but one shilling & six pence a day;
LAWS.

It is enacted that noe Indians heerafter shalbe trusted before hand for any thing by any English on penalty of being Barred the recovery of any debts by action or plaint;

*It is enacted by the Court That none shall psume to buy any guns tooles clothes or any other goods of the Indians vnder the penalty of his returne of said guns tooles clothes or other goods to the Right owners thereof from whom they were borrowed stolen or ployned by any Indian;

It is enacted by the Court that any debt dew by bill or specialty to another shalbe as good a debt to the Assignee as it was to the Assigner and as recoverable by suite provided the Assignment be vnder the Assigners hand; and witnesses thervnto;

It is enacted by the Court and the authority therof That all deceightfull or fraudulent allianations of lands or other estate shalbe of noe vallidity to defeat any man from any due debts just clame title or possession of that which is so fraudulently; gotten;

It is enacted by the Court That noe conveyance deed or promise shalbe valled which is gotten by illegall violence Imprisonment threats or forcible compulsions;

It is ordered by the Court That euer Towne doe procure their bounds, to be sett out within twelue monthes after the end of this Court by such psons as the Court of Assistants shall appoint to lay out the Same; when such bounds are not alreddy layed out and to deside any difference where they are alreddy layed out that may arise between any pties concerned therin; whether the Townes Country or any other psons to whom any lands are graunted sauing to the greiued pty his remedy Att law And that in euer Towne the Towne or Celect men appoint two or three psons wheo on notice giuen to or by the adjacent Townes shall once in euer two or three yeers goe to the bounds between them to view and renew there bound which shalbe a heape of stones or a trench of six foot longe a foote and an half deep and two foot wide vpon paine of five pounds for euer Towne that shall neglect the same; and that each propriator of lands in any Comon feild or lying vnfenced that shall not once in the yeer or in two yeer; on warning giuen him by his Neighbour attend the meeting to keep vp the bounds betwixt them which shalbe sufficient meet stones shall forfeite ten shillings for such
default; the one half to the party moueing and the other half to the Country and that two or three men shalbe appointed by each Towne to deside the controversy or difference between the neighbours or between the Towne and any of the Inhabitants about the bounds of their lands; Saving to the greuied party his remedy in law;
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