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Connecticut

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# PUBLIC RECORDS

OF THE

# COLONY OF CONNECTICUT,

FROM MAY, 1744, TO NOVEMBER, 1750, INCLUSIVE.

TRANSCRIBED AND EDITED IN ACCORDANCE WITH A RESOLUTION OF THE  
GENERAL ASSEMBLY.



BY CHARLES J. HOADLY,

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## PREFATORY NOTE.

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This volume contains the remainder of Volume VII. of the manuscript *Records of the Colony of Connecticut*, from page 222, together with the first fifty-one pages of Volume VIII., and covers the period from May, 1744, to the death of Governor Law and the election of Governor Wolcott, in November, 1750.

In the Appendix will be found the Proceedings of the English Privy Council on the Appeals of Samuel Clark against Thomas Tousey and others, relative to the Law governing the Descent and Distribution of Intestate Estates, 1737-1745, and also Queries from the Board of Trade, with the Answers thereto, 1748-9.

Conn. Hist. Soc.

For the time covered by this publication neither the Journals of the Governor and Council, of the Committees of War, nor of either branch of the General Assembly, save that of the Lower House at the May session 1744, are now among the State archives.

C. J. H.

STATE LIBRARY, HARTFORD,  
December 28th, 1875.

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# THE PUBLIC RECORDS

## OF THE

### COLONY OF CONNECTICUT.

[VOLUME VII., PAGE 222.]

*Anno Regni Regis Georgii secundi decimo-septimo.*

*Connecticut* }  
*Colony.* }

AT A GENERAL ASSEMBLY HOLDEN AT HARTFORD IN HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUTT IN NEW ENGLAND IN AMERICA, ON THURSDAY THE 10TH DAY OF MAY, (AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE FIRST DAY OF JUNE NEXT FOLLOWING,) ANNOQUE DOMINI 1744.

*Present:*

The Honourable Jonathan Law, Esq., Governor.

The Hon<sup>ble</sup> Roger Wolcott, Esq., Deputy Governor.

James Wadsworth, Esq.,	}	William Pitkin, Esq.,	}	<i>Assistants.</i>
Nathaniel Stanly, Esq.,		Thomas Fitch, Esq.,		
Joseph Whiting, Esq.,		Roger Newton, Esq.,		
Ozias Pitkin, Esq.,		Ebenezer Silliman, Esq.,		
Timothy Pierce, Esq.,		Jonathan Trumble, Esq.,		
Samuel Lynde, Esq.,		John Bulkley, Esq.,		

*Representatives or Deputies that attended at the Assembly are as follow, (viz:)*

Capt. John Marsh, Mr. Joseph Buckingham, for Hartford.  
 Mr. Jeremiah Miller, Mr. Richard Durfey, for New London.  
 Capt. Eleazer Carey, Colo. Jabez Huntington, for Windham.  
 Capt. Theophilus Nickols, Colo. Edmund Lewiss, for Stratford.  
 Colo. Jonath<sup>n</sup> Hoit, Capt. Jonath<sup>n</sup> Maltbey, for Standford.  
 Mr. Asahel Strong, Capt. Hez<sup>h</sup> Lee, for Farmington.  
 Capt. Joseph Phelps, Mr. Benjamin Skinner, for Hebron.  
 Capt. Leicester Grosvenour, Mr. Timothy Sabin, for Pomfrett.



Colo. William Preston, Mr. Noah Hinman, for Woodberry.  
 Mr. Paul Welch, Mr. John Warner, for New Milford.  
 Mr. John Humphrey, Mr. James Case, for Symsbury.  
 Mr. James Benedict, Capt. Richard Olmstead, for Ridgefield.  
 Mr. Thomas Benedict, Capt. Ebenezer Hickcox, for Danbury.  
 Major Ebenezer Marsh, Capt. Joseph Bird, for Litchfield.  
 Mr. Jonathan Lane, Capt. Elnathan Stephens, for Killingworth.

Mr. John Hitchcock, Capt. Jonath<sup>n</sup> Allen, for New Haven.  
 Major Andrew Burr, Mr. Thaddeus Burr, for Fairfield.  
 Mr. Joshua Huntington, Colo. Hez<sup>b</sup> Huntington, for Norwich.  
 Capt. John Fowler, Mr. Robert Treat, for Milford.  
 Mr. Joseph Strong, Capt. Thomas Porter, for Coventry.  
 Mr. Ebenezer West, Mr. Gershom Clark, for Lebanon.  
 Colo. John Dyer, Mr. Solomon Tracey, for Canterbury.  
 Capt. Nath<sup>l</sup> Harrison, Mr. Jonathan Russell, for Brandford.  
 Capt. Nath<sup>l</sup> Foot, Mr. Epaphras Lord, for Colchester.  
 Mr. Samuel Riggs, Mr. Abell Gun, for Derby.

Colo. Christopher Avery, Mr. John Ledyard, for Groton.  
 Mr. Josiah Conant, Capt. Thomas Storrs, for Mansfield.  
 Mr. Joseph Leavinze, Mr. Joseph Cadey, for Killingly.  
 Capt. Jedadiah Chapman, Mr. Ambrose Whittelsey, for Saybrook.

Mr. Samuel Fitch, Mr. Thomas Benedict, for Norwalk.  
 [223] Mr. Joseph Denison, Mr. Simeon Minor, for Stonington.

Mr. Hezekiah Brainerd, for Haddam.  
 Capt. John Mead, Mr. Jabez Mead, for Greenwich.  
 Colo. Thomas Wells, Capt. Jonathan Hale, for Glassenbury.  
 Major Daniel Ely, Capt. Samuel Selden, for Lyme.  
 Colo. Samuel Hill, Mr. Benjamin Hand, for Guilford.  
 Major Jabez Hamlin, Capt. Thomas Johnson, for Middletown.  
 Colo. Benjamin Hall, Capt. Elihu Hall, for Wallingford.  
 Capt. Roger Wolcott, Major Henry Allyn, for Windsor.  
 Mr. John Dixon, Mr. Charles Campbell, for Voluntown.  
 Mr. Stephen Horsmer, jr., for East Haddam.  
 Mr. Samuel Morgan, Capt. Ebenezer Leonard, for Preston.  
 Mr. Ebenezer Knowlton, Mr. James Watkins, for Ashford.  
 Major Elihu Chauncey, Mr. Nathan Camp, for Durham.  
 Mr. John Crary, Capt. Thomas Stephens, for Plainfield.  
 Mr. John Southmaid, Capt. Samuel Heacocks, for Waterbury.  
 Capt. Elizur Goodrich, Capt. Jonathan Belden, for Weathersfield.

Major Andrew Burr, Speaker, } of the House of Representatives.  
 Capt. John Fowler, Clerk, }

This day being appointed by the royal charter and the laws

of this Colony for the election of the publick officers of the Colony, *viz*: Governor, Deputy Governor, Assistants, Treasurer, and Secretary,—proclamation was made, and the freemen proceeded to bring in their votes to persons appointed by the Governor, Council and Representatives, to receive, sort and count them; (which persons were: Nathaniel Stanly, Esq., Timothy Pierce, Esq., Samuel Lynde, Esq., William Pitkin, Esq., Thomas Fitch, Esq., Roger Newton, Esq., Ebenezer Silliman, Esq., Jonathan Trumble, Esq., John Bulkley, Esq., Mr. Joseph Buckingham, Major Jabez Hamlin, Colo. Benjamin Hall, Major Elihu Chauncey, Mr. John Ledyard, Mr. Joshua Huntington, Mr. Thaddeus Burr, Mr. Thomas Benedict, jun<sup>r</sup>, Mr. Gershom Clark, and Capt. Thomas Storrs,) who were all sworn to a faithful discharge of that trust. And the freemen's votes being brought in, sorted and counted,

The Honourable Jonathan Law, Esquire, was chosen Governor of this Colony for the year ensuing, and the Governor's oath, prescribed by the law of this Colony, and the oath required by act of Parliament, relating to trade and navigation, were administered to him by his Honour the Deputy Governour in the presence of the Assembly.

The Hon<sup>ble</sup> Roger Wolcott, Esq., was chosen Deputy Governor of this Colony for the year ensuing, and was sworn by his Honour the Governor, according to law, in the presence of the Assembly.

James Wadsworth, Esq.

Nathaniel Stanly, Esq.

Joseph Whiting, Esq.

Ozias Pitkin, Esq.

Timothy Pierce, Esq.

Samuel Lynde, Esq.

William Pitkin, Esq.

Thomas Fitch, Esq.

Roger Newton, Esq.

Ebenezer Silliman, Esq.

Jonathan Trumble, Esq.

John Bulkley, Esq.

were chosen Assistants for the year ensuing, and had the Assistants' oath, provided by law, administered to them by his Honour, the Governor.

[224] Colonel John Whiting was chosen Treasurer of this Colony for the year ensuing, and had the Treasurer's oath, provided by law, administered to him by his Honour the Governor.

George Wyllys was chosen Secretary of this Colony for the year ensuing, and had the Secretary's oath, provided by law, administered to him by his Honour the Governor in the presence of the Assembly.

This Assembly do appoint the Honourable Roger Wolcott, Esq., to be Chief Judge of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint James Wadsworth, Esq., Joseph Whiting, Esq., William Pitkin, Esq., and Ebenezer Silliman,

Esq., to be Judges of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint William Pitkin, Esq., to be Judge of the County Courts in the county of Hartford the year ensuing.

This Assembly do appoint Roger Newton, Esq., to be Judge of the County Courts in the county of New Haven for the year ensuing.

This Assembly do appoint Samuel Lynde, Esq., to be Judge of the County Courts in the county of New London the year ensuing.

This Assembly do appoint John Burr, Esq., to be Judge of the County Courts in the county of Fairfield the year ensuing.

This Assembly do appoint Timothy Pierce, Esq., to be Judge of the County Courts in the county of Windham the year ensuing.

This Assembly do appoint Joseph Buckingham, Esq., to be Judge of the Court of Probate in the district of Hartford for [the] year ensuing.

This Assembly do appoint Joseph Whiting, Esq., to be Judge of the Courts of Probate in the district of New Haven the year ensuing.

This Assembly do appoint John Richards, Esq., to be Judge of the Courts of Probate in the district of New London the year ensuing.

This Assembly do appoint John Burr, Esq., to be Judge of the Courts of Probate in the District of Fairfield the year ensuing.

This Assembly do appoint Timothy Pierce, Esq., to be Judge of the Courts of Probate in the district of Windham the year ensuing.

This Assembly do appoint Samuel Hill, Esq., to be Judge of the Courts of Probate in the district of Guilford the year ensuing.

This Assembly do appoint Joseph Minor, Esq., to be Judge of the Court of Probate in the District of Woodberry the year ensuing.

This Assembly do appoint Jonathan Hoit, Esq., to be Judge of the Court of Probate in the district of Standford the year ensuing.

This Assembly do appoint John Bulkley, Esq., to be Judge of the Court of Probate in the district of East Haddam the year ensuing.

This Assembly do appoint Ebenezer Marsh, Esq., to be Judge of the Court of Probate in the district of Litchfield the year ensuing.

This Assembly do appoint John Marsh, Thomas Welles, John Chester, Henry Allyn, Esqrs., to be Justices of the Peace and Quorum in and for the county of Hartford the year ensuing.

[225] This Assembly do appoint Joseph Buckingham, George Wyllys, Joseph Talcott, Samuel Mather, Roger Wolcott, junr, David Goodrich, Jonathan Hale, John Hooker, William Wadsworth, Thomas Hart, John Hart, Giles Hall, Jabez Hamlin, Joseph White, Hezekiah Brainerd, Samuel Olmstead, Stephen Horsmer, junr, Nathaniel Foot, Benjamin Skinner, Joseph Phelps, John Bissell, Samuel Chapman, Thomas Pitkin, Zebulon West, John Humphrey, Joseph Wilcox, John Buel, Ebenezer Marsh, David Whitney, John Beach, Timothy Hatch, Thomas Johnson, Epaphras Lord, Esqrs., to be Justices of the Peace in and for the county of Hartford the year ensuing.

*Ordered*, That Samuel Lynde, Esq., and Capt. Jedadiah Chapman return the thanks of this Assembly to the Reverend Mr. William Worthington, for his sermon delivered before the Assembly on the 10th instant, and desire a copy thereof, that it may be printed.

This Assembly do establish and confirm Mr. John Mauning to be Captain of the second company or trainband in the town of Windham, and order that he be commissioned accordingly.

This Assembly do establish Mr. Samuel Cook to be Lieutenant of the second company or trainband in the town of Windham, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Zebulon Webb to be Ensign of the second company or trainband in the town of Windham, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Curtiss to be Lieutenant of the third company or trainband in the town of Waterbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Warner to be Ensign of the third company or trainband in the town of Waterbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Hubbard to be Lieutenant of the 9th company or trainband in the 7th



regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Cornelius Knowles to be Captain of the company or trainband in the parish of Midle-Haddam, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Collins to be Ensign of the 9th company or trainband in the 7th regiment of this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Abraham Bartlett to be Captain of the second company or trainband in the town of Durham, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Seaward to be Lieutenant of the second company or trainband in the town of Durham, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Adonijah Morris to be Ensign of the second company or trainband in the town of Durham, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Chapman to be Captain of the company or trainband in the town of Ridgefield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Mathew Benedict to be Lieutenant of the company or trainband in the town of Ridgefield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Halley to be Ensign of the company or trainband in the town of Ridgefield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Lothrop to be Lieutenant of the Troop in the 3d regiment in this Colony, and order that he be commissioned accordingly.

[226] This Assembly do appoint Ebenezer West, Shubael Conant, Esqrs., to be Justices of the Peace and Quorum in and for the county of Windham the year ensuing.

This Assembly do appoint Jonathan Trumble, Esq., to be of the Quorum in the county of Windham the year ensuing.

This Assembly do appoint Joseph Strong, Joseph Leavinze, Leicester Grosvenour, Peter Buel, Joseph Cadey, Thomas Storrs, John Crary, Ebenezer Dow, Joseph Fowler, Thomas Tiffany, John Dyer, Nathaniel Huntington, Ebenezer Gray,

Gershom Clark, Ebenezer Holbrook, Joseph Palmer, John Fitch and Nathaniel Wales, junr, Esqrs., to be Justices of the Peace in and for the county of Windham the year ensuing.

This Assembly do appoint William Pitkin, Esq., Jonathan Trumble, Esq., Colo. Thomas Welles, Mr. Epaphras Lord, Mr. Robert Treat, Colo. Christopher Avery, Mr. Thomas Benedict and Capt. Gershom Clark, Auditors to audit the Treasurer's accounts with this Colony, and make report to the Assembly.

This Assembly do appoint Mr. Ebenezer Lyman of Torrington to be a Justice of the Peace in and for the county of Hartford the year ensuing.

This Assembly do establish and confirm Mr. Daniel St. John to be Lieutenant of the second company or trainband in the town of Norwalk, and order that he be commissioned accordingly.

This Assembly do establish Mr. Elnathan Hanford to be Ensign of the second company or trainband in the town of Norwalk, and order that he be commissioned accordingly.

This Assembly do establish and confirm Samuel Hubbard Burdick to be Ensign of the 5th company or trainband in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Sackett to be Captain of the 5th company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Pierpont to be Lieutenant of the 5th company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Todd to be Ensign of the 5th company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Merwin, junr, to be Ensign of the company or trainband at the parish of Wilton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Sherwood to be Captain of the company or trainband at Greens-Farms in Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Rumsey to be Lieutenant of the company or trainband in the town of Fairfield, at Greens-Farms, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Nash to be Ensign of the company or trainband at Greens-Farms in the town of Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Gershom Clark of Lebanon to be Captain of the first company or trainband in the town of Lebanon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Case to be Ensign of the first company or trainband in the town of Lebanon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Manoah Smith to be Ensign of the first company or trainband in the town of Glassenbury, and order that he be commissioned accordingly.

[227] This Assembly do appoint Capt. Edward Bulkley to be a Justice of the Peace in and for the county of Hartford the year ensuing.

An Act appointing a Court of Probate in the County of Fairfield, and for Limiting the District thereof.

*Be it enacted by the Governor, Council and Representatives in General Court Assembled, and by the authority of the same,* That the towns of Danbury, Newtown and New Fairfield, all in the county of Fairfield, be one entire district for holding a court of probate, and shall be known by the name of the District of Danbury; and said court shall be held by one judge and a clerk, with powers and privileges as the other courts of probate in this Colony have; and in all cases where the law allows of appeals, they shall be made to the superior court to be holden at Fairfield.

An Act for advancing the Fare of the Ferry over Stratford River at Potatuck, called Hubbel's Ferry.

*Resolved by this Assembly,* That the fare of said ferry for the future shall be, for man, horse and load, three pence lawful money, or twelve pence old tenour; for each single person, horse, ox or other neat cattle, two pence, lawful money, or eight pence old tenour; and one penny lawful money, or four pence old tenour, for each sheep or swine.

This Assembly do establish and confirm Mr. John Starr to be Ensign of the second company or trainband in the town of Danbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. George Holloway to be Captain of the company or trainband in the town of Cornwall, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Roberts to be Lieutenant of the company or trainband in the town of Cornwall, and order that he be commissioned accordingly.



This Assembly do establish and confirm Mr. Nehemiah Messenger to be Ensign of the company or trainband in the town of Cornwall, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Wors-ter to be Captain of the Troop of Horse in the 4th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Hezekiah Treadwell to be Lieutenant of the Troop of Horse in the 4th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Hill to be Cornet of the Troop of Horse in the 4th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joshua Abell to be Lieutenant of the second company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Weed to be Lieutenant of the second company or trainband in the town of Standford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Webb to be Ensign of the 2d company or trainband in the town of Standford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Sandford to be Captain of the first company or trainband in the town [of] Litchfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Kilbourn to be Lieutenant of the first company or trainband in the town of Litchfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Supply Strong to be Ensign of the first company or trainband in the town of Litchfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jacob Loomiss to be Captain of the south company or trainband in the town of Colchester, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Azariah

Loomiss to be Lieutenant of the south company or trainband in the town of Colchester, and order that he be commissioned accordingly.

[228] This Assembly do establish and confirm Mr. John Kesson to be Ensign of the north company or trainband in the town of Voluntown, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Edward Phelps to be Captain of the second company or trainband in the town of Litchfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Webster to be Lieutenant of the second company or trainband in the town of Litchfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Pygan Addams to be Captain of the second company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Colefox to be Lieutenant of the second company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Green 2d to be Ensign of the 2d company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Bissell to be Ensign of the north company or trainband on the east side of the great river in the town of Windsor, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Enno to be Captain of the first company or trainband in the town of Windsor, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Phelps to be Lieutenant of the first company or trainband in the town of Windsor, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Hempstead to be Lieutenant of the first company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Starr

to be Ensign of the first company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Cook to be Captain of the first company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Goodwin to be Lieutenant of the first company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Richard Goodman to be Ensign of the first company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Penuel Child to be Lieutenant of the 2d company or trainband in the town of Killingly, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Edward Conners to be Ensign of the 2d company or trainband in the town of Killingly, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Gideon Goodrich to be Captain of the 3d company or trainband in the town of Weathersfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Warner to be Lieutenant of the 3d company or trainband in the town of Weathersfield, and order that he be commissioned accordingly.

This Assembly do appoint Mr. Daniel Edwards, to prosecute and implead before this Assembly Benjamin Pumroy of Hebron, clerk, upon two informations exhibited against said Pumroy by the King's attorney in the county of New Haven to this Assembly in their sessions at said New Haven in October last, or on any other matters that shall be objected against said Pumroy on his Majesty's behalf.

Upon the memorial of Joseph Judson of Woodberry, praying to this Assembly that his son Nathan Judson, of Woodberry, may be released from putting in of his head into the list for the future: Granted by this Assembly, that the said Nathan Judson shall, and is for the future hereby released from putting in his head into the publick list of this Colony.

[229] Upon the memorial of John Turner junr, of Hartford, praying to this Assembly to be discharged of paying rates for his head: Resolved by this Assembly, that the said

John Turner junr. is hereby released and discharged of paying rates for his head.

Upon the petition of Thomas Moore of Windsor, shewing to this Assembly that one Caleb Phelps of Windsor did take out an execution on the 15th day of November last, on a judgment of the county court held at Hartford on the first Tuesday of November last, against John Soper of Windsor, for the sum of twelve pounds four shillings and ten pence debt and cost, lawful money, which execution, soon after, was by said Phelps delivered to the petitioner, as he was one of the constables of Windsor, to levy on said Soper: but, by some means unknown, said execution was utterly lost before the same was ever levyed, nor has anything ever been received of the said Soper in satisfaction of said judgment or any part thereof, and thereby the petitioner is exposed utterly to lose said money, &c.; and thereupon praying that the petitioner may be allowed to take out another execution on said judgment against said Soper, &c.: Whereupon it is resolved by this Assembly, that the execution taken out by Caleb Phelps on said judgment, on the 15th of said November, and now supposed to be lost, shall be void, and the same is hereby declared to be null and void, and that the petitioner be allowed to take out another execution on the judgment of the said county court, &c.

On the memorial of the inhabitants of Torrington in Hartford county, praying for a tax on those lands in said town which were taxed by this Assembly for the support of the gospel ministry in said town, at their sessions in October, 1740, to continue for the space of three years then next: Resolved by this Assembly, that all those lands in said Torrington, that have been taxed as aforesaid, shall be taxed at three pence per acre old tenour currency, to be paid annually for the space of four years, to be computed from the last day of October, 1743; and the same to be collected by such collectors as said inhabitants shall choose for that purpose; and the same to be improved for the support of the gospel ministry in said Torrington.

Upon the memorial of the ancient or prime society in Woodberry, praying to this Assembly to appoint a committee to affix a place in said society whereon to build a meeting-house: Resolved by this Assembly, that Colo. Benjamin Hall, Mr. John Southmaid and Capt. Samuel Hiccox, be a committee to repair to said society, view their circumstances, and hear the parties fully on the premises, and affix a place for the inhabitants to build a meeting house upon, and make report to this Assembly in October next.

Upon the memorial of John Grey and Elizabeth Grey, executors of the last will and testament of Nathaniel Grey, late of Fairfield, deceased, praying to this Assembly for liberty to sell so much of the deceased's lands as will pay the sum of eighty-eight pounds two shillings and ten pence in bills of credit old tenour, with the necessary charges arising thereon: Resolved by this Assembly, that the said executors be empowered, and they are hereby empowered and authorized, to sell so much of the deceased Nathaniel Gray's land as will pay the sum of eighty-eight pounds two shillings and ten pence in bills of credit old tenour, and the necessary charges arising thereon, taking the advice of the court of probate in the district of Fairfield.

On the memorial of Ebenezer Barnes and others, inhabitants of that tract of land in Farmington called the Second, Third, Fourth, Fifth and Sixth Divisions, lying west of the Reserved Lands, (so called,) praying to be formed into a distinct ecclesiastical society, as per their memorial on file appears: Resolved by this Assembly, that the memorialists shall, and are hereby made a distinct ecclesiastical society, with the limits of five miles square of the second, third, fourth, fifth and sixth divisions, lying west of the reserved lands in Farmington, beginning at the northwest corner of the parish of Southington at Waterbury line, from thence north with said line five miles, and from thence eastward five miles to the highway dividing the first and second tier of lots in said divisions, and from thence southward five miles, and from thence westward five miles to the northwest corner of Southington; and are hereby vested with the same powers and privileges as distinct ecclesiastical societies in this Colony by law are invested with, and be called and known by the name of New Cambridge.\*

On the memorial of Samuel Clark of Symsbury, praying this Assembly to free him, the said Clark, from paying rates for his head: Resolved by this Assembly, that the said Samuel Clark be discharged, and he is hereby discharged, from paying any rate whatsoever for his head for the future.

[230] Upon the memorial of the inhabitants of Goshen, praying for a tax to be raised on the lands that are already laid out and the lands that are granted to be laid out in said Goshen: Resolved by this Assembly, that all the lands already laid out in said Goshen, and those lands that are granted to be laid out, be taxed at two pence per acre old tenour money yearly, for the space of four years next ensuing,

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\* Now Bristol.



exclusive of the college farm, the minister's right and the parsonage right; and the money raised by the said tax to be improved for the support of the gospel ministry in said Goshen according to the established way of this Colony. And the said town are hereby impowered to choose collectors from year to year, to collect said tax money; and the said collectors shall be under the same regulation, and have the same power, as town collectors are under and have by the laws of this Colony.

Upon the memorial of Caleb Peckham of Rhoad Island, &c., mason, administrator on the goods, debts, rights and credits of Robert Peckham, late of Newport, deceased, shewing to this Assembly that the said Robert's estate in said government is not sufficient to pay said Robert's debts by £136 4s. 9½*d.* old tenour, and there being in the township of Kent, in the Colony of Connecticut, one hundred acres of land of the said Robert's estate, praying this Assembly would order that so much of said deceased's land, aforesaid, might be sold to pay the sum of £136 4s. 9½*d.* old tenour, with the necessary charges arising on the sale thereof: This Assembly grants liberty to the said Caleb Peckham, to sell so much of the lands belonging to the said Robert Peckham's estate, in the township of Kent aforesaid, as will be sufficient to pay the sum of one hundred and thirty-six pounds four shillings and nine pence half-penny old tenour, with the necessary charges arising thereon, taking the advice of the court of probate in the district of Litchfield therein.

Upon the memorial of Jonathan Trumble, William Buel, Eunice Porter and Peter Buel, administrators on the estate of Nathaniel Porter late of Lebanon, deceased, shewing to this Assembly that the debts due from said estate do surmount the personal estate of the said deceased the sum of £1150 10s. 0*d.* in old tenour bills, and praying this Assembly to grant liberty to sell so much of the real estate of the said deceased as shall be sufficient for the payment of said debts, &c.: This Assembly grants liberty to the said administrators, to make sale of so much of the lands of said deceased as shall be sufficient for the payment of the said debts with the necessary charges arising thereon, taking the direction of the court of probate in the district of Windham.

Upon the memorial of Jonah Smith and Thomas Smith, both of Ridgefield, praying that Isaac Smith and David Smith, sons of Thomas Smith late of said Ridgefield, deceased, by reason of natural disability, being both deaf and dumb, may be exempted from being rated for their polls: Resolved by

this Assembly, that Isaac Smith and David Smith, sons of Thomas Smith late of Ridgefield, deceased, shall, and are hereby exempted and released from being rated for their polls in the publick list for the future.

*Resolved by this Assembly.* That the Secretary of this Colony be desired to sort, date and file in proper order, all the ancient papers that now lye in disorder and unfiled in his office, before the sessions of this Assembly in October next; and that he receive, as a reward for his service, the sum of five pounds lawful money out of the publick treasury of this Colony.

On the petition of Anne Winthrop of New London, as she is attorney to her husband John Winthrop, Esqr, of said New London, now residing in London in Great Britain, *vs.* John Richards, Esqr, of New London, and Margaret Douglass and William Douglass, executors of the last will and testament of Richard Douglass late of New London, deceased: The question was put, whether the pleas offered in abatement of the said petition are sufficient: Resolved by this Assembly in the affirmative. And upon the motion of the petitioner for liberty to amend the petition, &c.: The question was put, whether the petitioner should have liberty to amend the petition: Resolved by the Assembly in the negative.

[231] On the petition of Samuel Penoyr of Stanford in the county of Fairfield *vs.* Gerrardus Drake of Mamorineck in the county of West Chester and Province of New York, on file: The question was put, whether the matters alledged and contained in the said petition are sufficient to support the prayer thereof: Resolved by this Assembly in the negative.

*Cost allowed respondent is £1 1s. 9d. Ex. granted June 1st, 1744.*

Upon the memorial of Daniel Chapman and Richard Osborn of Ridgefield, administrators on the estate of Peter Cooley late of Ridgefield, deceased, with his will annexed, shewing that the debts due from said estate surmount the personal estate the sum of fifty-two pounds ten shillings and five pence more than what was allowed by this Assembly last October, and praying for liberty and authority to sell so much of the real estate of said deceased as will be sufficient to answer the same with the charges arising thereon: Resolved by this Assembly, that the memorialists have liberty to sell so much of the real estate of said deceased as will be sufficient to answer the said sum of fifty-two pounds ten shillings and five pence old tenour with the charges arising thereon; and the memorialists are hereby authorized and substituted to make



sale of the said real estate for the purpose aforesaid, taking the direction of the court of probate in and for the district of Stamford therein.

On the memorial of Roxbury parish in Woodberry, praying for a committee to affix a place whereon to build, a meeting house in said parish: Resolved by this Assembly, that Colo. Benjamin Hall of Wallingford, Mr. John Southmaid and Capt. Samuel Hiccox, both of Waterbury, be a committee to repair to said parish of Roxberry, to view said parish and affix the place therein for the inhabitants of said parish to build a meeting house upon, and make report of their doings in the premises to the General Assembly in October next.

The Additions to the Lists of Estate of the several Towns in this Government hereafter mentioned, sent in to this Assembly, are as follow, (viz:)

	<i>Single Additions.</i>			<i>Fourfold Assessments.</i>		
	£	s.	d.	£	s.	d.
To Symsbury,	592	7	0	-	301	18 0
To Stonington,	945	18	3	-	6013	5 0
To Windsor,	1719	16	7	-		
To New London,	2454	10	0	-		
To Colchester,				-	620	0 0
To Killingsworth,	292	2	4	-	350	10 0
To Haddam,	171	18	0	-	14	8 0
To New Milford,	203	3	9	-		
To Groton,	874	11	6	-	818	8 0
To Mansfield,	268	12	0	-	120	0 0
To Milford,	612	6	3	-	147	6 6
To Weathersfield,	849	5	3	-	158	0 0
To Derby,	18	0	0	-		
To Ashford,	354	16	0	-		
To Brandford,	212	18	3	-	144	8 0
To Lyme,	1422	7	0	-		
To Guilford,	223	19	0	-	893	18 0
To Coventry,	220	0	0	-	29	12 0
To Woodberry,	105	2	0	-		
To Greenwich,	1709	16	9	-		
To Ridgefield,	87	3	0	-		
To Plainfield,	688	6	2	-		
To Hebron,	334	0	0	-	424	0 0
To Pomfrett,	369	0	0	-		
To New Haven,	1833	10	9	-	690	12 0
To Windham,	750	9	6	-		
To Killingly,	608	0	0	-	177	0 0
To Lebanon,	919	5	0	-	1286	4 0
To Norwalk,	416	12	9	-	250	6 0

To Norwich,	151	7	6	-	-	-	767	7	6
To Preston,	646	4	5	-	-	-			
To Stratford,	216	12	0	-	-	-	73	12	0
To Saybrook,	506	18	0	-	-	-			
To Fairfield,	1287	10	0	-	-	-	1197	18	0
To Standford,	4063	5	5	-	-	-	333	16	0
To Farmingtown,	298	5	0	-	-	-	150	16	0
To Hartford,	289	8	0	-	-	-			
To Glassenbury,	56	18	0	-	-	-			

[232] This Assembly do establish and confirm Mr. Rufus Minor to be Captain of the Troop in the 8th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Roger Billings to be Lieutenant of the Troop in the 8th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Walsworth to be Cornet of the Troop in the 8th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elijah Stanton to be Quarter-Master of the Troop in the 8th regiment in this Colony, and order that he be commissioned accordingly.

Whereas this Assembly is informed that there is a certain tract of land lying within the bounds of this Colony on the west side of Ousatunuck River, lying within the following bounds, (*viz:*) said river on the east, Sharon on the north, New Fairfield on the south, adjoining on the west to the dividing line between the Province of New York and this Colony, on which tract some persons have entered and others said to be claimers of some part, having derived no title thereunto by or under this Colony,

*Resolved by this Assembly,* That Colo. Joseph Minor and Colo. William Preston be a committee, in the behalf and at the cost of this Colony, to view said tract of land, examine the rights or pretensions of the claimers and those that have entered thereon, and make report of what they find and the circumstances respecting the same to the General Assembly in October next.

Upon the petition of Jerusha Worster of Derby, *adversus* Jeremiah Wayman of said Derby, shewing to this Assembly that the said Wayman obtained a writing in form of a deed purporting a conveyance of all the petitioner's lands in said Derby, which bears date the first day of March, A.D. 174 $\frac{3}{4}$ , and is under the hand and seal of the petitioner, which the said Jeremiah Wayman, by taking advantage of the peti-

tioner's incapacity, who at that time appears to have been *non compos mentis*, obtained by fraud and deceit, without any consideration given or secured therefor; and thereupon praying for relief in the premises: Resolved by this Assembly, that the said writing, being obtained as aforesaid, is and ought to be declared void, and the same is hereby declared to be void and not the act and deed of the petitioner; and therefore it is hereby enacted and declared, that the said writing shall not be pleaded nor given in evidence in any court in this Colony in any action or process had or that shall hereafter be had, moved or depending, of or concerning any of the lands or real estate mentioned or described in the said writing.

Upon the petition of John Calkins, of Sharon in the county of New Haven, representing to this Assembly that one John Leach, of Woodberry in Fairfield county, bro't his action upon book-debt against the petitioner to Fairfield county court, demanding eleven pounds six shillings lawful money, by a writ dated the 22d day of June, 1744,\* in which action judgment went against the petitioner upon default, at the adjourned county court held in Fairfield on the first Tuesday of January last, and that through the accidental mistake and misunderstanding of the petitioner's attorney, and the intelligence given to the petitioner, when the said Leach ought not to have one penny of the petitioner, had he the opportunity of defending himself; praying for a new tryal of said case: Resolved by this Assembly, that the aforesaid judgment be reversed, and the same is hereby reversed, and the petitioner have a tryal of said case at the county court to be held at Fairfield in and for the county of Fairfield, on the third Tuesday of November next, and that the future cost follow the said tryal.

An Act for advancing the Toll or Fare of the Bridge that crosses the River in Symsbury.

*Resolved by this Assembly,* That, for the future, the toll or fare of said bridge shall be, for each single person, one half penny lawful money, or two pence in old tenour bills; and for each man, horse and load, one penny lawful money, or four pence in old tenour bills; and for each team, three pence lawful money, or twelve pence in old tenour bills; and for cattle, one half-penny per head in lawful money, or two pence in old tenour bills.

[233] Whereas this Assembly is informed that the naval officers in this Colony have paid to the Treasurer of this Colony divers sums of money collected by them for impost on rum since the first of May, A. D. 1737, and have taken

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\* Sic. 1743?

the Treasurer's receipts therefor annually, but have never lodged the same with the Secretary, whereby no account is brought against the Treasurer in the several audits since that time: Resolved by this Assembly, that the present naval officers, and the naval officers for the time being, lodge the receipts which they have taken, and from time to time shall take, of the Treasurer, for the said impost, in the hands of the Secretary of this Colony, who is hereby directed to give his receipt therefor when desired.

Upon the memorial of Martha Comestock, &c., of New London in the county of New London, administratrix on the estate of Peter Comstock of said New London, deceased, representing to this Assembly that the debts due from the estate of said Peter Comestock and paid by said administratrix, and also sundry debts still due, together with some losses on said estate and necessaries set out unto the widow, charge of administration, with some allowances for extraordinary charge in nurturing her small children, all which amounting to the sum of £218 11s. 6d., and that the inventoried moveable estate of said deceased amounts in the whole to the sum of £82 11s. 6d., so that the debts and allowances aforesaid exceed the moveable estate the sum of £136 0s. 0d. old tenour: Whereupon it is resolved by this Assembly, that the said Martha Comestock and John Comestock, of said New London, are hereby authorized and impowered to sell so much of the lands of the said deceased as shall be sufficient to pay the said sum of £136 0s. 0d. old tenour, and all necessary charges arising thereby, taking the advice of the court of probate for the district of New London.

Upon the memorial of Nathaniel Green, Joseph Peck and others, inhabitants of the town of Cornwall, praying this Assembly for a tax upon the land of said township, to defray the ministerial charges and building a meeting house in said town: This Assembly grants and orders a tax of four pence, old currency, per acre upon three hundred acres of each right in said township laid out or agreed to be laid out, and that the same tax to begin on the first day of July next and be collected by Mr. Matthew Millard of said Cornwall, and improved for the defraying the ministerial charges and building a meeting house in said town.

This Assembly do appoint Colo. Samuel Hill, Colo. Benjamin Hall, Mr. John Southmaid and Capt. John Fowler, to be Justices of the Peace and Quorum in and for the county of New Haven for the year ensuing.

This Assembly do appoint Samuel Bishop, Isaac Dickerman,

John Hubbard, Samuel Gun, Robert Treat, Theophilus Yale, Samuel Hall, Elihu Hall, John Riggs, Samuel Bassett, John Russell, William Gould, Jonathan Russell, Andrew Ward, Benjamin Hand, Samuel Hopson, Elihu Chauncey, Samuel Hickcox, Roger Brownson, Samuel Canfield, Nathaniel Bostwick, John Woodward, Samuel Riggs, Samuel Hutchinson; Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of New Haven the year ensuing.

This Assembly do appoint Thomas Benedict, Esq<sup>r</sup>, Judge of the Court of Probate in and for the district of Danbury the year ensuing.

Whereas the Reverend Mr. John Owen of Groton, pastor of the church of Christ in the first society in said town, was brought before this Court by virtue of a precept issued out by order of this Assembly in October last, to answer to sundry matters alledged against him, relating to his defamatory and invective speeches against the laws and authority of this government: And whereas, the said Mr. John Owen, personally appearing, presented to this Assembly a confession under his hand, asking pardon for what he had done amiss, and promising to teach and yield due obedience to the authority and laws of this government for the time to come: Therefore, this Assembly, taking into consideration the reflections the said Mr. John Owen hath made upon himself, and considering the circumstances of the said Mr. Owen and the difficulty of the times, do charitably hope the said defamatory and invective speeches proceeded rather from a misguided conscience and over-heated zeal than from contempt of the [234] laws and authority of this government, and hoping he will walk more orderly for the time to come, and being willing to shew all tenderness to the said Mr. John Owen, considering his character and circumstances, do accept of the said confession, and thereupon order that he be dismissed, paying the cost of his prosecution, which is the sum of £4 11s. 6d. lawful money.

Upon the representation made to this Assembly by Jedediah Chapman, Samuel Morgan and Joseph Bird, members of the House of Representatives in this Assembly, informing this Assembly that, on the 22d day of May instant, at Hartford in the county of Hartford, William Leet, of Guilford in the county of New Haven, did then and there, in the hearing of the said informers and others, speaking of the General Assembly, utter and publish the following words, (*viz*.) I don't know who you be, I don't know but you are members of the Assembly. If you be, I don't care. If I can't answer them by



ballarag, I can by small sword. And also then and there said unto Joseph Bird, knowing him to be one of the said House of Representatives, You are a lying, scoundering, ill-bred fellow, meaning the said Bird: Resolved by this Assembly, that the Secretary of this Colony shall issue forth a warrant forthwith, to apprehend the said William Leet and bring him before this Assembly, to answer to the forementioned complaint and to be thereon dealt with as this Assembly shall order.

This Assembly do appoint Edmund Lewiss, Andrew Burr, John Thompson, Jonathan Hoit, William Preston, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Fairfield the year ensuing.

This Assembly do appoint John Burr, Joseph Minor, Samuel Hanford, Samuel Hoit, Jonathan Maltbie, Nathaniel Peck, Ebenezer Mead, James Lockwood, John Betts, Benjamin Hickcox, James Benedict, Ebenezer Smith, James Beebe, Thomas Benedict, Job Sherman, Noah Hinman, Joseph Blackleach, Theophilus Nickols, Robert Walker, Samuel Addams, John Read, Samuel Sherwood, Thaddeus Burr, Thomas Tousey, Ebenezer Stephens and Richard Olmstead, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Fairfield the year ensuing.

Upon the memorial of Zebulon West, of Tolland, and Sarah his wife, shewing to this Assembly, that the debts and charges due from the estate of Mr. David Slueman, late of Lebanon, deceased, surmount the personal estate of said deceased the sum of £245 7s. 2d. old tenour, and that the real estate of said David Slueman amounts to the sum of £950 0s. 0d. old tenour; praying to this Assembly for liberty to sell so much of the said Slueman's lands as will pay the said sum of £245 7s. 2d., together with the necessary charges arising thereon: Resolved by this Assembly, that the said Zebulon West and Sarah West have liberty to sell, and they are hereby empowered to sell, so much of the said David Slueman's lands as will amount to the sum of £245 7s. 2d. old tenour, with the necessary charges arising thereon, taking the direction of the court of probate in the district of Windham therein.

Upon the memorial of Benjamin Wetmore, jr., Josiah Wetmore, jun<sup>r</sup>, and others, members of the first society in Middletown living in the most southerly part of said society, representing to this Assembly that they live so far from the stated place of publick divine worship in said society that they cannot conveniently attend, and that the said society are able

without the memorialists to support the ministerial charges, and that the memorialists are able among themselves to support the charges of that nature; praying that they may be a distinct ecclesiastical society with certain bounds and limits as set forth in said memorial, and that a committee may be appointed to repair within said limits and view the circumstances of the memorialists, in respect to their being a distinct ecclesiastical society, and make report of what they find, and their opinion thereon, to this Assembly in October next: Resolved by this Assembly, that Major Elihu Chauncey, Mr. Hezekiah Brainerd and Capt. Edward Bulkley, be a committee to repair to said place and view the circumstances of the memorialists in respect to their being a distinct ecclesiastical society, and make report thereof to this Assembly in October next, at the cost of the memorialists.

[235] Upon the memorial of Martha Tubbs, of Lyme in the county of New London, the wife of Isaac Tubbs of said Lyme, shewing to this Assembly that about sixteen years ago her said husband was seized with distraction, under which he still remains, and that the use of his estate hath been almost wholly improved for his support, and that she is reduced to great straits and difficulties to live, and that since his said distraction she hath had laid out to her about six acres of wild land which is, as it lyes, altogether unprofitable; and praying that some proper person may be impowered to sell said land, and see that the money is disposed of to her use: Resolved by this Assembly, that Capt. John Lee, of said Lyme, be appointed and impowered with the said Martha Tubbs, to sell said land at their best discretion; and the said Lee is hereby directed to take effectual care that the money procured by the sale thereof be improved to the best advantage of the said Mary Tubbs.

Upon the memorial of Samuel Willard of Saybrook, administrator on the estate of Zachariah Sanford late of said Saybrook, deceased, shewing to this Assembly that the debts due from said estate surmount the personal estate the sum of twenty-three pounds one shilling and ten pence old tenour, and praying for liberty to sell so much of the lands of said deceased as will amount to the said sum with the necessary charges of selling the same: This Assembly grants liberty to the said Samuel Willard, to sell so much of the lands of the said deceased as will amount to the sum of £23 1s. 10d. with the necessary charges arising thereon, taking the advice of the court of probate in the district of Guilford therein.

Upon the petition of Seth Payn of Stafford in said county,



representing to this Assembly that on the 7th of August, 1734, he was ordained and settled in the gospel ministry in said town, and therein continued for sundry years, (*viz.*) the 24th of July, 1740, during which time the inhabitants of said Stafford had agreed to allow him as his salary the sum of one hundred pounds *per annum*, to be paid equivalent to silver at twenty shillings per ounce, and also thirty cords of wood a year; and that they, the said inhabitants, were a great sum in arrear to him for his continuance in said work amongst them during the term aforesaid and relief in the premises, as at large in his petition on file, dated April 20th, 1744, doth appear: Resolved by this Assembly, that a committee be appointed, and Colo. Jonathan Trumble, Esq<sup>r</sup>, of Lebanon, and Colo. John Chester, of Weathersfield, and Mr. James Church, of Hartford, are hereby appointed and empowered to be a committee to enquire into the matters set forth in said petition, by hearing and examining the parties and other witnesses, under oath or otherwise, and any other evidence by them to be produced, and thereupon of what they on such enquiry shall find just and equitable to make their report to the General Assembly to be holden at New Haven in October next.

Upon the petition of John Moses, of the town of Symsbury in the county of Hartford, to this Assembly, shewing that the petitioner brought his action against Theophilus Woodbridge of said Symsbury before the adjourned county court held at Hartford on the last Tuesday of January, A. D. 174 $\frac{1}{2}$ , on a promissory note of the hand dated June the 15th, A. D. 1741, demanding the sum of twenty pounds money; in which action the then county court gave a final judgment against the petitioner, and that said action was lost by the petitioner's missing his plea in said court, &c., and the petitioner thereupon praying this Assembly to reverse and set aside the judgment of the said county court in said cause, and give the petitioner another tryal of said cause at the county court to be held at Hartford in November next, and that the petitioner have liberty to alter his plea, and the cost may follow the final trial: Whereupon it is resolved by this Assembly, that the aforesaid judgment of the said county court in January last be set aside, and the same is hereby set aside and declared null and void, and the petitioner is allowed another tryal of said cause at the county court to be held at Hartford in the county of Hartford on the first Tuesday of November next, and that the parties are allowed to alter their pleas in said cause, and that the future cost only follow the final tryal.

Whereas Joseph Meacham, of Windham, brought to this Court his memorial, shewing that the debts and charges arising on the estate of Jeremiah Meacham, late of Windham, deceased, amounted to the sum of £201 1*d*. 0*s*. in bills of credit old currency, more than his personal estate; praying this Assembly for liberty to sell so much of the real estate of the said Jeremiah Meacham, deceased, as to pay the sum aforesaid: Resolved by this Assembly, that the said Joseph Meacham be authorized, and he is hereby impowered to sell so much of the real estate of the abovesaid Jeremiah Meacham, deceased, as to pay the sum abovesaid with the necessary charges arising thereon, taking the advice of the court of probate in the county of Windham.

[236] Upon the petition of James Evarts, of Guilford in the county of New Haven, representing to this Assembly that upon a judgment of the superior court held in Hartford on the first Tuesday of March last, given against the said Evarts in favour of Thomas Stow, of Middletown in Hartford county, for the sum of thirty-one pounds seven shillings and eleven pence lawful money, for debt and cost, execution was taken out, dated the 14th day of the same month of March, and put into the hands of Return Meiggs, one of the constables of said Middletown, to serve, to whom it was directed, who, without notifying the petitioner, on the 2d day of April last proceeded to levy the said execution on one hundred acres of the petitioner's land in said Middletown, and that ninety-six acres of said land, by apprizers under oath for that purpose, was apprizd and set off to the said Stow, to answer the said judgment with the cost arisen, abating £3 10*s*. 0*d*. which was paid and endorsed on said execution, which land is bounded as follows: beginning at a beech tree the northwest corner of Ebenezer Scranton's land, and from thence running in the north line of said land west four degrees south one hundred and thirty-eight rods to a black oak bush marked and stones about it, then turning and running south about 9 degrees east, as the west line of the said Scranton's lot is, 120 rods to the north line of Warner's land, then east four degrees north 138 rods to said Scranton's southwest corner, then to the first-mentioned station; which said doings were endorsed on said execution, and the same returned into said clerk's office to be recorded; representing also, that the said land was prized in gross, and much under the value thereof: And whereas it does not appear that the petitioner, when the said execution was levied on his lands, had any notice given him that he might be present when the same was done and the

lands apprized off: It is resolved, enacted, decreed and ordered by this Assembly, that the doings of the said Return Meiggs, constable, and the said apprizers, and the said endorsements on said execution, be vacated, null and void, and the same are hereby made null and void.

Upon the memorial of Samuel Pierce, Isaac Farewell, and sundry other of the inhabitants of the second society in Mansfield, shewing to this Assembly their dissatisfaction with the doings of the committee reporting to this Assembly a place they had pitched upon for the society to build a meeting house upon for divine worship: Resolved by this Assembly, that John Bulkley, Esq<sup>r</sup>, Capt. Roger Wolcott and Capt. Joseph Phelps, be a committee fully authorized and empowered to repair to the said society, view their circumstances, hear their pleadings, and pitch upon a place in said society for the inhabitants thereof to build a meeting house upon for divine worship, and make report of their doings to the Assembly in October next, at the charge of the memorialists.

Upon the memorial of Jacob Fuller, of Wellington in the county of Hartford, shewing he hath been at the expence and charge of keeping Reuben Goff, an idiot, one of the poor of this Colony, and praying for allowance for time past, and for quarterly allowance for time to come: Ordered by this Assembly, that there shall be paid out of the publick treasury to the said Fuller, for keeping said Goff the time past, seventeen pounds old tenour bills, and twenty shillings per week like bills for so many weeks as the said Fuller shall keep and provide for said Goff, to be paid quarterly: provided this allowance do not continue for more than the space of four years next coming.

*Resolved by this Assembly,* That the fare of the ferry over Stratford River, at Potatuck, commonly called Hubbel's ferry, for the future shall be, for man, horse and load, three pence lawful money, or twelve pence old tenour; for a single person, or horse, ox and all neat cattle, two pence lawful money, or eight pence old tenour; and for each sheep or swine one penny lawful money, or four pence old tenour.

On the memorial of Esther Hill, administratrix on the estate of Isaac Hill late of Wallingford, deceased, shewing that further debts on said estate appear, praying liberty to sell land to answer the same, &c.: Resolved by this Assembly, that the memorialist shall, and is hereby enabled to make sale of so much of the land of the deceased's estate as shall raise £27 19s. 4d. in old currency, with incident charges

arising, for the purpose aforesaid, under the direction of the court of probate in the district of New Haven.

Upon the memorial of the towns of Stonington and Groton, praying for a committee to establish the bounds and line between said towns: Resolved by this Assembly, that Messrs. Simon Lothrop, Richard Hide and Ebenezer Hartshorn, all of Norwich, be a committee with full power to run the line and ascertain the bounds between said towns, at the charge of the memorialists, and make report to this Assembly, at their sessions in October next.

[237] Upon the memorial of John Belden of Hartford, praying to this Assembly that he may be exempted from putting in his head into the publick list of this Colony for the future, on account of lameness in his hand: Resolved by this Assembly, that the said memorialist shall be exempted, and he is hereby exempted, from putting in of his head into the publick list of this Colony for the future.

This Assembly do appoint Mr. Stephen Hempstead of New London to be Surveyour of Lands for the county of New London.

This Assembly do establish and confirm Mr. Nathaniel Olcott to be Lieutenant of the 6th company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Josiah Olcott to be Ensign of the 6th company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do appoint Joshua Hempstead, John Griswold, Isaac Huntington and Jeremiah Miller, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of New London the year ensuing.

This Assembly do appoint Abraham Pierson, John Lane, Nathaniel Clark, Jedadiah Chapman, John Tully, Thomas Lee, Richard Lord, Daniel Ely, John Richards, Daniel Coit, Gurdon Saltonstall, Stephen Lee, Christopher Avery 2d, Luke Perkins, John Ledyard, John Whiting, Joseph Denison, Simeon Minor, Jedadiah Tracy, Humphrey Avery, Samuel Morgan, Nathaniel Brown of Preston, Jabez Hide, Joshua Huntington, Samuel Lothrop, Nathan Cheesbrough, John Cook, Joshua Raymond, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of New London the year ensuing.

Whereas there now lyes before this Assembly an information exhibited in the name of several members of the House of Representatives, against William Leet of Guilford, for the



breach of the King's peace by turbulent behaviour and offensive carriage, as is more especially set forth in said information; and on consideration thereof: Resolved by this Assembly, that the matters complained of are cognizable to the justices of the peace in the county of Hartford, and that the said information be committed unto John Marsh and Thomas Wells, Esqrs., justices of the peace for the county of Hartford, who have power to call said Leet before them and enquire into the causes of said complaint, and determine thereon according to law.

Upon the memorial of Judah Evarts; Samuel Norton and others, inhabitants of the town of Guilford living on the easterly part of the first society in said Guilford and near adjoining to the line of the parish of East Guilford, praying to be set off from said first society in said Guilford and annexed to the said society in East Guilford, and that for the future the line between the said first society of said Guilford and said parish of East Guilford be stated and established beginning at a place called Norton's corn-mill, and the western line of said East Guilford parish extend from said Norton's corn-mill a straight line to the country road at the foot of the hill between Samuel Norton's and John Cruttenden's, and so continued to the sea, &c.

*Resolved by this Assembly,* That the memorialists be set off from said first society in said Guilford and annexed to the said society in East Guilford, and that for the future the western line of said parish of East Guilford shall be the said line beginning at the place called Norton's corn-mill, and from thence running a straight line to the country road at the foot of the hill between Samuel Norton's and John Cruttenden's, and so continued to the sea; the same to remain for the future the line between the said two societies.

Upon the memorial of Samuel Woodbridge, pastor of the third society in Hartford, representing to this Assembly that he was called and ordained to said office in the year 1711, upon which the said society by their vote granted him sixty-nine pounds a year, and that he has for some years last past been unable to perform publick service in the ministry, during which time the said society have not performed according to their agreement and votes, and for the year now advancing the said society have made no provision for the memorialist and his family's support; praying this Assembly to appoint a committee to look into the affair, and report to this Assembly what he ought to have for these three years last past, and also what he ought to have for a yearly salary during his natural

life, in case he continues in his said impotent state: Resolved by this Assembly, that Samuel Lynde, Esq., Ebenezer Silliman; Esq., Mr. Ebenezer West, Colo. Benjamin Hall, and Major Jabez Hamlin, be a committee to hear and look into said affair, and make a report of what they find, and their opinion thereon, to this Assembly.

[238] Whereas, Elihu Hall, Esq., King's Attorney for the county of New Haven, at the sessions of this Assembly at said New Haven, in October, exhibited and filed one certain bill of indictment or information against Mr. Benjamin Pumroy, of Hebron in the county of Hartford, pastor of the church there, complaining and setting forth that said Benjamin Pumroy had, about the 1st of September then last past, publicly declared and said, that the late law of this Colony, made concerning ecclesiastical affairs, was a great foundation to encourage persecution and to encourage wicked men to break their covenants, and that if wicked men did not take the advantage of it, it was no thanks to the Court; and that he further said, that the law that was made to stop ministers from going about to preach in other towns was made without reason and contrary to the word of God; with design to bring said laws into contempt, &c.; and thereupon moved said Pumroy should be proceeded against, as to law and justice appertains: And whereas said bill, filed as abovesaid, was continued, and the prosecution thereof put off to this time, and the said Pumroy ordered to be brought before this Assembly in its present session, to answer in the premises: And whereas Daniel Edwards, Attorney to our Lord the King, against the said Mr. Benjamin Pumroy one other bill of indictment now exhibited representing that on the publick fast day in this Colony in April last, he, said Pumroy, did publicly declare and say, that the great men had fallen in and joyned with those that are on the devil's side and enemies to the kingdom of Christ, and raised such persecution in the land that if there be a faithful minister of the Lord Jesus he must lose his estate, and if there be but a faithful man in civil authority he must lose his honor and usefulness; and further, in the after part of said day, said, there is no Colony so privileged as Connecticut was, and now there is no Colony so bad as Connecticut for persecuting laws, I never heard nor read of such persecuting laws as is in Connecticut, nay there is no such thing among the heathen, and the very heathen are a shame to them, or words to that effect. And the said Benjamin Pumroy, being arraigned before the bar of this Assembly, for tryal, intimating his readiness to make his submission, gave in a paper un-

der his hand, moving it might be publicly read, and considered and accepted as such ; which being on consideration not accepted as satisfactory, and he, said Pumroy, called to make further answer, he thereupon exhibited pleas to the jurisdiction, as at large on file, and by his counsel was heard thereon. On the hearing and consideration whereof, this Assembly are of opinion that the said pleas are insufficient, and accordingly do resolve and order the said Pumroy be held to plead to the said bills. And now, as to the matters contained in the first mentioned indictment and the words therein charged to be spoken, he before this Assembly pleaded and said he stood ready to justify the same, and as touching the facts in said last bill charged against him, he pleaded not guilty. And now the witnesses for the King by the King's attorney, as also sundry witnesses by the counsel for said Benjamin Pumroy, were produced, sworn and enforced, and the said Pumroy also fully heard in said justification. And this Assembly having thereon duly considered, as touching the said first indictment, are of opinion that the things in special justification thereof offered are insufficient; and also having duly weighed and considered the pleas and evidences on the said plea of not guilty, either in behalf of the King or by the counsel for said Pumroy exhibited and produced, do find that the said Benjamin Pumroy is thereof guilty. Whereupon, it is considered and resolved by this Assembly, that the said Benjamin Pumroy become bound in the sum of fifty pounds money, payable to the publick Treasurer of this Colony, with condition that if he, the said Benjamin Pumroy, do at all times hereafter, from this day until the sessions of this Assembly in May next, both in word and deed, use, bear and behave himself well, faithfully and peaceably towards all his Majesty's liege subjects, and especially towards the Legislature and all the civil authority of this Colony, in such wise as that by any act, speech or thing by the said Benjamin Pumroy committed, done, reported, spoken or published, they, the said Legislature or any of the civil authority of said Colony, be not at any time hereafter in any manner injured, troubled, villified or defamed, or in their name, office, honour or authority, anyway impeached, slandered or taken away, then the said bond to become void, otherwise [239] to be in force and virtue; and that he at this Assembly in May next appear to take up such bond; and that he pay the full cost and charge of his prosecution, allowed to be £32 10s. 8d. old tenour, and stand committed till this sentence be fulfilled. And, accordingly, he, the said Benjamin Pumroy, acknowledged himself to stand justly indebted to the

publick Treasurer of this Colony in the full sum of fifty pounds money, to be paid to the said Treasurer upon condition that he, the said Benjamin Pumroy, do not at all times hereafter, from this day until the sessions of this Assembly in May next, both in word and deed, use, bear and behave himself well, faithfully and peaceably, towards all his Majesty's liege subjects, and especially towards the Legislature and all the civil authority in this government, in such wise as that by any act, speech or thing, by him, the said Benjamin Pumroy, to be committed, done, reported, spoken or published, the Legislature or any of the civil authority of this Colony be not, at any time hereafter, or in any manner, injured, troubled, vilified or defamed, or in their name, office, honour or authority, impeached, slandered or taken away; and also, if the said Benjamin Pumroy do not personally appear before the General Assembly of this Colony, to be holden at Hartford, on the 2d Thursday of May next ensuing, and take up this his bond.

Whereas this Assembly, at their sessions in October last, in pursuance of the directions of the Lords Justices, appointed his Honour the Deputy Governor of this Colony, Nathaniel Stanly, Ozias Pitkin, William Pitkin, Esq<sup>rs</sup>., and Capt. John Marsh and Mr. Joseph Buckingham, or the major part of them, a Committee of War, with full power to send such a number of men as they should judge necessary for the defence of our frontier towns and into the county of Hampshire in case of an invasion, and to give directions for erecting garrisons in our said frontiers in case they should judge it necessary,

*It is now enacted and ordered,* That if the said Committee of War judge it necessary that fortifications be made, they shall have power, and they are hereby impowered, to assess the inhabitants of those towns where they shall order such fortifications to be made, in order to defray the one-half of the charge thereof; and they are hereby impowered to grant a distress, under their hands, for the collecting such assessments of all and every one who shall refuse to pay his or their proportion thereof; which money, collected by such distress, shall be improved towards the erecting such fortifications, according to the order of such committee; and the other half of the charge thereof to draw out of the publick treasury of this Colony. And that such a number of effective men as they shall judge necessary to be sent, either to the said frontiers or into the said county of Hampshire, they shall enlist and enroll, and appoint their proper officers, whom, on their nomination and appointment, his Honour the Governor is desired to commissionate for that purpose. And, in case a sufficiency of volun-



teers do not appear, the said committee are hereby impowered to give orders in such and so many regiments as they judge most reasonable, convenient and necessary, for the impressing said men for said service; and the several officers in such regiments are ordered to attend and conform to the orders of said committee respecting said impressing, according to the laws of this Colony: provided no men be sent out of the government, or raised for that purpose, until a proper request be made for our assistance, and there be notice of the danger of an attack or invasion. And that his Honour the Governor be desired, and he is hereby desired, to give orders to the several colonels in this Colony, to have the respective regiments under their command in a proper readiness for the assisting, succouring and relieving any of his Majesty's subjects, forts, towns or places that shall be assaulted by an enemy, or in danger thereof, according to directions of the law of this Colony for regulating the militia.

*And it is further enacted,* That his Honour the Governor, with the advice of Joseph Whiting, Roger Newton, Ebenezer Silliman, Esqrs., Captain John Fowler, and Mr. Robert Treat, or the major part of them, (who are hereby appointed a Committee of War,) be impowered, and he is hereby impowered, to raise effective men to the number of two hundred, including officers, if they judge needful, and send them to the assistance of his Majesty's subjects in the Colony of New York, in case of an invasion or eminent danger thereof, and a request be made to his Honour therefor by his Excellency the Governor [240] of the Colony of New York. || And the said committee are impowered to take the same method in raising the same as is above provided for raising men for the defence of our frontiers and to be sent into the county of Hampshire; and the officers to be appointed and commissioned as is above provided, and to return according to the directions given them from his Honour the Governor. And all such officers and souldiers as shall go in service by virtue of this act, shall be allowed the same wages in new tenour bills of credit on this Colony which were stated and allowed to officers and souldiers in current money in the act of this Colony, entituled An act for stating the wages and for the more speedy and careful payment of officers and souldiers in her Majesty's service and defraying other charges arising by the same.\* And the Governor and Council are desired to give the orders and directions to the Treasurer of the Colony, to procure a magazine of powder and shot for the use of the Colony, according to the law for regulating the militia.

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\*Vol. V., 236. Passed May, 1711.

Upon the petition of Daniel Griswold, of Bolton in the county of Hartford, representing to this Assembly that Malachia Corning, of Hartford in said county, having for the said Griswold paid unto one John Thrall and others sundry sums of money, amounting in the whole to £235 17s. 9d. old currency, he, the said Griswold, and the said Corning agreed and bargained that the said Griswold should make and execute unto the said Corning a deed of his, the said Griswold's, farm of land lying in said Bolton, containing in the whole about sixty acres with a dwelling house standing on the same, as also a barn standing on the land of Captain John Talcott; and that at the same time of making the said deed the said Corning was to give a bond to the said Griswold, to oblige him to reconvey the said land and buildings to the said Griswold upon paying the said £235 17s. 9d. with the interest therefor, and that the said deed was drew and executed, and the time of that opportunity being spent the bond could not be then made, whereupon the said deed was deposited in an indifferent man's hands, to lye without being recorded or taking any effect till the said bond should be made and executed to the said Griswold: but by a mere mistake, contrary to the agreements of the parties, the said deed is authentically recorded on the records of the town clerk of the town of Bolton; which deed bears date the 4th day of August, 1739, and is made of land and buildings thereon described as follows, (*viz.*) one piece or parcel of land lying and being in Bolton in the county of Hartford and Colony of Connecticut, in quantity about sixty acres, containing the ten acres of land I purchased of Deacon Timothy Olcott with my barn supposing to stand on Captain John Talcott's land, as also the fifty acres of land I purchased of Cornelius Birge. The ten acres I bought of Deacon Olcott is bounded as followeth: east on the highway and north on the highway reserved by Deacon Olcott in his conveyance to me, said Griswold, and south on the aforesaid fifty I bought of Birge, and west it is bounded on Deacon Timothy Olcott's land. And the aforesaid fifty acres I bought of Birge is bounded as follows, (*viz.*) east and west on highways, north it is bounded partly on the aforesaid ten acres and partly on Deacon Timothy Olcott's lands, and south it is bounded on Joel White's land. And that the said Corning hath not made his bond to said Griswold as agreed upon, but refuses to do the same, and holds the land by said deed so compleated by mistake:

*Whereupon this Assembly do resolve, enact and decree, That*

the said Daniel Griswold shall pay to the said Malachia Corning, at the house of William Pitkin, Esq., in Hartford, or deposit in the hands of the said William Pitkin for the use of the said Malachia Corning, the sum of two hundred thirty-five pounds seventeen shillings and nine pence old currency, on or before the first day of October next, with lawful interest from the fourth day of August, 1739, and that thereupon the said Malachia Corning, his heirs and assigns, and all claiming under him, shall be forever secluded and debarred from giving the said deed of the said Griswold to the said Corning, dated the 4th day of August, 1739, as aforesaid, in evidence in any court in this colony.

Cost allowed Francis Halley, &c., of Stratford, for attendance &c., to answer the memorial &c., of Jonas Wooster of Stratford, which is negatived, as on file appears, is £1 11s. 10d. lawful money.

[241] To the General Assembly now convened at Hartford:

We the subscribers, who were by your Honours appointed to consider what is proper to be done in reference to the country sloop, take leave to report, that we are of opinion that the steps lately taken by his Honour the Governor and Council were proper, and that the officers appointed be accordingly commissioned, and that the men now on board be by their officers well instructed in the methods of fighting at sea, and that if there should be a French war, or that there should be information of any enemy upon our coasts, that then his Honour the Governor give out orders that said sloop be full manned, according to the late order of the Governor and Council, and that the captain of said vessel observe such orders as from time to time he shall receive from the Governor. But in case his Honour the Governor should be advised that no French war is to be expected, we think it best the said sloop be laid up in New London harbour, under the care of Colo. Saltonstall, and the men shipped be thereupon dismissed. All which is submitted by,

JAMES WADSWORTH,	} Committee.
SAMUEL LYNDE,	
EDMUND LEWISS,	
EBENEZER WEST,	
THOS. WELLS,	
BENJ <sup>a</sup> HALL,	
JOHN LEDYARD,	

Which report is accepted and approved by this Assembly.

Upon the memorial of Ebenezer Gridley and Elizabeth Or-

viss, administrators on the estate of Charles Orviss, deceased, shewing to this Assembly that the debts due from said estate surmount the personal estate the sum of £11 18s. 4d. old tenour, praying for liberty to sell so much of the real estate of the deceased as may be sufficient to answer the aforesaid sum with the incident charges arising thereon: Resolved by this Assembly, that the memorialists have liberty, and they are hereby impowered and authorized, to make sale of so much of the real estate as aforesaid as may be sufficient to pay the said sum of £11 18s. 4d. with the incident charges arising thereon, taking the advice of the court of probate in the district of Hartford therein.

Upon the memorial of Ebenezer and Sarah Humphrey, of Oxford, &c., administrators on the estate of Joseph Read, late of Oxford, deceased, shewing that the debts due from said estate exceed the personal estate the sum of £488 19s. 6d. old tenour, and moving for liberty to sell certain lands in the town of Glassenbury, in the county of Hartford, to pay and discharge said debts: Resolved by this Assembly, that the said administrators be allowed and impowered to make sale of the hundred acres of land mentioned in said memorial, or so much thereof as need be, to pay and discharge said debts and the necessary charges thereof, at the direction of the court of probate in the district of Hartford.

On the memorial of Samuel Harrington and others, inhabitants of the northern part of Brandford, praying for a committee to repair to said inhabitants and view their circumstances, in order to their being formed into a distinct ecclesiastical society, and make report, &c.

*Resolved by this Assembly,* That Captain Jonathan Allen, Mr. John Hitchcock, and Captain John Hubbard, all of New Haven, be a committee to repair to the inhabitants of the northern part of Brandford, the memorialists, and view the circumstances of said inhabitants, in order to their being formed into a distinct ecclesiastical society, and make report of the situation and circumstances of said inhabitants, for the design aforesaid, and their opinion thereon, to the General Assembly in October next; and to be done at the cost of the memorialists.

Upon the memorial of George Beckwith and Benjamin Beckwith, of Lyme in the county of New London, administrators on the estate of Jonah Beckwith, late of said Lyme deceased, representing to this Assembly that all the estate of the deceased is in lands, and the debts due from said estate, with the charges, amounts to the sum of £140 3s. 3d., pray-



ing leave to sell so much of the said lands as will answer said debts with charges: This Assembly appoints and impowers the said George Beckwith and Benjamin Beckwith, to sell so much of the lands of the said Jonah Beckwith as shall be sufficient to answer the said debts and the incident charges; they taking the advice of the judge of probates for the county of New London.

[242] Upon the memorial of David Sage and others, of Middletown, within the parish of Kensington, and those within the district of that trainband annexed to that company called the Northwest Quarter of Middletown, praying liberty to erect a school among them: Resolved by this Assembly, that the memorialists and inhabitants within the following bounds, (*viz* :) on the west by Farmington east line from Middletown northwest corner; south, so far as the district of that company called Middletown Northwest Quarter; north, by Weathersfield, to extend so far east as the district of said company; east and south by the bounds of said company or trainband; shall and may assemble together, as societies by law are enabled, and form a school amongst said inhabitants, and regulate the same according to the laws of this Colony in such case provided; and also, that the memorialists and inhabitants within the bounds aforesaid shall and may, from time to time, draw out their proportion of money, according to their list, as shall and may be granted on the publick list for the support of schools in this Colony; and that the money by them received of Middletown of the sale of the western lands shall be for the use aforesaid; always provided a school be kept amongst said inhabitants according to law.

An Act stating the Fare of Brockway's Ferry.

*Be it enacted by the Governor, Council and Representatives in General Court assembled, and by the authority of the same,* That the fare of said ferry shall be as follows, (*viz* :) for man, horse and load, fourteen pence during the three winter months, and half so much for a man; and during the residue of the year ten pence for man, horse and load, and five pence for a man; all old currency.

Upon the memorial of Christopher Tracey, administrator on the estate of Jonathan Rennals, late of Preston, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable part of said estate the sum of £120 6s. 6d. old tenour, and praying that this Assembly would empower the memorialist, or some other person, to sell so much of the land of the said Jonathan Rennals, deceased, as to pay the aforesaid sum and charges arising about the same: Re-

solved by this Assembly, that the said Christopher Tracy sell, and he is hereby impowered to sell, so much of the real estate of the said Jonathan Rennals, deceased, as will answer the said £120 6s. 6d. old tenour, with the necessary charges arising about such sale; taking the direction and advice of the court of probate in New London.

Upon the memorial of Odiah Loomiss and Nathaniel Mather, executors to the last will and testament of Samuel Allyn, late of Windsor, deceased, shewing to this Assembly that the debts due from said Allyn's estate surmount the moveables thereof the sum of £368 2s. 9d. old tenour, praying for liberty to sell so much of the real estate of the deceased as may be sufficient to answer the aforesaid sum with the incident charges arising thereon: Resolved by this Assembly, that the memorialists have liberty, and they are hereby substituted and authorized, to make sale of so much of the real estate as aforesaid as may be sufficient to pay the aforesaid sum of £368 2s. 9d., with the incident charges arising thereon; taking the advice of the court of probate in the district of Hartford therein.

*Resolved by this Assembly,* That Mr. Daniel Edwards be, and he is hereby, authorized and fully impowered to put in suit against the mortgagers or tenants in possession in the county of Hartford, the several mortgages to the Governor and Company of this Colony, which were taken in the said county for the old tenour bills of credit emitted on loan and the time of payment expired before the year 1744, and the condition to such mortgages not fulfilled by the mortgagers, whereby the land is forfeited to the said Governor and Company; with full power to plead and implead, and prosecute any suits against such mortgager or tenant in possession to full effect, for the recovery of any such lands, and to levy and take possession thereof, and also to take possession of such of the said mortgaged lands as shall be peaceably resigned to the said Governor and Company. And the said Mr. Daniel Edwards is hereby authorized and fully impowered to sue out all such lands as are mortgaged to the Governor and Company, not lying in the Colony; and that proper letters of procuration, under the seal of the Colony, be made to him, impowering him thereunto.

[243] *And further,* That Capt. Elihu Hall is hereby authorized and fully impowered to sue for and recover possession of the lands mortgaged as aforesaid in the county of New Haven, with the same powers and authority as aforementioned.



*And further,* That Capt. Stephen Lee is hereby authorized and impowered to sue for and recover possession of the lands mortgaged as aforesaid in the county of New London, with the same powers and authorities as aforementioned.

*And further,* Mr. Robert Walker is hereby authorized and fully impowered to sue for and recover possession of the lands mortgaged as aforesaid in the county of Fairfield, with the same powers and authorities as aforementioned.

*And further,* That Jonathan Trumble, Esq., is hereby authorized and fully impowered to sue for and recover possession of the lands mortgaged as aforesaid in the county of Windham, with the same powers and authorities aforementioned.

*And further,* That the Secretary is hereby directed to deliver to the committee in each county the several mortgages now in his hands for the lands mortgaged aforesaid in each of the said counties, taking account thereof, with the endorsement of their receipts thereof.

*And further,* The respective committees in each county are directed, that where any of the mortgagers or tenants in possession shall tender or offer to pay the principal sum borrowed, with the lawful interest thereon since the time of payment mentioned therein, with such costs as have arisen thereon, it shall be received by such committee, who shall deliver the said money into the hands of the Treasurer, and a deed of release shall be executed thereon as heretofore hath been usually done. And each committee are further directed, that upon the recovering and taking possession of the lands aforesaid for the use of the Colony, to make sale of such lands at a publick vendue, at some suitable time and place appointed and duly notified for that end at the discretion of the committees respectively, to the highest bidder, taking the money or bonds for the same with good and sufficient sureties, payable to said Governor and Company, not exceeding one year from the time of sale, with lawful interest thereon. And the money received shall be delivered into the hands of the Treasurer, taking his receipt therefor. Whereupon deed or deeds of conveyance or sale of such lands so bought shall be made and executed to the purchaser, under the seal of the Colony, and signed by Nathaniel Stanly, Esq., and the Secretary; and the bonds taken as aforesaid shall be lodged with the Secretary, and deed of sale as aforesaid accordingly executed thereon.

This Assembly do establish and confirm Mr. Thomas Seymour to be Lieutenant of the 2d company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Seymour to be Ensign of the 2d company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Messenger to be captain of the company or trainband in the town of Harwinton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathan Daviss to be Lieutenant of the company or trainband in the town of Harwinton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Hopkins to be Ensign of the company or trainband in the town of Harwinton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Isaac Kellogg to be Captain of the company or trainband in the town of New Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Martin Smith to be Lieutenant of the company or trainband in the town of New Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Israel Loomiss to be Ensign of the company or trainband in the town of New Hartford, and order that he be commissioned accordingly.

An Act for the More effectual Regulation of Saybrook Ferry, and advancing the Fare thereof.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That, for the commodious transportation over said ferry at Saybrook, the ferrymen thereof shall, on or before the first day of September next, sufficiently erect and repair the wharf at said ferry place on the west side, and also provide and constantly maintain good and proper boats, well manned, with sufficient tackle and furniture to such boats for the safe and expedite transportation of travellers over said ferry; all to be done and maintained by the owners of said ferry, to the acceptance of Samuel Lynde, Esq., Capt. Jedadiah Chapman, both of Saybrook, and Capt. Elisha Shelden of Lyme, who are hereby appointed a committee for that purpose, who are also desired to see that suitable provisions be made as aforesaid, and from time to time inspect said affair; and upon the performance thereof, said committee shall and may give a certificate under their hands to said ferrymen, that said ferry is well and sufficiently provided as aforesaid; then the fare of

said ferry shall be as follows, (*viz* :) for man, horse and load, four pence lawful money, and three pence for each footman ; and for each horse, three pence half-penny per head ; and during the months of November, December, January, February, March, and April, the fare shall be six pence lawful money for man, horse and load, and for each footman four pence lawful money, and for each horse five pence per head ; the above fare to be accounted at the rate of four pence in old currency for one penny lawful money, and no more, and to be paid in lawful money or old currency. And the committee aforementioned are desired to make report to the General Assembly in October next of the circumstances of said ferry.

*And it is further enacted by the authority aforesaid, That,* in case the said ferrymen, after they have obtained a certificate as aforesaid, shall at any time be deficient in any of the particulars abovementioned, the said committee may, and they are hereby impowered to impose a suitable fine on them, or either of them, not exceeding the sum of five pounds. Nothing in this act to extend to those that by law are exempted from paying ferriages.

An Act in Addition to an Act entituled An Act for the more speedy doing Justice and preventing the Multiplicity of Law Suits.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That in any process or action wherein the debt, damage or other matter, doth not exceed forty-eight shillings of new tenour bills of credit, or eight pounds in old tenour bills of credit, may be heard, tryed and determined, by any one assistant or justice of the peace, who are hereby impowered to do the same within the limits of their authority, (except only where the title of land is concerned,) and when the debt, damage or other matter in demand, doth not exceed the sum of twenty four shillings in new tenour, or four pounds in old tenour, or if it be due by bond, bill or note, for bills of credit of either of said tenours, avouched by two witnesses, and doth not in value exceed the sum of forty-eight shillings in new tenour bills, or eight pounds in old tenour bills, no appeal shall be allowed from the judgment given therein.

*Be it further enacted by the authority aforesaid, That* confession of judgment, made and taken in the manner directed in the second paragraph of the aforementioned act, shall or may be taken for twenty-four pounds in new tenour bills of credit, or eighty pounds in old tenour bills of credit, and no more.

*Be it further enacted by the authority aforesaid, That* when

any action wherein the title of land is not concerned, is brought to any of the county courts in this colony, wherein the debt, damage or other matter in demand, doth not exceed the value of twelve pounds new tenour bills of credit, or forty pounds in old tenour bills of credit, and judgment thereon shall be given, no appeal from such judgment shall be allowed.

*Be it further enacted by the authority aforesaid,* That any act made in this Colony for the stating of the fees of any court or officers' fees, grants to the college, or fares of ferries, &c., in silver sterling alloy at the rate of six shillings and eight pence per ounce troy weight, shall be taken and accounted in new tenour bills at the rate that eight shillings bears to six shillings and eight pence, and in old tenour bills at the rate of four shillings for one shilling.

*And be it further enacted by the authority aforesaid,* That every execution granted by an assistant or justice of the peace on a judgment for more than forty shillings in silver at the rate of six shillings and eight pence per ounce troy weight, founded on the confession of the debtor, according to the act abovementioned, shall be duly served by the officer who receives the same, and in case such officer shall not serve such writ of execution according to the directions therein given, or shall make a false or undue return, the aggrieved party shall and may have relief, on complaint thereof made to the assistant [245] or justice from whom it issued and to whom it was made returnable, who is hereby empowered to enquire thereof by the evidence produced; and if the officer be found in default, the assistant or justice may set a suitable fine upon him and award damages to the party aggrieved, having respect unto the quantity or quality of the action and the peril that might have happened unto the aggrieved party by the delay which he suffered. And it is further provided, that either of the parties in the complaint aforesaid shall or may have granted to him an appeal to the county court in the same county.

An Act for repealing an Act of this Assembly made and passed at Hartford, May, 1742, intituled An Act for the ascertaining and regulating the Coins and Currencies, and for directing Processes and Judgments in this Colony, and for further directing Processes and Judgments in this Colony.

Whereas there hath been diverse constructions put on the aforementioned act made in May, 1742, and great inconveniencies happened thereby: For remedy whereof,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the said act be repealed, and the same, with every part and paragraph thereof, is hereby repealed and made void.



*Be it further enacted by the authority aforesaid, That all processes and suits on bills, bonds, notes and other contracts, shall be brought for the recovery of that coin or currency which is expressed or plainly understood to be the coin or currency contracted for in such bill, bond, note or other contract.*

This act not to take place till the first day of July next.

An Act in Addition to an Act for the further Direction of Sheriffs and Constables in their Office.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That whenever any sheriff or constable, by virtue of any execution, shall seize any goods or chattels, to answer and satisfy such execution, and any person shall appear to receive such goods into his care, and shall give to such sheriff or constable a writing by him well executed, expressing the receipt of such goods taken by such sheriff or constable, and therein promise to redeliver such goods to the said sheriff or constable, and shall fail of performing accordingly, and any action be brought by such sheriff or constable against such person upon such writing, there shall not be allowed any appeal or review in such cause.*

*Be it further enacted by the authority aforesaid, That when any action or complaint is brought against any sheriff or constable for neglect in his service of any writ of execution, or a false or undue return thereon, the writ or complaint brought against such officer shall be served at least fourteen days before the sitting of the court wherein it is to be tried.*

An Act in Addition to the Law entituled An Act for punishing Capital Offenders.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That if any person, of malice forethought, and by lying in wait, shall cut or disable the tongue, put out an eye or eyes, so that the person is made blind, or by cutting off all or any one of his privy members, with an intent to maim him or disfigure him, or that shall be aiding or assisting therein, shall be put to death.*

An Act providing that the Laws of this Colony be revised.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That Thomas Fitch, Esq., be desired and impowered, and he is hereby desired and fully impowered, to inspect the acts and laws made and passed by this Assembly, and having revised the same to put them into a form fitting for the press; in effecting whereof he is directed to take care that no alteration*

be made in those acts and laws that relate to and secure the freeholds of his Majesty's subjects in this Colony, but that the same shall remain as heretofore: but those acts and laws that relate only to manner and method of proceeding in civil or criminal causes, or other things that relate to the government of his Majesty's subjects here, and are provided for by later acts, which have superseded the more ancient ones, are to be omitted, and not put into the laws to be printed on such revision. And the said Thomas Fitch, Esq., shall lay his doings before the General Assembly in October next.

This Assembly appoints Capt. Israel Newton to be a Justice of the Peace in and for the county of Hartford the year ensuing.

[246]      An Act for making and emitting Bills of Credit.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That there be forthwith struck a certain number of bills of credit on this Colony, in suitable sums from one shilling to three pounds, to the amount of four thousand pounds, and no more, and shall be stamped on the new plates, with the addition of the date of May the 10th, 1744, and signed by the committee last appointed for signing of the bills of credit of this Colony; the said committee to be under oath for the faithful management of the affair, and to deliver the said bills into the hands of the Treasurer of this Colony, taking his receipt for the same.

*And it is further enacted by the authority aforesaid,* That the Treasurer be and is hereby empowered to issue forth and pay the said sum of four thousand pounds towards the payment of the debts of this Colony, according to such orders as shall be given to him according to law, from time to time.

And, as a fund and security for the repayment and drawing in of the said bills into the treasury again, this Assembly grants a tax or rate of four thousand two hundred pounds as silver money at eight shillings per ounce troy weight sterling alloy, to be levied on polls and the rateable estate within this Colony, to be paid into the treasury at or before the last day of May, *anno Dom.* 1750, to be paid in the bills by this act emitted, in good silver at eight shillings per ounce troy weight sterling alloy, as aforesaid, in gold equivalent thereto, or in bills of credit on this Colony of other emissions according to their value at the time of payment compared with silver at the rate aforesaid.

This Assembly grants to the Honourable Jonathan Law, Esq., Governor, for his first half-year's salary the current year, the sum of seventy pounds in new tenour bills.



This Assembly grants to the Hon<sup>ble</sup> Roger Wolcott, Esq., Deputy Governor, the sum of thirty-five pounds new tenour bills, for his half-year's salary the current year.

This Assembly grants to Mr. Secretary Wyllys, for his salary this current year, the sum of six pounds new tenour bills.

This Assembly grants unto Colo. John Whiting, Treasurer, for his salary the current year, the sum of thirty-five pounds new tenour.

This Assembly grants Eliakim Palmer, Esq., our agent at Great Britain, the sum of two hundred and fifty pounds in old tenour bills for the current year.

This Assembly grants unto Mr. Timothy Green, printer, for his last half-year's salary in printing for the Governor and Company, the sum of fifteen pounds new tenour bills, and that an order be given to Colo. John Whiting, Treasurer, to pay the same.

Whereas this Assembly hath been drawn out to such a length that all the members thereof cannot, without great difficulty, stay to hear the records read off: This Assembly do appoint Nathaniel Stanly, Ozias Pitkin, William Pitkin, Esq<sup>rs</sup>, Capt. John Marsh, Mr. Joseph Buckingham, Major Henry Allyn, and Capt. Roger Wolcott, a committee to attend his Honour the Deputy Governor, to hear the acts and doings of this Assembly read off, and then see them signed by the Secretary as perfect and compleat.

The several Acts, Grants, Orders and Resolves of this Assembly, as they stand entered on the pages of this book next preceding, were read off in the presence of his Honour the Deputy Governor and the committee above named, and signed

GEORGE WYLLYS, Secretary.

[247] *Anno Regni Regis Georgii secundi octavo-decimo.*

Connecticut }  
Colony. }

AT A GENERAL ASSEMBLY HOLDEN AT NEW HAVEN IN HIS MAJESTY'S ENGLISH COLONY CONNECTICUT IN NEW ENGLAND IN AMERICA, ON THURSDAY THE 11TH DAY OF OCTOBER, AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE 2D DAY OF NOVEMBER NEXT FOLLOWING, ANNOQUE DOMINI, 1744.

*Present :*

The Honourable Jonathan Law, Esqr, Governor.

The Hon<sup>ble</sup> Roger Wolcott, Esqr, Deputy Governor.

James Wadsworth, Esq <sup>r</sup> ,	William Pitkin, Esq <sup>r</sup> ,	} <i>Assist- ants.</i>
Nathaniel Stanly, Esq <sup>r</sup> ,	Thomas Fitch, Esq <sup>r</sup> ,	
Joseph Whiting, Esq <sup>r</sup> ,	Roger Newton, Esq <sup>r</sup> ,	
Timothy Pierce, Esq <sup>r</sup> ;	Ebenez <sup>r</sup> Silliman, Esq <sup>r</sup> ,	
Samuel Lynde, Esq <sup>r</sup> ,	John Bulkley, Esq <sup>r</sup> ,	

*Representatives or Deputies that attended at the Assembly are as follow, (viz:)*

Mr. Joseph Buckingham, for Hartford.

Colo. Gurdon Saltonstall, Mr. Jeremiah Chapman for New London.

Mr. Jonath<sup>n</sup> Huntington, Mr. Ebenezer Wales, for Windham.

Capt. John Stephens, Mr. Joseph Wilcox, for Killingsworth.

Colo. Jonathan Hoit, Capt. Jonath<sup>n</sup> Maltbie, for Standford.

Capt. John Fowler, Mr. Robert Treat, for Milford.

Mr. Ebenezer West, Capt. Gershom Clark, for Lebanon.

Capt. Roger Wolcott, Mr. Daniel Bissell, for Windsor.

Mr. Elisha Williams, Colo. John Chester, for Weathersfield.

Mr. William Wittar, Mr. Nath<sup>l</sup> Brown, for Preston.

Mr. William Buel, Mr. John Phelps, for Hebron.

Capt. Joseph Bird, Capt. Edward Phelps, for Litchfield.

Mr. John Dixon, Mr. Charles Campbell, for Voluntown.

Mr. Paul Welch, Mr. John Warner, for New Milford.

Mr. Hez<sup>h</sup> Brainerd, for Haddam.

Capt. John Hubbard, Mr. John Hitchcock, for New Haven.

Major Andrew Burr, Capt. Samuel Burr, for Fairfield.

Colo. Hez<sup>h</sup> Huntington, Mr. Ebenez<sup>r</sup> Backus, for Norwich.

Mr. Joseph Strong, Capt. Samuel Parker, for Coventry.

Capt. Israel Newton, Capt. Charles Bulkley, for Colchester.

Colo. William Preston, Mr. Noah Hinman, for Woodberry.

Mr. John Humphrey, Mr. Joseph Wilcoxson, for Symsbury.

Mr. James Benedict, Capt. Daniel Olmstead, for Ridgefield.

Mr. Boaz Starns, Capt. John Dwight, for Killingly.

Colo. Thomas Welles, Capt. Jonathan Hale, for Glassenbury.

Mr. William Marsh, Mr. Joseph Parkhirst, for Plainfield.

Capt. John Riggs, Capt. Samuel Bassett, for Derby.

Colo. John Dyer, Mr. Solomon Tracey, for Canterbury.

Capt. Nath<sup>l</sup> Harrison, Mr. Jonath<sup>n</sup> Russell, for Brandford.

Mr. Daniel Gates, for East Haddam.

[248] Capt. Jedadiah Chapman, Mr. Ambrose Whittlesey, for Saybrook.

Colo. Benjamin Hall, Capt. Elihu Hall, for Wallingford.

Mr. Thomas Benedict, Mr. Samuel Fitch, for Norwalk.

Mr. Asahel Strong, Capt. Hez<sup>h</sup> Lee, for Farmington.

Capt. James Bebee, Capt. Thomas Stephens, for Danbury.

Capt. Thomas Stores, Mr. Josiah Conant, for Mansfield.

Major Elihu Chauncey, Capt. Robert Fairchild, for Durham.  
 Colo. Edmund Lewis, Capt. Theophilus Nickols, for Stratford.  
 Mr. John Southmaid, for Waterbury.

Capt. Leicester Grosvenour, Mr. Ebenezer Holbrook, for Pomfret.

Capt. Ebenezer Mead, Capt. John Mead, for Greenwich.

Mr. Joseph Denison, Mr. Simon Minor, for Stonington.

Major Jabez Hamlin, Mr. Seth Wetmore, for Middletown.

Mr. Robert Knowlton, Mr. William Wadkins, for Ashford.

Mr. John Griswold, Capt. John Lee, for Lyme.

Capt. Timothy Stone, Mr. Samuel Robinson, for Guilford.

Colo. Christopher Avery, Mr. John Ledyard, for Groton.

Major Andrew Burr, Speaker } of the House of Representatives.  
 Capt. John Fowler, Clerk }

The Gentlemen nominated by the Votes of the Freemen of this Colony to stand for Election in May next are as follow, viz:

The Honourable Jonathan Law, Esq<sup>r</sup>.

The Hon<sup>ble</sup> Roger Wolcott, Esq<sup>t</sup>.

James Wadsworth, Esq <sup>r</sup> ,	Ebenezer Silliman, Esq <sup>r</sup> ,
Nathaniel Stanly, Esq <sup>r</sup> ,	Jonath <sup>n</sup> Trumble, Esq <sup>r</sup> ,
Joseph Whiting, Esq <sup>r</sup> ,	John Bulkley, Esq <sup>r</sup> ,
Ozias Pitkin, Esq <sup>r</sup> ,	Hez <sup>h</sup> Huntington, Esq <sup>r</sup> ,
Timothy Pierce, Esq <sup>r</sup> ,	Major Andrew Burr,
Samuel Lynde, Esq <sup>r</sup> ,	Colo. John Chester,
William Pitkin, Esq <sup>r</sup> ,	Mr. Elisha Williams,
Thomas Fitch, Esq <sup>r</sup> ,	Colo. Samuel Hill,
Roger Newton, Esq <sup>r</sup> ,	Mr. John Griswold.

An Act directing how Jurys to attend the Courts of Tryal shall for the Future be chosen and appointed.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the civil authority, selectmen, constables and grand jurymen in the several towns hereafter named, sometime in the month of January annually, shall assemble and chuse to serve as jurymen at the several county and superior courts, of their able judicious freeholders, each having a freehold estate rated in the common list at fifty shillings, the number to each town hereafter mentioned.

And, in order that the jurys may be indifferently appointed to serve at the several county and superior courts,

*It is hereby further enacted,* That in each town hereafter named there shall be a box provided at the cost of the town, with a lock to it, which shall be put into the town clerk's hand; and when any number of jurymen are chosen the town

[249] clerk shall write each man's name on a piece of paper by itself, and put the several names into the said box, and keep it in his possession; and when any of the several constables shall receive a summons to summon any certain number of jurymen to attend any of said courts, he shall repair to the town clerk, and there in his presence, (and in case of his absence, then in the presence of one of the selectmen of such town,) draw out the number that he is obliged to summon, without seeing who he draws, until he has drawn them, and then shall proceed to summon the men whose names he has drawn: but if any or all of the men thus drawn shall at that time be gone from home, sick or otherwise unavoidably hindered from attending such court, his or their names shall be returned into said box, and others in manner aforesaid drawn and summoned in his or their room.

*And it is hereby further enacted,* That if any juror chosen, drawn and summoned as aforesaid, shall make default of appearance according to the direction of such summons, he shall forfeit and pay to the treasury of the county wherein such juror dwells the sum of three pounds old currency, unless the court to which he was summoned upon hearing his excuses shall judge them sufficient.

*And it is hereby further enacted,* That if any town hereafter named shall neglect or refuse to provide such box, or their officers aforesaid shall neglect to chuse such jurymen, such town shall forfeit and pay to the treasury of the county to which such town belongs, the sum of twenty pounds old currency, to be recovered by the king's attorney of the county to which such town belongs, by action to be brought to the county court, in which tryal no appeal nor review shall be allowed.

*Here follows a list of the towns who by this act are to chuse jurymen, and the number that each town is to chuse:*

<i>Hartford County.</i>		<i>New Haven County.</i>	
Hartford,	twenty.	New Haven,	twenty.
Weathersfield,	twenty.	Milford,	twelve.
Windsor,	twenty.	Wallingford,	fifteen.
Farmington,	twenty.	Brandford,	ten.
Middletown,	twenty.	Guilford,	twelve.
Symsbury,	twelve.	Durham,	six.
Glassenbury,	ten.	Derby,	six.
Hebron,	ten.	Waterbury,	six.

. *New London County.*

New London,	fifteen.
Norwich,	fifteen.
Preston,	fifteen.
Stonington,	fifteen.
Groton,	fifteen.
Lyme,	fifteen.
Saybrook,	fifteen.
Killingsworth,	fifteen.

*Fairfield County.*

Fairfield,	twenty.
Stratford,	twenty.
Norwalk,	twenty.
Standford,	twelve.
Danbury,	twelve.
Newtown,	twelve.

*Windham County.*

Windham,	twelve.
Lebanon,	twelve.
Coventry,	twelve.
Plainfield,	twelve.
Canterbury,	twelve.
Pomfrett,	twelve.
Voluntown,	twelve.
Ashford,	twelve.
Mansfield,	twelve.

This act to continue in force for the space of two years from the rising of this Assembly, and no longer.

Whereas there is now a considerable sum in bills of credit in the hands of Jabez Huntington, Esq., sheriff of the county of Windham, received by him to answer an execution taken out by Roger Wolcott, James Wadsworth, Thomas Fitch, John Bulkley and Joseph Fowler, Esq<sup>rs</sup>., agents for this Colony, against Winslow Tracey, of Norwich, and Capt. Brown, of Lebanon,

*It is now resolved,* That the bills received by the sheriff, as aforesaid, be by him delivered to the Honourable Roger Wolcott, Esq., who is hereby ordered and impowered to receive them and endorse the same on the execution. And the said Roger Wolcott, Esq., is further ordered to deliver said bills into the treasury of this Colony, taking the Treasurer's receipt for the same, and to lodge the receipt with the Secretary. And the Treasurer is ordered to put off said bills in payment of the publick debts of this Colony.

[250] This Assembly do establish and confirm Mr. Ebenezer Allyn to be Lieutenant of the second company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Morgan to be Ensign of the second company or trainband in the town of Groton, and order that he be commissioned accordingly.



This Assembly do establish and confirm Mr. Timothy Phelps to be Captain of the company or trainband in the town of Union, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Badger to be Lieutenant of the company or trainband in the town of Union, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Christopher Peake to be Ensign of the company or trainband in the town of Union, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Silas Long to be Ensign of the first company or trainband in the town of Coventry, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Peter Buel to be Captain of the first company or trainband in the town of Coventry, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Asahel Strong to be Captain of the second company or trainband in the town of Farmingtown, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Morgan, jun., to be Captain of the fourth company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Robert Geer to be Lieutenant of the fourth company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Job Tyler to be Ensign of the fourth company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Israel Woodward to be Captain of the lower company or trainband at the north parish in the town of Lebanon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benajah Bill to be Lieutenant of the lower company or trainband at the north parish in the town of Lebanon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Smalley to be Ensign of the lower company or trainband at the north parish in the town of Lebanon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Eleazer Hutch-



inson to be Captain of the upper company or trainband at the north parish in the town of Lebanon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ephraim Sprague, jun., to be Lieutenant of the upper company or trainband at the north parish in the town of Lebanon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Cushman to be Ensign of the upper company or trainband at the north parish in the town of Lebanon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joshua Hutchins to be Lieutenant of the fourth company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Perkins to be Ensign of the fourth company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Isaac Gallup to be Captain of the middle company or trainband in the town of Voluntown, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ephraim Cook to be Ensign of the south company or trainband at the parish of New Cheshire in Wallingford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Hide to be Ensign of the second company or trainband in the town of Norwich, and order that he be commissioned accordingly.

[251] This Assembly do establish and confirm Mr. Moses Hawkins to be Captain of the first company or trainband in the town of Derby, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Johnson to be Ensign of the first company or trainband in the town of Derby, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Porter to be Captain of the first company or trainband in the town of Stratford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Coe to be Lieutenant of the first company or trainband in the town of Stratford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Beech to be Ensign of the first company or trainband in the town of Stratford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Abraham Wanser to be Lieutenant of the company or trainband in the south society in New Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Stephen Brush to be Ensign of the company or trainband at the south society in New Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Swan to [be] Ensign of the south part of the second company or trainband in Stonington, and order that he be commissioned accordingly.

Upon the memorial of the parish of Unity in Fairfield county, in conjunction with the winter parish of Long Hill in said county, praying this Assembly to annex said winter parish to said Unity parish, grant a committee to view the circumstances of the said memorialists,

*Resolved by this Assembly,* That Messrs. Samuel Mix, Stephen Howell and James Peck, jun., all of New Haven, be a committee to repair to said parishes, notify the inhabitants and view their circumstances, at their charge, and also view the circumstances of those inhabitants living in the parish of Stratfield in Fairfield bounds, mentioned in the remonstrance laid before this Assembly by said inhabitants, at the charge of Stratfield parish, and make report thereof to this Assembly in their present sessions.

Upon the memorial of Benjamin Hurd the 2d, Jonathan Sandford, John Leavensworth, Adam Hurd and Zebulon Leavensworth, all of the first society in Woodberry, shewing this Assembly that they were very remote from the publick worship in said first society, and nearly situate to the parish of Roxberry in said Woodberry, and praying this Assembly to annex them and their estates unto the said parish of Roxberry: *Resolved by this Assembly,* that the above memorialists and their estates be annexed unto the said parish of Roxberry accordingly.

Upon the petition of Samuel Mansfield of New Haven, sheriff, *vs.* William Karr of Lyme, setting forth that the said Karr brought his action against the petitioner for thirty pounds money damages, for suffering one James Rhodes to escape after he was taken upon two certain executions in fa-

vour of said Karr, by his writ dated the 25th day of March, 1742, upon which action a final judgment was had against the petitioner at the superior court, held in New Haven in August last, praying for a reversal of said judgment and a rehearing in said case, for the reasons in said petition assigned: It is enacted, granted and ordered by this Assembly, that the said judgment be set aside, and the same is hereby annulled, set aside and made void, and the petitioner allowed another tryal of said cause in the superior court to be held at New Haven in and for the county of New Haven on the last Tuesday of February next, and that all cost follow the judgment in said tryal.

Upon the memorial of Elizabeth Rogers and Peter Rogers in the county of New London, administrators on the estate of William Rogers, late of said New London, deceased, shewing to this Assembly that the debts due from the estate of the said William Rogers exceed the whole of his personal estate the sum of £141 8s. 9d. old tenour bills, and thereupon praying that this Assembly would give leave to sell so much of the lands or real estate of the said deceased as will be sufficient to pay the aforesaid debts, &c.: Whereupon it is resolved by this Assembly, that Mr. John Tinker, of said New London, be appointed to sell, and he is hereby appointed and authorized to sell so much of the real estate of the said William Rogers, deceased, for the payment of his debts, as will amount to the sum of £141 8s. 9d. with the incident charges arising thereon, in old tenour bills of credit, taking the directions of the judge of probates in the county of New London in the sale thereof.

[252] Upon the petition of Justus Bush, of Greenwich, *vs.* Reuben Close and Benjamin Close, jun., of said Greenwich, representing that he, said Brush, brought his action against the said Reuben Close and Benjamin Close, demanding fifty pounds lawful money damage, which action came to the superior court in Fairfield in February, 174 $\frac{3}{4}$ , where judgment was rendered against the petitioner, from which he was admitted a review, but there being no bond to prosecute the said review, the case at the superior court held in Fairfield in August last was dismissed; and thereupon praying for liberty to enter his said action by way of review at the next superior court to be held in Fairfield: Resolved by this Assembly, that the said Justus Bush shall have liberty of a review of said case, and shall and may enter the same in the superior court to be held in Fairfield on the last Tuesday save one in February next, which shall be heard and tryed as though entered by

review in the common course of the law : provided the petitioner, before such tryal, give bond before said court to prosecute said review ; and that if the plaintiff in said action recover, the future cost only to follow the judgment, but if the defendants recover, the whole cost to follow the judgment ; and the execution taken out on the former judgment is hereby reversed and made void.

Upon the memorial of Elizabeth Shackmaple, of New London, administratrix on the estate of John Shackmaple, Esq., late of said New London, deceased, shewing to this Assembly that the real estate of the said John Shackmaple consisted in a warehouse and piece of beach, which is growing worse every day, and his estate much involved in debt, so that she was forced to sell her own estate for the payment of a great part of the price of said house since the decease of said John Shackmaple, and that she cannot subsist and bring up her children without the sale thereof, and thereupon praying that this Assembly would grant her liberty to sell the same : Whereupon this Assembly appoints and authorizes her, the said Elizabeth Shackmaple, to sell the said warehouse, taking the direction of the court of probate for the district of New London in the sale thereof.

Upon the memorial of Mary Mackinzie, of New London, in the county of New London, administratrix on the estate of Roderick Mackinzie, late of said New London, deceased, shewing to this Assembly that the debts due from said estate surmount both real and personal estate of said deceased, praying for liberty to sell the real estate of the said Roderick in order to pay his just debts as shall be allowed by the commissioners on said estate : Resolved by this Assembly, that the said Mary be impowered, and she is hereby impowered, to sell the real estate of said Roderick, deceased, for the payment of said debts, taking the direction of the court of probate in the district of New London.

Upon the memorial of Robert Foot, Samuel Baker and Nath'l Harrison, selectmen of the town of Brandford in the county of New Haven, shewing to this Assembly that Joshua Palmer of Brandford aforesaid, son of Joshua Palmer late of said Brandford, deceased, is an idiot and incapable to contribute anything to his support, and that he has been supported by said town for the space of one year last past, whereby charge has arisen on said town, and he having an estate left him in Brandford in lands and buildings and no moveables to support him ; and thereupon praying that this Assembly would grant leave to the said selectmen to sell the lands,



&c., of the said Joshua Palmer, for the payment of the charges arisen on said town, and for his future support and maintenance, as needed: Whereupon this Assembly authorizes and appoints and impowers Nathaniel Harrison, Samuel Baker and Robert Foot, of said Brandford, to sell the aforesaid lands and buildings of the said Joshua Palmer, taking the direction of the judge of probates for the district of Guilford in the sale thereof, and that an account of the expences and charge advanced for the support and maintenance of said idiot be laid before the said judge of probates from time to time.

This Assembly appoints Capt. Thomas Hotchkins Justice of the Peace for the county of New Haven until June next.

Upon the memorial of Christopher Holmes, administrator on the estate of Eliphalett Holmes of East Haddam, deceased, praying to this Assembly for liberty to sell so much of the lands of the said deceased as amounts to the sum of fifty-one [253] pounds eight || shillings and sixpence, lawful money: Resolved by this Assembly, that the said Christopher Holmes have liberty to sell so much of the lands of the said Eliphalett Holmes as shall amount to the sum of £51 8s. 6d., taking the advice of the judge of the court of probate in the district of East Haddam, together with the necessary charges arising on the sale thereof.

This Assembly do appoint Major Jabez Hamlin Justice of the Quorum for the county of Hartford till June next.

This Assembly do establish and confirm Mr. Isaac Bigelow to be Ensign of the south company or trainband in the town of Colchester, and order that he be commissioned accordingly.

An Act to provide new Sails, Cable and some spare Rigging for the Colony Sloop Defence.

Whereas the committee appointed by this Assembly to consult what may be advisable to be further done relating to the war have informed this Assembly that the Colony sloop Defence is under disadvantages of answering the end she is designed for, for want of a new main-sail, fore-sail and a gibb, as also for want of a new cable suitable for said sloop, and also for want of some spare rigging: Therefore,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That Hezekiah Huntington, Esq., be appointed, and he is hereby appointed, forthwith to procure a sufficient quantity of good Hollands duck to make the sails aforesaid, and also a suitable cable for said sloop, and a suitable quantity of spare rigging for said sloop, and the said duck when purchased as quick as may be to transport to New London for the use of said sloop.



*And it is further enacted,* That the sum of eight hundred pounds, old tenour, be forthwith drawn out of the treasury and put into the hands of the said Hezekiah Huntington, Esq., for the purchasing of the things aforesaid, for which sum he, the said Huntington, Esq., shall account to the General Assembly in May next.

This Assembly do order and direct the Treasurer of this Colony, Colo. John Whiting, to attend the Assembly on the 29th day of October instant, and bring with him a sufficiency of the bills of credit in his hands to defray the charges of this Assembly.

*Resolved by this Assembly,* That Nathaniel Stanly, Esq., be a committee fully authorized and impowered to make sale of a certain tract of land lying in the town of Litchfield, being about eighty acres, and is bounded and described on the records of the town of Litchfield, and was lately the estate of John Sutlief of said Litchfield, and by him mortgaged and released to the Governor and Company of this Colony; and to take bond of the purchaser of the same on interest with sufficient surety, allowing one year's time for payment from the date of said bond; and also make and execute a proper deed of conveyance to the purchaser thereof, which shall be sufficient for the sure holding of the same; and to lodge the bonds in the hands of the Secretary of this Colony, for the use of the government.

Upon the memorial of Elnathan Rowley, administrator on the estate of Thomas Lewis, late of Middletown, deceased, shewing to this Assembly that the debts due from the estate of the said deceased exceeded his moveable estate the sum of £82 12s. 1d. and thereupon praying that this Assembly would grant leave and liberty to make sale of so much of the real estate of the said deceased as may be sufficient to pay and satisfy the said sum of £82 12s. 1d. bills of credit, old tenour: Whereupon it is resolved by this Assembly, that the said Elnathan Rowley be appointed, and he is hereby authorized and impowered, to sell so much of the real estate of said Thomas Lewis, deceased, as may be sufficient to pay and satisfy the said sum of £82 12s. 1d. with the incident charges arising thereon, taking the direction of the judge of probate in the district of Hartford on the sale thereof.

This Assembly do establish and confirm Mr. Gideon Walker to be Captain of the Troop in the 13th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Eliezer Hin-

man to be Lieutenant of the Troop in the 13th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Riverius Carrington to be Quarter-Master of the Troop in the 13th regiment in this Colony, and order that he be commissioned accordingly.

[254] Upon the memorial of Joseph Savage and Seth Wetmore, of Middletown in Hartford county, executors on the last will and testament of Joseph Whitmore, late of said Middletown, deceased, shewing to this Assembly that the debts due from said estate surmount the personal estate of the said deceased the sum of £28 16s. 4d., praying for liberty to sell so much of the real estate as to pay and answer said sum with necessary charges about the sale thereof: Resolved by this Assembly, that the said Joseph Savage, one of the memorialists, shall have liberty to, and he is hereby authorized to sell so much of said real estate as to answer said sum in old tenour and charges, taking the direction of the court of probate in the county of Hartford.

On the petition of Thomas Stow, of Middletown, *vs.* James Evarts, of Guilford, on the files: The question was put, whether the reasons assigned and offered under the demurrer to said petition are sufficient to set aside the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent is* £2 15s. 2d. *old tenor.* *Ex. granted Nov. 2d, 1744.*

On the petition of Pardon Tabor, of New London, *vs.* James Rogers, of New London, &c.: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is* £8 17s. 6d. *old tenor.* *Ex. granted March 6th, 1744-5.*

On the petition of Caleb Abell, &c., of Lebanon, &c., *vs.* Simon Tracey, of Norwich, on file: The question was put, whether there be error in the judgment complained of: Resolved by this Assembly in the negative. *Cost agreed to by the parties,* £5 14s. 0d. *Paid in court by the respondents.*

Upon the memorial of Abigail Wheeler and Thomas Edwards, both of Stratford, executors of the last will and testament of Ebenezer Wheeler, late of said Stratford, deceased, shewing to this Assembly that your memorialists were impowered by said deceased in his last will and testament to sell some parcels of land to him belonging, and especially forty acres at a place called Long Hill; also shewing that twenty-three acres of said forty acres is under a mortgage to the Governour and Company of this Colony, as is particularly therein

bounded and described; and praying that said mortgaged premises may be made over to said memorialists upon their paying the sum borrowed with the lawful interest and all damages accruing on default, as per the memorial on file: Resolved by this Assembly, that Nathaniel Stanly, Esq., and Capt. George Wyllys, are appointed, and they are hereby appointed, authorized and fully impowered, to make over and release to the said memorialists the said mortgaged premises, on their paying into the Colony treasury the sum of one hundred pounds in bills of credit on this Colony with the lawful interest which shall be due at the time of payment.

Whereas this Assembly did at their sessions in May last, upon the memorial of the towns of Stonington and Groton, appoint and impower Messrs. Simon Lothrop, Richard Hide, and Ebenezer Hartshorn, all of Norwich, a committee to run the line and ascertain the bounds between said towns, at the charge of the memorialists, and to make report to this Assembly in their present sessions; and whereas the agents of said towns have informed this Assembly that by the act of Providence said committee were prevented from performing said service, and desiring that their power may be continued and they directed to make their report in the premises to this Assembly at their sessions in May next: Resolved by this Assembly, that the power of said committee be continued accordingly, and they are hereby directed to make report of their doings in the premises to this Assembly at their sessions in May next.

Upon the memorial of John Bowton, administrator on the estate of Daniel Bowton, late of Sharon in the county of New Haven, deceased, shewing to this Assembly that the debts due from the estate of the said deceased surmounts the personal estate the sum of £79 0s. 0d. of the old currency, praying to this Assembly for liberty to sell so much of the real estate of the said deceased as shall amount to the sum of £79 0s. 0d. of the old currency with the charges arising thereon: Resolved by this Assembly, that the memorialist have liberty, and he is hereby authorized and impowered, to sell so much of the real estate of the said deceased as shall amount to the sum of £79 0s. 0d. of the old currency and the necessary charges arising thereon; taking the direction of the court of probate in the district of Litchfield therein.

[255] Upon the memorial of John Clark and others, inhabitants of the third society in Middletown in Hartford county, shewing to this Assembly that those of them that live nearest to the place of publick worship were more than five

miles distance therefrom, and some near ten miles distance, the roads bad, &c., praying for liberty to be released from paying publick taxes to the support of the minister in said society on their hiring an orthodox minister among themselves, and that they may be enabled to raise taxes on their polls and rateable estate on themselves and others within the bounds hereafter mentioned, (*viz:*) beginning at the northeast corner of Midle-Haddam bounds, next to Colchester bounds, and from thence running west by a highway to another highway that runs northerly, on the west side of a hill called the great hill, then turning and running northerly by said highway to the south end of said hill, then northeasterly by the west side of said hill until it comes to the three mile division, so called, thence by said division to Glassenbury bounds, then east by said bounds to Colchester bounds, southerly by said bounds to the first mentioned place: Resolved by this Assembly, that the said memorialists, and all others that now live or shall live within said bounds, shall be exempted from paying taxes to the support of the ministry in said third society, on their hiring an orthodox minister among themselves at least eleven months in a year, yearly; and that the said John Clark warn all the inhabitants within said bounds to meet at some place by him to be appointed, at least five days before said meeting, and when they are so met they shall have power, and are hereby impowered, to choose a moderator and clerk and such other officers as are needful, and to grant and collect rates or taxes on the polls and rateable estate of said inhabitants for the support of the ministry, as is provided in the laws of this Colony respecting societies; and that said clerk take the oath provided in the law for society clerks.

Whereas this Assembly did at their sessions in May last appoint and empower Colo. Joseph Minor and Colo. William Preston a committee to go and view a certain tract of land lying within the bounds of this Colony on the west side of Ousatunuck river, bounded on said river on the east, and on Sharon on the north, and on New Fairfield on the south, adjoining on the west to the dividend line between the Province of New York, &c., and to examine the rights or pretensions of the claims of such persons that have now entered thereon, and to make their report of what they find and the circumstances respecting the same, to this Assembly at their present sessions; and whereas by the providence of God the committee aforesaid have not yet been capable to perform said service: Whereupon it is resolved by this Assembly, that the



committee's power aforesaid be continued, and that they make their report to this Assembly on the premises in May next.

Whereas this Assembly, at their sessions in October *anno Domini* one thousand seven hundred and forty, granted unto Messrs. Thomas Fitch, George Wyllys and Robert Walker, the sole liberty of making steel in this Colony for the space of fifteen years, on condition they begun and performed said work in two years, &c., and the said time being past and the condition not performed, this Assembly, at their sessions in October last, renewed said grant on the condition they, the said undertakers, their executors &c., should make half a tun of steel before the sessions of this court; and whereas Aaron Elliott, the overseer of said affair in behalf of said undertakers, has certified and made evident to this Court that the said undertakers or their assigns have made half a tun of good steel in this Colony at their furnace at Symsbury by them erected for that purpose: Whereupon this Assembly do declare and determine that the said condition is performed according to the tenour and meaning thereof, and order that this determination be entered on the records of the Colony as an evidence thereof.

An Act for advancing Grand Jurors' Fees.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That each grand juror that shall be summoned to attend on any superior or county courts shall be allowed six shillings *per diem* for their attendance on such courts, in old tenour currency; any law, usage or custom, in any wise to the contrary notwithstanding.

[256.] Upon the report of Messrs. Benjamin Hall, John Southmaid and Samuel Hickey, a committee appointed by this Assembly in May last to affix a place in the first society in Woodberry to build a meeting house upon, shewing this Assembly that they, having viewed the circumstances of said society and heard the parties on the premises, have set up a stake with stones laid about it on the hill about forty rods north from the old meeting-house, at the head of the street or highway that runs westward, and in the large street that runs north and south; which place said committee was of opinion was the most convenient place for said society to build a meeting-house upon: Resolved by this Assembly, that the report of said committee be accepted, and the place aforesaid is established and ordered to be the place for said society to build a meeting-house upon accordingly.

Upon the petition of Jarvis Rhoads, of Fairfield, shewing



that on complaint against him for robbery, he was bound in a recognizance of forty pounds, lawful money, with a surety, personally to appear before the superior court held in Fairfield in August last, to answer thereto and abide the judgment of said court, and that he being absent when called, his recognizance was by said court declared to be forfeited; and praying for relief in the premises, alledging that through misadvice and mere mistake he happened to be absent when called: Resolved by this Assembly, that the said Jarvis Rhoades have liberty to enter the said case and matters relating thereto in the superior court to be held in Fairfield on the last Tuesday save one in February next, and submit to a legal tryal therein; which matters the said superior court are hereby impowered to hear and determine; and if the said Rhoads shall so submit to a tryal and abide the judgment that shall be given therein, then the said recognizance and judgment declaring the forfeiture thereof shall be void.

Whereas anciently the Kings' letters, instructions, &c., and letters from the Secretaries of State, Board of Trade, &c., with the answers thereto, and other writings of publick concern, were entered in a book of records kept for that purpose, which practice was continued for many years, but has for some years been neglected; and whereas those ancient records are found to be of great use and service: Whereupon it is resolved by this Assembly, that the Secretary of this Colony do, and he is hereby directed to procure a suitable book for the use of this Colony, for recording the King's letters, orders or instructions, letters and instructions from the Secretaries of State and from the Board of Trade, and other writings of general and publick concern to this government, and the answers thereto, and therein to record such matters of publick concern as are not yet recorded and he can obtain for that purpose, and also to record from time to time such matters as shall be sent to or from this government; which book shall be kept in the Secretary's office and be for the use of this Assembly from time to time. And his Honour the Governor is desired to assist the Secretary in collecting the said matters, not yet entered, in order to be recorded; and the Secretary shall be allowed reasonable satisfaction for his service herein.\*

Upon the memorial of James Levinze and others, inhabitants of the first society in Killingly, shewing to this Assembly that this Assembly did, in May, A. D. 1742, appoint a committee to repair to said society and view the same and affix a place for a

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\* Unhappily this resolve does not seem to have been put in execution.

meeting-house &c., which committee did affix a place for a meeting-house, and made their report thereof, and the same was approved and confirmed; and thereupon praying this Assembly to set aside and make void the report of said committee and appoint another committee to go to said society and view the circumstances of the same, and to draw a line in order to divide said society into two distinct ecclesiastical societies: Whereupon it is resolved by this Assembly, that Colo. Hezekiah Huntington, of Norwich, Mr. Simeon Minor, of Stonington, and Capt. Joseph Addams, of Canterbury, be [257] || a committee with full power to repair (at the cost of the memorialists) to said society as soon as may be with convenience, view the same and hear all parties concerned, and if they judge that said society ought to be divided into two distinct ecclesiastical societies, that then they draw a line in order to divide the same, and make their report thereon to this Assembly in May next: but if said committee shall be of opinion that said society ought not to be divided, that then the committee inform said society what their opinion is, and that said society ought not to be divided; and thereupon the society shall proceed in building and finishing their meeting-house, at the place where it is now stated.

Upon the petition of Benjamin Cogshall and Elizabeth his wife, and Samuel Jones and Hannah his wife, all of Stratford in Fairfield county, against James Dunlop of said Stratford, praying this Assembly to set aside and make void the act and decree of this Assembly, referred to and set forth in said petition, and enquire into the whole circumstances of the case on which said act or decree was past, and determine thereon in equity: Whereupon it is resolved by this Assembly, that there shall be a re-enquiry in the said case, and therefore grant that a committee be appointed to that purpose; and thereupon this Assembly do appoint Jonathan Hoit of Standford, Esqr., John Hubbard, Esqr. and Mr. Samuel Mix, both of New Haven, a committee to enquire into all the matters set forth and referred to in said petition, and do hereby fully authorize and empower said committee to appoint time and place, and give the parties concerned therein seasonable notice thereof, and enquire into all the matters set forth and referred to in said petition, and the circumstances relating to the same, by examining the parties under oath if they shall think necessary, and all other evidences by the parties produced or either of them, together with all other things by the said parties or either of them laid before said committee relating to said case, and upon the whole of what they find in the premises

together with the evidences so taken, make return thereof to this Assembly in their sessions at Hartford in May next, with their opinion upon the whole case.

An Act for the Regulating, the Serving and Returning of Writs and Petitions and Entering Appeals.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That from and after the first day of March next, all original and judicial writs (except executions) in civil cases, and petitions and memorials (wherein there shall be any party or parties to be notified,) returnable to any superior or county court or to the General Assembly, shall be served at least twelve days inclusive before the day of such courts sitting or day of appearance; and that such writs as are made returnable to the county courts shall be returned to the clerks of said courts on the day before the sitting of such county courts, and not afterwards; and that all appeals to any of the superior or county courts shall be entered in such courts respectively before the second opening of such court, and not after, unless the appellant shall pay to the appellee all his cost in such case arisen to that time, to be taxed by the court, which being done the action may be entered by the appellant before the jury attending such court are dismissed, and not after; which cost so taxed and paid shall not be considered nor allowed in making up the bill of cost in the final determination of the case; any law, usage or custom to the contrary in any wise notwithstanding.

Upon the report of Messrs. John Bulkley, Roger Wolcott and Joseph Phelps, a committee appointed by this Assembly in May last to repair unto and view the circumstances of the second society in Mansfield, in order to affix a place for a meeting-house in said society, reporting to this Assembly that the most suitable place for a meeting house in said society is on the end of the hill on the westerly side of Springy Hill road, about ten rods southerly of the dwelling-house of Zachariah Paddock, near a rocky place, which then, (*viz.*) at the time of said view, was on the land of said Zachariah Paddock, but now made over by said Paddock to the said society, upon which place the said committee have set a stake: This Assembly do affix the said place, where the stake is set by said committee, for the place for the said society to build a meeting house on for said society.

[258] Upon the report of Messrs. Benjamin Hall, John Southmaid and Samuel Hiccox, a committee appointed by this Assembly in May last to affix a place for the inhabitants of Roxberry parish in Woodbury to build their meeting-house

upon, reporting to this Assembly that they, having viewed the circumstances of said society and heard the parties on the premises, are of opinion that within twenty or thirty feet of their old meeting house is the most convenient place for said society to build their meeting house upon: Resolved by this Assembly, that the report of said committee be accepted and approved, and the said society is hereby ordered to build their meeting house at said place accordingly.

Upon the memorial of the reverend Trustees of Yale College in New Haven, respecting the repairing the rector's house: Resolved by this Assembly, that the said house, both roof and sides, be new covered, the sides coloured, and the windows filled with sash glass; and Capt. John Hubbard and Mr. Samuel Mix of New Haven are hereby appointed a committee to take care of and procure said work to be done and lay their account thereof before this Court at their sessions in May next. And this Assembly orders the Treasurer of this Colony to pay and deliver to the said committee the sum of two hundred pounds in bills of credit, old tenour, to be improved for that purpose.

Upon the petition of John Winthrop, Esq., of New London, shewing and reciting that John Richards, Esq., and Margaret Douglass and William Douglass, all of New London, said Margaret and William being executors of the last will and testament of Richard Douglass, late of said New London, deceased, brought their petition to the General Assembly at New Haven, October, 1740, setting forth that Major General Wait Winthrop, Esq., executor to the last will and testament of Fitz-John Winthrop, Esq., became bound unto Robert Lattimore, James Rogers and Joshua Hempstead, Esq<sup>rs.</sup>, all of New London, a committee for said town, in a bond of six hundred pounds lawful money of New England, conditioned for payment of seven hundred and fifty ounces of silver, &c.; that said Wait Winthrop, Esq., died intestate, *anno Domini* 1717; that, 1725-6, letters of administration, which had been granted to said John Winthrop, Esq., were reversed and administration on the estate of said intestate committed to Thomas Lechmere, Esq.; that A.D. 1726, said Lechmere, having been empowered to sell lands to pay said obligation, sold to them, the then petitioners, three hundred seven acres of the lands of said intestate, on consideration whereof they, by their own obligation satisfying and securing said New London committee, procured and obtained to be delivered up to said Thomas Lechmere the said bond by said Wait Winthrop, Esq., executed as abovesaid; that they having been ousted of said



lands, in pursuance of an act of the King and Council, said Lechmere gave and delivered to them the said bond by said Wait Winthrop, Esq., executed, to and for their own use, to have and recover the sum thereon due, and that accordingly they ought to have and recover the same, and therefore prayed a decree in their favour; and said John Winthrop, Esq., further shewing that the General Assembly, in October, 1741, (to which said petition came by continuance,) did thereupon decree, (*viz.*) that the said complainants shall recover against the defendant of the estate of the said deceased Wait Winthrop, Esq., “the said principal original debt, with the lawful interest thereof, (*viz.*) the sum of five hundred sixty-two pounds ten shillings lawful money of New England, and their cost of prosecution allowed to be thirteen pounds thirteen shillings and four pence;” that sundry successive executions have thereon been issued, and the sheriff, so understanding the words of said decree and executions, has ever demanded and insisted upon lawful money as ascertained in the late act of this Colony made since said decree in payment of said execution, to his, said John Winthrop’s, grievous wrong; and thereupon praying a reversal of said decree, or that it be now ordered and decreed that said sum of five hundred sixty-two pounds ten shillings and thirteen pounds thirteen shillings and four pence in bills of credit be accepted [259] in full satisfaction of said || decree or execution thereon:

*Resolved by this Assembly,* That the said bond given by said Wait Winthrop, Esq., dated July 13th, 1709, is within the meaning and regulation of the law of this Colony made in October, 1718, entituled An Act for the further encouraging the currency of the bills of publick credit and for preventing the oppression of debtors; and that the said decree of the General Assembly in October, 1741, may be answered and satisfied by the payment of the sum of five hundred sixty-two pounds ten shillings in bills of credit on this Colony, and the sum of thirteen pounds thirteen shillings and four pence in like bills for cost.

*And it is hereby also enacted and decreed,* That if the said John Winthrop, Esq., shall pay or tender the said sum of five hundred sixty-two pounds ten shillings and thirteen pounds thirteen shillings and four pence in good and lawful bills of credit on this Colony, in satisfaction of said decree and execution thereon, he shall not be further liable to have such execution further served or levied upon his body or estate.

*Resolved by this Assembly,* That Nathaniel Stanly and William Pitkin, Esq<sup>rs.</sup>, be a committee to settle all accounts relat-



ing to the sloop Defence, for the current year, and to draw an order or orders on the Treasurer for the payment of what shall be found due.

Upon the memorial of Nathaniel Stone, of Guilford, praying this Assembly to set him and his estate off from the society of East Guilford, to which he was annexed last May, and annex him to the first society in said Guilford, as per his memorial on file: Resolved, enacted and granted by this Assembly, that the memorialist be, and he with his estate are hereby taken off from the society of East Guilford and freed from all society and ministerial taxes and rates to said East Guilford society, and the said memorialist and his estate are hereby annexed to the first society in Guilford.

Upon the memorial of the parish of Unity, in Stratford, with the inhabitants of the winter parish of Long Hill in said Stratford, praying to this Assembly to be united into one distinct ecclesiastical society, or for a committee to view their circumstances in order to their being united into one society as aforesaid; and this Assembly having appointed a committee as prayed for, who having viewed the circumstances of said memorialists and have reported to this Assembly in their present sessions, that it is their opinion that it is best said memorialists should be united and made one society as prayed for, as per their report on file appears:

*Resolved by this Assembly,* That said memorialists within the following lines and bounds, (*viz* :) The ancient bounds of said Unity parish on the east, and on the north and south, so far as said Unity parish bounds extended west, then a beginning at the house of James Fairchild, at the southwest corner of said Unity parish, thence running westerly including the dwelling house and homestead of Mr. John Edwards, thence west until it intersects the dividend line between the towns of said Stratford and Fairfield, and from thence northward in said dividend line to the north bounds of said Stratford, and from thence easterly in said north line until it meets with the said north line of said Unity parish, all which shall be one distinct ecclesiastical society, with the same powers and privileges as other ecclesiastical societies in this Colony are vested with, and shall be known and called by the name of North Stratford.\*

Upon the memorial of Benjamin Miller, John Bartlett and others, inhabitants of the first society in Middletown, living in the southwest part of said town bounds, praying to this Assembly in May last that they may be a distinct ecclesiastical

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\* Now the town of Trumbull.

society ; whereupon this Assembly did appoint a committee to view their circumstances and report to this Assembly in their present sessions, and said committee, having viewed their circumstances, report to this Assembly (as appears by said report on file), that the memorialists within the bounds following are of sufficient ability to be a distinct ecclesiastical society, [260] (*viz :*) || Beginning at the southwest corner of said Middletown bounds and running eastward on the south line of said town to the southeast corner of Talcot's farm, and from thence north on the east line of said farm to the northeast corner of said farm, from thence northwesterly to a cart bridge standing on the west river, from thence to the stoney hill to a place called the Stone-Horse-Block, from thence westward to the northeast corner of the lot originally laid out to Richard Hall, and continued still westward on the north line of said lot to the west line of said town, and from thence to the first-mentioned corner.

*Whereupon it is resolved by this Assembly,* That the memorialists and inhabitants living within the bounds aforesaid shall be one distinct ecclesiastical society, with all the powers and privileges as other ecclesiastical societies have within this Colony, and shall be called and known by the name of Middlefield.

Upon the petition of Nathaniel Gove, of Lebanon in the county of Windham, praying this Assembly to set aside the judgment of the adjourned county court held in Windham on the fourth Tuesday of February, *anno Dom.* 1740-41, had against the petitioner by Barret Dyer and Gershom Keys, both of Boston in the county of Suffolk and Province of the Massachusetts Bay, for the surrendry of two certain pieces of land lying in said Lebanon, and fifty pounds damages, and one pound fourteen shillings and six pence cost, upon their, (*viz.*) the said Dyer and Keys' writ, dated the 24th day of January, 1740-41, praying, for the reasons in said petition assigned, for a rehearing in said case : Resolved by this Assembly, that the said judgment of the adjourned county court be set aside, made null and void, and the same is hereby set aside and made void, and the petitioner allowed another tryal of said case at the county court to be held at Windham on the second Tuesday of December next, and that the future cost only follow said tryal.

Upon the memorial of the inhabitants of New Hartford, praying this Assembly to grant a tax of two pence on each acre, in old tenour, on all the lands in said New Hartford, for the space of four years next ensuing, the one moiety of which

tax to be employed toward finishing the meeting house in said town, and the other moiety towards paying the minister's salary, &c. : Whereupon it is resolved by this Assembly, and it is hereby enacted, that a tax of two pence on each acre is granted on all the lands laid out within the bounds of said New Hartford, (publick rights only excepted,) to be paid annually in old tenour, for the space of four years next ensuing; the one half of which tax shall be employed in finishing the meeting-house in said place, and the other half towards the minister's salary; and Mr. Eliezer Goodwin of said New Hartford is hereby appointed collector, to gather said tax for the first year, with full power and authority as other collectors by law have to gather taxes, and after said first year said town to choose a collector or collectors to gather the remainder of said tax.

Upon the memorial of Nathaniel Stanly, Joseph Buckingham and James Church, committee for the free school in Hartford, shewing to this Assembly that a certain bond of one John Sutlief was set out to said school, and that he, said Sutlief, not having any estate to answer said bond. &c., praying that the same may be paid out of the publick treasury, as by an act of this Assembly in such case is provided: Resolved by this Assembly, that the said committee be allowed to receive out of the publick treasury the sum of one hundred ninety-six pounds, four shillings and seven pence, old tenour bills, to make up the loss aforesaid.

An Act for making and emitting Bills of Publick Credit.

Forasmuch as the expences of this government is greatly enhanced and is likely to be very heavy, by reason of the French and Spanish war: Therefore,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That there be forthwith struck a certain number of bills of credit on this Colony, from one shilling to three pounds, which in the whole shall amount to fifteen thousand pounds [261] and no more, || and shall be stamped on the new plates, with the addition of the date of this Assembly; and that Nathaniel Stanly, William Pitkin, George Wyllys, John Chester, and Joseph Buckingham, Esq<sup>rs</sup>, be a committee under oath for the faithful management of the affair, any three of them to sign said bills and deliver them into the hands of the Treasurer, taking his receipt for the same.

*And it is further enacted by the authority aforesaid,* That the Treasurer be, and he is hereby empowered to issue forth and pay out the said sum of fifteen thousand pounds, towards the payment of the publick debts of this Colony, according to such

orders as shall be given him from time to time according to law.

And as a fund and security for the re-payment and drawing in of the said bills into the treasury again, this Assembly grants a rate or tax of fifteen thousand seven hundred and fifty pounds, to be levied on polls and all other rateable estate of this Colony, to be paid into the treasury at or before the last day of May, *anno Dom.* one thousand seven hundred and fifty-five, which rate shall be paid in bills of credit on this Colony of the new tenour, with the advance of twelve pence on the pound, or in silver money at eight shillings per ounce troy weight sterling alloy, or gold equivalent.

Upon the petition of James Evarts, of Guilford, in the county of New Haven, against Thomas Stow, of Middletown in the county of Hartford, praying this Assembly to set aside the doings of Return Meiggs, constable of said Middletown, upon a certain execution had in favour of said Stow against the petitioner, for the sum of twenty-seven pounds seventeen shillings and eleven pence, being the residue of a former execution for the sum of £ 31 7s. 11d., which last execution is dated the 30th day of May, 1744, upon which the said constable took, in satisfaction for the same execution and charges, sixty acres and one hundred and two rods of the petitioner's land in said Middletown with allowance for highway, being part of a lot originally laid out to one Samuel Hall. Said sixty acres and 102 rods is bounded as follows: beginning at a red oak bush standing in the north line of said lot at the distance of 138 rods from Scrantum's north west corner, and from thence running across said lot south about nine degrees east 116½ rods to land in the possession of John Warner to a walnut bush and stones, and thence near east as a fence is 88 rods to a walnut bush and stones about it, by a fence enclosing land of Nathaniel Bacon's, then near north 116 rods and a half to a stake and stones in the north line of said lot at the distance of 32 rods and ½ from said Scrantum's northwest corner; which doings are endorsed on said execution, and dated the 2d day of June, 1744; praying, for the reasons in said petition set forth, to have said doings set aside: Resolved by this Assembly, that the said doings of Return Meiggs, constable as aforesaid, shall be set aside, and the same with all the endorsements on said execution about said land, and the record thereof, are hereby made null and void. And it is hereby enacted, decreed and ordered, that the title of the land taken and endorsed as abovesaid shall be in the petitioner as before the same was taken by said execution, and that the doings of said constable, nor any copy thereof,



shall not be given in evidence in any tryal respecting the title of said land.

Upon the memorial of the inhabitants of the parish of New Concord in Norwich, shewing to this Assembly that considerable part of the improved land in said parish belongs to the inhabitants of the first parish in said Norwich, and by law the rates and taxes arising thereon are to be paid in the parish where the owners dwell, praying this Assembly to enact that the taxes arising on said improved land may be paid in the parish where the land lyes, &c.: Resolved by this Assembly, that the lands under improvement, or that shall hereafter be under improvement, now belonging to Hez<sup>h</sup>. Huntington, Jos. Waterman, Samuel Post, Ebenezer Backus, Jonathan Avery, Abiel Marshall, Thos. Baldwin, Francis Griswold, Jacob Edgerton and Simon Gager, inhabitants of said first society, that lye and are included within the bounds of said New Concord parish, shall be for the future taxed in said New Concord parish as though the owners thereof lived therein; and the aforesaid persons are hereby excused from paying any tax arising on such land in the society where they dwell.

[262] An Act for the Preservation of Deer kept in Parks or other Inclosures.

Whereas sundry persons in this Colony have lately erected parks or inclosures for keeping and preserving deer, which is likely to be for the publick good, and deer being wild by nature, and heretofore in this land having been no person's property till taken in hunting, many persons suppose they may take them wheresoever they may be found, as well in parks as in the open woods, upon which great damages accrue to the owners of such parks and inclosures: Which to prevent,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same.* That no person or persons shall kill or destroy any deer, buck, doe, or fawn, kept in any park or inclosure in this Colony, or course, hunt or wound any such deer, or wilfully throw down any fence, or open any gate or bars inclosing such park or inclosure, whereby such deer may escape, without leave from the owner or owners of such park or inclosure, on pain that every person so killing or destroying, or that shall be aiding or assisting therein, shall for every such trespass forfeit and pay to the owner or owners of such park or inclosure fifty pounds money, besides the price of such deer so killed or destroyed; and on pain that every such person so coursing, hunting or wounding such deer, shall for every such trespass forfeit and pay to the owner or owners of such park or inclosure ten pounds money, besides all such damages as shall ac-



crue by such coursing, hunting or wonnding; and also on pain that every such person so pulling down fence, opening gate or bars as aforesaid, shall for every such trespass forfeit and pay to the owner or owners of such park or inclosure one hundred pounds money besides all such damages as shall accrue by throwing down such fence or opening such gates or bars; to be recovered by bill, plaint or information, upon conviction of the trespasser or trespassers; and in the tryal of any and every action brought for any of the trespasses in this act mentioned, the court before whom such action shall be brought, may proceed according to the method and rules provided in the fourth paragraph of the law entituled An Act for the more effectual detecting and punishing trespass.\*

*Provided*, That in case the defendant in any action brought upon any trespass in this act mentioned, being an Indian or other person that shall be ignorant of the nature of an oath, then the court that shall have cognizance of such action shall refuse his, the defendant's, oath of acquittance provided in said act referred to, and shall proceed on the defendant's part to enquire according to and by any other proper evidence that may be produced by the defendant.

Upon the memorial of Samuel Woodbridge, of the town of Hartford in the county of Hartford, representing to this Assembly that for about thirty years last past he hath been settled in the work of the gospel ministry in the third society in said Hartford, and that the inhabitants of said society did, in the year 1711, vote and agree to give the memorialist the sum of sixty-nine pounds for his annual salary, and that sometime in the year 1741, the memorialist was by bodily weakness in a very considerable degree taken off from his ministerial work, and that, notwithstanding the covenants and agreements made by said society as aforesaid, the said society have refused or neglected to pay the memorialist anything for his salary for the year 1743; and thereupon praying this Assembly to take his cause into their consideration, and thereupon to enact and decree what said society shall give the memorialist for his salary for the year 1743; which memorial being continued from the sessions of this Assembly in May last to this time, and now this Assembly having fully heard the parties on the controversy aforesaid, and considered the same,

*Whereupon this Assembly do resolve, enact and decree*, That the inhabitants of the third society in Hartford shall pay to [263] the said Samuel || Woodbridge, for his service in the work of the ministry in said society for the year 1743, the sum

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\*Passed October, 1726. Vol. VII., 81.

of one hundred and fifty pounds in bills of credit of the old tenour, and that execution be granted accordingly.

*Ex. granted December 19th, 1745.*

An Act directing what Fees shall be allowed the Deputy Sheriffs for serving and returning Writs and Executions.

Whereas it has been customary for the deputy sheriffs in this Colony to charge for their fees, to serve and return writs and executions, from the place where the sheriff lives, and it often happens that such writs are served and returned in the same town where such deputy sheriff lives, which fees so charged have been often allowed, and thereby the bills of cost have been much increased,

*Be it, therefore, enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That for the future no deputy sheriff in this Colony shall be allowed any more for his fees for travel to serve and return any writ or execution than he doth actually travel to serve and return the same; any law, usage or custom to the contrary notwithstanding.

On the memorial of the inhabitants of the second society in Coventry, praying for a tax on the lands lying within said society, of four pence per acre, in old tenour, for the space of four years next ensuing, as per their memorial on file,

*Resolved by this Assembly,* That a tax of four pence per acre, according to old tenour, shall and is hereby granted on all the lands in the second society in Coventry, to be paid by the owners of said lands annually for the space of four years next ensuing, for the defraying the charges of said society in building a meeting-house and support of the gospel. And Mr. Ebenezer Stiles of said society is hereby enabled to collect the same annually for the purpose aforesaid.

An act further providing for the Defence of this his Majesty's Colony.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That his Honour the Governor for the time being, with the advice of Joseph Whiting, Roger Newton, Ebenezer Silliman, John Fowler, and Robert Treat, Esqrs, or the major part of them, be impowered, and he is hereby impowered, from time to time, to order what number of men shall serve in the sloop Defence, as also to appoint the needful officers over the same, and commissionate or give warrants to such officers as that affair shall require; and further to appoint and limit the time and place for the cruise of said sloop, and order when she shall put to sea or be laid up; also to give order for the repairing said sloop and supplying her with anchors, cables, sails, rigging, and all other furniture, as the case may require, to render her fit for service.

*And be it further enacted,* That there shall be, from time to time, one or more commissaries appointed by this Assembly, to purchase and procure needful and proper provisions for the support of the company on board said sloop, (as they shall receive orders from the Governor,) and to send and deliver them to the purser on board said sloop at New London, taking his receipt, which receipt shall be lodged with one of the committee hereafter appointed to adjust and settle the accounts with the purser, who shall give certificates (if required) to the commissaries, that they have received such receipts of the purser; and in case the Defence be on a cruise when the provisions arrive at New London, the provisions shall be delivered to Colonel Gurdon Saltonstall, who is hereby appointed to receive them and deliver them to the purser and take his receipt, who also shall give a receipt to the commissary of the provisions he shall receive.

*And, for the procuring and laying in a publick stock of ammunition, it is enacted,* That John Whiting, Esqr, Treasurer of this Colony, be appointed, and he is hereby appointed and impowered, to purchase one thousand five hundred pounds of [264] powder, || two thousand pounds of lead, and three thousand flints, and to lodge one thousand pounds of the powder at New London under the care of Colonel Gurdon Saltonstall, taking his receipt for the same; and the remaining five hundred pounds of the powder, and the lead and flints, at Hartford with Nathaniel Stanly, Esqr, taking his receipt for the same; and the stores lodged at Hartford shall, from time to time as occasion shall require for the use of this Colony, be drawn out in such manner and proportion as the Committee of War there shall direct; and the stores at New London shall, for the ends and purposes aforesaid, be drawn out by the directions of his Honour the Governor, or, in case of exigency, by the order of the colonel of the third regiment of the militia in this Colony; and the storekeeper at each place shall render an account of said stores to this Assembly from time to time, as he shall be thereunto required.

*And, for rendering the port at New London the more defenceable, it is enacted,* That John Ledyard, Esqr, be appointed, and he is hereby appointed and impowered, to purchase two cannon, eighteen-pounders, and three more of the largest guns in the towns in this Colony, (the town of Saybrook excepted,) and plant the same on carriages on the battery at New London, and also to procure ten carriage guns, some six and some four-pounders, and provide them with carriages fit for shipping on board, and all proper furniture, as also to provide partridge shot and ball for the cannon, and the ear-

riage guns to be shipped on board as aforesaid, and deliver them to the captain of the fort at New London, taking his receipt; and he is further ordered to fit up for service the fire-arms at New London, (belonging to this Colony,) and deliver them to the captain of the fort at New London, taking his receipt; which receipt he shall lodge with Jeremiah Miller, Esq<sup>r</sup>.

*And it is further provided,* That the captain of the sloop Defence shall give a receipt of the stores he shall receive on board said sloop to Jeremiah Miller, Esq<sup>r</sup>; and at all times when said sloop shall be laid up the captain shall deliver the remaining stores on board to Colonel Gurdon Saltonstall, taking his receipt; and the purser shall deliver the remainder of the provisions under his care to the said Colonel Saltonstall, taking his receipt; which receipts shall be lodged with the said Mr. Miller.

And, for the defraying the charge of procuring the cannon, carriage-guns, provisions and stores as aforesaid, and for viewing the battery, this Assembly do appoint and empower Nathaniel Stanly, William Pitkin and Joseph Buckingham, Esq<sup>rs</sup>, or any two of them, a committee to draw out of the publick treasury such sums as they shall find needful to answer the same, and deliver such moneys to the commissaries and other persons appointed by this act for the said service, taking a receipt of such sums as they shall so deliver; and the persons appointed to purchase guns, stores, provisions, &c. as aforesaid, shall settle their accounts with the said committee, and the said committee shall lay the same before this Assembly.

*And, in case an enemy shall appear in the port of New London, or that it be known that there be a vessel of force of the enemy near, whereby that port may be endangered, it is enacted and provided,* That upon the first notice thereof given by the colonel of the third regiment in this Colony, his lieutenant-colonel or major, or the captain of the fort at New London, the militia in the third regiment, or so many of the companies in said regiment as shall be sent to, shall immediately repair to the water side in said harbour, well fixed with their arms for service, to attend the orders of their chief officer in the defence of said port and the annoyance of the enemy; and the colonel of the third regiment, and in his absence his lieutenant-colonel, and in his absence the major of said regiment, and in case none of the field officers aforesaid shall be present, then the eldest captain in said regiment present or next military officer, shall preside and command until a superior officer come; and such chief officer present is hereby ordered and empowered to command all the officers and souldiers then present, as also to im-



press any vessel or vessels, and men sufficient to man such vessels for the service, as also to take and ship on board such vessel [265] or || vessels the carriage-guns, with their powder, ball and furniture provided as aforesaid, and appoint the officer or officers of such vessel during the action, and also to use the fire-arms to the best advantage, as also to give all the necessary and proper orders to the forces on land and to the vessels on sea, for the repelling of the enemy, which orders the officers and souldiers are hereby enjoined to obey upon their peril; and when the action is over, the officer that presides during said action shall take care that the said carriage-guns, small arms and their furniture, and remainder of powder and ball, be again returned to the persons who by this act have the charge of the same.

And, that the captain of the fort and the inhabitants of the town of New London may have timely notice of the approach of an enemy, it is resolved, that his Honour the Governour do appoint, and by his warrant or commission authorize, a meet person to have command of the battery on Harriss's Point, where a flag staff shall be erected and the King's flag provided; which officer is hereby ordered carefully to observe all vessels that pass into said harbour, and when he suspects any vessel going in to be an enemy he shall raise the King's flag, which shall be a signal to all vessels to strike, come to and send their boat with their papers to said officer, and if any vessel shall neglect, (after the signal is given,) to come to and send the boat on shore as aforesaid, the officer shall fire according to the usual custom in such cases, and the captain or master shall pay for every shot occasioned by his neglect as aforesaid.

*And it is further enacted*, That Jeremiah Miller, Esqr, be appointed, and is hereby directed, to procure a flag and cause a flag-staff to be erected at said place, at the charge of this Colony.

*And it is further enacted*, That the charge of maintaining a watch constantly at said place shall be defrayed by the town of New London, and in case said town shall refuse or neglect to do the same, the Treasurer of the Colony shall send forth his warrant to the constable of that town, who shall collect so much on the polls and rateable estate of the inhabitants of that town with their country rate, and pay it into the hands of said officer or watchman, as shall be sufficient to defray the charge thereof.

And, that all embezzlements of the provisions or stores on board the sloop Defence, and the stores belonging to the fort,



may be prevented or punished, and that a just account may be settled with and payment made to the officers and souldiers employed in the service, it is resolved, that Nathaniel Stanly, William Pitkin and Joseph Buckingham, Esq<sup>rs</sup>, be impowered, and they or any two of them are hereby appointed and impowered, to take into their hands the receipts of the provisions and stores that have been put on board the Defence sloop, as also of the stores put into the hands of the captain of the fort, as also of the remainder of the stores and provisions left on board the sloop Defence when she is laid up at the years end; and the captain of the sloop Defence shall give in to the said committee his muster-roll of the officers and souldiers in the service on board said sloop, containing the time of each man's service and what they have already received, as also an account of any embezzlements that have been made by any of the officers or souldiers. And the said committee shall settle the accounts as well with the captain and company as with the purser and the captain of the fort, deducting out of their wages for all embezzlements that have been made, and they shall draw an order upon the Treasurer for what shall be found due; and the said committee shall from time to time lay their accounts before this Assembly.

And, forasmuch as it may be needful that the company on board the said sloop should be supplied with fresh provisions, when they return into the harbour from a cruise, it is resolved, that upon application made by the captain to Colo. Saltonstall for such provisions, the said Colonel Saltonstall may allow and order such provisions to be made, provided the cost doth not exceed common allowance, and to be accounted for in settling the accounts with the purser for the provisions.

[266] *And, forasmuch as the treasury is in this time of war charged with a great expence in defending the port of New London and the vessels that are therein from the enemy, be it enacted by the authority aforesaid,* That all the vessels that shall clear out at any port in this Colony for any place between Philadelphia and Portsmouth in New Hampshire, including also the ports in those Colonies, shall pay towards supplying powder for the defence of New London harbour in manner following, (*viz:*) Each vessel exceeding the burthen of ten tons and not more than fifty tons shall pay four shillings, each vessel exceeding fifty tons and not more than one hundred tons shall pay eight shillings, each vessel more than one hundred tons shall pay twelve shillings; and in like manner all vessels clearing out as abovesaid for any places more remote than the ports of the Colonies aforesaid shall pay for the same use as followeth,

(viz:) Each vessel exceeding the burthen of ten tons and not more than fifty tons shall pay eight shillings, each vessel exceeding the burthen of fifty tons and not more than one hundred tons shall pay sixteen shillings, each vessel more than one hundred tons and not more than two hundred tons shall pay thirty-two shillings, and all vessels of a greater burthen shall pay in the same proportion; which duty shall be paid in bills of credit, old tenour; the money becoming due as abovesaid shall from time to time be paid to and collected by the naval officer of the port where any such vessel shall clear out, which officer is hereby directed to pay the same to the Treasurer of this Colony for the purpose abovesaid, deducting for his fees as he is allowed for collecting other duties.

And, whereas it may be for his Majesty's service that the officers and souldiers on board the sloop Defence receive some part of their wages before their years service be expired, it is enacted, that Nathaniel Stanly, William Pitkin and Joseph Buckingham, Esqrs, be impowered, upon their receiving a muster-roll from the captain shewing what is then to each man due, to pass an order upon the Treasurer for the payment of such sums as they shall think meet, (always keeping within the sum then said to be due,) to the person the captain shall order to receive the same, and the same shall be reckoned in the adjustment of the accounts at the years end.

*And, whereas this Assembly, at their sessions in May last, did appoint a Council for the War in the county of Hartford, empowering the said council to protect our frontiers from the enemy, and to send men into the county of Hampshire in case of a descent of the enemy on their frontiers, it is resolved and enacted,* That the said council, or any other council or committee to be appointed for that purpose, be impowered, and they are hereby impowered, from time to time as occasion may be, to impress into his Majesty's service such number of effective men as they shall judge necessary for the service aforesaid, by sending a warrant, signed by the clerk of the council, to the colonels of the regiment or regiments as they think best, requiring him to impress for his Majesty's service such a number of effective men as such warrant shall appoint, and to have them at such time and place as the warrant shall appoint; and the colonel upon receipt of such warrant shall consider what number of the quota demanded to draw out of each company, and accordingly send his warrants to the captains or chief officers of such companies for impressing the same, which warrants the captains or chief officers shall obey by impressing the men and sending them to the rendezvous according to his warrant, and

certify the same on the back of the warrant to the colonel, who shall return the same to the council; and the said council shall appoint officers over the men that shall be so impressed and detached for his Majesty's service, (the commission [267] officers to receive their commissions from the Governor,) and also appoint them the place and time for their service, as also to adjust their accounts when the service is ended, and draw an order on the Treasurer for the payment of the same, and also to pass the accounts for their billeting; all which accounts from time to time the said council shall lay before this Assembly. Always provided, no man be sent into the county of Hampshire until information be given to said council of the approach of an enemy from some that are chief in authority in that county. And the said committee are hereby impowered to take the oversight and care of the frontier towns in this Colony, and to order the inhabitants to reside in their forts, and to watch and ward, as they shall judge to be most for the safety and benefit of the inhabitants; and if any man that is an inhabitant in any of those frontier towns in which forts are built by order of the government, shall not obey the order of said committee, or the orders of such officers or persons whom the committee shall appoint for that purpose, and shall refuse or neglect to reside at the fort, or to attend watching and warding according to such orders to him given, each man offending as aforesaid, for every such offence, shall pay a fine of twenty shillings, old tenour, to the treasury of the town where the offence is committed.

*And, for the security of such Indians as are in friendship with his Majesty's subjects, and to prevent their being mistaken for the enemy Indians and fired upon as such, it is enacted, That the said committee shall, by themselves or some meet persons, treat with the Indians that live within our frontier towns, for their safety in this case, and appoint the limits where such Indians may range and the badge by which they shall be known, and take care to publish such limits and badge to the adjacent Indians that they may be careful; and if any of the Indians in friendship, through mistaking such Indian for an enemy, shall be slain out of the limits set, or not having on the badge appointed, no blood shall be shed for him.*

*And, to prevent disorders in the souldiers and mariners in his Majesty's service, it is enacted, That if any souldier or mariner in his Majesty's service shall be guilty of mutinying against or of reproaching or contemning the person of his officer, or of disobeying his command, or of quarrelling, profane swearing or cursing, lying, stealing, or drunkenness,*

such offender shall be punished by running the gauntlet, or riding the wooden horse, or by being put under a guard, or being put upon the guard, as any two of the three chief officers of the regiment or company to which such offender belongs shall determine.

*And it is further enacted*, That if any souldier shall embezzle any arms, ammunition or stores of war, such souldier shall be cashiered of his wages to the amount of such embezzlements, and be further punished by running the gauntlet, riding the wooden horse, or being put on the guard, as any two of the three chief officers over him in the service shall determine.

*And, for punishing deserters, be it enacted by the authority aforesaid*, That no souldier or mariner, impressed or inlisted for his Majesty's service, shall depart without lycence of his commander and desert his Majesty's service, on pain of forfeiting to the Treasurer of this Colony the sum of twenty pounds equal to old tenour.

*And be it enacted by the authority aforesaid*, That the constables and grand-jurymen in the respective towns in this Colony shall diligently enquire after and make presentment to some assistant or justice of the peace of all such persons as are or shall be guilty of the breach of this act, who are also required, upon such presentment, to grant due process against such offenders, in order to bring them to a proper tryal on such presentment; and the King's attornies of the respective counties are hereby authorized and required to make enquiry after such offenders, and if not presented and informed against as aforesaid, to inform against them to the county court, who are hereby directed to issue forth due process against them, and them to apprehend and proceed against in due form of law.

*And, it is further enacted*, That his Honour the Governor, [268] by and with the || advice of the Council before appointed to assist his Honour, be impowered, and he is hereby impowered, to do all those things that the exigencies and necessities of the government shall require relating to the war, not provided for by any act of this Assembly, until the session of this Assembly in May next.

The Sums total of the Lists of Estate of the several Towns in this Colony hereafter mentioned, and sent in to this Assembly and accepted, are as follow, (viz:)

	£	s.	d.		£	s.	d.
Hartford,	34047	14	0	New Haven,	44216	5	8
New London,	29551	13	6	Windham,	18822	1	6
Norwich,	45156	10	9	East Haddam,	15444	7	0
Killingly,	16716	0	0	Lyme,	20679	13	10



Milford,	25134	18	0	Hebron,	13105	19	0
Litchfield,	8549	14	0	Killingsworth,	11983	13	5
Greenwich,	18008	17	4	Plainfield,	10530	9	6
Ashford,	8789	13	0	Windsor,	31247	19	4
Glassenbury,	10496	15	0	Pomfrett,	13111	0	0
Guilford,	28551	16	1	Brandford,	20543	2	6
Stonington,	25885	14	6	Haddam,	8839	19	7
Waterbury,	11209	6	9	Voluntown,	6927	8	6
Danbury,	12388	12	9	New Milford,	9379	6	6
Weathersfield,	22302	4	11	Woodberry,	18569	16	7
Standford,	23920	2	7½	Farmington,	29912	11	0
Durham,	9691	19	9	Symsbury,	15174	11	0
Norwalk,	26974	15	0	Coventry,	11315	16	6
Ridgefield,	8191	0	5	Preston,	16460	9	3
Canterbury,	9979	2	8	Mansfield,	11546	11	9
Wallingford,	33720	10	8	Lebanon,	31606	2	3
Saybrook,	16656	6	6	Midletown,	36344	2	0
Derby,	8529	2	6	Stratford,	32249	14	3
Groton,	18626	17	6	Colchester,	19051	15	0

On the memorial of Elisha Parker of Wallingford, now in New Haven county goal by sentence of the superior court, for uttering counterfeit bills of publick credit of the Colony of Rhode Island knowing them to be such: Resolved by this Assembly, that the said Elisha Parker's real and personal estate shall be disposed of for the payment of the premium and cost of prosecution against him and imprisonment, and the residue, if any there be, to be for the use of this Colony; and that in case said Parker procure sufficient surety or sureties to become bound to the Treasurer of this Colony in the sum of two hundred pounds in bills of credit of the new tenour, that said Parker shall no more offend in like kind, and he shall be bound out to service for ten years to such master as shall be appointed by a committee chosen by this Assembly for that purpose, the said Parker shall on the second Monday of December next be released from said imprisonment, under this restriction, that he thereupon forthwith repair to Wallingford whereunto he belongs, and there remain during life, and never depart without special licence of said master under his hand; and in case said Parker shall transgress such order, he shall be liable to be whipped on his naked body, not exceeding twenty stripes, by order of the nearest authority; and that Colo. Benjamin Hall, John Southmaid, Esq<sup>rs</sup>, and Capt. Elihu Hall, or any two of them, be a committee for the managing of the said affair, and to execute proper instruments of conveyance of said Parker's estate, forfeited as aforesaid, taking the



money or security to be lodged with the Treasurer for the use of this Colony.

On the memorial of Robert Martyn, now under confinement in the common goal of this county, by sentence of the superior court, for uttering counterfeit bills of publick credit, knowing them to be such: Resolved by this Assembly, that if said Robert Martyn shall pay all charges of his prosecution, imprisonment, and premium, or procure good security, and find sufficient surety or sureties to become bound to the Treasurer of this Colony in the sum of two hundred pounds in bills of credit of the new tenour, that he will no more offend in like kind, [269] and shall be bound out to service for ten years to such master as this Assembly, or a committee by them appointed for such purpose, shall approve of, that then the said Martyn shall, on the second Monday of December next, be released from said imprisonment, under this restriction, that he then forthwith repair to the town of Wallingford to which he belongs, and there remain during life, and so often as he shall be found or known to have been without the bounds of said town, without special lycence of his said master under his hand, he shall be liable to be whipt not exceeding twenty stripes on his naked body, by order of the nearest authority; and Colonel Benjamin Hall, John Southmaid, Esq<sup>rs</sup>, and Capt. Elihu Hall, or any two of them, be a committee for the purposes aforementioned.

Upon the memorial of the inhabitants of the town of Sharon, praying for a tax upon all the land in said town, (except the last forty-acre pitches,) in order to enable them to pay their minister and finish their meeting-house, as per their memorial on file: Resolved by this Assembly, that all the land laid out in said Sharon, either upon country grants or to the proprietors, except as above, shall be taxed, and the same is hereby taxed at two pence per acre for the space of four years from this time, to be paid yearly in old currency; and Jonathan Pettee, of said Sharon, is hereby appointed and empowered to collect said tax, and that he proceed forthwith to collect the first years tax, and take effectual care that the same is improved for the finishing said meeting-house and supporting their minister, and so improve the same from year to year.

Upon the memorial of Elisha Wilcox, of Killingsworth, praying to this Assembly for a premium for informing against one Robert Martyn and Elisha Parker, of Wallingford, for uttering false and counterfeit bills, by which means they were tendered to justice: Resolved by this Assembly, that the said Wilcox be allowed twenty pounds, old tenour bills, to be paid out of the publick treasury; and the Treasurer of this Colony is hereby ordered to pay said sum to said Wilcox.

Upon the memorial of Abraham Fowler, of the fourth society in Guilford, praying this Assembly to annex him and his estate unto the first society of said Guilford: Resolved by this Assembly, that the said Abraham Fowler with his estate be annexed unto the first society in Guilford accordingly.

Whereas there is no list of the polls and rateable estate of the inhabitants of the town of Fairfield sent in to this Assembly as the law directs: Resolved by this Assembly, that the town of Fairfield shall be doomed, and the said town is hereby doomed, and shall be set in the publick list the sum of forty thousand pounds, and that the Treasurer of this Colony do levy and cause to be collected the several rates thereon accordingly; and that the town aforesaid be allowed to draw the forty shillings on each thousand pound for school money accordingly.

*An Act for levying a Tax on Polls, &c.*

This Assembly grants a rate of two pence on the pound in bills of credit, old tenour, on all the polls and rateable estate in this government, to be paid into the treasury in bills of credit of this Colony with the usual advance of twelve pence on the pound; or in good bills of credit of four signers of the Massachusetts Bay, or in bills of credit of New York, without advance upon them, or in silver money as it now passeth in the country.

*This Assembly do now enact and order,* That one thousand pounds of the bills of credit emitted by this Assembly, when delivered to the Treasurer of this Colony, shall be in the hands of the Treasurer, to be improved in exchange for such torn and defaced bills of this Colony as are not fit for further service; and the Treasurer is hereby ordered to give such bills in exchange, from time to time as there is occasion therefor.

This Assembly do appoint Ebenezer Silliman, Esq<sup>r</sup>, and Colonel Gurdon Saltonstall, to be Commissaries, to provide necessaries for the sloop Defence for the year ensuing.

This Assembly grants to the Honourable Jonathan Law, Esq<sup>r</sup>, Governor, the sum of seventy pounds in bills of credit of the new tenour, for his last half years salary.

This Assembly grants to the Honourable Roger Wolcott, Esq<sup>r</sup>, Deputy Governor, for his last half years salary, the sum of thirty-five pounds in new tenour bills.

[270] This Assembly grants to Mr. Timothy Green, printer, for his last half years salary, the sum of fifteen pounds new tenour bills.

This Assembly grants unto the Honourable Jonathan Law,

Esqr, Governor, for his extraordinary service done for the government since the sessions of the Assembly in May last, the sum of fifteen pounds in new tenour bills.

Cost allowed to Samuel Hazelton, of Killingsworth, and Thomas Starkie, of Saybrook, to answer the petition of John Chapman, of Saybrook, which was preferred to this Court and the petitioner did not appear to prosecute the same, is £5 13s. 2d. old tenour. *Ex. granted, March 19th, 1744-5.*

On the petition of Seth Pain, of Stafford, *vs.* Daniel Bloggett, &c., and the rest of the inhabitants of the town of Stafford, and the committee's report thereupon: The question was put, whether any thing prayed for in said petition should be granted: Resolved by this Assembly in the negative.

Whereas the session of this Assembly is drawn out to a great length, and the records not yet compleated: This Assembly do appoint Nathaniel Stanly, Ozias Pitkin, William Pitkin, Esqrs, Mr. Joseph Buckingham, Colo. John Chester, Mr. Elisha Williams and Capt. Roger Wolcott, a committee to attend his Honour the Deputy Governor at the Court House in Hartford, to hear the records read off, and then the records to be signed by the Secretary as perfect and compleat.

The several Acts, Grants and Orders of this Assembly, as they stand entered on the pages of this book next preceding, were read off in the presence of his Honour the Deputy Governor and the committee abovenamed, and signed as compleat.

GEORGE WYLLYS, Secret'y.

[271] *Anno Regni Regis Georgii secundi decimo-octavo.*

AT A GENERAL ASSEMBLY HOLDEN AT NEW HAVEN IN HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, (BY SPECIAL ORDER OF HIS HONOUR THE GOVERNOR,) ON TUESDAY THE 26TH DAY OF FEBRUARY, AND CONTINUED BY SEVERAL ADJOURNMENTS TO THE 29TH DAY OF THE SAME MONTH, ANNOQUE DOMINI 1744-5.

*Present:*

The Honourable Jonathan Law, Esquire, Governor.

The Hon<sup>ble</sup> Roger Wolcott, Esqr, Deputy Governor.

James Wadsworth,	Thomas Fitch,	} Esqrs, Assistants.
Nathaniel Stanly,	Roger Newton,	
Joseph Whiting,	Ebenezer Silliman,	
Samuel Lynde,	Jonathan Trumble,	
William Pitkin,	John Bulkley,	

*Representatives or Deputies that attended the Assembly are as follow, (viz:)*

Mr. Joseph Buckingham, for Hartford.

Colo. Gurdon Saltonstall, Mr. Jeremiah Chapman, for New London.

Mr. Jonath<sup>n</sup> Huntington, Mr. Ebenezer Wales, for Windham.

Capt. John Stephens, Mr. Joseph Wilcox, for Killingsworth.

Colo. Jonathan Hoit, Capt. Samuel Maltbie, for Standford.

Capt. John Fowler, Mr. Robert Treat, for Milford.

Mr. Ebenezer West, Capt. Gershom Clark, for Lebanon.

Mr. Daniel Bissell, for Windsor.

Mr. Elisha Williams, Colo. John Chester, for Weathersfield.

Mr. Boaz Stearns, Capt. John Dwight, for Killingly.

Mr. William Buel, Mr. John Phelps, for Hebron.

Capt. Joseph Bird, Capt. Edward Phelps, for Litchfield.

Mr. Charles Campbell, for Voluntown.

Mr. Paul Welch, Mr. John Warner, for New Milford.

Mr. Hezekiah Brainerd, for Haddam.

Capt. Jedadiah Chapman, Mr. Ambrose Whittelsey, for Saybrook.

Capt. Ebenzer Mead, Capt. John Mead, for Greenwich.

Mr. Joseph Denison, for Stonington.

Capt. John Hubbard, Mr. John Hitchcock, for New Haven.

Maj. Andrew Burr, Capt. Samuel Burr, for Fairfield.

Colo. Hezekiah Huntington, for Norwich.

Mr. Joseph Strong, Capt. Samuel Parker, for Coventry.

Capt. Israel Newton, Capt. Charles Bulkley, for Colchester.

Colo. William Preston, Mr. Noah Hinman, for Woodberry.

Mr. John Humphrey, Mr. Joseph Wilcox, for Symsbury.

Mr. James Benedict, Mr. Daniel Olmstead, for Ridgfield.

Mr. William Wittar, for Preston.

Colo. Thomas Wells, Capt. Jonathan Hale, for Glassenbury.

Mr. William Marsh, Mr. Joseph Parkhirst, for Plainfield.

Capt. John Riggs, Capt. Samuel Bassett, for Derby.

Mr. Daniel Gates, for East Haddam.

Capt. Nath<sup>l</sup>. Harrison, Mr. Jonath<sup>n</sup>. Russell, for Brandford.

Mr. Ebenezer Holbrook, for Pomfrett.

Colo. Benjamin Hall, Capt. Elihu Hall, for Wallingford.

Mr. Thomas Benedict, for Norwalk.

Capt. Asahel Strong, Capt. Hezekiah Lee, for Farmington.

[272] Maj. Jabez Hamlin, Mr. Seth Wetmore, for Middletown.

Mr. Robert Knolton, Mr. William Wadkins, for Ashford.

Mr. John Griswold, for Lyme.

Capt. Timothy Stone, Mr. Sam<sup>l</sup>. Roberson, for Guilford.

Colo. Edmund Lewiss, Capt. Theophilus Nickols, for Stratford.



Capt. James Beebe, Capt. Thos. Stephens, for Danbury.

Mr. Josiah Conant, for Mansfield.

Major Elihu Chauncey, Capt. Robert Fairchild, for Durham.

Mr. John Southmaid, for Waterbury.

Colo. Christopher Avery, Mr. John Ledyard, for Groton.

Major Andrew Burr, Speaker, } of the House of Represent-  
 Capt. John Fowler, Clerk, } atives.

This Assembly being met at this time by special order and appointment of his Honour the Governor of this Colony with the advice of the Council, his Honour communicated the resolve and conclusion of the General Assembly of the Province of the Massachusetts Bay, relating to an expedition intended and forming against his Majesty's enemies at Cape Breton and parts adjacent, as also two letters from his Excellency, William Shirley, Esqr, Governor of said Province, and some other papers containing matters relating to said affair, and recommended the matters aforesaid to the consideration of this Assembly, as matters of great importance: This Assembly, having taken the same into consideration, have concluded and resolved, (relying on the blessing of Almighty God,) to joyn with the neighbouring governments in the intended expedition.

*Be it, therefore, enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the number of five hundred able-bodied, effective men, for the land service, be suitably encouraged to enlist themselves to joyn the forces from the neighbouring governments in the intended expedition against his Majesty's enemies at Cape Breton and parts adjacent.

*Be it further enacted,* That each able-bodied effective man that shall voluntarily enlist himself under a proper officer, to go on said expedition, shall have allowed and paid to him out of the publick treasury the sum of eight pounds, in old tenour bills, for each kalendar month during his continuance in the service of the aforesaid intended expedition; and each man who shall provide for himself a good fire-lock, sword, belt and cartridge-box, and blanket, to the acceptance of the military officer who shall enlist him, shall be allowed and paid the sum of ten pounds, old tenour, as a premium; and that such men as shall not provide themselves with the abovementioned articles shall be allowed and paid the sum of three pounds, old tenour, as a premium, and the said articles shall be provided for them at the charge of this Colony, and the same shall be returned to the use of this government when the said expedition is over, and if not so returned or a just and reasonable account given, (why by inevitable providence the same or any part of



them cannot be returned,) the value thereof shall be deducted out of the wages of such men, respectively, as shall fail of making such return, (excepting the blankets;) and each man that shall find himself with such fire-lock, sword, belt and cartridge-box, shall have therefor and be paid four pounds, old tenour, as a premium; and each man that shall provide himself with a suitable blanket shall be paid therefor the sum of three pounds, old tenour, as a premium; and each man [273] shall have one month's wages || before imbarcation, and shall be excused from all impresses for the space of two years after his discharge from this expedition, and shall have an equal share in all the plunder with the souldiers of the neighbouring governments.

*Be it further enacted,* That the Colony sloop *Defence* be forthwith equipped and manned with her full complement of officers and men, and sail with all convenient speed as a convoy with our transports to Cape Breton, to joyn the other forces from the neighbouring governments, and there at all times to attend the orders of the chief commanding officer of the forces that go from this Colony.

*Be it further enacted,* That a sufficient number of transports be hired, and suitable provisions and warlike stores prepared and put on board them for the said expedition; and that the land forces march to New London, and there embark, and then to proceed as soon as may be on the said expedition and attend the orders and directions of the chief commanding officer of the forces from this Colony as aforesaid.

*Be it further enacted,* That so far as it may consist with the well carrying on the said expedition, the souldiers from this Colony shall be under the direction of their own officers; and when the expedition shall be ended at Cape Breton, each of the souldiers shall be transported back to New London again, unless he shall voluntarily choose to be dismissed and remain there.

This Assembly do appoint the Honourable Roger Wolcott, Esqr, to be Commander-in-Chief over all the forces to be raised and sent from this government in the expedition against Cape Breton, &c.

This Assembly do appoint Major Andrew Burr to be Colonel of the forces to be raised and sent from this government on the expedition against Cape Breton, &c.

This Assembly do appoint Capt. Simon Lothrop to be Lieutenant Colonel of the forces to be raised and sent from this government on the expedition against Cape Breton, &c.

This Assembly do appoint Capt. Israel Newton to be Major of the forces ordered to be raised and sent from this government on the expedition against Cape Breton, &c.

This Assembly do order that the five hundred men ordered to be raised and sent from this government on the expedition against Cape Breton, &c. be divided into eight companies.

This Assembly do appoint Capt. Elizur Goodrich to be Captain of a company in the regiment ordered to be raised and sent from this government on the expedition against Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Capt. David Worster to be Captain of a company in the regiment of foot to be raised and sent from this government on the expedition against Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Capt. Stephen Lee to be Captain of a company in the regiment of foot to be raised and sent from this government on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. Samuel Addams, of Stratford, to be Captain of a company in the regiment of foot to be raised and sent from this government on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Capt. John Dwight to be Captain of a company in a regiment of foot to be raised and sent from this government on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. James Church, of Hartford, to be First Lieutenant of a company in the regiment of foot to be raised and sent from this government on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. Daniel Bradley, of Fairfield, to be First Lieutenant of a company in the regiment of foot to be raised and sent from this Colony on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

[274] This Assembly do appoint Mr. John Colefox, of New London, to be First Lieutenant of a company in the regiment of foot to be raised and sent from this government on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. Timothy Root, of Farmington, to be Lieutenant of a company in the regiment of foot to be raised and sent from this government on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Henry King, of Middletown, to be Lieutenant of a company in the regiment of foot to be raised and sent from this government on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. Nathaniel Beetle, of Wallingford, to be Lieutenant of a company in the regiment of foot to be raised and sent from this government on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. William Smithson, of Durham, to be Lieutenant of a company in the regiment of foot to be raised and sent from this government on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. John Stanton, junr. of Groton, to be Lieutenant of a company in the regiment of foot to be raised and sent from this government on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. Noah Taylor, of Norwalk, to be Lieutenant of a company in the regiment of foot to be raised and sent from this government on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. Benajah Bill to be Lieutenant of a company in the regiment of foot to be raised and sent from this government on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. Nathaniel Green to be Lieutenant of a company in the regiment of foot to be raised and sent from this government on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. Joshua Pembleton, of Guilford, to be Ensign of a company in the regiment of foot to be raised and sent from this government on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. Samuel Pettibone, of Symsbury, to be Ensign of a company in the regiment of foot to be raised and sent from this government on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. John Darling, jun., to be Ensign of a company in the regiment of foot to be raised and sent from this government on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. Benjamin Lee, of Plainfield, to be Ensign of a company in the regiment of foot to be raised and sent from this government on the expedition against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. Joseph Tyler, of Preston, to be Ensign of a company in the regiment of foot to be raised and sent from this government against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. Jonathan Reed, of Lyme, to be Ensign of a company in the regiment of foot to be raised and sent from this government against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. Nathan Whiting to be Ensign of a company in the regiment of foot to be raised and sent from this government against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

This Assembly do appoint Mr. William Throop to be Ensign of a company in the regiment of foot to be raised and sent from this government against his Majesty's enemies at Cape Breton, &c., and order that he be commissioned accordingly.

[275] *Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That all able-bodied effective men that shall voluntarily enlist themselves to serve in the intended expedition against his Majesty's enemies at Cape Breton shall have liberty to proceed on the same, and no such person, whether officer or souldier, shall be liable to be arrested and stopt by any mean process that may be taken out against him after the time of his enlisting, nor by any execution on any judgment of court for debt, unless the sum in demand shall exceed fifty pounds in bills of credit old tenour.



*Ordered by this Assembly,* That Colonel John Whiting, Treasurer of this Colony, shall deliver out of the treasury to the colonel, lieutenant colonel and major, and to each captain commissioned by his Honour the Governor to go on an expedition against Cape Breton, a sum of money not exceeding one hundred and ninety-two pounds old tenour, to pay the premium allowed by this Assembly to each of the souldiers they shall enlist.

Whereas the intended expedition against his Majesty's enemies at Cape Breton and places adjacent may be under greater disadvantages in case of any captures of vessels going to sea from this Colony than otherwise it would, as the enemy may by that means have intelligence of the said design, as well as supplies of provisions: Resolved by this Assembly, that no ship or other vessel now in any harbour or port in this Colony, or that shall hereafter arrive in the same, be allowed to sail out or depart from the same, with design for any other port, unless to the city of New York; and in that case not without giving sufficient bond to the naval officer, with sureties inhabitants of this Colony, not to proceed to any other place, until his Honour the Governor shall order this prohibition to cease; and his Honour the Governor is hereby desired to issue a proclamation accordingly.

*Resolved by this Assembly,* That Jonathan Trumble and Elisha Williams, Esq<sup>rs</sup>, be a committee fully authorized and empowered to go to Boston, to meet with such gentlemen of the Massachusetts Bay and other neighbouring governments, (who may be there present,) who are or shall be appointed to treat upon and manage the affairs of the intended expedition against his Majesty's enemies at Cape Breton, to confer upon the proper preliminaries and dispositions to be made relating to the same, and make report of their doings, with all possible speed, to this Assembly.

*Ordered by this Assembly,* That Colo. John Whiting, Treasurer of this Colony, deliver out of the Colony treasury to Jonathan Trumble and Elisha Williams, Esq<sup>rs</sup>, or either of them, the sum of fifty pounds old tenour, to be improved in the service of the government to which they are appointed by this Assembly.

*Ordered by this Assembly,* That Colo. John Whiting, Treasurer of this Colony, be directed to buy so much ammunition as Jonathan Trumble and Elisha Williams, Esq<sup>rs</sup>, shall advise to be necessary for the expedition intended against Cape Breton, when they are at Boston, and to do it either there or at Newport, as shall be thought best.



This Assembly do appoint Colo. Thomas Welles, Colo. Hezekiah Huntington, Colo. Gurdon Saltonstall, Capt. Theophilus Nickols and Capt. John Hubbard, to be Commissaries, to provide transports, provisions, and other necessaries for the expedition against Cape Breton, &c.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That Colo. Thomas Welles, Capt. John Hubbard, Colo. Gurdon Saltonstall, Colo. Hezekiah Huntington, and Capt. Theophilus Nickols, Commissaries appointed by this Assembly, do forthwith proceed to purchase four months provisions and all other necessaries for five hundred land-forces, and to hire good well-found vessels to transport said land-forces, provisions, &c. to Cape Breton; and the Treasurer of this Colony is hereby ordered to deliver to said commissaries, or any of them, a sum not exceeding four thousand pounds old tenour, to make payment for said provisions, &c.

This Assembly do establish and confirm Mr. Jabez Jones to be Captain of the military company or trainband at the parish of New Salem, and order that he be commissioned accordingly.

Upon the memorial of the inhabitants of Midlefield society, praying for a committee to ascertain the place where their [276] meeting-house should be affixed: || Resolved by this Assembly, that Major Elihu Chauncey, Edward Bulkley, Esqrs, and Capt. Nathaniel Sutlief, be a committee with full power to repair to said society, first giving all parties therein notice thereof, and affix and ascertain the place whereon to build said meeting-house, and make return thereof to this Assembly in their sessions in May next.

*Resolved,* That this Assembly be adjourned till Thursday the fourteenth day of March, *anno Dom.* 1744-5, to the State House in Hartford, at nine of the clock in the morning, and then and there to meet again; and ordered that the same be adjourned by proclamation accordingly.

The Assembly was adjourned by proclamation, according to the resolve abovesaid.

*Teste* GEORGE WYLLYS, Secret'y.

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AT A GENERAL ASSEMBLY HOLDEN AT HARTFORD IN HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, (BY ADJOURNMENT,) ON THURSDAY THE 14TH DAY OF MARCH, (AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE 19TH DAY OF THE SAME MONTH,) ANNOQUE DOMINI 1744-5.

*Present:*

The Honourable Jonathan Law, Esqr, Governor.

The Hon<sup>ble</sup>. Roger Wolcott, Esqr, Deputy Governor.

James Wadsworth,	} Esq <sup>rs</sup> ,	William Pitkin,	} Esq <sup>rs</sup> , Assist-
Nathaniel Stanly,		Thomas Fitch,	
Joseph Whiting,		Roger Newton,	
Ozias Pitkin,		Ebenezer Silliman,	
Timothy Pierce,		Jonathan Trumble,	
Samuel Lynde,		John Bulkley,	

*Representatives or Deputies.*

Mr. Joseph Buckingham, for Hartford.

Colo. Gurdon Saltonstall, Mr. Jeremiah Chapman, for New London.

Mr. Jon<sup>th</sup>. Huntington, Mr. Ebenezer Wales, for Windham, Capt. John Stephens, Mr. Joseph Wilcox, for Killingsworth. Colo. Jon<sup>th</sup>. Hoit, for Standford.

Capt. John Fowler, Mr. Robert Treat, for Milford.

Mr. Ebenezer West, Capt. Gershom Clark, for Lebanon.

Mr. Roger Wolcott, Jr., Mr. Daniel Bissell, for Windsor.

Mr. Elisha Williams, Colo. John Chester, for Weathersfield.

Mr. Boaz Stearns, Capt. John Dwight, for Killingly.

Capt. John Hubbard, Mr. John Hitchcock, for New Haven.

Major Andrew Burr, for Fairfield.

Mr. Ebenezer Backus, Colo. Hez<sup>h</sup> Huntington, for Norwich.

Mr. Joseph Strong, Capt. Samuel Parker, for Coventry.

Capt. Israel Newton, Capt. Charles Bulkley, for Colchester.

Colo. William Preston, Mr. Noah Hinman, for Woodberry.

Mr. John Humphrey, Mr. Joseph Wilcox, for Symsbury.

Mr. James Benedict, Mr. Daniel Olmstead, for Ridgfield.

Mr. William Wittar, Mr. Nathaniel Brown, for Preston.

Colo. Thomas Wells, Capt. Jonathan Hale, for Glassenburg.

[277] Mr. William Buel, Mr. John Phelps, for Hebron.

Capt. Joseph Bird, Capt. Edward Phelps, for Litchfield.

Mr. Charles Campbell, for Voluntown.

Mr. Paul Welch, Mr. John Warner, for New Milford.

Mr. Hezekiah Brainerd, for Haddam.

Capt. Jedadiah Chapman, Mr. Ambrose Whittelsey, for Saybrook.

Capt. Ebenezer Mead, Capt. John Mead, for Greenwich.  
 Mr. Joseph Denison, Mr. Simeon Minor, for Stonington.  
 Major Jabez Hamlin, Mr. Seth Wetmore, for Middletown.  
 Mr. Robert Knowlton, Mr. William Wadkins, for Ashford.  
 Mr. John Griswold, Capt. John Lee, for Lyme.  
 Capt. Timothy Stone, Mr. Sam<sup>l</sup> Robertson, for Guilford.  
 Capt. Theophilus Nickols, for Stratford.  
 Colo. John Dyer, for Canterbury.  
 Mr. William Marsh, Mr. Joseph Parkhirst, for Plainfield.  
 Mr. Samuel Bassett, for Derby.  
 Mr. Daniel Gates, for East Haddam.  
 Capt. Nath<sup>l</sup> Harrison, Mr. Jonathan Russell, for Brandford.  
 Mr. Ebenezer Holbrook, for Pomfret.  
 Colo. Benja. Hall, Capt. Elihu Hall, for Wallingford.  
 Mr. Thos. Benedict, for Norwalk.  
 Capt. Asahel Strong, Capt. Hez<sup>b</sup> Lee, for Farmington.  
 Capt. James Beebe, Capt. Thos. Stephens, for Danbury.  
 for Mansfield.  
 Major Elihu Chauncey, Capt. Robert Fairchild, for Durham.  
 Mr. John Southmaid, for Waterbury.  
 Colo. Christopher Avery, Mr. John Ledyard, for Groton.  
 Major Andrew Burr, Speaker, } of the House of Repre-  
 Capt. John Fowler, Clerk, } sentatives.

This Assembly do appoint James Church Captain of one of the military companies in the expedition intended against Cape Breton, and that he be commissioned accordingly, and that Timothy Root, who was lately appointed Lieutenant, and Samuel Pettibone who was appointed Ensign, be his lieutenant and ensign.

This Assembly order that Captain Elizur Goodrich, lately appointed for said expedition, have for his lieutenant Henry King, lately appointed to that office, and this Assembly do appoint Samuel Torry to be his Ensign, and that he be commissioned accordingly.

This Assembly order that David Worster, lately appointed captain, Nathaniel Beedle, who was lately lieutenant, and Nathan Whiting, lately appointed ensign, sustain the said offices together over one of the military companies in said expedition.

This Assembly order that Stephen Lee, lately appointed captain, Nathaniel Green, lately appointed lieutenant, and Jonathan Read, lately appointed ensign, sustain said offices together in one company.

This Assembly appoint Daniel Chapman Captain of one of the military companies in the intended expedition against

Cape Breton, and that he be commissioned accordingly ; and that Noah Taylor, lately appointed lieutenant, be his lieutenant, and that John Darling, lately appointed ensign, be his ensign.

This Assembly do appoint William Whiting Captain, and William Throop Lieutenant, and John Huntington Ensign, of one of the military companies in the expedition intended against Cape Breton, and that they be commissioned accordingly.

This Assembly appoint Andrew Ward, junr., Captain of one of the military companies in the intended expedition against Cape Breton, and that he be commissioned accordingly ; [278] and that William Smithson, lately appointed lieutenant, be his lieutenant ; and this Assembly appoint Samuel Sandford the third to be his Ensign, and that he be commissioned accordingly.

This Assembly appoint Robert Denison Captain, David Seaberry Lieutenant, and Christopher Tracey Ensign, of one of the military companies in the intended expedition against Cape Breton, and that they be commissioned accordingly.

This Assembly desire his Honour the Governor to issue a Proclamation, to encourage the inlisting the souldiers under the foregoing officers, upon the aforesaid intended expedition.

This Assembly desire his Honour the Governor to authorize and impower the inlisting officers to beat up the drums in the respective regiments within this Colony, and to order the captains, where it shall be desired, to call their companies together under their command, for the inlisting volunteers for his Majesty's service in the said intended expedition.

This Assembly order that the Oath of Fidelity, mentioned in the 21st Article of War, be administered to every non-commissioned officer and souldier in his Majesty's service aforesaid, by some assistant or justice of the peace.

This Assembly appoint Mr. Cyprian Nickols, junr, to be Adjutant in the intended expedition.

This Assembly appoint Mr. Jeremiah Miller, junr, of New London, to be Commissary in the said expedition, and Commissary of the Muster Rolls.

This Assembly do appoint Mr. Elisha Williams to be the Chaplain to our forces.

This Assembly do appoint the Honourable William Pepperrell, Esqr, to be Lieutenant-General over all the forces in the expedition against Cape Breton and parts adjacent, and order that he be commissioned accordingly.



This Assembly do appoint the Honourable Roger Wolcott, Esqr, to be Major-General over all the forces in the expedition against Cape Breton and parts adjacent, and order that he be commissioned accordingly.

This Assembly do authorize and empower the major general and field officers to post or dignify the respective companies within the regiment of this Colony to be raised for the expedition to Cape Breton.

This Assembly empower and desire his Honour the Governor of this Colony, with the advice of the major general and the field officers of the regiment to be raised for the expedition to Cape Breton, to appoint officers in the room of any that may refuse their commission, or shall be providentially hindered from serving in said expedition, and commission such officer accordingly.

This Assembly appoints Noah Clark, of Colchester, to be Armourer, to be furnished with necessary tools for the service of the regiment to be raised for the expedition to Cape Breton.

*Resolved by this Assembly*, That the officers' wages for the intended expedition against Cape Breton, &c., be as followeth, in old tenour :

The Honourable Major General, per month,	100	0	0
The Colonel, - - - - -	65	0	0
The Lieutenant Colonel, - - - - -	55	0	0
The Major, - - - - -	45	0	0
Captain, - - - - -	30	0	0
Lieutenant, - - - - -	20	0	0
Ensign, - - - - -	15	0	0
Sergeant, - - - - -	12	0	0
Clerk and Drummer, - - - - -	10	5	0
Corporal, - - - - -	9	0	0

[279] *Resolved by this Assembly*, That the several officers appointed by this Assembly to serve in the expedition against Cape Breton, &c., shall have the liberty to draw one month's pay before their embarkation.

This Assembly appoints Timothy Bigelow to be an Adjutant in the army going from this Colony against his Majesty's enemies at Cape Breton, in the room of Cyprian Nickols ; that the wages for an adjutant be, per kalendar month, fifteen pounds old tenour, and that he have one month's pay advanced.

This Assembly does hereby appoint Mr. Normand Morison to attend the forces going from this Colony on the expedition to Cape Breton, as their Physician and Chirurgeon, and that he be

furnished with a box of medicines and compleat set of instruments suitable to such an occasion, at the charge of this Colony.

This Assembly do appoint Mr. Alexander Wolcott to be improved as Physician and Surgeon's-Mate in the expedition against Cape Breton.

This Assembly do appoint Mr. Joseph Farnsworth to be improved as Physician and Surgeon's Second Mate in the expedition against Cape Breton.

This Assembly do appoint Mr. Leveret Hubbard to be improved as Physician and Surgeon's 3d Mate in the expedition against Cape Breton.

*Resolved by this Assembly*, That the wages of the physician and surgeon shall be, per kalendar month : £45 0 0 }  
 Physician and Surgeon's 1st Mate, - 30 0 0 } old tenour.  
 Physician and Surgeon's 2d Mate, - 25 0 0 }  
 Physician and Surgeon's 3d Mate, - 18 0 0 }  
 And that the several physicians and surgeons have one month's wages advanced to them.

This Assembly grants to Mr. Elisha Williams the sum of fifty pounds, old tenour, per kalendar month, for his service as chaplain in the expedition against Cape Breton, provided he shall attend said service.

*Ordered by this Assembly*, That the chaplain be allowed to draw one month's wages, and that the Treasurer be directed to pay the same accordingly.

*Resolved by this Assembly*, That the commissaries appointed by this Assembly be ordered, and they are hereby ordered and directed, to provide good and sufficient pilots of the transports that shall go in the expedition to Cape Breton.

This Assembly grants to the Honourable Roger Wolcott, Esq., Major General of the forces to be raised for the expedition to Cape Breton, the sum of three hundred pounds, old tenour bills, or equivalent in other bills, to provide his Honour's tent, bedding, table, and other necessaries, and entertainment of the chaplain.

This Assembly grants to Andrew Burr, Esq., Colonel of the regiment to be raised for the expedition to Cape Breton, the sum of one hundred and twenty pounds, old tenour bills, or equivalent in other bills, to provide his tent, bedding, table, and other necessaries.

This Assembly grants to Simon Lothrop, Esq., Lieutenant Colonel of the regiment to be raised for the expedition to Cape Breton, the sum of eighty pounds, old tenour bills, or equivalent

lent in other bills, to provide his tent, bedding, table, and other necessaries.

This Assembly grants to Israel Newton, Esq., Major of the regiment to be raised for the expedition to Cape Breton, the sum of sixty pounds, old tenour bills, or equivalent in other bills, to provide his tent, bedding, table, and other necessaries.

This Assembly do appoint Simeon Dewolf, of Lyme, instead of Noah Clark, to be Armourer in the expedition to Cape Breton.

*Resolved by this Assembly*, That Colonel Gurdon Saltonstall be appointed, and he is hereby impowered, to agree with Simeon Dewolf, of Lyme, upon wages, in case he will undertake the trust of armourer in the army in the expedition to Cape Breton, or some other suitable person, if he shall refuse, upon reasonable terms.

[280] *Resolved by this Assembly*, That the wages for the commissary appointed by this Assembly in the expedition, for the provisions and muster-rolls, be twenty pounds each kalendar month, and that said commissary have one month's wages advanced before embarkation.

*Resolved by this Assembly*, That the powder, lead, flints, tin kettles and measures, purchased by Jonathan Trumble and Elisha Williams, Esq<sup>rs</sup>, for this Colony, in Boston, be paid for out of the Colony treasury to the said Trumble or his order, upon his producing and passing the accounts thereof; and that Colonel John Whiting, Treasurer, is hereby ordered to pay the same.

Whereas it may happen that some of the officers appointed and commissioned to be employed in the expedition to Cape Breton may, while in the service of said expedition, be removed by death or other means, whereby their places may become vacant and want filling up: This Assembly, therefore, desire his Honour the Governor of this Colony, to sign a suitable number of blank commissions and deliver them into the hands of the Hon<sup>ble</sup> Roger Wolcott, Esq., Major General of the forces, to be by him, or the chief commanding officer that goes from this Colony for the time being, filled up, according to their best discretion, for the supplying such vacant offices with proper officers, in the room of such as shall be removed, and the names of the persons who shall be so commissioned, together with the office they shall be put in, to be certified to the Governor for the time being; and the blank commissions that shall not be filled up all to be returned.

It being represented to this Assembly, that a considerable number of the souldiers that have inlisted themselves to go on

the intended expedition against Cape Breton are destitute of fire-arms and other accoutrements, and there not being a sufficient number to be purchased : Resolved by this Assembly, that the captain of each company so inlisted, or that shall hereafter inlist, when the arms and accoutrements belonging to the Colony, now lying at New London, are all improved, be impowered, and they are hereby impowered, by a warrant under their hands directed to some suitable person, to cause to be impressed such a number of fire-arms and other accoutrements as shall be wanting for the compleatly equipping the men so enlisted ; and the arms or other necessities so impressed shall be apprized by two suitable persons under oath, by said captain appointed, and an exact account kept by him of such apprizement, and by him be transmitted to the Secretary of this Colony, or deposit such apprizement in the hands of Jeremiah Miller, Esq., at New London, that by him they may be conveyed to the Secretary : provided that the inhabitants of the towns of New London and Groton be exempted from having their arms and ammunition impressed from them.

Whereas twenty-five of the fire-arms belonging to this government and that were used in the late expedition at Wood Creek, were some time since committed to the care of James Harriss of New London, for the use of the Mohegan Indians, and to be returned again when demanded by the General Assembly, to such person as should be appointed to receive them, and that the same should be done accordingly the said Harris became bound to the Governor and Company of this Colony : And whereas this Assembly is informed that some considerable number of the fire-locks used in the said expedition are now in the hands of some persons who have not received them by order of this Assembly ; and the said arms being in danger of being finally lost, unless speedily recovered,

*Be it enacted by the Governor, Council, and Representatives, in General Court assembled, and by the authority of the same,* That John Bulkley, Esq., be authorized and impowered, and he is hereby impowered and directed, to demand of the said James Harris the aforesaid number of fire-locks received as aforesaid ; and in case the same or any part of them shall be delivered unto the said Bulkley, he is hereby directed to lodge them in the hands of Jeremiah Miller, Esq., at New London, for the use of the government ; and also that he use his best endeavor to recover such of the said arms as may be in the [281] hands of any persons || without order from the General Assembly, and lodge such of them as may be recovered in the hands of said Jeremiah Miller, taking his receipt for the same.



And the said John Bulkley, Esq., may bring an action in the name of the Governor and Company against the said Harris on his aforesaid bond, if he neglect or refuse to return the said arms, or any part of them, or against any other person in whose hands any of the said arms or other military accoutrements belonging to the government may be found, (if need so require,) for recovering them, and make report to this Assembly.

*Resolved by this Assembly,* That the one hundred and twenty guns in the possession of Titus Hurlburt, captain of the fort in New London, be equally divided between each company of souldiers that shall go in the expedition to Cape Breton, and also the swords, bayonets, and cartouch boxes that belong to this government, in whose hands soever they may be found, be recovered and received by Colo. Gurdon Saltonstall of New London, and cleansed and put into suitable order, and improved if need be in said expedition, and equally divided to each company as aforesaid, and be returned again after the expedition is over, according to the act of Assembly.

*Resolved by this Assembly,* That Colonel John Whiting, Colony Treasurer, deliver, and he is hereby ordered and directed to deliver out of the publick treasury, to Colo. Thomas Wells, Capt. John Hubbard, Colo. Hezekiah Huntington, Colo. Gurdon Saltonstall and Capt. Theophilus Nickols, commissaries to provide for the expedition against Cape Breton, &c., the sum of twelve thousand pounds in old tenour bills, or an equivalent in new tenour bills, in addition to the four thousand pounds heretofore ordered out for the use aforesaid, with this limitation, that six thousand pounds, or the one half of the aforesaid sum of twelve thousand pounds, be delivered out for the purpose aforesaid at this present time if needed, and the other half as soon as may be after the forces from this Colony shall imbarck to go on the aforesaid expedition.

*Ordered by this Assembly,* That Messrs. Hezekiah Huntington, Thomas Wells, Gurdon Saltonstall, Theophilus Nickols and John Hubbard, Esq<sup>rs</sup>, commissaries to provide transports, provisions and other necessaries for the expedition against Cape Breton and the places adjacent, be and they are each of them hereby impowered to impress for the service of this Colony any of the things needful for said expedition that cannot otherwise be procured upon just and reasonable terms.

*Resolved by this Assembly,* That the several captains appointed by this Assembly to go on the expedition against Cape Breton, which have not as yet received their commissions and premia for the inlisting of souldiers, (*viz.*) Captain Daniel

Chapman, Capt. Andrew Ward, Capt. Robert Denison and Capt. William Whiting, have their several commissions and the money granted by this Assembly and allowed as a premium for the encouragement of souldiers to list into said expedition sent to them by one of the representatives of the towns where such captains do live, and to be improved for the use aforesaid; and that the Treasurer of this Colony be ordered, and he is hereby ordered, to deliver out of the treasury of this Colony the sum of one hundred and ninety-two pounds old tenour bills, or new tenour bills equivalent, for each captain aforesaid, to such representative as aforesaid, taking his receipt for the same.

*Ordered by this Assembly,* That Colo. John Whiting, Treasurer, deliver to Colo. Gurdon Saltonstall, one of the commissaries for the Colony sloop Defence, one thousand pounds old tenour, to purchase provisions, &c., for said sloop, taking his receipt therefor.

*Resolved by this Assembly,* That his Honour the Governor be desired to write to his Honour the Governor of Rhode Island, to concert such measures with him that the Rhode Island Colony sloop may sail with the forces of that government at the same time that our sloop Defence and transports of our forces shall sail from hence on the expedition to Cape Breton, that they may be a mutual safety to each other.

*Resolved by this Assembly,* That Colo. John Whiting and Colo. John Chester be, and they are hereby, added to the Committee of War that were appointed for the better securing the frontiers of this Colony, by this Assembly at their sessions in October, 1743.

[282] This Assembly grants to the Hon<sup>ble</sup> Roger Wolcott, Esq., Deputy Governor, for his service done the government in revising the laws, the sum of thirty pounds, old tenour bills, out of the Colony treasury, and Colo. John Whiting is ordered to deliver the same.

This Assembly grants to Mr. Elisha Williams thirty shillings per day for ten days service for the government in going to Boston, and the Treasurer is ordered to pay the same.

This Assembly grants to Jonathan Trumble, Esq., thirty shillings per day for nine days service for the government in going to Boston &c., and the Treasurer of the Colony is ordered to pay the same.

*Ordered by this Assembly,* That John Bulkley, Jeremiah Miller and John Ledyard, Esq<sup>rs</sup>, be a committee to view the

battery at New London, and make such repairs thereunto as shall by them be thought necessary; and the Treasurer of this Colony is hereby ordered to deliver to said committee a sum not exceeding fifty pounds old tenour, for the purpose aforesaid; and said committee are hereby directed to make up their accounts with Nathaniel Stanly, Esq.

This Assembly do appoint the Committee of War that were heretofore appointed in the county of Hartford, or the major part of them that shall be present, to be a committee to take all necessary care, and give such necessary orders from time to time as occasion shall require, to get in readiness and proper order the souldiers inlisted or to be inlisted in this Colony for the expedition against Cape Breton, and do all other things necessary for the forwarding the troops, the promoting, carrying on and expediting the said affair, not already provided for.

This Assembly do establish and confirm Mr. James Case to be Captain of a company or trainband in the town of Symsbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Case to be Lieutenant of a company or trainband in the town of Symsbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Owen, junr, to be Ensign of a company or trainband in the town of Symsbury aforesaid, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Ely to be Captain of the 3d company or trainband in the town of Lyme, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathan Tiffany to be Lieutenant of the 3d company or trainband in the town of Lyme, and order that he be commissioned accordingly.

*Resolved by this Assembly,* That instead of the tenth day in April, mentioned in the proclamation for a Fast, be inserted the 3d day of April; and also that the last Wednesday of April next be kept as a day of fasting and prayer, to implore the blessing of Almighty God on the expedition against Cape Breton &c., and that his Honour the Governor issue out proclamation accordingly.

An Act for making and emitting Bills of Publick Credit.

Forasmuch as the expences of this government have been greatly enhanced by our necessary preparations for defence, &c., since the war with France and Spain, and especially by

our preparations for the intended expedition against his Majesty's enemies at Cape Breton and parts adjacent:

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That there shall be forthwith struck a certain number of bills of credit on this Colony, from one shilling to three pounds, which in the whole shall amount to the sum of twenty thousand [283] pounds and no more; || and the same shall be stamped on the new plates, with the addition of the date of this Assembly; and that Nathaniel Stanly, William Pitkin, George Wyllys, John Chester and Joseph Buckingham, Esq<sup>rs</sup>, be a committee under oath for the faithful management of this affair, any three of them to sign said bills and deliver them into the Colony Treasurer's hands, taking his receipt for the same.

*And it is further enacted by the authority aforesaid,* That the Treasurer be and he is hereby impowered, to issue forth and pay out the said sum of twenty thousand pounds towards the payment of the publick debts of this Colony, according to such orders as shall be given him from time to time according to law.

And, as a fund and security for repayment and drawing in of said bills into the treasury again, this Assembly grants a tax of twenty and one thousand pounds, to be levyed on polls and all other rateable estate in this Colony, to be paid into the treasury in four equal payments, the first payment to be made in May, 1752, and the last in May, 1755; and the Treasurer of this Colony for the time being shall take notice hereof, and without further order from this Assembly shall issue his warrant for collecting the said tax, at the several times or periods abovementioned; and the said rate or tax shall be paid in bills of credit on this Colony of the new tenour with the advance of twelve pence on the pound, or in silver money at the rate of eight shillings per ounce troy weight sterling alloy, or gold equivalent.

Whereas this Assembly, at their sessions in October last, did appoint Simon Lothrop, Esq., Messrs. Richard Hide and Ebenezer Hartshorn, a committee to run the line and ascertain the bounds between the towns of Stonington and Groton, and the said Lothrop being now bound on the expedition against Cape Breton, &c.: Therefore, this Assembly do, at the request of the agents of said towns, appoint and empower Mr. Jonathan Huntington, of Windham, to act in said business with the said Hide and Hartshorn, in the room of the said Simon Lothrop, Esq. And said committee are hereby



directed to make report of their doings in the premises to this Assembly at their sessions in May next.

This Assembly appoints Nathaniel Stanly and Ozias Pitkin, Esq<sup>rs</sup>, Mr. Joseph Buckingham, Colonel John Chester, Capt. Jonathan Hale and Mr. Daniel Bissell, a committee to attend at the Court House in Hartford, on the 29th day of March instant, to hear the records of this Assembly read, and when read off, to be signed by the Secretary as compleat.

Upon the 29th day of March, *anno Dom.* 1745, at the Court House in Hartford, the whole record of the sessions, acts and orders of this Assembly, as it stands entered on the pages of this book next preceding, was read off in the presence of the committee abovenamed, and signed as compleat.

GEORGE WYLLYS, Secret'y.

[284] *Anno Regni Regis Georgii secundi octavo-decimo.*

AT A GENERAL ASSEMBLY HOLDEN AT HARTFORD IN HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, ON THURSDAY THE 9TH DAY OF MAY, AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE 30TH DAY OF THE SAME MONTH, ANNOQUE DOMINI 1745.

*Present:*

The Honourable Jonathan Law, Esq<sup>r</sup>, Governor.

James Wadsworth,	} Esq <sup>rs</sup> .	William Pitkin,	} Esq <sup>rs</sup> ,	<i>As-</i> <i>sist-</i> <i>ants.</i>
Nathaniel Stanly,		Thomas Fitch,		
Joseph Whiting,		Ebenezer Silliman,		
Ozias Pitkin,		Jonathan Trumble,		
Timothy Pierce,		John Bulkley,		
Samuel Lynde,				

*Representatives or Deputies that attended at the Assembly are as follow, (viz.)*

Mr. Joseph Buckingham, Mr. Joseph Talcott, for Hartford.  
Colo. Gurdon Saltonstall, Mr. Jeremiah Chapman, for New London.

Major Thomas Dyer, Mr. Ebenezer Wales, for Windham.

Mr. William Marsh, Mr. Joseph Parkhirst, for Plainfield.

Mr. Joseph Strong, Capt. Samuel Parker, for Coventry.

Colo. Jonathan Hoit, for Standford.

Mr. Paul Welch, Mr. Ebenezer Fisk, for New Milford.

Capt. James Bebee, Mr. Thomas Benedict, for Danbury.

Mr. Samuel Fitch, Mr. Joseph Platt, for Norwalk.

Capt. Joseph Phelps, Mr. William Buel, for Hebron.

Mr. Boaz Stearns, Mr. Jonathan Clough, for Killingly.

Colo. Benjamin Hall, Mr. Isaac Moss, for Wallingford.

Major Jabez Hamlin, Mr. Seth Wetmore, for Middletown.  
 Major Ebenezer Marsh, Mr. Isaac Baldwin, for Litchfield.  
 Mr. Thomas Mathews, Mr. John Scofield, for Waterbury.  
 Capt. John Fowler, Mr. Robert Treat, for Milford.  
 Capt. John Hubbard, Mr. John Hitchcock, for New Haven.  
 Capt. Samuel Burr, Mr. Thaddeus Burr, for Fairfield.  
 Colo. Hez<sup>h</sup> Huntington, Capt. Joshua Huntington, for Norwich.  
 Mr. Thomas Hart, Capt. Asahel Strong, for Farmington.  
 Mr. John Dixon, Mr. Thomas Kesson, for Voluntown.  
 Mr. Robert Walker, Capt. Theophilus Nickols, for Stratford.  
 Mr. John Humphrey, Capt. James Case, for Symsbury.  
 Capt. Jedadiah Chapman, Mr. Ambrose Whittelsey, for Saybrook.  
 Mr. Timothy Keeler, Mr. Joseph Halley, for Ridgfield.  
 Capt. Nathaniel Foot, Mr. Epaphras Lord, for Colechester.  
 Capt. Elnathan Stephens, Mr. Isaac Kelsey, for Killingsworth.  
 Mr. Ebenezer Holbrook, Mr. Thomas Cotton, for Pomfrett.  
 Colo. Samuel Hill, Capt. Timothy Stone, for Guilford.  
 Capt. Nath<sup>l</sup> Harrison, Capt. Robert Foot, for Brandford.  
 Colo. Joseph Minor, Colo. William Preston, for Woodberry.  
 Capt. Samuel Bassett, Mr. Abell Gunn, for Derby.  
 [285] Colo. John Dyer, Mr. Solomon Tracey, for Canterbury.  
 Capt. Thomas Storrs, Mr. William Johnson, for Mansfield.  
 Colo. Thomas Wells, Capt. Jonathan Hale, for Glassenburg.  
 Mr. William Wittar, Capt. Ebenezer Leonard, for Preston.  
 Mr. Ebenezer West, Capt. James Fitch, for Lebanon.  
 Capt. Israel Hewitt, Mr. Amos Cheesbrough, for Stonington.  
 Mr. Joseph Wells, for Haddam.  
 Capt. Ebenezer Mead, Capt. John Mead, for Greenwich.  
 Mr. Noadiah Brainerd, for East Haddam.  
 Major Elihu Chauncey, Mr. Nathan Camp, for Durham.  
 Mr. Robert Knowlton, Mr. William Wadkins, for Ashford.  
 Colo. John Chester, Mr. Jonathan Robbins, for Weathersfield.  
 Mr. John Griswold, Capt. John Lee, for Lyme.  
 Capt. Roger Wolcott, Mr. Daniel Bissell, for Windsor.  
 Colo. Christopher Avery, Mr. John Ledyard, for Groton.  
 Colo. Samuel Hill, Speaker, } of the House of Representatives.  
 Capt. John Fowler, Clerk }

This day being appointed by the royal charter and the laws of this Colony for the election of the publick officers of the Colony, (*viz* :) Governor, Deputy Governor, Assistants, Treasurer, and Secretary, proclamation was made, and the freemen proceeded to bring in their votes to persons appointed by the Governor, Council, and Representatives, to receive, sort, and

count them ; (which persons were, Nathaniel Stanly, Esqr, Ozias Pitkin, Esqr, Timothy Pierce, Esqr, Thomas Fitch, Esqr, William Pitkin, Esqr, Ebenezer Silliman, Esqr, Jonathan Trumble, Esqr, Mr. Joseph Buckingham, Colo. Thomas Wells, Colo. Benjamin Hall, Capt. John Hubbard, Mr. Joshua Huntington, Capt. John Lee, Capt. Samuel Burr, Mr. Robert Walker, Colo. John Dyer, and Mr. Ebenezer Wales,) who were all sworn to a faithful discharge of that trust. And the freemen's votes being brought in, sorted and counted,

The Honourable Jonathan Law, Esquire, was chosen Governor of this Colony for the year ensuing, and the Governor's oath prescribed by the law of this Colony, and the oath required by act of Parliament relating to trade and navigation, were administered to him by James Wadsworth, Esqr, Assistant, in the presence of the Assembly.

The Hon<sup>ble</sup> Roger Wolcott, Esqr, was chosen Deputy Governor of this Colony for the year ensuing.

James Wadsworth, Esqr,	William Pitkin, Esqr,
Nathaniel Stanly, Esqr,	Thomas Fitch, Esqr,
Joseph Whiting, Esqr,	Roger Newton, Esqr,
Ozias Pitkin, Esqr,	Ebenezer Silliman, Esqr,
Timothy Pierce, Esqr,	Jonathan Trumble, Esqr,
Samuel Lynde, Esqr,	John Bulkley, Esqr,

were chosen Assistants for the year ensuing, and had the Assistants' oath, provided by law, administered to them by his Honour the Governor.

John Whiting, Esqr, was chosen Treasurer of this Colony for the year ensuing, and had the Treasurer's oath, provided by law, administered to him by his Honour the Governor.

George Wyllys was chosen Secretary of this Colony for the year ensuing, and had the Secretary's oath, provided by law, administered to him by his Honour the Governor in the presence of the Assembly.

[286] James Wadsworth, Esqr, and Mr. Robert Treat are appointed to give the thanks of this Assembly to the Reverend Mr. Elnathan Whitman, for his sermon delivered before them on the 9th of May instant, and desire a copy thereof that it may be printed.

This Assembly do appoint the Hon<sup>ble</sup> Roger Wolcott, Esqr, Chief Judge of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint James Wadsworth, Esqr, William Pitkin, Esqr, Ebenezer Silliman, Esqr, and John Bulkley, Esqr, to be Judges of the Superior Court in this Colony the year ensuing.

This Assembly do appoint Roger Newton, Esqr, to be Judge of the County Court in the county of New Haven the year ensuing.

This Assembly do appoint Joseph Whiting, Esqr, to be Judge of the Courts of Probate in the district of New Haven the year ensuing.

This Assembly do appoint Samuel Hill, Esqr, to be Judge of the Courts of Probate in the district of Guilford the year ensuing.

This Assembly do appoint Samuel Hill, Benjamin Hall, John Southmaid and John Fowler, Esqrs, to be Justices of the Peace and Quorum in and for the county of New Haven the year ensuing.

This Assembly do appoint Samuel Gun, Robert Treat, Samuel Bishop, Isaac Dickerman, John Hubbard, John Woodward, John Russell, William Gold, Jonathan Russell, Andrew Ward, Samuel Hopson, Thomas Hotchkiss, Elihu Chauncey, Theophilus Yale, Samuel Hall, Elihu Hall, John Riggs, Samuel Bassett, Samuel Riggs, Samuel Hickey, Roger Brunson, Samuel Canfield, Nathaniel Bostwick, Samuel Hutchinson, Timothy Stone, John Hitchcock, and Ezekiel Royce, Esqrs, to be Justices of the Peace in and for the county of New Haven the year ensuing.

This Assembly do appoint Timothy Pierce, Esqr, to be Judge of the County Court in the county of Windham the year ensuing.

This Assembly do appoint Timothy Pierce, Esqr, to be Judge of the Court of Probate in the district of Windham the year ensuing.

This Assembly do appoint Jonathan Trumble, Esqr, to be of the Quorum in the county of Windham the year ensuing.

This Assembly do appoint Ebenezer West, Shubael Conant, and John Dyer, Esqrs to be Justices of the Peace and Quorum in and for the county of Windham the year ensuing.

This Assembly do appoint Joseph Strong, Peter Buel, Joseph Fowler, Gershom Clark, Ebenezer Gray, Nathaniel Huntington, Nathaniel Wales, Thomas Storrs, Leicester Grosvenour, Ebenezer Holbrook, Thomas Tiffany, Joseph Leavinze, John Crery, Joseph Cadey, James Wright, Joseph Palmer, and Ebenezer Dow, Esqrs, to be Justices of the Peace in and for the county of Windham the year ensuing.

This Assembly do appoint William Pitkin, Esqr, to be Judge of the County Court in the county of Hartford the year ensuing.



This Assembly do appoint Joseph Buckingham, Esqr, to be Judge of the Court of Probate in the district of Hartford the year ensuing.

This Assembly do appoint John Bulkley, Esqr, to be Judge of the Court of Probate in the district of East Haddam the year ensuing.

This Assembly do appoint Ebenezer Marsh, Esqr, to be Judge of the Court of Probate in the district of Litchfield the year ensuing.

[287] This Assembly do appoint Thomas Wells, John Chester, Henry Allyn, and Jabez Hamlin, Esqrs, to be Justices of the Peace and Quorum in and for the county of Hartford the year ensuing.

This Assembly do appoint Joseph Buckingham, Joseph Talcott, George Wyllys, David Goodrich, Samuel Mather, Roger Wolcott, junr, William Wadsworth, Thomas Hart, John Hart, Asahel Strong, Giles Hall, Joseph White, Thomas Johnson, John Humphrey, Joseph Wilcoxson, Jonathan Hale, Hezekiah Brainerd, Nathaniel Foot, Israel Newton, Edward Bulkley, Epaphras Lord, Benjamin Skinner, Joseph Phelps, John Bissell, Thomas Pitkin, Samuel Chapman, Zebulon West, Ebenezer Marsh, John Buel, John Beach, David Whitney, Timothy Hatch, Ebenezer Lyman, Jabez Chapman, George Holloway, and Isaac Kellogg, Esqrs, to be Justices of the Peace in and for the county of Hartford the year ensuing.

This Assembly do appoint Samuel Lynde, Esqr, to be Judge of the County Court in the county of New London the year ensuing.

This Assembly do appoint John Richards, Esqr, to be Judge of the Court of Probate in the district of New London the year ensuing.

This Assembly do appoint John Griswold, Isaac Huntington, Christopher Avery, Jeremiah Miller, Esqrs, to be Justices of the Peace and Quorum in and for the county of New London the year ensuing.

This Assembly do appoint Richard Lord, Joshua Huntington, Jabez Hide, Hezekiah Huntington, Samuel Lothrop, Jedadiah Tracey, Samuel Morgan, Humphrey Avery, Nathaniel Brown, Joseph Denison, John Whiting, Nathan Cheesbrough, Luke Perkins, John Ledyard, Joshua Hempstead, John Richards, Joshua Raymond, Daniel Coit, Thomas Lee, Daniel Ely, Jedadiah Chapman, Simeon Minor, John Tully, Nathaniel Clark, Stephen Lee, Abraham Pierson, John Lane,

Elisha Shelden, and John Cook, Esqrs, to be Justices of the Peace in and for the county of New London the year ensuing.

This Assembly do appoint William Pitkin, Esqr, Jonathan Trumble, Esqr, Mr. Joseph Talcott, Capt. Jonathan Hale, Capt. Timothy Stone, Mr. Jeremiah Chapman, Mr. Joseph Platt, and Mr. Ebenezer Wales, to be Auditors to audit the publick accounts with the Treasurer, and make report to the Assembly.

This Assembly do appoint Mr. John Williams to be a Justice of the Peace in and for the county of New Haven the year ensuing.

This Assembly do establish and confirm Mr. Abraham Chalker to be Lieutenant of the first company or trainband in the seventh regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan White to be Captain of the north company or trainband in the town of Hebron, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Bushnell to be Lieutenant of the north company or trainband in the town of Hebron, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Gilbert, Junr, to be Ensign of the north company or trainband in the town of Hebron, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Gideon Brainerd to be Captain of the third company or trainband in the seventh regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Wells to be Lieutenant of the third company or trainband in the seventh regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Smith to be Ensign of the third company or trainband in the seventh regiment in this Colony, and order that he be commissioned accordingly.

[288] This Assembly do establish and confirm Mr. Samuel Betts to be Captain of the company or trainband in the parish of Wilton in Norwalk, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Marvin

to be Lieutenant of the company or trainband in the parish of Wilton in Norwalk, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elias Betts to be Ensign of the company or trainband at the parish of Wilton in Norwalk, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Hart to be Lieutenant of the second company or trainband in the town of Farmington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Newell to be Ensign of the second company or trainband in the town of Farmington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Dewolph to be Ensign of the 4th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Edwards to be Captain of the company or trainband in North Stratford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Peet to be Lieutenant of the company or trainband in North Stratford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathan Halley to be Ensign of the company or trainband in North Stratford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Storrs to be Captain of the first company or trainband in the town of Mansfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Henry Cleveland to be Lieutenant of the first company or trainband in the town of Mansfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elisha Warner to be Ensign of the first company or trainband in the town of Mansfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Clement Minor to be Lieutenant of the second company or trainband in the town of Lyme, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Silliman to be Captain of the first company or trainband in the town of Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Abraham Morehouse to be Lieutenant of the first company or trainband in the town of Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Samuel Wakeman to be Ensign of the first company or trainband in the town of Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Israel Munson to be Lieutenant of the second company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Austin to be Ensign of the second company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Moses Fuller to be captain of the company or trainband in the town of Stafford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Douglass to be Captain of the first company or trainband in the town of Plainfield, and order that he be commissioned accordingly.

[289] This Assembly do establish and confirm Mr. Samuel Hall to be Lieutenant of the first company or trainband in the town of Plainfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joshua Huntington to be Captain of the first company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jabez Mead to be Captain of the west company or trainband in Horsneck in Greenwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Isaac Holmes to be Lieutenant of the west company or trainband in Horse-neck in the town of Greenwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Dimon to be Captain of the second company or trainband in the town of Fairfield, and order that he be commissioned accordingly.



This Assembly do establish and confirm Mr. James Beers to be Lieutenant of the second company or trainband in the town of Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Gideon Allen to be Ensign of the second company or trainband in the town of Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Caleb Mead to be Lieutenant of the east company or trainband in the town of Greenwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Close to be Ensign of the east company or trainband in the town of Greenwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Isaac Shepard to be Lieutenant of the second company or trainband in the town of Plainfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Isaac Parrish to be Lieutenant of the first company or trainband in the town of Windham, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Pelatiah Ward to be Ensign of the 12th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Buel to be Lieutenant of the 12th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Fish to be Cornet of the Troop in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Pierce to be Quarter-Master of the Troop in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Riverius Carington to be Cornet of the Troop in the 13th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Isaac Marsh to be Quarter-Master of the Troop in the 13th regiment in this Colony, and order that he be commissioned accordingly.

*Resolved by this Assembly, That the town of Newtown send*

in to this Assembly, at their sessions in October next, their list of polls and rateable estate, and that the Secretary of this Colony transmit a copy of this act to the selectmen of said town.

Upon consideration of the motion made by his Excellency Governor Shirley and Colonel John Stoddard, in behalf of the Province of the Massachusetts Bay, respecting the maintaining of garrisons and scouts for the security and defence of the outward and frontier settlements of these governments :

*Resolved by this Assembly*, That the present Committee of War in the county of Hartford be impowered, and they are hereby impowered and directed, to raise a company of foot, not exceeding sixty men, including officers, and send them into the county of Hampshire in the said Province, to be employed there under the direction of the Governor of the said Province, or such officer as he shall appoint for that purpose, in keeping garrison in the line of block-houses erected between Connecticut River and the Dutch settlements at Housuck, and in scouting from thence: provided nevertheless, [290] that if the said committee, on further intelligence, shall judge it not necessary that such foot company be forthwith sent for the purpose aforesaid, they may suspend doing the same until they shall judge it necessary to do the same; provided also, that the said Province will victual and support such souldiers as shall be sent from hence during their continuance in the service aforesaid. And the said Committee of War, in order to their raising said company, are directed to nominate to his Honour the Governour proper officers for the same, to whom the Governor is desired to give proper commissions. And, in case a sufficient number of men do not appear and voluntarily enlist themselves for that service, the said committee are hereby impowered to give proper orders, in such and so many regiments as they judge convenient and necessary, for the impressing said men for the service aforesaid; and the several officers in such regiments are hereby ordered to attend and conform themselves to the orders of said committee respecting the said impressing; and the said company shall be under the direction of the said committee as to the time of their going to, continuing in, and returning from said service. And all such officers and souldiers as shall go into said service shall be allowed and paid the same wages, in new tenour bills of credit, which were stated and allowed to officers and souldiers in current money in and by the act entituled *An Act for stating the wages and for the more speedy and careful payment of officers and souldiers in her Majesty's*

*service, and defraying other charges arising by the same, made and passed by this Assembly in the tenth year of the reign of her late Majesty Queen Anne; with this alteration, (viz:) that the sergeants, instead of having twelve shillings new tenour per week, shall have thirteen shillings new tenour, and the clerk, instead of ten shillings per week, shall have eleven shillings, and the corporals, instead of nine shillings and six pence per week, shall have ten shillings and six pence, and the centinels, instead of nine shillings per week, shall have ten shillings per week.*

*Resolved by this Assembly, That Nathaniel Stanly, Ozias Pitkin, William Pitkin, and Joseph Buckingham, Esqrs, or any three of them, be a committee with full power, and they, or any three of them, are hereby fully impowered from time to time, to adjust and settle such account and accounts that shall be laid before them by any person or persons, relating to the charge and expence of the present war; and whatsoever the said committee shall find due upon any such account they are to allow and draw orders from time to time for the same upon the Colony Treasurer, who is hereby ordered to pay out of the publick treasury such sum and sums to the person or persons to whom it is due: always provided said committee shall not adjust or settle the accounts of the commissaries appointed to make provision for the present expedition against Cape Breton.*

*And it is further resolved, That such persons as have had any arms or other accoutrements of war impressed and taken from them and improved in the said expedition, upon the return of such arms, &c., such persons, if they think it necessary, may have them reapprized by the same persons who apprized them before they were delivered to the souldiers, if the same apprizers may be had, or by other sufficient persons under oath, which apprizement shall be returned to some assistant or justice of the peace, who shall under his hand transmit the same to the said committee, upon which the said committee shall from time to time proceed to make out orders to the said Treasurer as aforesaid, so that thereby every person may have a meet recompence for the damages he shall sustain in any such arms or accoutrements.*

Whereas many of the bonds given for the payment of the first half of the principal sum borrowed in new tenour bills loaned by order of this Assembly, although the time of payment mentioned in the condition of said bonds is past, remain yet unpaid, the several borrowers neglecting or refusing the payment thereof:

*It is, therefore, resolved by this Assembly,* That all such bonds that shall remain unpaid till the tenth day of December next shall be put in suit in the several counties in which the obligor or obligors dwell; and the Treasurer of the Colony is [291] hereby authorized and fully || impowered to sue out all such bonds remaining unpaid as aforesaid after the time aforesaid, and he is hereby directed to do the same in the several counties as aforesaid; and for that end the Treasurer is authorized and fully impowered to substitute attorney or attorneys for the purpose aforesaid, and them at pleasure to revoke; and on such suits the said Treasurer or his substitutes may proceed to final judgment and execution, according to the common rule and course of the law.

*Always provided,* That if any borrower shall pay the principal due by such bond, according to the condition of such bonds, and the interest thereon from the time the bond was out till paid, at the rate of three *per cent. per annum*, in silver at the rate of eight shillings per ounce troy weight sterling alloy, or gold equivalent, at any time before the said tenth day of December, the Treasurer shall accept the same and not require the lawful interest secured by such bonds.

Whereas his Honour the Governor has informed this Assembly that Robert Clark, of Uxbridge in the county of Worcester and the Province of the Massachusetts Bay, in pursuance of orders and authority given to him for that purpose, has apprehended one John Scious and Joseph Boyce, which have been convicted of counterfeiting bills of credit at Salem in the Province aforesaid, and has said Scious and Boyce now in keeping in the town of Hartford, and the said Clark prays the aid of this Assembly for the safe conveying said persons into the Province aforesaid, that they may be brought to justice: Resolved by this Assembly, that his Honour the Governour be desired to issue a writ directed to the sheriff of the county of Hartford, his deputy, requiring him to receive into his care the said Scious and Boyce, and also to command sufficient assistance for the safe carrying of said persons to the civil authority in the county of Hampshire in the Province aforesaid.

An Act to advance the Fare of Nehantick Ferry, called the Rope Ferry.

*It is resolved by this Assembly,* That the fare of said ferry shall be for the future for man, horse and load, six-pence, and for footmen four-pence, and for each ox or cow one shilling, and for each sheep or swine one penny, and for a single horse six-pence, all in old tenour; any law, usage or custom to the contrary notwithstanding.



Upon the memorial of John Booge, of East Haddam, representing that he is seized as tenant for life of a farm of lands in said East Haddam of very considerable value, which might, if advantageously improved or disposed of, afford him a comfortable subsistence, and which yet, through the infirmity of a great age, he is become unable so to improve or dispose of, &c.; and praying that he, or some other meet person, be impowered to lease out his said farm for and during the term of six years, &c., as per said memorial on file appears: Resolved by this Assembly, that Daniel Cone, of said East Haddam, be appointed, and he is hereby appointed and impowered, in the most advantageous manner he shall be able, to lease out the memorialist's said farm, to be prudently and without waste improved, for and during the said term of six years; and that if it shall happen that the memorialist decease before expiration of said term, that then and in such case all such rents and profits as from and after such his decease shall accrue and become due on such lease shall be and belong to the proper legal heir or heirs to said estate, and by said Daniel Cone be accordingly applied.

Upon the memorial of Edward Robinson, of New London, praying for the payment of his account of sundry articles delivered to Sachem Ben Uncas, as by the memorial on file: Resolved by this Assembly, that the memorialist have out of the Colony Treasury the sum of fifty-one pounds ten shillings and two pence money old tenour, and the Treasurer is hereby ordered to pay the same accordingly.

Upon the memorial of Thomas Spencer, Michael Hill, Thomas Spencer, junr., Josiah Wright, Josiah Wilcox, Job Bulkley, Daniel Edwards junr., and Ebenezer Platts, of the towns of Saybrook and Killingsworth, declaring that they are sober dissenters from the worship and ministry established by the laws of this government, and that they are of the persuasion of the people called Baptists, and true protestants; and thereupon praying for the indulgence of this Assembly: [292] Resolved by this Assembly, that the memorialists be indulged the enjoyment of the liberty of meeting and worshipping according to their own persuasion: provided they first before this Assembly take the oaths and subscribe the declaration provided by act of Parliament in like cases, which they may be admitted to.

*By the Governor and Company of his Majesty's Colony in New England in America.*

An Act for the more full and compleat Establishment of Yale College in New Haven, and for enlarging the Powers and Privileges thereof.

Whereas, upon the petition of several well-disposed and

publick-spirited persons, expressing their desire that full liberty and priviledge might be granted unto certain undertakers, for the founding, suitably endowing, and ordering a Collegiate School within this Colony, wherein youth might be instructed in the arts and sciences, the Governor and Company of the said Colony, in General Court assembled at New Haven, on the ninth day of October in the year of our Lord one thousand seven hundred and one, granted unto the Reverend Messrs. James Noyes, Israel Chauncey, Thomas Buckingham, Abraham Pierson, Samuel Mather, Samuel Andrew, Timothy Woodbridge, James Pierpont, Noadiah Russell, and Joseph Webb, (who were proposed to stand as trustees, partners or undertakers for the said society,) and to their successors, full liberty, right and priviledge, to erect, form, direct, order, establish, improve, and at all times in all suitable ways to encourage the said school in some convenient place in this Colony, and granted sundry powers and priviledges for the attaining the end aforesaid: And whereas, the said trustees, partners or undertakers, in pursuance of the aforesaid grant, liberty and lycence, founded a Collegiate School at New Haven, known by the name of Yale College, which has received the favourable benefactions of many liberal and piously disposed persons, and under the blessing of Almighty God has trained up many worthy persons for the service of God in the state as well as in the church: And whereas the General Court of this Colony, assembled at New Haven the tenth day of October, in the year of our Lord one thousand seven hundred and twenty-three, did explain and enlarge the aforesaid powers and priviledges granted to the aforesaid partners, trustees or undertakers, and their successors, for the purpose aforesaid, as by the respective acts, reference thereto being had, more fully and at large may appear: And whereas the Reverend Messrs. Thomas Clap, Samuel Whitman, Jared Eliot, Ebenezer Williams, Jonathan Marsh, Samuel Cook, Samuel Whittelsey, Joseph Noyes, Anthony Stoddard, Benjamin Lord, and Daniel Wadsworth, the present trustees, partners and undertakers of the said school, and successors of those before mentioned, have petitioned that the said school with all the rights, powers, priviledges and interests thereof, may be confirmed, and that such other additional powers and priviledges may be granted as shall be necessary for the ordering and managing the said school in the most advantageous and beneficial manner, for the promoting all good literature in the present and succeeding generations: Therefore,

*The Governor and Company of his Majesty's said English Colony of Connecticut, in General Court assembled, this ninth*

*day of May in the year of our Lord one thousand seven hundred and forty-five, enact, ordain and declare, and by these presents it is enacted, ordained and declared :*

(1.) That the said Thomas Clap, Samuel Whitman, Jared Eliot, Ebenezer Williams, Jonathan Marsh, Samuel Cook, Samuel Whittelsey, Joseph Noyes, Anthony Stoddard, Benjamin Lord, and Daniel Wadsworth, shall be an incorporate [293] society, or body || corporate and politick, and shall hereafter be called and known by the name of The President and Fellows of Yale College in New Haven ; and that by the same name they and their successors shall and may have perpetual succession, and shall and may be persons capable in the law to plead and be impleaded, defend and be defended, and answer and be answered unto, and also to have, take, possess, acquire, purchase or otherwise receive, lands, tenements, hereditaments, goods, chattels or other estates, and the same lands, tenements, hereditaments, goods, chattels or other estates to grant, demise, lease, use, manage or improve, for the good and benefit of the said college, according to the tenour of the donation and their discretion.

(2.) That all gifts, grants, bequests and donations of lands, tenements or hereditaments, of goods and chattels, heretofore made to or for the use, benefit and advantage of the Collegiate School aforesaid, whether the same be expressed to be made to the President or Rector and to the rest of the incorporate society of Yale College, or to the Trustees or Undertakers of the Collegiate School in New Haven, or to the trustees by any other name, stile or title whatsoever, whereby it may be clearly known and understood that the true intent and design of such gifts, grants, bequests and donations was to or for the use, benefit and advantage of the Collegiate School aforesaid and to be under the care and disposal of the governors thereof, shall be confirmed, and the same hereby are confirmed and shall be and remain to, and be vested in the President and Fellows of the College aforesaid and their successors, as to the true and lawful successors of the original grantees.

(3.) That the said President and Fellows and their successors shall and may hereafter have a common seal, to serve and use for all causes, matters and affairs of them and their successors, and the same seal to alter, break and make new, as they shall think fit.

(4.) That the said Thomas Clap shall be, and he is hereby established, the present President, and the said Samuel Whitman, Jared Elliott, Ebenezer Williams, Jonathan Marsh, Samuel Cook, Samuel Whittelsey, Joseph Noyes, Anthony Stoddard, Benjamin Lord, and Daniel Wadsworth, shall be,

and they are hereby established, the present Fellows of the said college; and that they and their successors shall continue in their respective places during life, or until they, or either of them, shall resign or be removed or displaced, as in this act is hereafter expressed.

(5.) That there shall be a general meeting of the President and Fellows of said College in the college library, on the second Wednesday of September annually, or at any other time and place which they shall see cause to appoint, to consult, advise and act in and about the affairs and business of the said College; and that on any special emergency the President and any two of the Fellows, or any four of the Fellows, may appoint a meeting at the said college: provided they give notice thereof to the rest by letters sent and left with them or at the places of their respective abode five days before such meeting; and that the President and six Fellows, or in case of the death, absence or incapacity of the President, seven Fellows convened as aforesaid, (in which case the eldest Fellow shall preside,) shall be deemed a meeting of the President and Fellows of said College; and that in all the said meetings the major vote of the members present shall be deemed the act of the whole, and where an equi-vote happens, the President shall have a casting vote.

(6.) That the President and Fellows of the said College and their successors, in any of their meetings assembled as aforesaid, shall and may from time to time, as occasion shall require, elect and appoint a President or Fellow in the room and place of any President or Fellow who shall die, resign or be removed from his office, place or trust, whom the said Governor and Company hereby declare for any misdemeanour, unfaithfulness, default or incapacity, shall be removable by the President and Fellows of the said college, six of them at least concurring in such act; and shall have power to appoint a scribe or register, a treasurer, tutors, professors, steward, and all such other officers and servants usually appointed in colleges or universities, as they shall find necessary and think fit to appoint, for the promoting good literature and the well [294] ordering and managing the affairs of said college, and them or any of them at their discretion to remove, and to prescribe and administer such forms of oaths (not being contrary to the laws of England or of this Colony) as they shall think proper to be administred, to all the officers, instructors of the said college, or to such and so many of them as they shall think proper, for the faithful execution of their respective places, offices and trusts.

(7.) That the present President and Fellows of said college



and their successors, and all such tutors, professors and other officers as shall be appointed for the publick instruction and government of said college, before they undertake the execution of their respective offices and trusts, or within three months after, shall publickly in the college hall take the oaths and subscribe the declaration appointed by an act of Parliament made in the first year of King George the first, entitled An Act for the further security of his Majesty's person and government and the succession of the crown in the heirs of the late Princess Sophia, being protestants, and for extinguishing the hopes of the pretended Prince of Wales and his open and secret abettors: that is to say, the President before the Governor, Deputy Governor, or any two of the Assistants of this Colony, for the time being, and the Fellows, tutors and other officers before the President for the time being, who is hereby impowered to administer the same; an entry of all which shall be made in the records of said college.

(8.) That the President and Fellows shall have the government, care and management of the said college, and all the matters and affairs thereunto belonging, and shall have power, from time to time as occasion shall require, to make, ordain and establish all such wholesome and reasonable laws, rules, and ordinances, not repugnant to the laws of England, nor the laws of this Colony, as they shall think fit and proper, for the instruction and education of the students, and ordering, governing, ruling, and managing the said college, and all matters, affairs and things thereunto belonging, and the same to repeal and alter, as they shall think fit; (which shall be laid before this Assembly as often as required, and may also be repealed or disallowed by this Assembly when they shall think proper.)

(9.) That the President of said college, with the consent of the Fellows, shall have power to give and confer all such honours, degrees or lycences as are usually given in colleges or universities, upon such as they shall think worthy thereof.

(10.) That all the lands and rateable estate belonging to the said college, not exceeding the yearly value of five hundred pounds sterling, lying in this government, and the persons, families and estates of the president and professors, lying and being in the town of New Haven, and the persons of the tutors, students, and such and so many of the servants of said college as give their constant attendance on the business of it, shall be freed and exempted from all rates, taxes, military service, working at highways, and other such like duties and services.

(11.) And, for the special encouragement and support of

said college, this Assembly do hereby grant unto the said President and Fellows and their successors, for the use of the said college, in lieu of all former grants, one hundred pounds silver money, at the rate of six shillings and eight pence per ounce, to be paid in bills of publick credit, or other currency equivalent to the said hundred pounds, (the rate or value thereof to be stated from time to time by this Assembly,) in two equal payments in October and May annually: this payment to continue during the pleasure of this Assembly.

In full testimony and confirmation of this grant and all the articles and matters therein contained, the said Governor and Company do hereby order that this act shall be signed by the Governor and Secretary, and sealed with the publick seal of the Colony, and that the same, or a duplicate or exemplification thereof, shall be a sufficient warrant to the said President and Fellows, to hold, use and exercise all the powers and privileges therein mentioned and contained.

[295] This Assembly do appoint Andrew Burr, Esqr, to be Judge of the County Courts in and for the county of Fairfield the year ensuing.

This Assembly do appoint Ebenezer Silliman, Esqr, to be Judge of the Courts of Probate in the district of Fairfield the year ensuing.

This Assembly do appoint Joseph Minor, Esqr, to be Judge of the Court of Probate in the district of Woodberry the year ensuing.

This Assembly do appoint Jonathan Hoit, Esqr, to be Judge of the Court of Probate in the district of Standford the year ensuing.

This Assembly do appoint Thomas Benedict, Esqr, to be Judge of the Court of Probate in the district of Danbury the year ensuing.

This Assembly do appoint Andrew Burr, Edmund Lewiss, John Thompson, Jonathan Hoit, and William Preston, Esqrs, to be Justices of the Peace and Quorum in and for the county of Fairfield the year ensuing.

This Assembly do appoint John Burr, Joseph Minor, Noah Hinman, Joseph Blackleach, Theophilus Nickols, Robert Walker, Samuel Addams, Samuel Sherwood, Thaddeus Burr, John Read, Moses Dimon junr., Thomas Tousey, Job Sherman, James Bebe, Thomas Benedict, James Benedict, Richard Olmstead, Samuel Hanford, James Lockwood, John Betts, Benjamin Hiecox, Samuel Hoit, Jonathan Malkbie, Nathaniel Peck, and Ebenezer Mead, and Samuel Fitch, Esqrs, to be

Justices of the Peace in and for the county of Fairfield the year ensuing.

Upon the petition of Winslow Tracy, of Norwich in the county of New London, setting forth that in an action he brought against Joseph Tracy of said Norwich, demanding two tracts of land, in which action final judgment was rendered in favour of the defendant, in the superior court holden in said Norwich in March last, and that in the tryal the said Winslow had lost his case by making a wrong reply to a plea put in by the defendant; praying that the judgment of said superior court may be reversed, and that the petitioner may have another tryal of said action at the superior court to be holden at New London in September next, with liberty to alter said reply: Resolved by this Assembly, that the said judgment of the superior court be reversed, and the same is hereby reversed and made void, and the said petitioner hath liberty granted him to have another tryal of his said action in the said superior court to be holden in New London in September next, where he may alter his said reply; and the future cost only to follow said tryal.

Upon the petition of John Wadsworth, late of Canterbury in the county of Windham, now of Milton, &c., *vs.* Joseph Parkhirst, of Plainfield in the county of Windham aforesaid, complaining of the judgment of the superior court held in Windham in March, A. D. 174 $\frac{2}{3}$ , rendered against him in a case there depending between the petitioner, then plaintiff, and the said Parkhirst, defendant, brought for the recovery of about one hundred and eighty-eight acres of land, alledging that the court and jury had missed the law therein, and praying a reversal of the said judgment, and for liberty of a new tryal of said case: Resolved by this Assembly, that the judgment of the superior court held in Windham in March aforesaid, given in the said case, be set aside, and the same is hereby set aside; and that the petitioner have liberty, and the same is hereby granted to him, to have another tryal of the said action at the superior court to be held in Windham aforesaid on the third Tuesday of September next; and that the future cost only go according to the judgment that shall be given therein.

Upon the memorial of Manoah Smith, of Glassenbury, praying this Assembly to settle the ferry called Glassenbury Ferry on him the memorialist: Resolved by this Assembly, that the said Manoah Smith keep said ferry for the future, at the usual place over Connecticut River, he taking the fare thereof as already by law provided.

This Assembly do establish and confirm Mr. Benjamin Seeley to be Ensign of the company or trainband at the north parish in the town of New Fairfield, and order that he be commissioned accordingly.

[296] An Act for the empowering Persons to take Care of and improve Estates given for the Support of the Ministry.

Whereas there have been divers grants, donations or sequestrations of lands, moneys, or other estates or interests, made for the use of the ministry settled and established by the laws of this Colony, by means whereof, in sundry of the towns and societies in this Colony, there are considerable estates belonging to such town or society, for the use of the ministry therein settled as aforesaid: but, for want of sufficient provision in the law to enable some suitable persons to take care of and improve such estates for the use aforesaid, the same are liable to great loss and waste, and are much less profitable than otherwise they might be rendered:

*Be it, therefore, enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That where there are any lands, moneys or other estate, granted, given or sequestered, according to ancient custom, usage or practice, or shall hereafter be given, granted or sequestered, for the use and support of such ministry in any town or society in this Colony, then, and in every such case, the selectmen for the time being of such towns in which there is but one ecclesiastical society, and the committee for the time being of such ecclesiastical society as have or may be constituted by this Assembly, or a committee appointed by such town or society, (which they, respectively, are hereby empowered to appoint for that end,) shall have full power and authority to demand, recover, receive, take care of and improve, all such lands, moneys or other estates, to and for the use and support of the ministry settled as aforesaid in such town or society which they respectively represent, according to the true and real meaning, intent, end and design in such grants, donations and sequestrations of such lands, moneys or other estates, contained, and of their improvement thereof, and of the increase, profits and interests thereof, to be accountable from time to time to such town or society as they respectively represent.

And, that such selectmen and committee may be enabled more effectually from time to time to do the service aforesaid:

*Be it further enacted by the authority aforesaid,* That the selectmen and committee aforesaid, or the major part of them, shall and may make all proper and necessary contracts, and commence, prosecute and pursue all needful suits, actions and



causes in the law, for the purpose aforesaid; and such selectmen and committees as shall from time to time succeed and come into the room and stead of others removed by death or otherwise, shall have the same power to act, appear, prosecute and pursue, in and upon any contract, suit, action or cause, for or concerning the matters aforesaid, as fully as those whom they succeed in the offices aforesaid might or could do if they had not been removed as aforesaid.

And whereas divers of the societies aforesaid are made or hereafter may be made and constituted out of two or more adjoining towns, so that part of the society live in one town and part in another: And whereas, by virtue of the grants, donations or sequestrations aforesaid, such part of a society that live in one of the adjoining towns have or may have some lands, moneys or other estates, belonging to that part distinct from the rest of the society, for the use aforesaid:

*Be it therefore further enacted by the authority aforesaid,* That such parts of societies, having such distinct interests, shall and may meet among themselves and from time to time act, order and direct respecting such their distinct interests for the use aforesaid, according to the provision by this act made for societies in regard to such interests, and for that end may [297] choose a clerk, who shall be duly sworn || to a faithful discharge of his trust; also may appoint a committee to take care of and improve the interests aforesaid, for the use aforesaid, who shall have the same power and authority, and be under the same regulations, respecting the said interests belonging to such part of a society, as is given and provided by this act to and concerning the committee or committees of the societies aforesaid, respecting the matters and interests aforesaid.

Upon the petition of Aylmer Gravel, of Philadelphia, praying the reversal of a judgment given against him by the county court held at New London in June, 1743, in favour of William Spencer, of Suffield in the county of Hampshire; and praying liberty to enter said action at the county court to be held at New London in the county of New London the second Tuesday of June next, and to proceed upon the same according to law, the said judgment notwithstanding: Resolved by this Assembly, that said judgment be set aside, and that the petitioner have liberty to enter said action at the county court to be held at New London the second Tuesday of June next, and proceed upon the same as though it had come to said county court by review: always provided the petitioner procure and give sufficient bond to prosecute the same accord-

ing to law; and that only the future cost shall follow final judgment.

*Resolved by this Assembly*, That Colonel Thomas Wells and Colonel John Chester be joyned with Nathaniel Stanly, Ozias Pitkin, William Pitkin and Joseph Buckingham, Esq<sup>rs</sup>, who were appointed a committee by this Assembly, to examine and adjust the accounts that by any person or persons shall be brought in and laid before said committee during the sessions of this Assembly, respecting the war; any three of said committee with full power to hear, examine, and adjust said accounts, and to sign orders to the Treasurer of the Colony to deliver and pay out of the treasury such sum or sums of money allowed by said committee, (the commissaries accounts respecting the expedition to Cape Breton excepted.)

*Ordered by this Assembly*, That the Treasurer pay out of the publick treasury unto Colo. Hezekiah Huntington the sum of thirty-four pounds twelve shillings old tenour, being the balance of his account (allowed by this Assembly) relating to the purchasing rigging for the sloop Defence by order of the government in October last.

Upon the memorial of Nathaniel Green and others, inhabitants of the town of Cornwall, praying for a tax upon the land of said township, to defray ministerial charges and for the building a meeting-house in said town: This Assembly grants and orders a tax of four pence, money of the old tenour, per acre *per annum*, upon three hundred acres of each right in said township, laid out or agreed to be laid out, on said rights, and that the same begin on the first day of July next, and continue for the space of two years then next afterwards, and to be collected by Mr. Mathew Millard of said Cornwall, and improved for the purposes aforesaid.

Upon the memorial of John Bartlett, Beriah Whitmore, and others, belonging to the parish of Middlefield in Midletown in the county of Hartford, praying that the report of a former committee appointed to affix a place for a meeting-house in said parish, might not be confirmed, and that another committee may be appointed, again to view the circumstances of said parish, and affix the place for said meeting-house, &c.: Resolved by this Assembly, that Messrs. Joseph Pitkin, Thos. Hart, of Kensington, and Daniel Goodwin of Hartford, in said county, be a committee to view the circumstances of said parish and to affix a place for the building of a meeting-house where it shall be most for the advantage of said society in general; first notifying all persons concerned; and make report of their doings to this Assembly in reasonable time.

Upon the petition of James Enno, of Union in the county of Windham, *vs.* William Enno, of Symsbury in the county of Hartford, on file: The question was put, whether the pleas offered by the respondent in abatement of the said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondent £8 5s. 0d. Ex. granted, July 19th, 1745.*

[298] Upon the petition of Thomas Moffat, of Boston, *vs.* Timothy Thrall, of Windsor, representing that before the superior court at Hartford in September last he brought his writ of *scire facias* against Timothy Thrall, to shew reason wherefore a certain judgment by him recovered against James Poisson and Walter Henderson should not be affirmed against him, said Thrall, as surety, &c., and that on demurrer to the declaration said *scire facias* was found, thro' a mistake in recital of the record, to be insufficient; which error to correct he, by a law of limitation, is prevented; and praying liberty to prosecute a new *scire facias* against said Thrall, &c., as per his petition on file, dated April 30th, 1745: Resolved by this Assembly, that the petitioner have liberty of commencing a new writ of *scire facias* in the premises against the said Thrall, at the superior court to be held at Hartford in September next, in due form of law to be prosecuted, and that of the writ of *scire facias* the future cost only to follow the final judgment.

Upon the petition of Joseph Brandon and Benjamin Dolbear, of Boston. *vs.* Timothy Thrall, of Windsor, representing that they had purchased, and before the superior court at Hartford in March last had depending, a writ of *scire facias* against said Timothy Thrall, to shew reason wherefore a certain judgment by them obtained against James Poisson and Walter Henderson should not be affirmed against him, said Thrall, as surety, &c., and that on demurrer to the declaration, said *scire facias*, through an oversight or misprision in recital of the record, was found to be insufficient; which error to correct by new process he, by the law of limitation of such-process, is prevented; and praying liberty to prosecute a new writ of *scire facias* against said Thrall, &c., as per their petition on file, dated April 30th, 1745: Resolved by this Assembly, that the petitioners have liberty of commencing a new writ of *scire facias* in the premises against the said Thrall, at the superior court at Hartford in September next, against him in due form of law to be prosecuted; and that of the writ of *scire facias* the future cost only shall follow the final judgment.

Upon the memorial of Ebenezer Barns and others, inhabi-

tants of the fourth society in the town of Farmingtown, representing the burthen of charges lying upon the said inhabitants on account of settling a minister and building a meeting-house for the publick worship, as proposed by them, and praying that all the unimproved lands within the limits of said society might be rated or taxed at six pence old tenour per acre *per annum*, &c.: Resolved by this Assembly, that all the unimproved lands within the limits of said society or parish be rated or taxed, and they are hereby ordered to be taxed at six pence money, old tenour, per acre *per annum*, for the space of four years, to commence next from and after the rising of this Assembly, to be raised and levied of the several owners of such lands according to their respective quantities, whether non-residents or others; and that the said moneys so raised be improved towards the settling of a minister and building a meeting-house for the publick worship in said parish; and Moses Lyman, one of the inhabitants of said parish, is hereby ordered and inabled to collect the said moneys and deliver the same into the hands of the committee of said parish or society, to be improved for the purposes aforesaid.

This Assembly do establish and confirm Mr. John Woodruff to be Quarter-Master of the Troop in the second regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Hull to be Captain of the north company or trainband in the parish of Cheshire, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Moss to be Lieutenant of the north company or trainband in the parish of Cheshire, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ephraim Hubbell to be Captain of the company or trainband in the town of Kent, and order that he be commissioned accordingly.

[299] Upon the petition of David Sherman junr, of Stratfield in Fairfield county, against Mr. Samuel Cook, of said Stratfield, representing that said Mr. Cook had brought his action against him, setting forth that at a society meeting on the 16th of December, 1742, held at said Stratfield, the said parish did grant unto him, then being their minister, the sum of £225 0s. 0d. for his salary for the then current year, and chose one Zachariah Sandford collector, &c.; that he had been prevented the procuring a distress to enforce the collecting said sum, (great part of which remained unpaid,) by his, said Sherman's, refusal to certify, &c., and demanding sixty



pounds lawful money in damages; that in said action final judgment was erroneously rendered against him, the petitioner, by the superior court at Fairfield in February last, for the said Mr. Cook to recover of him the sum of £12 10s. 10½d. lawful money damage and cost; and praying a reversal of said judgment, and liberty of a new tryal of said cause, or other relief in the premises, as per petition on file, dated April 29th, 1745: Resolved by this Assembly, that said judgment complained of is not erroneous. And it is also further resolved, that the committee of said society of Stratfield shall procure a distress under hand of proper authority, directed to said Zachariah Sandford, him commanding of the rate or tax made for the raising said £225 in said December granted as abovesaid still remaining unpaid, forthwith to collect and pay to the present committee of said society the sum of fifty pounds three shillings and six pence in bills of the old tenour, by the first day of July next, to be by them, on receipt thereof, forthwith paid to the said David Sherman; and on failure or refusal to have collected and pay as abovesaid, the next assistant or justice of the peace, on information thereof, shall issue a distress directed to the sheriff of the county of Fairfield, or his deputy, &c., them requiring said sum of fifty pounds three shillings and six pence, together with the charges on said distress arising, of said committee to collect, and to the petitioner to pay and deliver, to his own proper use and behoof. *Cost allowed Mr. Sam'l. Cook vs. David Sherman jr. £5 18s. 4d. Ex. granted for the cost Oct. 24th, 1745.*

An Act for enlarging the Limits of the Second Military Company in the Town of Norwich.

Whereas by the affixing of the limits of the sixth military company in said town, (which was the bounds of the parish of New Concord,) there was a considerable part of the company then known by the name of the company on the west side of the dividing line of the second company, (though not sufficient to make a compleat company,) left without being annexed to any company, who lie so situate as that they may most conveniently attend military service in the second company in said Norwich:

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the limits of the military company under the command of Capt. Joseph Tracey, and known by the name of the second company in said Norwich, be enlarged, and the limits thereof are hereby ordered to extend southwestwardly by New Concord line to New London bounds, thence by New London bounds running eastwardly to New London road, thence north-

erly by said road till it comes to the line of the said second company, at the river.

This Assembly do establish and confirm Mr. Nathan Bennet to be Captain of the company or trainband in the parish of Ripton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Addams to be Lieutenant of the company or trainband in the parish of Ripton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Sevignion Lewis to be Ensign of the company or trainband in the parish of Ripton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Stoughton to be Ensign of the 2d company or trainband in the town of Windsor, and order that he be commissioned accordingly.

[300] Upon the petition of John Rose, of Weathersfield, in the county of Hartford, representing that George Wyllys, Esqr, and John Whiting, Esqr, both of Hartford, brought their joynt action against him to the adjourned county court held at Hartford in and for the county of Hartford on the last Tuesday of January last past, demanding damages forty pounds money, old tenour, wherein they set forth that Guinea, a negro slave and servant of the said Rose, had cut down and destroyed a large green poplar tree, claimed to be in the possession of the said Wyllys and Whiting, and that judgment was there rendered against the petitioner on a demurrer to the declaration, and that the petitioner advised his attorney to review the said action to the county court held at said Hartford in April then next, which by mistake was omitted to be entered, &c.; praying for liberty to enter said action at the adjourned county court to be held at Hartford in and for the county of Hartford on the third Tuesday of June next, and there have another tryal in said action; and that the whole cost follow the final judgment, &c.: Resolved by this Assembly, that the said John Rose have liberty to enter said action at the said adjourned county court held at said Hartford on the third Tuesday of June next, and there have another tryal in said action, and that the whole cost follow the final judgment in said action, and that execution of said former judgment be suspended in the mean time.

Upon the memorial of Peter Quintard, of Norwalk, and Hannah Quintard, of Standford, administrators on the estate of Isaac Quintard, late of Standford, deceased, shewing that the debts due from said estate surmount the moveable estate

of said deceased the sum of four hundred forty-one pounds four shillings and three pence old currency, and praying for liberty to sell so much of the real estate of said deceased as will be necessary to answer the said sum with the necessary charges arising thereon: Resolved by this Assembly, that the memorialists have liberty to sell so much of the real estate of the said deceased as will be necessary to pay the said sum of four hundred forty-one pounds four shillings and three pence old currency with the necessary charges arising therein, taking the direction of the court of probate in the district of Standford therein; and the memorialists and Nathaniel Hubbard, of said Standford, are hereby appointed and substituted to make sale of the real estate for the purpose aforesaid, and to give proper deed or deeds thereof accordingly.

Upon the memorial of Nathan Disbrow, of Fairfield, desiring liberty to keep a ferry and build a toll bridge across the salt water river lying between the towns of Fairfield and Norwalk, at a place called the Narrows at the Great Rock, so called: Resolved by this Assembly, that the said Nathan Disbrow have liberty, and liberty and the privilege of setting up and keeping a ferry at said place is hereby granted unto him, and the same to keep and maintain until he build a good horse-bridge across the said river at said place, which this Assembly grants to him the sole liberty and right to do as soon as he sees cause to do it; and the fare of said ferry and toll of said bridge, when they shall be respectively set up and built, shall be as follows, (*viz* :) for man, horse and load, and also for a single horse, ox or cow, or other neat cattle, eight pence old tenour, and four pence in like tenour for each single person, till this court shall order otherwise; and the said ferry during the time it shall be kept up, and the said bridge, shall be under the regulations of the laws of this government respecting ferries and toll-bridges: provided the said Disbrow, at or before the first of June, A. D. 1746, set up said ferry, and after that continue to keep up the same, or erect and continue to maintain the bridge aforesaid.

This Assembly do establish and confirm Mr. Benjamin Pinney to be Ensign of the seventh company or trainband in the town of Windsor, and order that he be commissioned accordingly.

[301] On the petition of Moses Bush, of Middletown in the county of Hartford, *vs.* Daniel Robbins, of Weathersfield, in said county, on file: The question was put, whether the pleas offered in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative.

*Cost allowed respondent is £6 6s. 0d. Ex. granted, June 19th, 1746.*

*Resolved by this Assembly,* That a number of volunteers, not exceeding two companies consisting of one hundred men each exclusive of commission officers, be forthwith raised and sent to reinforce the troops already gone on the expedition against Cape Breton; and that the encouragements for such able-bodied effective men as shall enlist themselves to go on said reinforcement be the same as were allowed and given to such as were first raised to go on said expedition, and suitable officers be forthwith appointed and sent forth to enlist volunteers as aforesaid.

This Assembly do appoint Capt. Adonijah Fitch, of Lebanon, to be Captain of one of the military companies of recruits ordered by this Assembly to be raised for the expedition against Cape Breton.

This Assembly do appoint Mr. Nathaniel Farrand, jun<sup>r</sup>, of Milford, to be Captain of one of the military companies of recruits ordered by this Assembly to be raised for the expedition against Cape Breton.

This Assembly do appoint Mr. Ezekiel Ashley to be Lieutenant of one of the companies of recruits ordered by this Assembly to be raised for the expedition against Cape Breton.

This Assembly do appoint Mr. Jabez Barlow, of Fairfield, to be Lieutenant of one [of] the military companies of recruits ordered by this Assembly to be raised for the expedition against Cape Breton.

This Assembly do appoint Mr. John Parker, of Saybrook, to be Ensign of one of the military companies of recruits ordered by this Assembly to be raised for the expedition against Cape Breton.

This Assembly do appoint Mr. Ephraim Parrish, of Brandford, to be Ensign of one of the military companies of recruits ordered by this Assembly to be raised for the expedition against Cape Breton.

This Assembly do establish and confirm Mr. John Sprague to be Captain of the north company or trainband in the town of Sharon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Purdee to be Lieutenant of the north company or trainband in the town of Sharon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas North



to be Ensign of the north company or trainband in the town of Sharon, and order that he be commissioned accordingly.

This Assembly being informed by a letter from Thomas Cushing, Esq<sup>r</sup>, of Boston, to his Honour the Governor, that in pursuance of an order received from Governor Shirley to procure pilots for our transports in the present expedition against Cape Breton, that in order thereto he, the said Thomas Cushing, Esq<sup>r</sup>, did advance the sum of thirty-two pounds ten shillings in old tenour bills of credit, desiring the same may be remitted to him: Resolved by this Assembly, that Nathaniel Stanly, Esq<sup>r</sup>, be directed, and he is hereby directed, to draw out of the publick treasury of this Colony the sum of thirty-two pounds ten shillings in old tenour bills of credit, and the treasurer is hereby ordered to deliver the same to the said Nathaniel Stanly, Esq<sup>r</sup>, who is hereby directed to improve the first opportunity to transmit the same to the said Thomas Cushing, Esq<sup>r</sup>, taking his receipt for the same.

This Assembly do establish and confirm Mr. John Williams to be Captain of the south company or trainband in the town of Sharon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Dunham to be Lieutenant of the south company or trainband in the town of Sharon, and order that he be commissioned accordingly.

[302] This Assembly do establish and confirm Mr. Garret Winegar to be Ensign of the south company or trainband in the town of Sharon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jeremiah Goodrich to be Captain of the 8th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Savage to be Lieutenant of the 8th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benoni Hale to be Ensign of the 8th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Timothy Cleaveland to be Captain of the 2d company or trainband in the town of Canterbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Isaac Hide to be Ensign of the 2d company or trainband in the town of Canterbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Ward, jun<sup>r</sup>, to be Captain of the second company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Return Meiggs to be Lieutenant of the second company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Kent to be Ensign of the second company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Grant to be Ensign of the company or trainband at the parish of Wintonbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Stiles to be Lieutenant of the 2d company or trainband in the town of Windsor, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. George Hubbard, jun<sup>r</sup>, to be Lieutenant of the 17th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Clark to be Ensign of the 17th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

Whereas James Dunlop, of Stratford in the county of Fairfield, brought his petition to this Assembly at their sessions in May, 1740, against Ebenezer Beach, administrator on the estate of Mary Smith, *alias* Dunlop, and Benjamin Cogshall and Elizabeth his wife, Samuel Jones and Hannah his wife, all of said Stratford, complaining that his father, Mr. Archibald Dunlop, late of said Stratford, deceased, dyed seized of a considerable estate, which came into the hands of the said Mary, who was administratrix on the estate of the said Archibald, and that there was never any distribution or settlement made thereof, and that at her, the said Mary's, decease there was remaining a considerable part of said estate, some of which had gotten into the hands of the said Elizabeth and Hannah, sisters to him, the said James, and that he had not

his share thereof; praying said Assembly to grant him relief according to equity, &c.; which petition of the said James, by continuance, came to the said General Assembly at their sessions in October, A. D. 1741, when and where the said General Assembly, upon the report of a committee who had a full hearing of said parties on the said case, did by their act declare that the said Elizabeth and Hannah had received and taken the benefit of one half of the estate of the said Archibald, and that the other half of his estate lay in a certain tract of land lying in said Stratford at a place called the White Hills, containing by estimation one hundred and thirty-one acres, bounded south and west on highways, east on Stratford river, and north on land formerly belonging to Samuel and John Walker, and that the said James Dunlop ought to have the said tract as his part and portion of his said father, the said Archibald Dunlop's, estate: whereupon it was resolved by [303] said Assembly, at their sessions in October, 1741, || aforesaid, and by them ordered and decreed, that the said James Dunlop should have and hold the said one hundred and thirty-one acres of land at the White Hills aforesaid, to him, his heirs and assigns, as his share of his father's estate as aforesaid: And whereas the said Benjamin Cogshall and Elizabeth his wife, and Samuel Jones and Hannah his wife, brought their petition against the said James Dunlop to this Assembly at their sessions in October last, therein setting forth more largely the circumstances of the estate of the said Archibald Dunlop, and shewing that by the decree aforesaid great injustice was likely to be done to the said Elizabeth and Hannah, and praying said Assembly to set aside and make void the said act and decree, and enquire into the whole circumstances of said case on which said act and decree was made, and determine thereon in equity: whereupon it was resolved by this Assembly, at their sessions in October last, that Jonathan Hoit, Esqr, of Standford, John Hubbard, Esqr, and Samuel Mix, both of New Haven, should be a committee, with full power and authority to appoint time and place, notify the parties, and them to examine under oath, and all other evidences by the said parties produced, and to enquire into the whole case and all matters and circumstances relating thereto, and to make return of what they should find in the premises, and to report their opinion to this Assembly at their present sessions, on the whole case: And whereas the said committee, pursuant to the order, direction and resolve of this Assembly in October last, as aforesaid, have proceeded and now laid before this Assembly their report and opinion of the said case and the several essential matters and circum-

stances relating thereto upon the evidences by the parties produced to them, and among other things have given their opinion that the said land at the White Hills ought to be divided to the said James Dunlop and Elizabeth Cogshall and Hannah Jones, in manner following, (*viz.*) Twenty-five acres of said land at the White Hills to the said James, and also one equal half of the remainder of said land to him, the said James, and the other half of the said remainder to the said Elizabeth and Hannah; and the report of said committee being now read to this Assembly, and this Assembly having heard the evidences with the pleas and allegations of the parties thereon, and duly considered the same, have thereupon accepted the report of the said Jonathan Hoit, John Hubbard and Samuel Mix, and do thereupon order, enact and decree, that the order and decree of this Assembly held in October, A. D. 1741, made between the parties aforesaid, on the controversy aforesaid, be set aside and made void, and the same and every part thereof is hereby set aside and declared null and void: And thereupon, this Assembly do now further enact, order and decree, that the aforesaid one hundred and thirty-one acres of land, lying at the White Hills, be divided, (*viz.*) twenty-five acres thereof to the said James Dunlop, and also one equal half of the remainder of the said land to him, said James, and the other half of said remainder of the land to the said Elizabeth and Hannah, and to their heirs and assigns forever; anything in the former order and decree of this Assembly notwithstanding. And this Assembly do hereby appoint Capt. John Fowler, Mr. Robert Treat and Mr. Nathaniel Farrand, all of Milford, a committee to divide the aforesaid lands, by proper meets and bounds, to the said James, Elizabeth and Hannah, according to the true intent and meaning of this order and decree; and make return of their doings thereon to the Secretary of this Colony, who is hereby ordered to record the same in the publick records of this Assembly, which shall be a legal evidence to the parties aforesaid, for their holding of the said lands in the proportion aforesaid.

An Act in Addition to, and Emendation of, an Act entituled An Act in Addition to and for Explaining of the Law referring to Idiots.

Whereas in said act it is provided that such relations, respectively, shall relieve such poor persons in such manner as the county court in that county where such sufficient persons dwell shall assess, and it so happens that such sufficient persons dwell in several counties, by means whereof difficulties arise: Which to remedy,

*Be it enacted by the Governor, Council and Representatives,*



*in General Court assembled, and by the authority of the same,*  
That the county court in that county where such poor and  
impotent person dwells shall have power to assess such suffi-  
[304] cient relations, || respectively, whether they live in the  
same or any other county, in such manner as said court shall  
judge just, for the relief of such poor persons; and the said  
courts are hereby fully authorized and impowered to do the  
same and grant execution thereon accordingly; any law,  
usage or custom to the contrary in any wise notwithstanding.

The Additions to the Lists of Estate of the several Towns in this Govern-  
ment hereafter mentioned, sent in to this Assembly, are as follow,

(viz:)

	<i>Single Additions.</i>			<i>Fourfold Assessments.</i>		
	£	s.	d.		£	s. d.
To New Haven,	1416	13	9	- - -	432	10 0
To Symsbury,	304	5	0	- - -	172	0 0
To Stratford,	500	0	0	- - -		
To Brandford,	206	17	6	- - -	144	4 0
To Saybrook,	525	4	6	- - -		
To Lebanon,	526	4	0	- - -	808	8 0
To Norwich,	701	14	5	- - -	410	14 0
To Hebron,	201	16	0	- - -		
To Haddam,	407	8	6	- - -		
To Canterbury,	2265	5	9	- - -		
To Durham,	3	8	0	- - -	29	6 0
To Preston,	364	1	0	- - -	246	8 0
To Guilford,	415	17	0	- - -		
To Groton,	255	19	0	- - -	781	6 0
To East Haddam,	450	0	0	- - -	16	0 0
To Plainfield,	95	19	0	- - -	151	16 0
To Mansfield,	282	1	6	- - -	1342	4 0
To Milford,	484	11	2	- - -	8	0 0
To Windham,	1364	17	6	- - -		
To Norwalk,	1230	15	0	- - -	216	1 0
To Derby,	349	16	0	- - -		
To Stonington,	293	16	0	- - -	3802	0 0
To Greenwich,	1164	15	0	- - -		
To Pomfrett,	264	0	0	- - -		
To Coventry,	524	12	6	- - -	91	4 0
To Lyme,	2036	13	0	- - -		
To Killingley,	197	1	0	- - -	24	0 0
To Woodberry,	731	0	0	- - -		
To Windsor,	1000	14	0	- - -		
To Farmington,	300	0	0	- - -	435	16 0
To New London,	18	18	8	- - -	2100	1 4
To Hartford,	518	6	0	- - -		
To Weathersfield,	2245	7	9	- - -		

To Middletown,	601	16	0	-	-	73	12	0
To Standford,	792	18	1½	-	-	366	16	0

Upon the representation of Colonel John Whiting, Treasurer, shewing to this Assembly that he obtained a judgment against Zebulon Mygatt, of Hartford, for a surrendery of twenty-two acres of land in said Hartford, which was mortgaged for fifty pounds of the first emission of loan money, and praying the direction of this Assembly how to dispose of said land: Resolved by this Assembly, that the said Treasurer be directed, and he is hereby directed, to make sale of the said twenty-two acres of land to the highest bidder; and Nath<sup>l</sup> Stanly, Esqr, and the Secretary of this Colony are directed and impowered under the seal of this Colony to convey said land to the purchaser or purchasers; and the money received by the Treasurer on the sale of said land to remain in his hands for the use of this Colony.

Upon the memorial of James Royce and William Johnson, a committee for the second society in Mansfield, representing that the said society agreed to build a new meeting-house of forty-eight feet in length and thirty-three feet in breadth, and [305] had the place || for the same set and fixed by this Assembly, and that the said society do not proceed to build a meeting-house upon the place fixed for the same, to the discouragement of divine worship in said society; praying relief from this Assembly: and it appearing to this Assembly that the said society do not proceed to build a meeting-house upon the place fixed as aforesaid: Whereupon this Assembly do enact, decree and order, that an assessment and tax of three shillings upon the pound upon the polls and rateable estate in said society (and that the same) be forthwith levied and paid in, to the publick Treasurer of this Colony, to be reimbursed for the setting up and building said meeting-house; and that the said house be built forty-eight feet in length and thirty-three feet in breadth; and Mr. Enoch Pierce, constable in said Mansfield, is hereby appointed and ordered to collect said rate; and this Assembly do appoint and authorize Colo. Jonathan Trumble and Ebenezer West, Esqrs, both of Lebanon, to set up, build and finish a meeting-house of the dimensions aforesaid, on the place affixed as aforesaid, and for that purpose the said committee are hereby impowered and ordered to take and receive of the Treasurer the money levied as aforesaid.

Upon the petition of Joseph Roath, of Norwich in the county of New London, against Daniel Leffingwell and Samuel Leffingwell, both of said Norwich, setting forth that the

said Leffingwells brought their action against the petitioner, for the surrendry of about eighteen acres of land in said Norwich, as per their writ dated the third day of February, 174 $\frac{3}{4}$ , and that the same action came to the superior court held at New London in September, 1744, at which court judgment was rendered against the petitioner, and by mistake the case was not removed for a review, when by law there was liberty for the same; praying for a rehearing in said case: This Assembly grants unto the petitioner another tryal in said case at the superior court to be held at New London on the 4th Tuesday of September next, and that the future cost follow said tryal; and the said judgment of the superior court is hereby suspended.

On the memorial of the proprietors of New Fairfield, shewing to this Assembly that the northern extension of the township of said New Fairfield, and also the eastern extension of said township of New Fairfield, after it get northward of the township of New Milford, is not fixed and ascertained; praying that the same may be fixed and ascertained:

*Resolved by this Assembly,* That a line drawn from the intersection of the west line of the township of New Milford with the northern line of the township of Danbury, straight to and passing through a white oak tree with stones laid to it, now settled and agreed on to be the northwest bounds of the township of said New Milford, fourteen miles from said Danbury township, at the end or termination of said fourteen miles a monument shall be made, which said monument shall be and remain the northeast corner of the township of said New Fairfield, and the line drawn from the aforesaid white oak tree to the monument to be erected as aforesaid shall forever hereafter determine the eastern extension of the township of said New Fairfield, northward of said New Milford; and a line drawn at right angles with the line from said white oak tree to the monument to be erected as aforesaid, straight to the Colony line, shall hereafter determine the northern extension of said New Fairfield; and Edmund Lewiss, Esqr, county surveyour in the county of Fairfield, be appointed, at the cost of the memorialists, to run the line aforesaid and to make the monument aforesaid, and to make return of his doings to this Assembly in October or May next.

Upon the memorial of Mathew Millard and Elizabeth Harriß, administrators on the estate of Thomas Harriß, late of Cornwall in the district of Litchfield, deceased, shewing to this Assembly that the debts due from said estate amount to the sum of £204 3s. 11d. and the personal estate amounts to

the sum of £81 15s. 3*d.* exclusive of the widow's necessities, so that the debts surmount the personal estate the sum of £122 7s. 8*d.* and thereupon praying that they may have liberty to make sale of so much of the real estate of the said deceased as to pay the said sum of £122 7s. 8*d.*: Resolved by this Assembly, that the said Mathew Millard and Elizabeth Harris have power to sell so much of the real estate of the said Thomas Harriss, deceased, as to pay the said sum of £122 7s. 8*d.* with the necessary charges thereon arising; taking the advice of the court of probate in the district whereto they belong.

[306] Upon the memorial of the inhabitants of Sharon, praying for a tax of four pence upon the acre upon all those lands that were laid out to the proprietors before October last, for defraying the ministerial charges and building a meeting-house, for reasons offered in the memorial, as by the same on file appears: Resolved by this Assembly, that a tax of four pence upon the acre of all the lands laid out in said Sharon before October last to the proprietors of said township, and that the same be annually levied for the term of four years, reckoning from the first day of October last, for the building a meeting-house and defraying the ministerial charges; and that the collector of the town rates in said town, for the time being, shall collect this tax.

Upon the memorial of Jonathan Westover, of Symsbury, representing that he hath mortgaged almost all his estate to this government, that an action is now depending on said mortgage, to have its final tryal at the superior court in September next, that said estate mortgaged is worth £1000 0s. 0*d.* and the sum for which said mortgage was given, with the interest, is but £310, of which he can pay £200 0s. 0*d.* in three months, and that for not being able to advance the residue before said superior court he is lyable to lose his estate, &c.; and praying relief, as per his memorial on file: Resolved by this Assembly, that, in case the memorialist shall pay two hundred pounds, parcel of the sum for which said mortgage was given, on or before the first day of September next, and shall also pay and satisfy all cost and charge on prosecution of said action arisen, and shall also give bond with sufficient surety (on interest) to the Governor and Company of this Colony, for the residue due on said mortgage, payable within one year from the rising of this Assembly, then and in such case a release of his said lands, mortgaged as abovesaid, shall be executed to him by the committee heretofore appointed and impowered to execute releases on payment of mortgages, &c,



on the memorialist's procuring said committee to be duly certified of the premises.

Upon the memorial of Jedadiah Dudley, of Saybrook, shewing to this Assembly that whereas Joseph Stannard, of said Saybrook, did, when he was on board the sloop Defence, feloniously take from on board the said sloop Defence one pistol and sundry other things, and that he, the said Dudley, did obtain a writ of our lord the King against said Stannard, and he, the said Stannard, was brought to justice and punished; and that he, the said Dudley, was at considerable cost to prosecute said affair, to the amount of £9 16s. 0*d.*; and praying to this Assembly that he may draw the said sum of £9 16s. 0*d.* old tenour, out of the publick treasury of this Colony: Resolved by this Assembly, that whereas there is four pounds of the said sum already secured in the hands of Colo. Samuel Lynde, that the same be delivered to the memorialist, and that the remainder. (*viz.*) five pounds sixteen shillings, be paid to him out of the publick treasury; and the Treasurer is hereby ordered to pay the same.

Upon the memorial of John Baker and others, inhabitants of the parish of Roxbury in Woodberry in the county of Fairfield, representing that the committee appointed by this Assembly in May, 1744, (*viz.*) Colo. Benjamin Hall, John Southmaid and Samuel Hickeox, to affix the place for a meeting-house in said parish, did affix said place out of the center and to the disadvantage of the inhabitants in general, &c., and praying that the same committee might be again appointed to view, &c. and that their report might not be accepted, &c.: Resolved by this Assembly, that the same committee be and are hereby again appointed to review and reconsider the circumstances of said parish, and to appoint and affix the place for said meeting house, first notifying all parties concerned, and to make report to this Assembly in October next, at the charge of the memorialists.

Upon the memorial of Nathaniel Green and others, inhabitants of the town of Cornwall, praying for a tax upon the land of said township, to defray ministerial charges and for the building a meeting-house in said town: This Assembly grants and orders a tax of four pence, money of the old tenour, per acre *per annum*, upon three hundred acres of each right in said township, laid out or agreed to be laid out on said rights; and that the same begin on the first day of July next, and continue for the space of two years then next afterwards, and to be collected by Mr. Mathew Millard, of said Cornwall, and improved for the purposes aforesaid.

[307] Upon the memorial of Samuel Harrington, John Baldwin, Paul Tyler, Peter Tyler and others, inhabitants of the north part of Brandford, praying that a certain report of Messrs. John Hubbard, Jonathan Allen and John Hitchcock, of New Haven, dated October 13th, 1744, and to this Assembly in October last exhibited, may now be reconsidered, accepted and allowed, &c., as per said memorial, dated May 2d, 1745: Resolved by this Assembly, that the said report be accepted, and that all the inhabitants within the limits in said report mentioned shall be and become a distinct ecclesiastical society, with full power to form themselves into and imbody in church estate, and with all other powers and privileges which other parishes within this Colony have, and that the bounds and limits of said parish shall be as follows, as in said report is set forth, (*viz.*) Bounding north on Wallingford bounds, west on New Haven, south by the north side of Hezekiah Rogers's land to the road, and then by Jacob Carter's south line so far as that goes, from thence by the ridge of the hill to the Gulf Brook, so called, then up the brook to the brow of the hill on the south side of said brook, thence on the brow of an hill to an highway, thence southwardly by said highway to the head of the widow Hoadly's farm, and thence eastwardly to Guilford line, and so running with Guilford line to Wallingford line.

Upon the memorial of Josiah Buck, of Weathersfield, administrator on the estate of David Buck, late of Weathersfield, deceased, shewing that the debts due from said estate surmount the moveable estate of said deceased the sum of £109 7s. 4d. old currency, and praying for liberty to sell so much of the real estate of said deceased as will be necessary to answer the said sum with the necessary charges arising thereon: Resolved by this Assembly, that Colonel John Chester, of Weathersfield, have liberty to sell so much of the real estate of the said deceased as will be necessary to pay the said sum of £109 7s. 4d. old currency, with the necessary charges arising thereon, taking the direction of the court of probate in the district of Hartford therein; and the said Colo. John Chester is hereby appointed and substituted to make sale of said real estate for the purpose aforesaid, and to give proper deed or deeds thereof accordingly.

Upon the memorial of Joseph Phelps, Esqr, agent for the inhabitants of the town of Hebron, shewing to this Assembly the great difficulties they labour under for want of a convenient house to meet in for divine worship, and that they are unable to agree among themselves upon any proper expe-

dients in the case; and praying for a committee to repair to said town, with instructions to view, &c., as in the said memorial on file: Resolved by this Assembly, that Colo. Benjamin Hall, Maj. Elihu Chauncey and Capt. Jedadiah Chapman, be a committee to repair to the town of Hebron aforesaid and view the circumstances of said town, having first given proper notice unto the people therein, and on such their view to determine whether it may not be best to divide the said town into two societies; and if they should judge it best to divide, then to draw a line of partition and proceed to affix a place for a meeting-house in each society, or otherwise to appoint and fix a place for the building a meeting-house for the whole town, in case they judge a new one necessary, if not, to advise and direct in what manner the old house should be enlarged and repaired; and make report of their doings in the premises to the General Assembly to be holden at New Haven in October next.

Upon the memorial of Esther Seabury, of New London in the county of New London, administratrix on the estate of John Seaberry, late of said New London, deceased and intestate, shewing to this Assembly that said estate is insolvent, praying that this Assembly would grant liberty to sell the real estate of the said deceased for the payment of the debts due therefrom, as far as it shall extend, proportionably, and to make and execute a deed or deeds of conveyance of the same according to law, saving to the widow what is saved and reserved according to law: Whereupon this Assembly grants liberty to and authorizes the said Esther Seaberry and Colo. Christopher Avery of Groton, to sell the real estate of the said John Seabury, deceased, and to make and execute a proper deed or deeds of sale of the same according to law, excepting to the widow what by law is excepted and reserved; taking the direction of the court of probates in the district of New London in the sale thereof.

[308] Upon the memorial of Samuel Barnes and Abraham Barnes, both of the first society in Waterbury, praying that they, their lands and estate, may be annexed unto the society of Westbury: Resolved by this Assembly, that the said Samuel Barns and Abraham Barns, their lands and their estates, be annexed unto the said society of Westbury, and they, the said Samuel Barns and Abraham Barns, be allowed to enjoy all the privileges of the inhabitants of said society of Westbury accordingly.

Upon the memorial of Joshua Lazell and Joseph Fuller, both of Kent in the county of Hartford, representing to this

Assembly that one Isaac Vernernum, of Alobeck in Dutchess county and Province of New York, purchased of one Stephen John Indian, of Squampamaack in the county of Albany in the Province aforesaid, a certain tract of land within this Colony, containing about two thousand acres, bounded as set forth in a deed of the same land made and executed by the said Stephen John Indian to the said Isaac Vernernum, dated the 8th day of October, 1743, which interest so purchased came down by mean conveyances to the memorialists; praying this Assembly to confirm unto the memorialists the said land, or so much thereof as should be a meet recompence for the said purchase: Resolved by this Assembly, that Colonel William Preston and Capt. Thomas Knowles, both of Woodberry, be, and they are hereby appointed, a committee, at the cost of the government, to view the said lands under the present circumstances thereof, measure the same and make an estimate thereof, and report their doings thereon to this Assembly in October next, in order that a recompence for said purchase may be made.

Upon the memorial of the inhabitants of New Cambridge, shewing to this Assembly that more than two-thirds of said inhabitants, in their meeting on the 17th instant, voted to build a meeting-house with all convenient speed; praying this Assembly to appoint a committee to fix a place for building the same: Resolved by this Assembly, that Capt. Giles Hall, Majr. Jabez Hamlin and Capt. Thomas Johnson, be a committee, and they are hereby appointed a committee for the purpose aforesaid, and are directed to repair to the parish of New Cambridge, giving seasonable notice to all persons concerned, view the circumstances of said parish, and affix a place for the building a meeting-house, and make report of their doings to this Assembly in their sessions in October next.

Upon the memorial of the inhabitants of Salisbury, by their agent Samuel Bellows, representing that this Assembly at their sessions in October, A. D. 1743, did grant a tax of six pounds on each right of land in said Salisbury, for the space of three years then next, for the building a meeting-house, &c., and that said rights are now so sold &c. as renders the collecting said tax very difficult, &c.; praying this Assembly to grant a tax of two pence per acre on all the lands that before said October had been divided or agreed to be divided, except former grants and publick rights, to be continued, &c., and to be improved as aforesaid: Resolved by this Assembly, that a tax of two pence old tenour per acre be granted and



assessed on all the lands that before said October had been divided, except former grants and publick rights, to be continued for the space of three years annually, to commence from October aforesaid, to be in lieu of said six pound tax, to be collected of the owners of such lands by the person that was appointed to collect the said former tax, and improved for the purposes aforesaid, and that the said tax of six pounds per right be void, and that what has been paid pursuant thereto be reckoned and accounted as so much paid on account of this present tax.

Upon the memorial of William Newport, of New London, praying that this Assembly would order him the sum of six pounds fourteen shillings and six pence, old tenour, for his making Ben-Uncas's cloathes, &c., for which he never had any satisfaction: Resolved by this Assembly, that the said William Newport be allowed and paid out of the Colony treasury the sum of £6 14s. 6d. old tenour; and the Treasurer of the Colony is hereby ordered to pay the same.

[309] Upon the memorial of David Marshall, of Windsor in the county of Hartford, praying that his poll be exempted from being listed in the publick list, &c.: Resolved by this Assembly, that the poll of the said David Marshall be exempted from being inlisted in the publick list, and that for the future it be not liable to be rated or assessed towards the paying any rates or publick charges whatsoever.

Whereas William Roberts, Peter Hogoboom, James Beebe, Uriah Stephens, Daniel Lawrence, and Mr. Elisha Webster, inhabitants of the town of Canaan, shewing to this Assembly that the proprietors purchasers of said town had settled the same and fulfilled the terms upon which said Canaan was granted to them, praying that they may have a patent for the same under the seal of this corporation, to be signed by the Governor and Secretary of this Colony, and thereupon produced in this Assembly a patent of said town, according to the original survey thereof made by Edmund Lewiss, Esq<sup>r</sup>, John Buel and William Judd, dated the 28th day of May, A. D. 1745: Whereupon this Assembly do enact and order, that the said William Roberts, Peter Hogoboom, &c., have the said patent, produced by them before this Assembly as aforesaid, duly executed under the seal of this corporation, signed by the Governor and Secretary of this Colony, as by them prayed for.

Upon the motion of Thomas Fitch, Daniel Edwards, Robert Walker, and the rest of the proprietors purchasers of the township of Salisbury, shewing they had settled said town and

fulfilled the terms on which said Salisbury was granted to them, and thereupon praying for a patent to them for said township, and in pursuance of said motion now produced before this Court a draft for a patent, containing the bounds thereof as surveyed by Messrs. Edmund Lewiss, Stephen Noble and William Gaylord, which draft bears date the 28th day of May, 1745: Resolved by this Assembly, that the said proprietors have a patent for said township; and it is hereby enacted and ordered, that the said draft prepared be executed by being signed by the Governor and Secretary of this Colony, and having the seal of the Colony thereto affixed.

Upon the report of the committee appointed to pitch upon the place for the erecting a meeting-house for divine worship in the parish of Middlefield in the town of Middletown: Resolved by this Assembly, that the inhabitants of said parish do with all convenient speed proceed to set up and finish a house for divine worship in said parish, in the highway running north-erly and southerly, and by the land of Benjamin Wetmore, on a small hill northward of a small run of water, where the said committee have set a stake, the sills of said meeting-house to enclose said stake.

Upon the memorial of James Mackall, Gideon Hunt and Abigail Hunt, executors of the last will and testament of Edward Culver, late of Lebanon, deceased, shewing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate the sum of £462 3s. 4d.; praying to this Assembly for liberty to sell so much of the real estate of said deceased as will be sufficient to pay the said sum of £462 3s. 4d. with the charges arising thereon: Resolved by this Assembly, that the memorialists have liberty, and liberty is hereby granted them, to sell so much of the real estate of said deceased as will pay and satisfy said sum of £462 3s. 4d. with the necessary charges thereon arising; taking the direction of the court of probate in and for the district of Windham therein.

Upon the memorial of Thomas Seymour, administrator on the estate of Capt. Thomas Seymour, late of Hartford in the county of Hartford, deceased, representing that there is the sum of £306 18s. 0d. in debts due from said estate more than the moveable estate of said deceased will pay, and praying for liberty to sell so much of the real estate of said deceased as will pay the same, &c.: Resolved by this Assembly, that the said Thomas Seymour, administrator, shall have full power to sell and dispose according to law so much of the real estate of said deceased as will be sufficient to pay the

said sum of £306 18s. 0d. money, and all incident charges arising on said sale, taking the advice and direction of the court of probates of the district of Hartford therein.

[310] *Resolved by this Assembly*, That the commissaries appointed to make provision for the expedition against Cape Breton be allowed out of the publick treasury, for their service, two and a half *per cent.* and no more, and that the Colony Treasurer deliver unto the abovesaid commissaries the sum of three thousand pounds in bills of credit of the old tenour, taking a receipt for the same, which sum, or so much thereof as is necessary, shall be improved to answer the charges of said expedition; and that the Treasurer of the Colony deliver out of the Colony treasury unto Colo. Thomas Wells, Colo. Hezekiah Huntington and Colo. Gurdon Saltonstall, three of the commissaries aforesaid, the sum of three hundred and thirty-eight pounds two shillings and sixpence, in addition to the three thousand pounds; and the said commissaries shall render an account of their doings in relation to the premises, according to the direction of this Assembly.

*Ordered by this Assembly*, That the Treasurer of this Colony pay out of the publick treasury unto Colo. Joseph Minor and Colo. William Preston, the sum of fourteen pounds money old tenour, for five days service in viewing certain lands belonging to this Colony, by order of the Assembly in October last.

This Assembly appoints Nathaniel Stanly, William Pitkin, Joseph Buckingham and John Chester, Esq<sup>rs</sup>, or any three of them, a committee to inspect, examine and adjust the accounts of the several commissaries who were appointed to make the necessary provision for the expedition to Cape Breton, &c., as also to enquire into and state an account of what has been paid to the several general and other officers commissioned for the said expedition, and to lay the said accounts, thus adjusted and stated, before this Court in the present sessions, or in the sessions thereof in October next, that proper orders and directions may be given respecting the same.

This Assembly appoints Samuel Messenger Surveyor of Lands in and for the county of Hartford for the future.

This Assembly do appoint Capt. Samuel Chapman, of Tolland, to be Captain of one of the companies of foot ordered to be raised for the reinforcement of the troops gone from this Colony on the expedition against Cape Breton.

This Assembly orders, that Ezekiel Ashley appointed to be one of the lieutenants, and John Parker appointed one of

the ensigns, belong to Capt. Adonijah Fitch's company to be raised for the reinforcement of the troops gone in the present expedition to Cape Breton; and that Jabez Barlow, appointed to be one of the lieutenants, and Ephraim Parrish, appointed one of the ensigns, belong to Capt. Samuel Chapman's company to be raised for the purpose aforesaid; and that their commissions be given accordingly.

Whereas this Assembly in the present sessions have resolved to raise two companies of volunteers, each consisting of one hundred men exclusive of commission officers, for recruits to reinforce the troops in the expedition to Cape Breton, and have nominated the officers for the said two companies, to be commissioned for that purpose: It is further resolved, that Ebenezer Silliman, Esq<sup>r</sup>, and Major Jabez Hamlin be appointed, and they are hereby appointed, to make provision for the said two companies for two months after their embarkation, excepting for their transportation, as has been made for the troops already gone in the said expedition. And that the said companies may be forthwith raised, his Honour the Governor is desired to commission the proper officers for the said companies, and issue proclamations for their encouragement, and to give the captains warrants enabling them to enlist the same; and that if any of the officers nominated to be commissioned as aforesaid shall fail, his Honour the Governor, by and with the advice of the Committee of War at Milford, is desired to appoint and commission others in their place. And it is further resolved, that the said companies being raised, shall proceed to Cape Breton, to join and reinforce the troops there, [311] and to belong to Colonel Andrew Burr's regiment. And his Honour the Governor is desired to give orders for the troops to march to New London, and there embark for that purpose, when he shall be informed that the transports under suitable convoy shall be arrived, or near arriving, at New London. \* Provided nevertheless, that if his Honour the Governor shall before or after such enlistment, and before their embarkation, receive authentick accounts or intelligence, by which it shall appear not necessary to reinforce the troops gone in the said expedition, he is desired to give orders to prevent their proceeding, and that thereupon to disband them.

*Ordered by this Assembly,* That Ebenezer Silliman and Jabez Hamlin, Esq<sup>rs</sup>, commissaries appointed to provide provisions and other necessaries for the recruits in the expedition against Cape Breton and the places adjacent, be, and they are each of them, hereby impowered to impress for the service of



this Colony any of the things needful for said expedition, that cannot be otherwise procured upon just and reasonable terms.

*Resolved by this Assembly,* That the commissaries for the recruits to be raised be directed, and they are hereby directed, to draw out of the publick treasury the sum of two thousand pounds in bills of credit of the old tenour, or equivalent in the new, to be by them improved for the furnishing said recruits • in said expedition ; and the Treasurer is hereby directed to pay and deliver out the same accordingly ; and the captains are hereby directed to draw out of the Colony treasury, each of them, the sum of three hundred pounds in bills of credit of the old tenour, to pay the *premia* to the souldiers that shall inlist for recruits as aforesaid.

*Resolved by this Assembly,* That Jeremiah Miller and Gurdon Saltonstall, Esq<sup>rs</sup>, or either of them, be a committee, (upon the return of our troops from the present expedition,) to receive and take care of all the provisions, warlike stores and other things, belonging to this Colony, which shall remain on board the transports or be in the custody of any of the souldiers ; and such things as are likely to be spoiled, to dispose of to the best advantage ; and the said committee shall be accountable for the things so received, when thereunto called by this Assembly.

Whereas this Assembly at their sessions in May last appointed and impowered Capt. Stephen Lee, of New London, to put in suit against the mortgagers or tenants in possession in the county of New London the several mortgages to the Governor and Company which were taken in said county for the old tenour bills of credit emitted on loan and the time of payment expired before the year 1744, and the condition to such mortgages not fulfilled : and whereas the said Capt. Stephen Lee is since gone on the expedition : This Assembly do, therefore, appoint and authorize Ebenezer Backus in the room of the said Capt. Lee, to perform the service said Capt. Lee was in said act directed to.

Whereas Capt. Daniel Chapman, captain of one of the companies in the present expedition, received of Mr. John Holley, collector of the country rate in the town of Stamford, the sum of fourteen pounds in bills of credit of the new tenour, in the service of this Colony, as per his, the said Chapman's, receipt under his hand in writing, dated in Stamford, April 5th, 1745 : *Resolved by this Assembly,* that the Treasurer of this Colony pay out of the treasury the sum of fourteen pounds in bills of credit of the new tenour to the said Holley ; and

the committee appointed to state the accounts with the officers in said expedition are hereby directed to receive of the said Holley said Capt. Chapman's receipt, and place said money to the said Chapman's account.

Whereas there is in the hands of Thomas Fitch, Esqr, the sum of fifty pounds old tenour, which, through a mistake, was by the committee that divided the bonds taken on the sale of the western lands set out to the school in Norwalk: Resolved by this Assembly, that the said Thomas Fitch, Esqr, deliver the said fifty pounds to the Treasurer of this Colony, taking his receipt therefor, which receipt shall by him be lodged with the Secretary of this Colony.

[312] This Assembly grants to the Honourable Jonathan Law, Esqr, Governor, the sum of seventy pounds new tenour, for his half years salary the current year.

This Assembly grants to the Honourable Jonathan Law, Esqr, for his extraordinary service for the government since the sessions of this Assembly in October last, the sum of fifteen pounds new tenour bills.

This Assembly grants unto Eliakim Palmer, Esqr, our Agent at the court of Great Britain, the sum of two hundred and fifty pounds bills of publick credit of the old tenour, for his salary the current year.

This Assembly do grant to John Whiting, Esqr, Treasurer of the Colony, for his salary the current year, the sum of fifteen pounds new tenour bills.

This Assembly grants to George Wyllys, Esqr, Secretary, for his salary the current year, the sum of six pounds new tenour bills.

This Assembly do appoint Nathaniel Stanly, Ozias Pitkin, William Pitkin, Esqrs, Mr. Joseph Buckingham, Mr. Joseph Talcott, Colo. John Chester, and Mr. Jonathan Robbins, to be a committee to hear the acts and orders past at this Assembly read off, and signed by the Secretary as compleat.

The whole Record of the several Acts, Grants and Orders of this Assembly, as it stands entered on the pages of this book next preceding, was read off in the presence of the above committee, and signed as compleat.

GEORGE WYLLYS, Secret'y.

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[313] *Anno Regni Regis Georgii secundi decimo-nono.*

AT A GENERAL ASSEMBLY HOLDEN AT NEW HAVEN IN HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, (BY SPECIAL ORDER OF HIS HONOUR THE GOVERNOR,) ON TUESDAY THE 2D DAY OF JULY, ANNOQUE DOMINI 1745.

*Present:*

The Honourable Jonathan Law, Esq<sup>r</sup>, Governor.

James Wadsworth,	William Pitkin,	} Esq <sup>rs</sup> , <i>Assistants</i> .
Nathaniel Stanly,	Thomas Fitch,	
Joseph Whiting,	Roger Newton,	
Timothy Pierce,	Ebenezer Silliman,	
Samuel Lynde,	John Bulkley,	

*Representatives or Deputies that attended at the Assembly are as follow, (viz:)*

Mr. Joseph Buckingham, Mr. Joseph Talcott, for Hartford.  
 Colo. Gurdon Saltonstall, Capt. Jeremiah Chapman, for New London.

Maj. Thomas Dyer, Mr. Ebenezer Wales, for Windham.

Mr. William Marsh, Mr. Joseph Parkhirst, for Plainfield.

Mr. Joseph Strong, Capt. Samuel Parker, for Coventry.

Colo. Jonathan Hoit, for Stanford.

Mr. Paul Welch, Mr. Ebenezer Fisk, for New Milford.

Capt. James Beebe, Mr. Thomas Benedict, for Danbury.

Mr. Samuel Fitch, Mr. Joseph Platt, for Norwalk.

Capt. Nathaniel Foot, Mr. Epaphras Lord, for Colchester.

Capt. Elnathan Stephens, Capt. Isaac Kelsey, for Killingworth.

Major Jabez Hamlin, Mr. Seth Wetmore, for Midletown.

Capt. Nathaniel Harrison, Capt. Robert Foot, for Branford.

Colo. Joseph Minor, Colo. William Preston, for Woodberry.

Capt. Samuel Bassett, Mr. Abel Gun, for Darby.

Mr. Noadiah Brainerd, for East Haddam.

Major Elihu Chauncey, Mr. Nathan Camp, for Durham.

Capt. John Hubbard, Mr. John Hitchcock, for New Haven.

Mr. Thaddeus Burr, for Fairfield.

Colo. Hezekiah Huntington, for Norwich.

Mr. Thomas Hart, Capt. Asahel Strong, for Farmingtown.

Mr. John Dixon, Mr. Thomas Kesson, for Voluntown.

Mr. Robert Walker, Capt. Theophilus Nickols, for Stratford.

Mr. John Humphrey, Capt. James Case, for Symsbury.

Capt. Jedadiah Chapman, Mr. Ambrose Whittelsey, for Say brook.

Capt. Joseph Phelps, Mr. William Buel, for Hebron.

Mr. Boaz Stearns, Mr. Jonathan Clough, for Killingly.

Colo. Benjamin Hall, Mr. Isaac Moss, for Wallingford.  
 Major Ebenezer Marsh, Mr. Isaac Baldwin, for Litchfield.  
 Mr. Thomas Mathews, Mr. John Scofield, for Waterbury.  
 Colo. Samuel Hill, Capt. Timothy Stone, for Guilford.  
 Colo. John Dyer, Mr. Solomon Tracey, for Canterbury.  
 Capt. Thomas Storrs, Mr. William Johnson, for Mansfield.  
 Colo. Thomas Wells, Capt. Jonathan Hale, for Glassenbury.  
 [314] Capt. John Fowler, Mr. Robert Treat, for Milford.  
 Mr. Ebenezer West, Capt. James Fitch, for Lebanon.  
 Mr. Amos Cheesbrough, for Stonington.  
 Mr. Joseph Wells, for Haddam.  
 Capt. John Mead, for Greenwich.  
 Mr. William Wittar, Mr. Ebenezer Leonard, for Preston.  
 Mr. John Griswold, for Lyme.  
 Mr. Daniel Bissell, for Windsor.

Colo. Christopher Avery, Mr. John Ledyard, for Groton.

Colo. Samuel Hill, Speaker, { of the *House of Representatives*.  
 Capt. John Fowler, Clerk. {

*Resolved by this Assembly,* That there be three hundred able-bodied effective men raised in this government, exclusive of commission officers, in addition to what hath been already raised as recruits, &c., to reinforce the forces sent on the expedition against Cape Breton.

*Resolved by this Assembly,* That a number of volunteers, not exceeding three companies, consisting of one hundred able-bodied effective men each, exclusive of commission officers, be forthwith raised and sent to reinforce the troops already gone or going in the expedition against Cape Breton, and be and belong to Colonel Andrew Burr's regiment employed in said service.

*And, for the encouragement of such volunteers to enlist, it is further resolved,* That such able-bodied effective men as shall voluntarily enlist themselves for said service under proper officers to be forthwith appointed and commissioned for that purpose, shall have the same encouragement as was allowed and given to such as were first raised to go on said expedition.

*It is further resolved,* That Ebenezer Silliman, Esqr, Major Jabez Hamlin, Colonel Gurdon Saltonstall, and Capt. John Hubbard, be appointed, and they are hereby appointed, to make like provision for the said three companies, for two months after their embarkation, so far as they shall judge necessary, as has been made for the troops first raised, and also provide for their transportation to Cape Breton. And his Honour the Governor is desired to commissionate such officers as shall be appointed by this Assembly for the said



three companies, issue proclamations to incourage inlistments, and proper warrants to the captains to enable them to inlist the said volunteers: and, in case any officers appointed fail, his Honour the Governor, with the advice of the Committee of War at Milford, appoint and commission others in their places; that the said companies being raised, his Honour the Governor is desired to give orders for their proceeding to New London and embarkation there, and from thence proceed to joyn the forces at Cape Breton, unless that before such embarkation his Honour shall receive authentick accounts or intelligence by which it shall appear not necessary for the said forces to proceed, in which case he is desired to give orders for the disbanding them: provided nevertheless, that as it will not be safe for the said forces to sail without suitable convoy, his Honour the Governor is desired to endeavour to procure some of the vessels of force now in the said service to convoy them from New London to Cape Breton, and not to give orders for their proceeding till such convoy can be had.

This Assembly do appoint Capt. Jedadiah Chapman, of Saybrook, to be Captain of one of the companies now to be raised to reinforce the troops sent to Cape Breton.

[315] This Assembly do appoint Capt. Samuel Hickeox, of Waterbury, to be Captain of one of the companies now to be raised and sent to Cape Breton to reinforce the troops there.

This Assembly do appoint Mr. Josiah Starr, of Danbury, to be Captain of one of the companies now to be raised and sent to Cape Breton to reinforce the troops there.

This Assembly do appoint Mr. Phinehas Stanton to be Lieutenant of Captain Jedadiah Chapman's company now to be raised and sent to Cape Breton to reinforce the troops there.

This Assembly do appoint Mr. Jonathan Clough, of Killingly, to be Lieutenant of Capt. Samuel Hickeox's company now to be raised and sent to Cape Breton to reinforce our troops there.

This Assembly do appoint Mr. Thomas Lattin, of Stratford, to be Lieutenant of Capt. Josiah Starr's company now to be raised and sent to Cape Breton to reinforce our troops there.

This Assembly do appoint Mr. Abraham Pinney, of Symsbury, to be Ensign of Capt. Jedadiah Chapman's company now ordered to be raised and sent to Cape Breton to reinforce the troops there.

This Assembly do appoint Mr. Thomas Hill, of Guilford, to be Ensign of Captain Samuel Hickeox's company now ordered to be raised and sent to Cape Breton to reinforce our troops there.

This Assembly do appoint Mr. William King, of Stanford, to be ensign of Capt. Josiah Starr's company now ordered to be raised and sent to Cape Breton to reinforce our troops there.

*Resolved by this Assembly,* That Ebenezer Silliman, Jabez Hamlin, Gurdon Saltonstall, and John Hubbard, Esq<sup>rs</sup>, commissaries, be, and they are hereby, impowered and directed to procure and send to Cape Breton, for the use of the troops already gone from this government, such sorts and quantities of ammunition and provisions, as also of live stock, as they shall judge necessary, on the best information they can get, for the use and support of the said troops; and also, from time to time, make such additional provisions and other necessities as they may be advised, either from the major general, colonel, or commissary, to be needed for the troops sent or to be sent from this government; and also they are further ordered and directed to provide such articles of cloathing, and in such quantity, as they shall, on the best information they can obtain, judge to be necessary for the said troops, and send them to the commissary at Cape Breton, with an invoice thereof, to be disposed of among the officers and souldiers as the same may be wanted, who shall have them at the prime cost with the addition of two and half *per centum*, in part of their wages; and the said commissaries are directed, when they ship any of the said articles, to order the delivery thereof to the commissary at Cape Breton for the use abovesaid, giving him the proper directions respecting the use and disposition thereof, and to take proper receipts at the shipping thereof.

*And it is further resolved,* That the Committee of War at Hartford, or any three of them, be, and are hereby, impowered to draw orders on the Treasurer of the Colony for the payment of such sum or sums as they shall from time to time judge necessary for the commissaries to receive, in order for their doing the service above assigned them; and the commissaries are to lay their accounts before this Assembly in October next.

*Ordered by this Assembly,* That Messrs. Ebenezer Silliman, Jabez Hamlin, John Hubbard, and Gurdon Saltonstall, commissaries appointed to provide provisions and other necessaries for the recruits now to be raised in the expedition against Cape Breton and the places adjacent, and also to provide anew for the forces already gone, be, and they are each of them, hereby impowered to impress for the service of this Colony anything that shall be needful for the purposes above-

said that cannot be otherwise procured upon just and reasonable terms.

*Resolved by this Assembly,* That the Committee of War at Hartford, or any three of them, shall receive, examine and adjust accounts with Ebenezer Silliman and Jabez Hamlin, Esq<sup>rs</sup>, commissaries appointed to provide provisions and other necessaries for the two companies of recruits already raised to reinforce the army at Cape Breton, and what they shall find due to the said commissaries upon such adjustment to draw an order on the Treasurer for the payment thereof.

[316] An Act for the making and emitting Bills of Publick Credit.

Forasmuch as the expences of this government have been greatly enhanced by our necessary preparations for defence, &c., since the war with France and Spain, and especially by our preparations in carrying on the expedition against his Majesty's enemies at Cape Breton and parts adjacent:

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That there shall be forthwith struck, imprinted and stamped, a certain number of bills of credit on this Colony, in suitable sums from one shilling to three pounds, which in the whole shall amount to the sum of twenty thousand pounds new tenour, and no more; and shall be stamped on the new plate; and that Nathaniel Stanly, William Pitkin, Esq<sup>rs</sup>, Mr. Joseph Buckingham, Colo. John Chester and Capt. George Wyllys, be a committee under oath for the faithful management of that affair, and any three of them to sign the said bills and to deliver them into the hands of the Treasurer of this Colony, taking his receipt for the same.

*And it is further enacted by the authority aforesaid,* That the Treasurer be and is hereby impowered to issue forth and pay out the sum of twenty thousand pounds towards the payment of the Colony debts, according to such orders as shall be given him from time to time according to law. And, as a fund and security for the repayment and drawing of the said bills into the treasury again, this Assembly grants a tax or rate of twenty thousand pounds new tenour, to be levied on polls and all other rateable estate of this Colony, and to be paid into the treasury at equal payments, the first to be made in May, 1756, and the last in May, 1759, which said rate shall be paid in bills of credit on this Colony of the new tenour, or in silver money at the rate of eight shillings per ounce troy weight sterling alloy, or in gold equivalent; and the Treasurer of this Colony for the time being shall take notice thereof, and without further order from this Assembly shall issue his warrant for collecting said tax.

Whereas there are a number of French prisoners lately taken by our forces at Cape Breton, and by order of the lieutenant-general brought into this Colony, and are now in the town of New Haven, under the care of Samuel Miles, captain of one of our transports; and there being no provision made in this Colony for the supporting, ordering and disposing of such persons:

*Resolved by this Assembly*, That the said Samuel Miles be directed, and he is hereby directed, to commit all the said prisoners into the care of Joseph Whiting, Esqr, of said New Haven, who is hereby empowered to order such of said prisoners to go out into service in this Colony, (as shall be desirous to be put to labour,) in such places and to such persons as he shall think proper: always provided, that in case he find any of said prisoners unwilling or unable, and not fit to go into service, he may commit such of them to the keeper of the common goal in New Haven aforesaid, who is hereby ordered and directed to receive and keep such prisoners in said goal at the cost and charge of this government, till they shall be delivered by order of his Honour the Governour.

*And it is further provided*, That in case any of said prisoners, by order of said Whiting, shall go out into service, the person appearing to take any of them shall become bound in a bond to the Governor and Company of this Colony, in such sum as the said Whiting shall think proper, conditioned that during the time of such prisoner's being in his service he will save the government from all cost and charge in maintaining such prisoner, and the prisoner or prisoners by him so taken shall be forthcoming to be exchanged or otherwise disposed according to such order as he shall receive for that purpose from his Honour the Governor of this Colony, unless such prisoner or prisoners shall make his or their escape, in which case such person shall forthwith inform the Governor thereof; and the government to be at no cost or charge for taking bond, &c., as aforesaid.

[317] And whereas it may so happen that hereafter French and Spanish prisoners may be brought into this Colony from Cape Breton and other places, and that they may be secured and properly disposed of:

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same*, That when and so often as any French or Spanish prisoners shall be brought into any port or harbour in this Colony, the master of the ship or vessel in which such prisoners shall be brought shall forthwith inform the Governor of this Colony,



for the time being, thereof; and his Honour the Governor is hereby desired and fully impowered to make such orders as he shall think proper, either for confining such prisoners in goal or ordering them out into service in this Colony, as above provided.

Whereas this Assembly, at their sessions in October last, ordered the sum of two hundred pounds to be drawn out of the publick treasury and put into the hands of Capt. John Hubbard and Samuel Mix, for repairing the president's house; and it being represented that the said sum is not sufficient for effecting the business aforesaid: Resolved by this Assembly, that the sum of one hundred pounds old tenour, in addition to the aforesaid sum, be drawn out of the treasury and put into the hands of said committee, to be improved as aforesaid; and the committee shall lay their accounts before this Assembly at their sessions in October next.

Whereas this Assembly, in May last, appointed Messrs. Benjamin Hall, Elihu Chauncey and Jedadiah Chapman, a committee for viewing the town of Hebron, in order to its being divided into two societies or having a place affixed for the building a meeting-house for the whole, &c., and the said Jedadiah Chapman being now appointed a captain to go into the expedition against Cape Breton: This Assembly do now appoint Mr. Hezekiah Brainerd, of Haddam, to be one of the committee aforesaid, in the room of the said Jedadiah Chapman.

Whereas at an Assembly held in Hartford, May the 9th, 1745, Colo. Benjamin Hall, Mr. John Southmaid and Capt. Samuel Hiccox were appointed a committee to repair to the parish of Roxberry in Woodberry and review the circumstances of said parish and hear the pleas that may be offered with respect to stating a place for the building a meeting-house on, and to fix a place for said society to build a meeting-house in, and make report to the Assembly in October next, and said Capt. Samuel Hiccox being appointed captain of one of the companies to be raised to reinforce our troops at Cape Breton: This Assembly do appoint Mr. Thomas Mathews, of Waterbury, in the room of said Samuel Hiccox, to be joyned with said Benjamin Hall and John Southmaid for the purposes aforesaid.

The whole Record of the Acts of this Assembly, as it stands here entered, was read off in the presence of the Assembly and signed as compleat.

GEORGE WYLLYS, Secret'y.

[318] *Anno Regni Regis Georgii secundi decimo-nono.*

AT A GENERAL ASSEMBLY HOLDEN AT NEW HAVEN IN HIS  
MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND  
IN AMERICA, (BY SPECIAL ORDER OF HIS HONOUR THE GOVERNOR,) ON  
FRIDAY THE 16TH DAY OF AUGUST, ANNOQUE DOMINI 1745.

*Present :*

The Honourable Jonathan Law, Esquire, Governor.

The Hon<sup>ble</sup> Roger Wolcott, Esqr, Deputy Governor.

James Wadsworth, Esqr,	William Pitkin, Esqr,	} <i>Assistants.</i>
Nathaniel Stanly, Esqr,	Thomas Fitch, Esqr,	
Joseph Whiting, Esqr,	Roger Newton, Esqr,	
Timothy Pierce, Esqr,	Ebenezer Silliman, Esqr,	
Samuel Lynde, Esqr,		

*Representatives or Deputies that attended the Assembly are as follow, (viz:)*

Mr. Joseph Talcott, for Hartford.

Colo. Gurdon Saltonstall, Mr. Jeremiah Chapman, for New London.

Major Thomas Dyer, Mr. Ebenezer Wales, for Windham.

Mr. William Marsh, Mr. Joseph Parkhirst, for Plainfield.

Mr. Joseph Strong, Capt. Samuel Parker, for Coventry.

Colo. Jonathan Hoit, for Standford.

Capt. James Case, for Symsbury.

Capt. Jedadiah Chapman, Mr. Ambrose Whittelsey for Saybrook.

Mr. Timothy Keeler, Mr. Joseph Halley, for Ridgfield.

Capt. Nathaniel Foot, Mr. Epaphras Lord, for Colchester.

Capt. Elnathan Stevens, Capt. Isaac Kelsey, for Killingsworth.

Major Jabez Hamlin, Mr. Seth Wetmore, for Midletown.

Major Ebenezer Marsh, for Litchfield.

Mr. Thomas Mathews, Mr. John Scofield, for Waterbury.

Capt. John Fowler, Mr. Robert Treat, for Milford.

Capt. John Hubbard, Mr. John Hitchcock, for New Haven.

Capt. Samuel Burr, for Fairfield.

Colo. Hez<sup>h</sup> Huntington, for Norwich.

Mr. Thomas Hart, Capt. Asabel Strong, for Farmingtown.

Mr. John Dixon, for Voluntown.

Mr. Paul Welch, Mr. Ebenezer Fisk, for New Milford.

Capt. James Bebee, Mr. Thomas Benedict, for Danbury.

Mr. Joseph Platt, for Norwalk.

Capt. Joseph Phelps, Mr. William Buel, for Hebron.

Mr. Boaz Stearns, Mr. John Clough, for Killingly.

Colo. Benjamin Hall, Mr. Isaac Moss, for Wallingford.

Colo. Samuel Hill, Capt. Timothy Stone, for Guilford.  
 Capt. Nathaniel Harrison, Capt. Robert Foot, for Branford.  
 Colo. Joseph Minor, Colo. William Preston, for Woodbury.  
 Capt. Sam<sup>l</sup> Bassett, Mr. Abel Gun, for Derby.  
 [319] Colo. John Dyer, Mr. Solomon Tracy, for Canterbury.  
 Capt. Thomas Storrs, Mr. William Johnson, for Mansfield.  
 Mr. Robert Knowlton, Mr. William Watkins, for Ashford.  
 Mr. Jonathan Robbins, for Weathersfield.  
 Mr. John Griswold, for Lyme.  
 Mr. Joseph Wells, for Haddam.  
 Capt. Ebenezer Mead, Capt. John Mead, for Greenwich.  
 Mr. Noadiah Brainerd, for East Haddam.  
 Major Elihu Chauncey, Mr. Nathan Camp, for Durham.  
 Mr. William Wittar, for Preston.  
 Mr. Ebenezer West, Capt. James Fitch, for Lebanon.  
 Capt. Roger Wolcott, Mr. Daniel Bissell, for Windsor.  
 Colo. Christopher Avery, for Groton.  
 Capt. Theophilus Nickols, for Stratford.  
 Colo. Thomas Wells, Capt. Jonathan Hale, for Glassenbury.  
 Colo. Samuel Hill, Speaker, } of the House of Repre-  
 Capt. John Fowler, Clerk, } sentatives.

Whereas, since the reduction of the important town and fortresses of Louisbourg to his Majesties obedience, this Assembly hath received advice from the Honourable Lieutenant General Pepperrel, Major General Wolcott and Commodore Warren, that it is necessary for this Colony, in conjunction with the neighbouring Provinces, to maintain a number of troops in said town and fortresses, until his Majesties pleasure be known :

*Resolved by this Assembly,* That Major General Wolcott's regiment, now under the command of Colo. Andrew Burr, to consist of three hundred and fifty men, including officers, from this colony, and exclusive of such as are or may be joyned to them from any of the neighbouring governments, shall be maintained in the town or fortresses of Louisbourg until the first day of June next, unless his Majesties pleasure be known so that they may be sooner drawn off; and the five hundred volunteers that embarked with the major general on the setting forth the late expedition (and belonging to his regiment) shall be forthwith discharged from the service, and transported to this Colony. And in case Captain Adonijah Fitch and Captain Samuel Chapman's companies are not together full two hundred men, including officers, then the commanding officer of said regiment shall cause said companies to be filled up with volunteers, and the officers and souldiers shall have two months advance wages paid them by

the commissary at Louisbourg, at or before the first day of October next. And for the encouragement of one hundred and fifty volunteers, able-bodied and effective men, forthwith to be raised to compleat said regiment for garrisoning the town and fortresses of Louisbourg, as aforesaid, the officers and souldiers enlisting shall be allowed the same wages by the month as those now in the service of this Colony on said expedition, and shall have two months wages advanced, the first months wages to be paid at inlisting, and the second before embarkation, and likewise such volunteers shall be exempted from arrests and impresses, as the souldiers are that were heretofore inlisted in said service; and all such volunteers that find their own arms shall have reasonable allowance, upon apprisement, by persons under oath, for all damage that shall happen to such arms, and if such arms are lost by inevitable providence they shall be paid for out of the publick treasury; and if any person shall inlist as aforesaid and not provide himself arms, such person shall have arms provided for him in the manner those volunteers heretofore had. And if any arms provided by the govern-[320] ment shall be lost || through the default of the person to whom they are delivered, such person shall have the value thereof deducted out of his wages. And the whole regiment shall be discharged from said service on or before the 1st day of June next, and be transported again to this Colony.

*It is further resolved,* That in case all the field officers choose to be dismissed forthwith, that then a colonel and lieutenant-colonel of said regiment be appointed by this Assembly, and that the government of Rhode Island have the offer of filling up the regiment with a major, provided they shall continue to maintain not less than one hundred and fifty men in the regiment: but if only one or two of said field officers choose to return, in such case his Honour the Governor is desired and empowered to fill up said vacancies, as also any other vacancies of commission officers.

Whereas this Assembly hath already concluded to send a considerable number of men to garrison the town and fortresses at Louisbourg; and whereas there has been a considerable donation in provision for the support of men in his majesty's service at said place by several of the western governments, whereby it is reasonably supposed that the souldiers raised in and sent from this government are well entituled to their proportionable part thereof:

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That his Honour the Governor be desired to write to the



commander in chief in Boston, and inform him that we have ordered the number of three hundred and fifty able-bodied effective men, to remain in garrison at Louisbourg; and also inform him that it is the expectation of this government that those troops raised in and sent from this Colony be supported in garrison out of the provisions raised by the western governments for his Majesty's service at Louisbourg, so far as our proportion of men comes to.

*And be it further enacted*, That the souldiers that shall garrison at Louisbourg shall be allowed one gill of rum *per diem* per man, which shall be accordingly delivered to them, and there shall be provided a sufficient stock of molasses to make beer of, as well as for other uses, for the souldiers there.

*And it is further enacted*, That Ebenezer Silliman, John Hubbard, Gurdon Saltonstall and Jabez Hamlin, Esq<sup>rs.</sup>, be appointed Commissaries to provide the articles abovementioned for the souldiers; and they are hereby further directed to make such other provision for the subsistence of said souldiers as they from time to time shall be advised by his Honour the Governor, and also to provide such a stock of arms and ammunition for the souldiers as they on good advice shall find necessary, and provide for the transportation of the men to be sent to Louisbourg. And Doctor Normand Morison is desired to continue in his office of physician and chirurgeon for our forces during their stay in garrison at Louisbourg, and he is directed to take into his care and keeping the chest of drugs and the doctor's instruments that are now at Louisbourg.

*And it is further enacted*, That his Honour the Governor be desired to give order that the Colony sloop Defence, and the three transport vessels there in the pay of this Colony, be ordered forthwith to return to this Colony, and the sloop Defence to take under her convoy those troops belonging to this Colony that are ordered to return home.

*Resolved by this Assembly*, That the Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r.</sup>, Thomas Fitch, Esq<sup>r.</sup>, Messrs. Ebenezer West, Robert Treat, Elihu Chauncey, John Hubbard and Jabez Hamlin, be a committee to draw a representation of what this government has done in the expedition to Cape Breton and in the reduction of Louisbourg to his Majesties obedience, and of what is now further resolved to be done for the maintaining the same, and to draw an address to his Majesty, humbly requesting his gracious consideration of the officers and souldiers that have served in the said expedition, and for

the repayment of the great expence this Colony has been at in carrying on the said affair, and lay the same before this Assembly.

[321] Whereas the committee appointed to draw a representation of what this government has done in the expedition to Cape Breton, and has now further resolved to do for the maintaining the city and fortresses of Louisbourg, reduced to his Majesty's obedience, together with a congratulatory address and humble request for relief under the heavy burden occasioned to this Colony, and for his Majesty's favourable regards to the officers and souldiers that served in the said expedition, have prepared and drawn a representation, address and humble request accordingly, and now laid the same before this Court, which being read is approved of: And thereupon it is resolved, that the same be signed by the Governor and Secretary, in behalf of the Governor and Company of this Colony, and sent to his Majesty from this Colony; and that his Honour the Governour is desired to send the same with a letter to his Grace the Duke of Newcastle, requesting his good offices in forwarding and rendering the said representation, address and humble request, acceptable to his Majesty; which draft is in the following words, (*viz:*)

*To the King's Most Excellent Majesty:*

May it please your Majesty,

Your dutiful and loyal subjects, the Governor and Company of your English Colony of Connecticut in New England, most humbly beg leave to represent, that the Provinces of the Massachusetts Bay and New Hampshire (many of whose inhabitants formerly used the fishing trade, being since the French war greatly injured in that business, and particularly by the French at Cape Breton,) proposed an expedition against your Majesty's enemies on Cape Breton and parts adjacent, for the reduction of the same to your Majesty's obedience; and thereupon your Majesty's Province of the Massachusetts Bay invited this and the more western Colony or Colonies, together with the Colony of Rhoad Island, to joyn therein; whereupon this your Majesty's Colony of Connecticut, though as little interested in this affair as perhaps any of the more western plantations who sent no men into the expedition, this Colony not having for many years past so much as one vessel employed in the fishery there, yet greatly resenting the treatment of your Majesty's subjects at Canso, met with from the French the last year, the attempts made upon Annapolis Royal, the threatnings given out of further attacks thereon the present year, and the preparations we were informed were making for that

purpose; apprehensive also of what great advantage it might be to the British crown and to your Majesty's Provinces and Colonies in North America in general, and for the protection and defence of Nova Scotia in particular, to subdue your Majesty's enemies annoying those parts; esteeming it also a singular pleasure to serve your Majesty's interest and promote the common good and safety of your subjects in such an important point:

We, your Majesty's loyal and dutiful subjects, with great cheerfulness, undertook and joyned with the neighbouring Colonies in the proposed expedition, and carried on the same with utmost dispatch, in which this Colony was second to none but the Province of the Massachusetts Bay, to whose wealth, trade, numbers, and extent, this small Colony bears but a very small proportion. For, may it please your Majesty, this Colony, small in extent and trade, poor in estate, having little or no advantage to raise money but by taxes on the people, raised at the first five hundred volunteers, effective men for the land service, and one hundred for the sea, on board the Colony guard sloop, (which was the only vessel of force the Colony had,) equipped, victualled, transported and maintained the [322] same in your Majesty's service || in this important expedition; which forces, in conjunction with upwards of three thousand land forces from the Provinces of the Massachusetts Bay and New Hampshire, one sloop with about ninety men from Rhoad Island, together with a squadron of your Majesties ships of war, under the command of the Honourable Peter Warren, Esqr, Commodore of the same, with a number of smaller vessels of force from the Massachusetts, on the 16th day of June last, after forty-nine days close seige, compelled the enemy upon a capitulation to surrender; the terms whereof we conclude your Majesty is informed; and accordingly the city and fortresses of Louisbourg, with the territories thereon dependent, were surrendered and delivered up to your Majesty, with all their artillery and warlike stores, for the use and defence of the same.

But, before this happy conquest, this Colony, further moved by its former principles, raised, provided for and sent into the same service, two hundred able, effective volunteers more, besides officers, who arrived there soon after the surrendry of the place; and again, before we had news of the surrendry, this Colony, under all the heavy burdens it then laboured, lest for want of more force an expedition of such great importance should happen to fail, further resolved, and gave out commissions for the raising three hundred volunteers more, for augmentation of the former troops raised for this service, which

last (the agreeable news of the surrendry of the place coming soon after the commissions were out,) did not inlist. And, to the end this great and important acquisition may be maintained, this Colony, humbly depending on your Majesty's royal goodness, have now resolved to raise and support, for the keeping your Majesty's garrison thus lately acquired, the number of three hundred and fifty men, until the first of June next, unless your Majesty's royal pleasure be sooner known.

Whereupon we most humbly beg leave to observe, that this Colony, in raising the several volunteers before mentioned, judged it necessary to give greater encouragements to the people (whose interest in the consequences of this expedition was not so immediately affected) to inlist into this service, than the other governments, more immediately interested therein, had occasion to give, and that by this great and expensive undertaking we have expended about , which, in addition to the expence occasioned in the year 1740, by the war with Spain, and to a very considerable expence this Colony is at in assisting the Massachusets in defending their frontiers, has run this Colony extreamly into debt, and reduced it to a very low ebb.

Most Gracious Sovereign: Having given your Majesty a short and very general account of our proceedings and the happy success attending this expedition, and having this great occasion of rejoicing, we most humbly beg leave to congratulate your Majesty on the most agreeable news of this enlargement of your dominions by the reduction of this so important city and fortresses of Louisbourg on Cape Breton with the territories thereon depending to your Majesty's obedience, that your Majesty is now possessed of a strong-hold, (once your enemies,) which seems to be the Key of North America, the building of which cost the French King an immense sum: that, by means of this success, a powerful siege, which has this year been laid against Annapolis Royal, has, as we are informed, been raised; and that, by means thereof, as we have great reason to hope, your Majesty's Province of Nova Scotia, and other neighbouring Provinces, will for the future be in great measure freed from the annoyance of the French and their barbarous allies, formerly so very troublesome in those parts.

[323] Will your Majesty be pleased, therefore, to suffer this small Colony, labouring under poverty and deeply in debt, to hope for, and most humbly to request, your royal favour and bounty towards us, in granting us relief under the heavy charge which we have expended in exerting ourselves in this important service, wherein we conceive we have, all circumstances considered, done more than our proportion with our



neighbours. And we beg leave humbly to assure your Majesty, that we shall with all thankfulness accept and acknowledge any favour your Majesty in your great goodness shall think proper to manifest.

Will your Majesty be pleased further to permit us humbly to recommend to your royal consideration and favour the officers and souldiers who have voluntarily served their King in this expedition, going through incredible labours and fatigues in erecting batteries, (one of which they advanced within about two hundred yards of the city walls,) drawing guns, (some forty-two pounders,) firing nine or ten thousand great shot and shells, and small shot without number, and in receiving the enemies shot near equal; in all which the officers and souldiers from Connecticut (whose loyalty and resolution is inferior to none) bare their full share: notwithstanding all which, these officers and souldiers (who would have been entitled to the plunder, if taken,) received no benefit thereof, the same by capitulation being given up, and the city and forts with their artillery saved and surrendered to your Majesty: whereas the officers and souldiers at sea, both before and since the surrendry, have had great and valuable prizes fallen into their hands, even within sight of the city walls, particularly, since the surrendry, two French East India ships richly laden, and one South Sea ship, which we have advice had on board four hundred thousand pounds sterling in money, besides a valuable cargo in goods, and it is supposed that the captures there amount to a million sterling, or more, which it is probable would never have fallen into the hands of your Majesty's subjects if this expedition had not been undertaken.

We have presumed to send your Majesty a roll of the officers from Connecticut, and most humbly pray your Majesty's most gracious acceptance, audience and favour.

May your reign be long and prosperous, your arms victorious, the acquisitions obtained to your dominions continued, and we admitted the pleasure and satisfaction to account and subscribe ourselves, as we really and sincerely are,

May it please your Majesty,

Your Majesty's most loyal, dutiful and obedient subjects,

The Governor and Company of your English Colony of  
Connecticut in New England in America.

JONATH<sup>N</sup> LAW, Gov<sup>r</sup>.

By order of the Governor and Company aforesaid, }  
assembled in General Court. }

GEORGE WYLLYS, Secret'y.

*Resolved by this Assembly, That the commissaries appoint-*

ed by this Assembly for procuring provisions and other necessaries for the recruits now to be raised and those already at Louisbourg be, and they are each of them, hereby impowered to impress anything that shall be needful for the purposes abovesaid, that cannot be otherwise procured upon just and reasonable terms.

[324] *Resolved by this Assembly*, That the field officers appointed for garrisoning of Louisbourg be also commissioned to be captains of a company, and that all the field officers draw pay for their commissions as such only.

*Resolved by this Assembly*, That the Reverend Mr. Elisha Williams be desired to continue in his office of chaplain to our forces at Louisbourg during their continuance there in garrison, and that his allowance be the same as at first was made.

*It is further resolved*, That Mr. Jeremiah Miller, commissary for our troops at Louisbourg, be desired to continue in his office of commissary there during the stay of our troops there, and his allowance therefor be the same as at first made.

*Ordered by this Assembly*, That the Treasurer of this Colony pay out of the publick treasury to Capt. Lamberton Cooper, of Midletown, ninety pounds in old tenour bills, for the transportation of forty-five of our souldiers and officers from Louisbourg by agreement of Colo. Burr, taking receipt of said Cooper.

Whereas this Assembly, in their special sessions at New Haven in July last, ordered a certain sum in bills of credit to be struck off the new plates, and being now informed that the great plate is unfit for use, leaving a very defective impression: It is resolved, that the said great plate be engraven over again, (with some proper additional marks of distinction,) before the bills be struck off; and the committee appointed to sign the said bills are hereby directed, as soon as may be, to procure a skilful artist to engrave the plate accordingly.

This Assembly do appoint Nathaniel Stanly, Esqr, Mr. Joseph Talcott and Mr. Jonathan Robbins, a committee to attend at the Court House in Hartford upon the 26th day of August instant, to hear the record of the acts and orders passed at this Assembly read off, and see them signed by the Secretary as compleat.

Upon the 26th day of August, A. D. 1745, at the Court House in Hartford, the record of the session acts or orders of this Assembly, as it stands entered on the pages of this book, next preceding, was read off in the presence of the committee abovenamed, and signed as compleat.

GEORGE WYLLYS, Secret'y.

[325] *Anno Regni Regis Georgii secundi decimo-nono.*

AT A GENERAL ASSEMBLY HOLDEN AT NEW HAVEN IN HIS MAJESTIES ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, ON THE SECOND THURSDAY OF OCTOBER, (BEING THE 10TH DAY OF SAID MONTH,) AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE 25TH DAY OF THE SAME MONTH, ANNOQUE DOMINI 1745.

*Present:*

The Honourable Jonathan Law, Esqr, Governor.

The Hon<sup>ble</sup> Roger Wolcott, Esqr, Deputy Governor.

James Wadsworth,	} Esq <sup>rs</sup> .	Thomas Fitch,	} Esq <sup>rs</sup> .	<i>Assistants.</i>
Joseph Whiting,		Roger Newton,		
Timothy Pierce,		Ebenezer Silliman,		
Samuel Lynde,		Jonath <sup>n</sup> . Trumble,		
William Pitkin,		John Bulkley,		

*Representatives or Deputies that attended at the Assembly are as follow, (viz:)*

Mr. Joseph Buckingham, Capt. James Church, for Hartford.  
 Colo. Gurdon Saltonstall, Mr. Jeremiah Chapman, for New London.

Colo. Jabez Huntington, Mr. Jonath. Huntington, for Windham.

Mr. Michael Humphrey, Mr. Joseph Wilcoxson, for Symsbury.

Mr. John Hall, Mr. Isaac Moss, for Wallingford.

Colo. Jonathan Hoit, Mr. Jonathan Bates, for Stanford.

Capt. Asahel Strong, Mr. Timothy Porter, for Farmington.

Mr. Robert Knowlton, Mr. James Bicknal, for Ashford.

Capt. Joseph Phelps, Mr. William Buel, for Hebron.

Mr. David Noble, Mr. Paul Welch, for New Milford.

Capt. Israel Knapp, Mr. David Lockwood, for Greenwich.

Mr. Samuel Morgan, Mr. Nathan<sup>l</sup> Brown, for Preston.

Capt. John Russell, Capt. Robert Foot, for Brandford.

Mr. Ebenezer West, Major Joseph Fowler, for Lebanon.

Mr. Stephen Horsmer, for East Haddam.

Capt. John Hubbard, Mr. John Hitchcock, for New Haven.

Colo. Andrew Burr, Capt. John Read, for Fairfield.

Colo. Hez<sup>h</sup> Huntington, Mr. Ebenezer Backus, for Norwich.

Capt. John Fowler, Mr. Robert Treat, for Milford.

Mr. Joseph Strong, Capt. Samuel Parker, for Coventry.

Mr. John Dixon, Mr. Thos. Kesson, for Voluntown.

Capt. James Beebe, Mr. Thos. Benedict, for Danbury.

Mr. Samuel Fitch, Mr. Joseph Platt, for Norwalk.

Colo. Thomas Wells, Capt. Jonathan Hale, for Glassenbury.

Capt. Joseph Bird, Capt. Edward Phelps, for Litchfield.

Mr. Thos. Mathews, for Waterbury.  
 Colo. John Dyar, Mr. Stephen Frost, for Canterbury.  
 Capt. Charles Bulkley, Capt. Timothy Wright, for Colchester.  
 Capt. Thomas Storrs, Mr. William Johnson, for Mansfield.  
 Mr. John Crary, Mr. William Marsh, for Plainfield.  
 [326] Colo. Samuel Hill, Capt. Timothy Stone, for Guilford.  
 Mr. Ebenezer Bateman, Major Hez<sup>h</sup> Sabin, for Killingly.  
 Major Elihu Chauncey, Mr. Nathan Camp, for Durham.  
 Colo. John Chester, Mr. Jonath<sup>n</sup> Robbins, for Weathersfield.  
 Major Jabez Hamlin, Mr. Seth Wetmore, for Middletown.  
 Colo. Christopher Avery, Mr. John Ledyard, for Groton.  
 Mr. Joseph Denison, Mr. Rufus Minor, for Stonington.  
 Mr. James Benedict, Mr. Samuel Olmstead, for Ridgfield.  
 Mr. Hez<sup>h</sup> Brainerd, for Haddam.  
 Capt. Samuel Bassett, Mr. Abel Gun, for Derby.  
 Major Daniel Ely, Mr. John Griswold, for Lyme.  
 Capt. Jedadiah Chapman, Mr. Ambrose Whittelsey, for Saybrook.  
 Capt. Roger Wolcott, Mr. Daniel Bissell, for Windsor.  
 Capt. Theophilus Nickols, Mr. Robert Walker, for Stratford.  
 Capt. Elnathan Stephens, Mr. Jonath<sup>n</sup> Lane, for Killingsworth.  
 Capt. Noah Sabin, Mr. Ebenezer Holbrook, for Pomfret.  
 Colo. Andrew Burr, Speaker, } of the House of Representatives.  
 Capt. John Fowler, Clerk, }

*Resolved by this Assembly,* That the commissaries appointed to make provision for the troops at Louisbourg, &c., be ordered, and they are hereby ordered, to make sufficient provision for victualling, bedding and cloathing the three hundred and fifty men appointed to garrison the city, &c. of Louisbourg, until the first of July next; the cloathing to be deducted out of the souldiers' wages, as by act of Assembly is already provided.

*Ordered by this Assembly,* That the Treasurer of this Colony pay out of the publick treasury unto Lieut. William Smithson, of Durham, the sum of twelve pounds fifteen shillings old tenour, for so much expended by him of his own moneys in inlisting seventy-four souldiers for garrisoning the town and fortresses of Louisbourg.

This Assembly do establish and confirm Mr. Zebulon Webb to be Lieutenant of the second company or trainband in the town of Windham, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Rudd to be Ensign of the second company or trainband in the



town of Windham, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Wheeler to be Ensign of the second company or trainband in the town of Plainfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Eliphalet Dyer to be Captain of the Troop in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Clement Minor to be Captain of the 2d company or trainband in the town of Lyme, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Beekwith to be Lieutenant of the 2d company or trainband in the town of Lyme, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Way to be Ensign of the 2d company or trainband in the town of Lyme, and order that he be commissioned accordingly.

[327] This Assembly do establish and confirm Mr. David Lamb to be Ensign of the 2d company or trainband in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Moses Tyler to be Ensign of the third company or trainband in the town of Preston, and order that he be commissioned accordingly.

This Assembly do appoint, establish and confirm, Mr. Isaac Hide to be Lieutenant of the 2d company or trainband in the town of Canterbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Phinehas Brown to be Ensign of the 2d company or trainband in the town of Canterbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Berry to be Lieutenant of the company or trainband in the town of Kent, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Ransome to be Ensign of the company or trainband in the town of Kent, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathan Smith

to be Captain of the 3d company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Burroughs, junr, to be Ensign of the 3d company or trainband in the town of Groton, and order that he be commissioned accordingly.

*Resolved by this Assembly,* That there shall be paid to any person that already hath or shall hereafter serve in the place of sergeant-major in the regiment sent from this Colony to Cape Breton the sum of fifteen pounds, old tenour, per month, for each kalendar month, during the time our troops shall be improved there.

*Resolved by this Assembly,* That Jeremiah Miller and John Richards, Esqrs., and Mr. Jeremiah Chapman, junr., or any two of them, are appointed a committee to enquire of all vessels that shall arrive in the harbour of New London from Cape Breton, or elsewhere, for any sick or wounded men in this Colony's service that may stand in need of being landed and provided for on shoar, and to impress (if need be) such houses, tenders, and all things necessary for the comfortable support and recovery of such sick or wounded persons, until they shall be able to travel to their respective homes, and to lay the accounts of the charges arising thereby before the committee appointed by this Assembly to adjust and settle accounts relating to the charge and expence of the present war, in order for their examination and allowance; who are hereby ordered and impowered to draw orders on the Treasurer of the Colony for the payment of such accounts by them allowed; and the Treasurer is ordered to pay the same accordingly. And further, the said Treasurer is hereby ordered to deliver into the hands of said committee the sum of two hundred pounds, old tenour, who are hereby ordered to deliver and pay out of the same to each souldier that shall arrive from Cape Breton, so much as they shall judge may be sufficient to defray their charges to their respective homes, having regard to the distance of the way and ability of the souldiers to travel, and to render the abovesaid committee an account of their disbursements of the said two hundred pounds.

Upon the memorial of Nathaniel Barnes and Abigail his wife, administrators (the said Nathaniel in right of his said wife) of the estate of John Howell, late of New Haven, deceased, representing that the debts due from said estate exceed the sum of the moveables of said estate the sum of £38 11s. 7d., and moving for liberty from this Assembly to sell so much of the real estate of said deceased as shall enable them to pay

said debts, together with contingent charges, by the advice and at the direction of the judge of the court of probates for the district of New Haven: This Assembly grants liberty to the said administrators, by the advice and at the direction of the said judge of probates, to sell so much of the real estate of said deceased as shall enable them to pay said sum of £38 11s. 7*d.*, together with the charges arising on such sale.

[328] Upon the memorial of Henry Taylor, of Mansfield, in the county of Windham, administrator on the estate of James Taylor, late of Killingly in said county, deceased, shewing to this Assembly that the said James Taylor dyed in debt the sum of £57 18s. 2*d.*, more than his moveable estate will pay; praying this Assembly that he, the said Henry, or some other meet person, may be impowered to sell so much of the lands of the said deceased as will be sufficient to pay the said £57 18s. 2*d.*, with the charges arising thereupon: It is now resolved by this Assembly, that the said Henry Taylor be, and he is hereby, impowered to sell so much of the lands of the said James Taylor, deceased, as may be sufficient to pay the said £57 18s. 2*d.* and charges, it being according to old tenour; he taking the directions of the court of probates in the county of Windham.

An Act for levying a Tax on Polls, &c.

This Assembly grants a rate of one penny half-penny on the pound, in bills of credit of this Colony of the new tenour, on all the polls and other rateable estate in this government, to be paid in bills of credit of this Colony of the new tenour, as aforesaid, or in bills of credit of this Colony of the old tenour, at the proportion of three shillings and sixpence old tenour for one shilling of the new, and so proportionably, with the usual advance of one shilling on the pound; or in good silver at eight shillings per ounce troy weight sterling alloy, or in gold equivalent thereto.

This Assembly do establish and confirm Mr. Jonathan Lane to be Captain of the 7th company or trainband in the seventh regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elnathan Street to be Captain of the first company or trainband in the town of Wallingford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Peck to be Lieutenant of the first company or trainband in the town of Wallingford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ephraim Preston to be Ensign of the first company or trainband in the town of Wallingford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Sandford to be Lieutenant of the company or trainband at the parish of Reading, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Sherwood to be Lieutenant of the company or trainband at the parish of Stratfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Hezekiah Odel to be Ensign of the company or trainband at the parish of Stratfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Caleb Hulls to be Ensign of the north company or trainband in the parish of New Cheshire in Wallingford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Eleazer Warren to be Ensign of the first company or trainband in the town of Killingly, and order that he be commissioned accordingly.

The Gentlemen nominated by the Votes of the Freemen of this Colony to stand for Election in May next are as follow, viz:

The Honourable Jonathan Law, Esq<sup>r</sup>.

The Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>.

James Wadsworth, Esq <sup>r</sup> .	Ebenezer Silliman, Esq <sup>r</sup> .
Nathaniel Stanly, Esq <sup>r</sup> .	Jonathan Trumble, Esq <sup>r</sup> .
Joseph Whiting, Esq <sup>r</sup> .	John Bulkley, Esq <sup>r</sup> .
Ozias Pitkin, Esq <sup>r</sup> .	Hez <sup>b</sup> Huntington, Esq <sup>r</sup> .
Timothy Pierce, Esq <sup>r</sup> .	Colo. Andrew Burr.
Samuel Lynde, Esq <sup>r</sup> .	Colo. John Chester.
William Pitkin, Esq <sup>r</sup> .	Mr. John Griswold.
Thomas Fitch, Esq <sup>r</sup> .	Mr. Elisha Williams.
Roger Newton, Esq <sup>r</sup> .	Colo. Benja. Hall.

[329] This Assembly do establish and confirm Mr. Samuel Bebee to be Captain of the company or trainband in the town of Salisbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Hutchinson to be Lieutenant of the company or trainband in the town of Salisbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Belows to be Ensign of the company or trainband in the town of Salisbury, and order that he be commissioned accordingly.



On the memorial of the inhabitants of the parish of Northberry in Waterbury, shewing that the circumstances of said parish were of late altered, and that the middle stake set up by the committee appointed to affix a place whereon to build a meeting-house would now best accommodate the present inhabitants, and they were unanimous in said middle stake for a meeting-house place; also praying for a land tax, exclusive of the land belonging to those who have professed for the church of England, as per their memorial on file,

*Resolved by this Assembly,* That the middle stake erected by said committee, standing by the path leading from Deacon Blacksley's to Isaac Castle's dwelling-house, about twenty rods eastward from the brook that runs from the north end of the hill called the One Pine, toward the river, shall be and hereby is established to be the place whereon to build a meeting-house in said parish: and that all the unimproved lands in the limits of said parish, exclusive of those lands belonging to such persons in said parish as have professed for the church of England, shall and hereby is taxed at the rate of sixpence old tenour currency per acre yearly, for the space of four years next coming, to be paid by the owners of such lands and to be improved for the building said meeting-house and for the support of their minister.

Upon the memorial of Mary Alling, of New Haven in New Haven county, widow of Ebenezer Alling, late of said New Haven, deceased, and administratrix on the estate of said deceased, representing to this Assembly that the debts due from said estate surmount the moveables the sum of £53 10s. 4d., praying this Assembly to grant liberty to sell so much of the real estate of said deceased as is necessary to pay said sum and the charges arising on such sale, and to appoint some meet person to do the same: It is resolved by this Assembly, that Caleb Alling, of said New Haven, be impowered, and he is hereby impowered, to sell so much of the land of the said deceased as is necessary for the purposes aforesaid, taking the direction of the judge of the probate in the district of New Haven therein.

Upon the memorial of Elizabeth Bristol, of New Haven in New Haven county, widow of Daniel Bristol, late of said New Haven, deceased, and administratrix on the estate of said deceased, representing to this Assembly that the debts due from the estate of said deceased surmount the moveables the sum of £105 11s. 7d., praying this Assembly to grant liberty to sell so much of the real estate of the said deceased as is necessary to pay said debts and the charges arising on such

sale, and to appoint some meet person to do the same: It is resolved by this Assembly, that Josiah Platt, of said New Haven, be impowered to sell so much of the land of the said deceased as is necessary for the purposes aforesaid, taking the direction of the court of probate in the district of New Haven therein.

*Resolved by this Assembly,* That the Treasurer of this Colony be directed to attend on this Assembly, prepared with money to pay the charges thereof, on Wednesday the twenty-third instant.

This Assembly appoints Thomas Chipman, of Salisbury, Justice of the Peace for the county of New Haven till June next.

[330] This Assembly do establish and confirm Mr. Ebenezer Lothrop to be Captain of the first company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jabez Huntington to be Lieutenant of the 1<sup>st</sup> company or trainband in the town of Norwich, and order that he be commissioned accordingly.

Upon the memorial of Daniel Nickols, of Danbury, eldest son of Josiah Nickols late of Danbury, deceased, representing to this Assembly that the deceased Daniel Nickols mortgaged certain lands to the Governour and Company in security of one hundred pounds money, and died before the said mortgage was cleared, and his children and heirs being in their minority; praying this Assembly to suspend prosecution upon said mortgage, for reasons in said memorial-alledged, as on file: This Assembly do enact, decree and order, that the prosecution of said mortgage be suspended until May, A. D. 1747, and that Mr. Robert Walker, of Stratford, agent for the Governour and Company in taking care of and prosecuting the mortgages in the county of Fairfield, do take notice hereof and suspend prosecution of said mortgage accordingly.

An Act for preventing Trespass in gathering and destroying Bayberries and effectually detecting Trespasses about the Same.

*Be it enacted by the Governour, Council and Representatives, in General Court assembled, and by the authority of the same,* That no person or persons do or shall gather, destroy, or carry away, any bayberries standing or growing on the land of any other person or persons, without leave or lycence of the owner or owners of such lands whereon such bayberries were standing or growing; on pain that every such person gathering, destroying, or carrying away the same, or that shall be aiding

or assisting therein, shall forfeit and pay to the party injured or trespassed upon three times the value of the bayberries so gathered, destroyed or carried away, and also the sum of forty shillings for every bushel so gathered, besides three times the value as aforesaid, and so after that rate for a greater or lesser quantity; which several penalties, forfeitures and damages, shall and may be recovered by action, bill, plaint or information.

And, forasmuch as it is very hard and difficult to detect or convict any trespasser against this act in the ordinary method or course of the law, by reason the trespasses are generally committed where positive evidence can scarcely ever be had:

*Be it enacted by the authority aforesaid, and it is hereby enacted,* That whensoever any action is brought for recovering any of the damages and forfeitures as aforesaid, the same rules and methods of tryal and assessing damages may and shall be observed as are provided in a certain statute made and enacted in the thirteenth year of the reign of King George the first, entituled An Act for the more effectual detecting and punishing trespass;\* reference thereunto being had.

*Resolved by this Assembly,* That the Committee of War at Hartford be directed, and they are hereby directed, to make proper enquiry into the state of the western frontiers of the Province of the Massachusetts Bay, and of the approach of the enemy there, and send such number of forces, as they shall think proper, according to the powers and authorities heretofore given them by act of this Assembly; and that they use as much dispatch therein as may be, and give such directions to the forces sent as they shall judge necessary; || and that his Honour the Governour advise Lieutenant Governour Phips of this resolve, and that whatsoever shall be needful to be represented to this Colony on that head its most expedient it should be made to that committee, who are invested with authority to transact those affairs.

Upon the petition of James Harris, of New London, *vs.* Merritt Smith, of said New London, as administrator on the estate of Major John Merrit, late of said New London, deceased, complaining of a judgment of the adjourned county court held in New London in February last, given in favour of said Smith against said Harris on a bond given by said Harris to said John Merrit, particularly in disallowing an account of sundry articles alledged by said Harris to have been delivered and paid on account of said bond; thereupon

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\* Vol. VII. 80.

praying for relief in the premises, as per his petition more at large appears: Resolved by this Assembly, that Messrs. Jabez Hamlin, Elihu Chauncey and Thomas Forsdick, be a committee, and they are hereby appointed a committee, with full power and authority to enquire into and examine the matters in said petition contained, and all things relating thereunto; and for that purpose to appoint time and place of hearing, notify the parties, and to enquire of the parties under oath or without, and take such evidence as they shall judge proper in the premises; and on the whole to report what they find, together with their opinion of what is just and right in the premises, to this Assembly in May next, that this Assembly may be better informed what is right to be done in the matters aforesaid. And the execution on said judgment is hereby suspended till the rising of this Assembly in May next.

This Assembly do establish and confirm Mr. Timothy Parsons to be Captain of the first company or trainband in the town of Durham, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Guernsey to be Lieutenant of the first company or trainband in the town of Durham, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Curtiss jun<sup>r</sup> to be Ensign of the first company or trainband in the town of Durham, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Beedle to be Captain of the northeast company or trainband in the town of Wallingford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Atwater to be Lieutenant of the northeast company or trainband in the town of Wallingford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joshua Austin to be Ensign of the northeast company or trainband in the town of Wallingford, and order that he be commissioned accordingly.

Upon the memorial of Huckans Storrs, of Mansfield in the county of Windham, shewing to this Assembly that he bargained with and purchased of Experience Porter jun<sup>r</sup>, of said Mansfield, deceased, a certain tract of land lying in said



Mansfield at a place called Spring Hill, containing by estimation one hundred and fifty acres, bounded and described in the conditions of a bond given by the said Porter to the memorialist to secure a deed thereof; shewing further, that in consideration thereof he had paid and secured to be paid to the said Porter, his heirs or order, the sum of one thousand pounds, of which he had already discharged the sum of eight hundred pounds, and that the said Porter on the 16th day of February, A.Dom. 174 $\frac{2}{3}$ , did make and well execute a bond of two thousand pounds, conditioned for the executing a good and absolute warranty deed of said lands [332] and appurtenances: but that it happened || that the said Porter dyed without ever executing the said deed, not through unwillingness but for other reasons assigned; and further, that the memorialist, after the death of said Porter, looking up said bond, to see after some remedy, to his great surprise found the obligatory part of his said bond cut off, all but one line; and thereupon praying this Assembly to appoint and impower some meet person to give a deed of said land according to the description given in said conditions to said bond, which is in the following words, (*viz* :) All the land lying at Spring Hill, and buildings thereon, that is to say, all the lands that the said Experience Porter junr had conveyed to him by his honoured father, Experience Porter of Mansfield, as the same is butted and bounded in a certain deed on record to the said Experience Porter junr, dated the 3d day of September, A.D. 1729, recorded in Mansfield 3d book of deeds, in pages 144 and 145 and 146, together with a certain barn standing on the said land, and also about forty-one acres that the said Experience Porter junr bought of his brother John Porter, lying on the easterly side of Spring Hill, as the same is butted and bounded in a certain deed from said John Porter to him, the said Experience Porter junr, recorded in Mansfield third book of deeds, in pages 805 and 806; as per the said memorial and conditions to said obligation, on file, may more fully appear: In consideration whereof, this Assembly doth appoint, impower and authorize, Experience Porter of said Mansfield, to make and execute a deed of said lands, in behalf of the heirs of the said Experience Porter junr, to the memorialist, his heirs, &c.

This Assembly appoints Mr. Roger Sherman to be a Surveyour of Lands for the county of New Haven.

This Assembly do establish and confirm Mr. Nathaniel Kimberly to be Ensign of the company or trainband at the parish of West Haven, and order that he be commissioned accordingly.

Upon the petition of Timothy Thrall, of the town of Windsor in the county of Hartford, shewing to this Assembly that James Enno, of Union in the county of Windham, brought his action against the petitioner as executor of the last will and testament of William Thrall, late of said Windsor, deceased, on a promissory note of the hand demanding the sum of seventy pounds, by his writ dated February 13th, A. D. 174 $\frac{4}{5}$ , before the county court held at said Windham by an adjournment on the last Tuesday of February last, and the same was continued from that court unto the county court held at said Windham in June last, at which court the said Enno obtained final judgment against the petitioner for the sum of seventy pounds in bills of publick credit of the old tenour, with twelve pounds four shillings for cost; and thereupon representing to this Assembly that the said note is fraudulent and never was executed by the said William; and thereupon praying that the said judgment of the county court held at Windham in June last past, with the execution and doings thereon, may be set aside and made void, and that the petitioner may be allowed another tryal of said cause at the county court to be held at said Windham on the second Tuesday of December next, and that all the cost may follow the final tryal: Whereupon it is resolved by this Assembly, that the said judgment of the county court held at Windham in June last, with the execution and the doings thereon, shall be set aside, and the same is hereby made void, and that the petitioner is allowed another tryal of said cause at the county court to be held at Windham on the second Tuesday of December next; and that all the cost follow the final tryal.

[333] This Assembly do establish and confirm Mr. Jonathan Allen to be Captain of the 6th company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jacob Whitmore to be Lieutenant of the 6th company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Theophilus Candey to be Ensign of the 6th company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

The Sums total of the Lists of Estate of the several Towns in this Colony hereafter mentioned, and sent in to this Assembly and accepted, are as follow, (viz:)

	£	s.	d.		£	s.	d.
Hartford,	34071	5	10	New Haven,	43750	6	6
New London,	29733	3	3	Fairfield,	44123	3	11

Windham,	16429	13	0	Norwich,	48049	13	0½
Ashford,	8622	18	6	Ridgfield,	8268	16	3
Greenwich,	20291	1	1	Symsbury,	15009	7	0
Hebron,	13372	5	0	Farmington,	30113	13	0
Killingly,	18602	0	0	Canterbury,	10858	19	0
Mansfield,	12425	14	1	East Haddam,	16058	13	0
Stonington,	28208	15	0	Weathersfield,	24529	13	7
Haddam,	9079	16	6	Wallingford,	35100	19	2
Lyme,	21435	7	9	Groton,	20056	11	3
Plainfield,	10698	16	3	Newtown,	10684	16	10
Glassenbury,	9893	0	0	Lebanon,	32489	4	10
Brandford,	20971	7	1	Norwalk,	29467	15	1
Danbury,	13020	2	3	Preston,	16884	14	0
Guilford,	29954	18	0½	Colchester,	18901	6	0
Woodberry,	20218	9	0	Saybrook,	17460	7	6
Windsor,	33407	12	11	Litchfield,	8136	15	0
New Milford,	9653	6	4	Killingsworth,	12323	17	1
Voluntown,	7488	3	0	Coventry,	12827	9	2
Durham,	10247	7	0	Pomfrett,	12801	11	0
Standford,	24461	2	8	Stratford,	34051	10	9
Milford,	25221	7	9	Derby,	9131	16	9
Midletown,	38205	3	0	Waterbury,	12492	7	0

Upon the memorial of Captain Chickins, an Indian living in the parish of Reading, in Fairfield county, representing to this Assembly that many years ago he sold to Capt. Samuel Couch a certain tract of land lying and situate between Fairfield, Danbury, Newtown, and Ridgfield, in said deed saving and reserving so much thereof as he and his children, &c., should need for their improvement, &c., and moving that a committee be appointed to consider of the premises and lay out of said lands according to said reserve: Resolved by this Assembly, that Ebenezer Sylliman, Esqr, Capt. Samuel Burr of Fairfield, and Samuel Handford, Esqr, of Norwalk, be a committee to repair to and upon said land, and having due regard to said deed of conveyance with the savings and reservations therein contained, to survey and by proper meets and bounds set out for and to the use of the memorialist and his children, such and so much of said lands as they shall be of opinion (on hearing all parties or persons therein concerned) ought to be allowed and set out to said memorialist and his children, &c., according to the true intent and meaning of said reserves; and make report of their doings in the premises to this Assembly in their sessions at Hartford in May next.

[334] Upon the petition of Thomas Stow, of Midletown, *vs.* James Evarts, of Guilford, complaining of a judgment of the

superior court held in Hartford in March, A. Dom. 174 $\frac{3}{4}$ , for that the jury missed the law in the consideration of the evidences, and by that means assessed the damages too small ; and thereupon praying for a new tryal, or a committee to enquire into said case, as per the petition more at large may appear: Resolved by this Assembly, that James Wadsworth, Esqr, Maj. Elihu Chauncey and Mr. Nathan Camp, all of Durham, be, and they are hereby appointed, a committee with full power to enquire and look into the matters in said petition contained and all things relating thereto, and to hear the parties and examine them under oath or without, and all other evidence produced, and for that purpose to appoint time and place of hearing and notify the parties thereof, and on the whole to make report to this Assembly in May next of what they find, together with their opinion of what is right to be done in the premises.

Upon the memorial of Eliphalet Beecher, of Amity in New Haven county, shewing to this Assembly that Joel Munson, of New Haven, borrowed of the government one hundred pounds new tenour bills, and gave security therefor, and that the memorialist borrowed and took of said Monson the sum of twenty pounds of said money, and gave security to said Monson to discharge so much upon his, the said Monson's, bond, and the memorialist having sustained the loss of his dwelling house, shop, &c., by fire, praying this Assembly to lengthen out the payment of said money, for the reasons assigned in said memorial: Whereupon it is resolved, that the memorialist have the space of two years next ensuing the first day of May next to pay the money and interest, the memorialist giving bond with one sufficient surety to the Governor and Company for the payment of said twenty pounds and interest at said term; and the said bond being lodged with the Secretary of the said Colony, that then the said Joel Munson is and shall be discharged upon the bond he hath given as aforesaid for the aforesaid sum of twenty pounds.

Upon the memorial of Capt. Ezekiel Royce, of Wallingford in New Haven county, praying this Assembly to grant to him the sum of £26 11s. 3d. money old tenour, to be paid out of the publick treasury of this Colony for that he expended the same sum on his son Sam<sup>l</sup> Royce lately arrived from Cape Breton to New London, sick and there dyed, a souldier in the service of this Colony: Granted by this Assembly, that the memorialist shall receive out of the publick treasury of this Colony the aforesaid sum of £26 11s. 3d. money old tenour, and the Treasurer of this Colony is hereby ordered to pay the same to the said Capt. Ezekiel Royce.



Upon the memorial of Jonathan Starr, Luke Perkins and Nathan Smith and William Williams, selectmen of the town of Groton in New London county, representing to this Assembly that Robert Burroughs, of said Groton, hath for several years been deprived of the exercise of his natural reason, so that the said Burroughs is incapable to support himself or to take care of his estate, and praying that this Assembly would authorize some meet person or persons to make sale of said Burroughs' house and about one acre of land lying and being in said Groton, and that the money arising by the sale thereof may be deposited in the hands of the selectmen for the time being, for the use of said Burroughs, as per the memorial of said selectmen may fully appear: Resolved by this Assembly, that Capt. Jonathan Starr and Luke Perkins, Esqr, of said Groton, be and are hereby authorized and impowered to make sale of said house and land, and to execute an authentick conveyance of said house and land to the person or persons who shall purchase the same, and that the money arising by such sale to be deposited in the hands of the selectmen of said Groton for the time being, to be by such selectmen improved to the use and maintenance of the said Burroughs.

[335] On the petition of Daniel Hall the 2d, shewing that one Daniel Baldwin, of the north parish in Wallingford, obtained final judgment at the superior court held in New Haven in March, 173½, against him for the surrendry of about two acres of land situate in the bounds of said Wallingford, as per writ; representing that since said final judgment he had discovered the true original bounds at the northeast corner of said Baldwin's farm; praying for a reversal of said final judgment and all the doings thereon, and for a new tryal of said cause, as per his petition on file: Resolved by this Assembly, that the said final judgment in March, 173½, in favour of said Daniel Baldwin against said Daniel Hall the 2d, shall be and hereby is reversed and set aside with all the doings thereon, and that the said Daniel Hall the 2d shall and hereby is granted a new tryal of said cause at the superior court to be held in New Haven the last Tuesday of February next; and all cost follow the final judgment in said case.

*Resolved by this Assembly, That Nathaniel Stanly, William Pitkin, Jonathan Trumble, Esqrs, Colonel Thomas Wells and Mr. George Wylls, or any two of them, be a committee to enquire into, prepare, draw up and get the proper evidences and attestations of the accounts of the charges, expences and disbursements this Colony have made in the carrying on the expedition against Cape Breton, and in securing the acqui-*

tion made there, that so the same may be sent home, to be laid before the King in Council, or the Parliament of Great Britain, to ask favour for the reimbursement thereof to this Colony.

On the report of the committee appointed to examine the accounts of those that assisted in prosecuting Nelson, Sherwood, Hurlburt and Boyce, on a complaint for their corruptly uttering counterfeit bills of credit: Resolved by this Assembly, that the Treasurer of this Colony shall and he is hereby directed to pay unto William Drinkwater, for himself and those whom he represents, in old tenour bills, the sum of one hundred twenty-seven pounds and eighteen shillings; and to William Spencer, for himself and those for whom he is concerned, in old tenour bills, the sum of ninety-two pounds one shilling and ten pence; also, that the sum of twenty pounds old tenour be paid to the said William Drinkwater, as a premium for informing against Seth Sherwood, and to James Betts, as a premium for informing against Andrew Nelson, twenty pounds; and also the sum of fifty pounds old tenour be delivered to Ephraim Seeley, for his expence and pains in discovering the wicked practices of the said offenders; taking receipts of the persons receiving said sums.

An Act allowing and stating Constables' Fees for summoning Jurors.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That every constable in this Colony who, since the first day of December last, hath summoned, or hereafter shall summon (by summons lawfully issued) any juror or jurors to attend any of the superior or county courts in this Colony, shall be therefor allowed (save only for return of said summons) the same fees for travel and serving as by law are allowed in process in civil causes, to be paid out of the county treasuries of the respective counties where such jurors are to attend.

Upon the report of Benjamin Hall, John Southmaid and Samuel Hieckox, a committee appointed by this Assembly, in May last, to affix a place for the society of Roxberry in Woodberry to build a meeting-house, representing to this Assembly that they have set up a stake and laid a large heap of stones about it on the hill about forty-four feet south of the old meeting-house: || Resolved by this Assembly, that the stake set up by said committee be the place for the setting the meeting-house on for said society, and that the said stake be enclosed within the sills of said house.

Upon the memorial of the northern inhabitants of the 1st society in Killingly, together with the concurrence and agreee-

ment of the rest and southern inhabitants of said parish, for divers reasons in said memorial set forth, praying said society might be divided into and so as to become two distinct parishes by some convenient line dividant, to be ascertained and drawn across said society: Resolved by this Assembly, that the inhabitants of said first parish or society in Killingly shall be and become two several and distinct ecclesiastical societies, to be from each other separated and divided by a line beginning at the east side of Quinebaug River, and thence extending northeastwardly, (leaving James Miles house to the north,) directly to the north side of David Russels dwelling house, and from thence, (leaving said Russels house to the south,) directly on a straight line to Rhode Island Colony line, so as to leave Deacon Eleazer Bateman jun<sup>r</sup> his dwelling house just ten rods to the north of said line; and that all the said inhabitants who live to the southward of said line shall be and remain by themselves a distinct ecclesiastical society, endowed with all the powers and privileges which other such societies in this Colony have; and that all those of said inhabitants who live on the north side of said dividant line shall be and by themselves become a distinct ecclesiastical society, vested with powers and privileges as abovesaid, save only and except Thomas Bateman, Nathaniel Brown, Gideon Draper, jun<sup>r</sup>. and Salmon Wheat, and their estates, who have liberty to joyn with said southern inhabitants, and also John Firman, Daniel Lawrence and Benjamin Barrett, or any or either of them, who shall by or before the latter end of November next enter their names with the clerk of such southern society, signifying their desire thereof, shall with their estates in like manner have liberty to be joyned with them; saving also to Israel Proctor with his estate liberty to be joyned with said northern parish. And it is further resolved, each of the said two societies to be made as abovesaid shall share and take benefit of the school money which hitherto hath belonged to the said first parish of Killingly, (while whole and undivided,) in proportion to their respective lists. And it is further resolved, that the old meeting-house in the northern society shall belong to the same northern society, and that the new meeting-house in the south society shall belong to said south society, and that all taxes and rates already made and arising upon the inhabitants of the first society when entire, before the divison by this act made, for the building said new meeting-house, shall be paid and answered as the same should have been, had there been no division of said first society.

Upon the memorial of William Wolcott jun<sup>r</sup>, Pelatiah Mills, John Palmer jun<sup>r</sup>, and Edward Griswould, all of Wind-



sor in the county of Hartford, selectmen of the town of Windsor, shewing to this Assembly that by and with the advice of the civil authority of the town of Windsor, and in pursuance of one law of this Colony intituled An Act for the better ordering idle and poor persons, and to enable the selectmen in the respective towns to take into their care and management the estates and credits of such persons, &c., they took into their care one Benjamin Hutchinson and Anne his wife, both of said Windsor, being persons that have arrived to a great age, and thereby are rendered incapable to labour and support themselves, and that the inhabitants of said Windsor [337] sor || have already expended the sum of twenty-three pounds; and thereupon further shewing that the said Hutchinson hath no personal estate whereon to support himself; and thereupon praying that so much of the real estate of the said Hutchinson may be sold as shall be sufficient to pay the said twenty-three pounds, and also for his support, as by said memorial doth fully appear: Whereupon it is resolved by this Assembly, that there shall be sold two acres of land belonging to the said Hutchinson, and lying in said Windsor at a place commonly called Horsfords Meadow, and the money arising on said sale shall be improved by the selectmen of said Windsor for the time being in the support of the said Benjamin Hutchinson and Anne his wife; and this Assembly do hereby authorize, appoint and fully empower the said William Wolcott junr, and Pelatiah Mills, to give a deed of sale of said land.

Upon the memorial of Samuel Buel, Abraham Skinner and sundry other persons, of whom some live towards the south-eastern parts of the parish of Eastberry, some on the western parts of Hebron, and others on some parts of the first and third societies in Colchester nearest adjoining to said parts of Eastberry and Hebron, representing that it is convenient and needful for them to be united together so as to become a distinct parish, and praying a committee to view and report their circumstances, &c.: Resolved by this Assembly, that Roger Wolcott junr, Esqr, Mr. Daniel Bissell, of Windsor, and Mr. Hezekiah May, of Weathersfield, be and they hereby are appointed, empowered and directed, to repair to and upon the places situated as abovesaid and inhabited by the memorialists, and give legal notice to all persons concerned, and upon due hearing all parties or persons therein interested, and enquiry into their circumstances, to make report on the premises to this Assembly at their sessions at Hartford in May next.

Upon the memorial of Joseph Hawkins, of the town of Derby



in the county of New Haven, shewing to this Assembly that Capt. Moses Hawkins, of Derby aforesaid, to whom was granted the liberty and privilege to keep the ferry over Stratford River at Derby, commonly called Hawkins's Ferry, by the Assembly held at Hartford May, *anno Dom.* 1737, was removed at a great distance therefrom, and willing to resign the liberty and privilege thereof, and that the said memorialist being well situated and prepared to keep said ferry, and praying this Assembly to grant unto him, the said memorialist, the liberty and privilege of keeping said ferry, and also that the fare of said ferry be the same as the fare of Stratford ferry is set at, as by said memorial on file may appear: Resolved by this Assembly, that the said Joseph Hawkins have the liberty and privilege of keeping the ferry over Stratford River at Derby, commonly called Hawkins's Ferry, and the same is hereby granted unto him; and that the fare thereof shall be the same as the fare of Stratford ferry is stated and set at.

Upon the memorial of the inhabitants of the parish of Ripton in the county of Fairfield, shewing to this Assembly that they had agreed to build a new presbyterian meeting-house in said parish, praying for a committee to affix and ascertain the place to build said meeting-house upon: Resolved by this Assembly, that Capt. John Fowler, Capt. Nathan Baldwin, of Milford, and Mr. Gideon Johnson, of Derby, in New Haven county, be a committee hereby fully empowered to act in the premises, and to report their doings to this Assembly at their sessions in May next.

*Ordered by this Assembly,* That the Treasurer of this Colony pay out of the Colony treasury twenty-four pounds and three pence in bills of credit old tenour, to the selectmen of the town of Fairfield, the said selectmen having expended the like sum in nursing, tending, &c., Samuel Holmes, one of the souldiers that was returning from the expedition against Cape Breton, who was taken sick in said Fairfield.

[338] Upon the memorial of John Smith, Ephraim Bemis and Edward Tiffany, of Ashford in the county of Windham, praying to this Assembly that they may be released from paying a large bill of cost taxed against them, (*viz.*) £33 17s. 4d. old tenour, by the county court held at Windham within and for the county of Windham on the 4th Tuesday of August last past, by adjournment, on an information at said county court preferred against the memorialists for a riot: Resolved by this Assembly, that the said Smith, Bemis and Tiffany be, and are hereby, released and discharged from paying the said sum of £33 17s. 4d. taxed against them by said county court.

An Act for raising the Fare of the Ferry commonly called Smith's  
(now Timothy Smith's) Ferry.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the fare of the said ferry, which is across Connecticut River at or near the southern end of Hartford, called Timothy Smith's Ferry, shall for the future be as follows, (*viz* :) for man, horse and load, nine pence ; for a man, four pence ; for an horse, five pence ; for neat cattle, seven pence per head, and two pence per head for sheep ; and so *pro rata* for other things, all in old tenour.

This Assembly grants unto Doctor Normand Morison, for his salary, the sum of fifty-five pounds old tenour per month for the future, during the time he shall be improved in the Colony service at Louisbourg.

This Assembly do establish and confirm Mr. John Randal to be Captain of the 3d company or trainband in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Gershom Breed to be Lieutenant of the 3d company or trainband in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Randal to be Ensign of the 3d company or trainband in the town of Stonington, and order that he be commissioned accordingly.

An Act for stating the Fare of the Ferry over the River of Connecticut and Rivulet in Windsor granted to Roger Wolcott, Esq.

*It is enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the fare of the said ferry for carrying horse, man and load across the said two rivers, shall be twelve pence old tenour, for each single person six pence, for each single horse six pence, for neat kind eight pence per head, and two pence per head for sheep ; and when carried across Connecticut River only, for man, horse and load ten pence, for each single person five pence, for each horse five pence, for neat kind six pence per head, and two pence per head for sheep.

Upon the petition of William Karr, of Lyme in the county of New London, against Samuel Mansfield, sheriff of the county of New Haven, shewing to this Assembly that he brought his action against said Samuel Mansfield, sheriff, before the county court held at said New Haven, for letting one James Rhodes of Wallingford escape out of goal, whom said Karr had caused to be committed on two executions he had in his favour against said Rhodes ; further setting forth, that said sheriff pleaded

an order and advice of the Council of War at Hartford for his suffering said Rhodes to go out of goal, and that said Mans-[339] field had, by the || final judgment of the superior court held at New Haven in August last past, obtained cost against said Karr for £33 6s. 3d., praying that said judgment of the superior court be set aside and another tryal be allowed, or that this Assembly order that his said debt and cost, with the cost obtained against him by said Mansfield, be paid out of the publick treasury of this Colony, as is more largely set forth in said petition: Resolved by this Assembly, that said Karr have paid to him out of the publick treasury of this Colony said debt, being thirty pounds, and the cost said sheriff obtained against him, in the whole the sum of sixty-three pounds six shillings and three pence old tenour bills; and the Treasurer of said Colony is hereby ordered to pay the same to said Karr or his attorney, taking a receipt therefor.

*Resolved by this Assembly*, on the representation of Mr. Jeremiah Miller, junr, that the committee appointed for the adjusting and settling the accounts of the expedition against Cape Breton do settle accounts with the said Mr. Miller, so far as is agreable to the acts which have past this Assembly and the allowances already directed for the said commissary; and as to any further allowances which shall be thought proper and necessary to be made to him, that the said committee consider his representations concerning the same, and report to this Assembly in May next what further allowances they shall judge proper to be made to him in consideration of his services.

*Resolved by this Assembly*, That the commissaries employed in the expedition against Cape Breton draw up the several accounts of their transactions therein, and avouch them under oath before some justice of the peace, and send them forthwith to the Secretary; and that the respective captains in said expedition who are returned, or chief commission officer of either of the companies who is returned, be directed forthwith to bring in their muster rolls, shewing the time of their souldiers' inlistment and discharge, and the sum of the wages of each souldier, to the committee appointed for the settlement and adjusting the accounts of said expedition; and the said committee are directed to draw up their accounts, including the officers' wages and sums advanced to them, the souldiers' wages and *premia*, the several grants made by this Assembly in that affair, and the billeting bills and other incident charges allowed by them, and in like manner avouched by said committee; and that the committee appointed by this Assembly

draw an account current upon the whole, with an account of the arms found by this Assembly to be inserted, according to the premium given to such as found their own arms; and that due and authentick attestations be made by his Honour the Governor and Secretary of such certificates as shall be necessarily made thereon, so that the whole account of disbursements hitherto made may clearly appear duly authenticated; and that a representation of the present state of our charges now advancing upon this Colony be made, in order to obtain his Majesties favour in the reimbursement thereof.

*Resolved by this Assembly,* That his Honour the Governour be desired to draw and send a letter to the Honourable Peter Warren, Esqr, acknowledging his favour of the 14th September, 1745, congratulating him upon his success and the honours conferred upon him by his Majesty in return of his good services, and also representing to him the advantages that may accrue to this Colony and the government of Louisbourg by a good agreement and correspondence between them, and desiring his representations to be made in our favour to his Majesty, and recommendation to his friends at home to use their interest on our behalf, that we may obtain the reimbursement of our expences in the expedition against Cape Breton, and due favours to be conferred on our officers and souldiers employed therein.

[340] Upon the memorial of Doctr. John Hart, of Hartford, representing that he hath been in quality of physician on board the sloop Defence, on the expedition against Cape Breton, and that the fifteen pounds per month heretofore proposed to be allowed such physician is, as he conceives, no meet recompence, and praying such addition as to raise it to 25*l*. per month, as per his memorial on file: Resolved by this Assembly, that the memorialist be allowed at the rate of twenty pounds per month for and during the continuance of his above-said service.

This Assembly do establish and confirm Mr. Thomas Stoughton to be Lieutenant of the company or trainband in the town of Torrington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Lyman, junr, to be Ensign of the company or trainband in the town of Torrington, and order that he be commissioned accordingly.

This Assembly grants unto the Honourable Jonathan Law, Esqr, Governour, for his last half year's salary, the sum of seventy pounds, to be paid in bills of the new tenour.



This Assembly grants unto the Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, Deputy Governour, the sum of forty pounds for his salary this present year, to be paid in bills of the new tenour.

This Assembly grants unto Timothy Green, printer, for his salary this present year, the sum of thirty-five pounds new tenour.

*Resolved by this Assembly,* That his Honour the Governour do draw on the Treasurer of this Colony, to pay to Thomas Fitch, Esq<sup>r</sup>, or John Bulkley, Esq<sup>r</sup>, who shall undertake to proceed as an Agent to Great Britain, such sum or sums of money as shall be necessary to furnish an agent to transact the affairs committed to him.

*Resolved by this Assembly,* That Thomas Fitch, Esq<sup>r</sup>, of Norwalk, be appointed, and he is hereby appointed, to be an Agent for this Colony, to repair with all convenient speed to Great Britain, with proper powers and authorities to transact the affair of obtaining for this Colony the reimbursement of the expences of the expedition against Cape Breton, with such other matters and affairs as shall need to be transacted for this Colony and committed to him by his Honour the Governour to be transacted during his stay there; and that his Honour the Governour and Secretary make a proper power thereon; and that his Honour the Governour write to Mr. Agent Palmer on the subject, desiring his friendly assistance, and continuation of his good offices for us as our stated Agent; and that in case the said Thomas Fitch, Esq<sup>r</sup>, shall refuse to undertake the said affair, or by inevitable providence shall be prevented in proceeding on the same, this Assembly do appoint John Bulkley, Esq<sup>r</sup>, to be Agent for this Colony, to proceed on the said affair, with powers, authorities and instructions as aforesaid for said Thos. Fitch, Esq<sup>r</sup>.

*Ordered by this Assembly,* That the Treasurer of this Colony pay out of the Colony treasury unto Nathaniel Brown, goaler in New Haven county, for dieting and fees of Nelson, Hurlburt and Boyce, who were committed to prison for uttering counterfeit bills, the sum of six pounds four shillings old tenour bills, taking receipt accordingly.

*Resolved by this Assembly,* That his Honour the Governour with the Council of War at Milford be impowered, and they are hereby impowered, to supply our forces in the garrison at Louisbourg with a chaplain, if need be.

[341] *Resolved by this Assembly,* That the souldiers in the garrison of Louisbourg belonging to this government be allowed half a pint of rum a man *per diem*.

This Assembly grants unto the Honourable Jonathan Law, Esq<sup>r</sup>, Governour, for his extraordinary service this last half year, the sum of fifteen pounds in new tenour bills.

*Resolved by this Assembly*, That Joseph Whiting, Esq<sup>r</sup>, Roger Newton, Esq<sup>r</sup>, Capt. John Hubbard, Mr. John Hitchcock, Capt. John Fowler and Mr. Robert Treat, be a committee to hear the records of this Assembly read off, and see that they be perfected and signed by the Secretary as compleat.

The several Acts, Grants and Orders of this Assembly, as they stand entered on the pages of this book next preceding, were read off in the presence of the committee abovenamed, and signed as compleat.

GEORGE WYLLYS, Secret'y.

[342] *Anno Regni Regis Georgii secundi decimo-nono.*

AT A GENERAL ASSEMBLY HOLDEN AT HARTFORD IN THE COUNTY OF HARTFORD IN [HIS] MAJESTIES ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, ON THE SECOND THURSDAY OF MAY (BEING THE 8TH DAY OF SAID MONTH,) AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE 31ST DAY OF THE SAME MONTH, ANNOQUE DOMINI 1746.

*Present :*

The Honourable Jonathan Law, Esquire, Governor.

The Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, Deputy Governor.

James Wadsworth,	} Esq <sup>rs</sup> .	Thomas Fitch,	} Esq <sup>rs</sup> . As-
Nathaniel Stanly,		Roger Newton,	
Ozias Pitkin,		Ebenezer Silliman,	
Timothy Pierce,		Jonathan Trumble,	
Samuel Lynde,		John Bulkley,	
William Pitkin,			

*Representatives or Deputies that attended at the Assembly are as follow, (viz :)*

Mr. Joseph Buckingham, Mr. Joseph Talcott, for Hartford.  
Colo. Gurdon Saltonstall, Mr. Jeremiah Miller, for New London.

Major Thomas Dyer, Capt. Eleazer Cary, for Windham.

Capt. John Fowler, Mr. Robert Treat, for Milford.

Colo. Jonathan Hoit, for Standford.

Mr. John Dixson, Mr. Joseph Palmer, for Voluntown.

Mr. James Bicknal, Mr. William Watkins, for Ashford.

Mr. Thomas Benedict, Capt. Josiah Starr, for Danbury.

Capt. Joseph Phelps, Mr. Joseph Skinner, for Hebron.

Colo. John Dyer, Mr. Stephen Frost, for Canterbury.

Capt. Elnathan Stephens, Capt. Isaac Kelsey, for Killingsworth.

Mr. Ebenezer Bateman, Mr. Penuel Child, for Killingly.

Capt. Rich. Olmstead, Mr. Sam<sup>l</sup> Olmstead, for Ridgefield.

Capt. Jedadiah Chapman, Mr. Ambrose Whittelsey, for Saybrook.

Mr. John Hitchcock, Capt. Samuel Sherman, for New Haven.

Colo. Andrew Burr, Capt. Samuel Burr, for Fairfield.

Colo. Hez<sup>h</sup> Huntington, Mr. Ebenezer Backus, for Norwich.

Colo. William Preston, Mr. Noah Hinman, for Woodberry.

Mr. Joseph Strong, Capt. Samuel Parker, for Coventry.

Capt. Asahel Strong, Mr. John Hooker, for Farmington.

Mr. Samuel Fitch, Major James Lockwood, for Norwalk.

Capt. Robert Walker, Capt. David Judson, for Stratford.

Capt. Charles Bulkley, Capt. Nathaniel Foot, for Colchester.

Major Ebenezer Marsh, Capt. Joseph Bird, for Litchfield.

Mr. Joseph Brownson, Mr. Timothy Judd, for Waterbury.

Capt. Moses Hawkins, Mr. Abel Gun, for Derby.

Mr. John Hall, Colo. Benjamin Hall, for Wallingford.

Capt. Thomas Storrs, Mr. William Johnson, for Mansfield.

[343] Mr. Hezekiah Brainerd, for Haddam.

Capt. John Mead, Capt. Israel Knapp, for Greenwich.

Capt. Nath<sup>l</sup> Harrison, Capt. Robert Foot, for Brandford.

Mr. John Humphrey, Mr. John Case, for Symsbury.

Mr. William Wittar, Capt. Samuel Coit, for Preston.

Colo. John Chester, Mr. Elisha Williams, for Weathersfield.

Colo. Christopher Avery, Mr. John Ledyard, for Groton.

Mr. John Griswold, Mr. Richard Lord, for Lyme.

Capt. Roger Wolcott, Capt. Pelatiah Allyn, for Windsor.

Mr. Ebenezer Holbrook, Capt. Noah Sabin, for Pomfrett.

Mr. Noadiah Brainerd, for East Haddam.

Mr. Ebenezer West, Major Joseph Fowler, for Lebanon.

Colo. Samuel Hill, Capt. Timothy Stone, for Guilford.

Mr. David Noble, Mr. Samuel Canfield, for New Milford.

Colo. Thomas Welles, Capt. Jonath. Hale, for Glassenburg.

Mr. Simeon Minor, Capt. John Breed, for Stonington.

Major Elihu Chauncey, Mr. James Wadsworth, for Durham.

Mr. John Crery, Mr. William Marsh, for Plainfield.

Major Jabez Hamlin, Mr. Seth Wetmore, for Middletown.

Colo. Samuel Hill, Speaker } of the House of Representatives.  
Capt. John Fowler, Clerk }

This day being appointed by the royal charter and the laws of this Colony for the election of the publick officers of the Colony, (*viz:*) Governor, Deputy Governor, Assistants, Treasurer and Secretary,—proclamation was made, and the free-

men proceeded to give in their votes to persons appointed by the Governor, Council and Representatives, to receive, sort and count them; (which persons were, Nathaniel Stanly, Timothy Pierce, Samuel Lynde, William Pitkin, Thomas Fitch, Roger Newtop, Ebenezer Silliman, Jonathan Trumble, Esq<sup>rs</sup>, Mr. Joseph Buckingham, Mr. Robert Treat, Major Elihu Chauncey, Mr. Richard Lord, Colo. Jonathan Hoit, Colo. Thomas Welles, Capt. Samuel Burr, Mr. Ebenezer West, and Colo. John Dyer,) who were all sworn to a faithful discharge of that trust. And the freemen's votes being brought in, sorted and counted,

The Honourable Jonathan Law, Esq<sup>r</sup>, was chosen Governor of this Colony for the year ensuing, and the Governor's oath prescribed by the law of this Colony, and the oath required by act of Parliament, relating to trade and navigation, were administered to him by his Honour the Deputy Governor, in the presence of the Assembly.

The Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, was chosen Deputy Governor of this Colony the year ensuing, and was sworn according to law by his Honour the Governor, in the presence of the Assembly.

James Wadsworth, Esq<sup>r</sup>,  
Nathaniel Stanly, Esq<sup>r</sup>,  
Ozias Pitkin, Esq<sup>r</sup>,  
Timothy Pierce, Esq<sup>r</sup>,  
Samuel Lynde, Esq<sup>r</sup>,  
William Pitkin, Esq<sup>r</sup>,

Thomas Fitch, Esq<sup>r</sup>,  
Roger Newton, Esq<sup>r</sup>,  
Ebenezer Silliman, Esq<sup>r</sup>,  
Jonathan Trumble, Esq<sup>r</sup>,  
John Bulkley, Esq<sup>r</sup>,  
Andrew Burr, Esq<sup>r</sup>,

were chosen Assistants for the year ensuing, and had the Assistant's oath, provided by law, administered to them by his Honour the Governor.

John Whiting, Esq<sup>r</sup>, was chosen Treasurer of this Colony the year ensuing, and had the Treasurer's oath, provided by law, administered to him by his Honour the Governor.

[344] George Wyllys was chosen Secretary of this Colony for the year ensuing, and had the Secretary's oath, provided by law, administered to him by his Honour the Governor, in the presence of the Assembly.

*Resolved by this Assembly*, That Roger Newton, Esq<sup>r</sup>, and Mr. John Hall return the thanks of this Assembly to the Rev<sup>d</sup> Mr. Samuel Hall, for his sermon preached before this Assembly on the 8th of instant May, and desire a copy thereof, that it may be printed.

This Assembly do appoint the Honourable Roger Wolcott, Esq<sup>r</sup>, Chief Judge of the Superior Courts in this Colony the year ensuing.



This Assembly do appoint James Wadsworth, Esqr, William Pitkin, Esqr, Ebenezer Silliman, Esqr, and John Bulkley, Esqr, to be Judges of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint William Pitkin, Esqr, to be Judge of the County Court in and for the county of Hartford the year ensuing.

This Assembly do appoint Roger Newton, Esqr, to be Judge of the County Court in and for the county of New Haven the year ensuing.

This Assembly do appoint Samuel Lynde, Esqr, to be Judge of the County Court in and for the county of New London the year ensuing.

This Assembly do appoint Andrew Burr, Esqr, to be Judge of the County Court in and for the county of Fairfield the year ensuing.

This Assembly do appoint Jonathan Trumble, Esqr, to be Judge of the County Court in and for the county of Windham the year ensuing.

This Assembly do appoint Joseph Buckingham, Esqr, to be Judge of the Court of Probate in the district of Hartford the year ensuing.

This Assembly do appoint Joseph Whiting, Esqr, to be Judge of the Court of Probate in the district of New Haven the year ensuing.

This Assembly do appoint John Richards, Esqr, to be Judge of the Court of Probate in the district of New London the year ensuing.

This Assembly do appoint Ebenezer Silliman, Esqr, to be Judge of the Court of Probate in the district of Fairfield the year ensuing.

This Assembly do appoint Timothy Pierce, Esqr, to be Judge of the Court of Probate in the district of Windham the year ensuing.

This Assembly do appoint Samuel Hill, Esqr, to be Judge of the Court of Probate in the district of Guilford the year ensuing.

This Assembly do appoint Joseph Minor, Esqr, to be Judge of the Court of Probate in the district of Woodbury the year ensuing.

This Assembly do appoint John Bulkley, Esqr, to be Judge of the Court of Probate in the district of East Haddam the year ensuing.

This Assembly do appoint Ebenezer Marsh, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Litchfield the year ensuing.

This Assembly do appoint Thomas Benedict, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Danbury the year ensuing.

This Assembly do appoint Jonathan Hoit, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Standford the year ensuing.

This Assembly do appoint Samuel Hill, Benjamin Hall, John Southmaid, and John Fowler, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of New Haven the year ensuing.

[345] This Assembly do appoint Robert Treat, John Riggs, Samuel Bassett, Samuel Riggs, Roger Brownson, Samuel Canfield, Nath<sup>l</sup>. Bostwick, John Williams, Joseph Whiting, Samuel Bishop, Isaac Dickerman, John Hubbard, John Hitchcock, John Russell, Jonathan Russell, Andrew Ward, Thomas Hotchkins, Samuel Hopson, Timothy Stone, Elihu Chauncey, Theophilus Yale, Samuel Hall, Elihu Hall, Ezekiel Royce, Thomas Clark, Thomas Chipman, Nathan Baldwin, Deodate Davenport, and Samuel Hutchinson. Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of New Haven the year ensuing.

This Assembly do appoint Edmund Lewiss, John Thompson, Jonathan Hoit, and William Preston, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Fairfield the year ensuing.

This Assembly do appoint Samuel Sherwood, Thaddeus Burr, Moses Dimon, jun<sup>r</sup>., John Read, Samuel Hanford, James Lockwood, Samuel Fitch, Samuel Hoit, Jonathan Maltbie, Nathaniel Peck, James Beebe, Thomas Benedict, James Benedict, Richard Olmstead, Thomas Tousey, Job Sherman, Joseph Minor, Noah Hinman, Joseph Blackleach, Samuel Addams, Robert Walker, Jabez Mead, John Burr (captain,) and Ephraim Hubbell, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Fairfield the year ensuing.

This Assembly do appoint Ebenezer West, Shubael Conant, and John Dyer, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Windham the year ensuing.

This Assembly do appoint Joseph Strong, Joseph Leavinze, Leicester Grosvenor, Joseph Cadey, Thomas Storrs, Peter Buel, John Crery, Joseph Fowler, Thomas Tiffany, Gershom Clark, Nathaniel Huntington, Nathaniel Wales, Ebenezer Holbrook, Joseph Palmer, Eliphalet Dyer, John Smith jun<sup>r</sup>.,

James Bicknall, Samuel Danielson, and Joseph Clark, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Windham the year ensuing.

This Assembly do establish and confirm Mr. John Hotchkiss to be Captain of the south company or trainband in the parish of New Cheshire, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ephraim Cook to be Lieutenant of the south company or trainband in the parish of New Cheshire, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Amos Hotchkiss to be Ensign of the south company or trainband in the parish of New Cheshire, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Goodrich to be Ensign of the 4th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Robert Walker to be Captain of the north end company or trainband in the town of Stratford, and order that he be commissioned accordingly.

This Assembly do establish Mr. John Lewiss to be Lieutenant of the north end company or trainband in the town of Stratford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Stiles Curtiss to be Ensign of the north end company or trainband in the town of Stratford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Dan Troop to be Cornet of the Troop of Horse in Lebanon, &c., and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Davenport to be Quarter-Master of the Troop of Horse in Lebanon, &c., and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joshua Abell to be Captain of the 2d company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Richard Hide to be Lieutenant of the second company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Spaulding to be Ensign of the 1st company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathan Hurlburt to be Lieutenant of the 3d company or trainband in the town of Woodberry, and order that he be commissioned accordingly.

[346] This Assembly do establish and confirm Mr. Roger Wells to be Lieutenant of the 10th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Churchill to be Ensign of the 10th company or trainband in the 6th regiment in the Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Josiah Willard to be Captain of the 10th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Pitkin to be Captain of the 3d company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Williams to be Lieutenant of the 3d company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Stephen Olmstead to be Ensign of the 3d company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Eleazer Hubbell to be Lieutenant of the company or trainband in the north society in New Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Benedict to be Captain of the first company or trainband in the town of Norwalk, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Taylor to be Lieutenant of the first company or trainband in the town of Norwalk, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Isaac Sherwood jun<sup>r</sup>, to [be] Ensign of the 1st company or trainband in the



town of Norwalk, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Addams to be Ensign of the second company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Stephen Covell to be Lieutenant of the fourth company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Cadey to be Ensign of the 4th company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Danielson to be Captain of the company or trainband in the 1st or south society in Killingly, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Eleazer Warren to be Lieutenant of the company or trainband in the 1st or south society in Killingly, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Silas Hutchins to be Ensign of the company or trainband in the first or south society in Killingly, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Aaron Eliott to be Ensign of the 4th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Hulls to be Lieutenant of the 1st company or trainband in the town of Derby, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Hide to be Captain of the 3d company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ephraim Kingsbury to be Lieutenant of the 3d company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Peck to be Ensign of the 3d company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Caleb Alling to be Lieutenant of the first company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Peckjunr. to be Ensign of the first company or trainband in the town of New Haven, and order that he be commissioned accordingly.

[347] This Assembly do establish and confirm Mr. Joseph Ranney to be Captain of the 5th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Savage to be Lieutenant of the 5th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Butler to be Ensign of the 5th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Henry Peck to be Lieutenant of the westernmost company or trainband in the town of Milford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Theophilus Miles to be Ensign of the westernmost company or trainband in the town of Milford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Abraham Brooks, of Haddam, to be Lieutenant of the 11th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Hubbard to be Ensign of the 11th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Mathew Benedict to be Captain of the company or trainband in the town of Ridgefield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Hawley to be Lieutenant of the company or trainband in the town of Ridgefield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonah Smith to be Ensign of the company or trainband in the town of Ridgefield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Lothrop to be Captain of the Troop in the 3d regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Hutchins to be Lieutenant of the Troop in the 3d regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Hartshorn to be Cornet of the Troop in the 3d regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Carew to be Quarter-Master of the Troop in the 3d regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Mix to be Lieutenant of the 5th company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Williams junr. to be Ensign of the 5th company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Gorden to be Lieutenant of the first company or trainband in the town of Voluntown, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Gilbert to be Captain of the 8th company or trainband in the 5th regiment, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Rust to be Lieutenant of the 9th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Porter to be Ensign of the 9th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do appoint Thomas Welles, John Chester, Henry Allyn, Jabez Hamlin, Esqrs, to be Justices of the Peace and Quorum in and for the county of Hartford the yearensuing.

This Assembly do appoint David Goodrich, Joseph Buckingham, Joseph Talcott, George Wyllys, Roger Wolcott junr., Edward Bulkley, Giles Hall, Joseph White, Thomas Johnson, William Wadsworth, Thomas Hart, John Hart, Asahel Strong, John Humphrey, Joseph Wilcoxson, 2d, Jonathan Hale, Hezekiah Brainerd, Jabez Chapman, Nathaniel Foot, Epaphras Lord, Benjamin Skinner, Joseph Phelps, Thomas Pitkin, Zebulon

West, Ebenezer Marsh, Timothy Hatch, George Holloway, David Whitney, John Beach, Ebenezer Lyman, Isaac Kellogg, Joseph Bird, Stephen Horsmer, jun<sup>r</sup>., Thomas Hart, Samuel Dimmock, William Wolcott, jun<sup>r</sup>., Daniel Bissell, Seth Wetmore, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Hartford the year ensuing.

[348] This Assembly do establish and confirm Mr. Joshua Hutchins to be Captain of the fourth company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Perkins to be Lieutenant of the fourth company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jacob Perkins to be Ensign of the fourth company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Holmes to be Lieutenant of the sixth company or trainband in Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Hooker to be Lieutenant of the first company or trainband in the town of Farmington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Wadsworth jun<sup>r</sup>. to be Ensign of the 1st company or trainband in the town of Farmington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Heacock to be Captain of the first company or trainband in Waterbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Scovel to be Lieutenant of the first company or trainband in Waterbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Arnold to be Ensign of the first company or trainband in Waterbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Comestock to be Captain of the 3d company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Copp to be Lieutenant of the 3d company or trainband in the town of New London, and order that he be commissioned accordingly.



This Assembly do establish and confirm Mr. Daniel Fitch to be Ensign of the 3d company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Starr to be Captain of the first company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Harris the 2d to be Ensign of the first company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do appoint John Griswold, Christopher Avery, Isaac Huntington, and Jeremiah Miller, Esqrs, to be Justices of the Peace and Quorum in and for the county of New London the year ensuing.

This Assembly do appoint Richard Lord, Joshua Hempstead, John Richards, Joshua Raymond, Daniel Coit, Stephen Lee, Jabez Hide, Samuel Lothrop, Humphrey Avery, Jedadiah Tracey, Nathaniel Brown, Samuel Morgan, John Whiting, Joseph Denison, Simeon Minor, Nathan Cheesbrough, Luke Perkins, John Ledyard, Thomas Lee, Daniel Ely, Elisha Sheldon, Nathaniel Clark, Jedadiah Chapman, John Tulley, Abraham Pierson, John Lane, Daniel Huntington, Gurdon Saltonstall, Ebenezer Backus, Benjamin Gale, Ambrose Whittelsey, and Isaac Kelsey, to be Justices of the Peace in and for the county of New London for the year ensuing.

This Assembly do appoint William Pitkin, Jonathan Trumble, Esqrs, Colo. Thomas Welles, Capt. Asahel Strong, Capt. Timothy Stone, Mr. Thomas Benedict, Colo. Christopher Avery, and Mr. James Bicknal, to be Auditors to audit the publick accounts with the Treasurer, and make report to the Assembly.

*It is resolved by this Assembly,* That all the souldiers or sailors that have arrived or shall arrive from Cape Breton in the Colony's service that have or shall fall so sick before they arrive at their several homes as that they become proper subjects of a hospital, shall be provided for at the cost of this Colony as if in a hospital, altho' carried and provided for at their own homes or elsewhere. All matters relating [349] hereto to be determined by the committee for taking care of the sick at New London, or the committee for paying the souldiers wages at Hartford; and for all such sums as shall by either of the said committees be judged reasonable to be allowed shall by the said committee for payment of wages be drawn for on the Colony Treasurer, and be by him paid accordingly.

*Resolved by this Assembly, That Colo. John Whiting be appointed, and is hereby appointed, to take under his command all the officers and souldiers now raised upon the present exigency, to relieve, guard and defend our frontier towns, and to pursue, attack and destroy any of the common enemy, and to draw off all or part of the force now sent up with him when he shall judge proper, and to make the necessary dispositions of the said officers and souldiers for the defence of our frontiers, and for the pursuit and annoyance of the enemy, and to attend the future orders of the Council of War, and that he be commissioned accordingly.*

This Assembly do establish and confirm Mr. John Denison to be Lieutenant of the south company or trainband in the town of Lyme, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Richard Wait to be Ensign of the south company or trainband in the town of Lyme, and order that he be commissioned accordingly.

This Assembly do advise and desire the Committee of War in the county of Hartford, immediately to order a fort to be built in the northwesterly part of Salisbury, including the house of the Reverend Mr. Jonathan Lee, or of Mr. Thomas Bailis, as shall be thought best, in the same manner as the forts already ordered to be built by said committee.

This Assembly do impower and direct Titus Hurlburt, Captain of the Battery at New London, to inlist twenty volunteers as souldiers under his command, for the taking care of and management of the said battery, and to hold themselves in readiness for said service at all times on half an hours warning, which he is to inlist in equal proportion out of the two military companies in the town plot in New London; who being so inlisted and duly attending said service when called thereunto, shall be excused from other military duty and service, and shall be allowed wages for two days in each month during their continuance in the said service; such exemption and wages to be allowed for five months only, beginning on the first of June next.

An Act in Addition to an Act intituled An Act relating to the Bounds of Towns and particular Persons.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That all actions that shall hereafter be brought for and concerning the non-perambulating bounds between towns and particular persons shall be brought to the county court, and that there shall be the same liberty of appeals and reviews as in the*

title of land ; any law, usage or custom to the contrary notwithstanding.

An Act in Addition to the Law intituled An Act for the empowering of Persons to take Care of and improve Estates for the Support of the Ministry.

Whereas in the last paragraph of said act respecting parts of societies made and constituted out of two or more adjoining towns, there is no particular direction given how such parts of societies shall from time to time warn their meetings: Therefore,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That for the future the committee for the time being appointed to take care of and improve the interests belonging to such part of societies, are empowered to warn such meetings and appoint time and place for that purpose ; and in case the said committee shall neglect or refuse to warn such meetings, that then any five of the inhabitants of such parts of societies making application to the clerk, desiring such meeting [350] ing || may be warned, the said clerk shall set up a warning in some proper place or places in such parts of societies, therein appointing time and place of meeting, at which meetings the inhabitants of such parts of societies may proceed to act in any matters proper for them to act in : provided no such meeting be held within less than five days after warning given or set up as aforesaid, and that no person be allowed to vote or act in such meeting that is not qualified to vote in society meetings, or that doth not belong to and pay towards the support of that ministry for the support and maintenance whereof the distinct interests belonging to such parts of societies have been or shall be granted, given or sequestered.

*And it is further enacted by the authority aforesaid,* That where any such parts of a society have not already formed themselves, they shall have liberty and are hereby directed to take the same method to form themselves as societies by law are directed to take ; any law, usage [or] custom to the contrary in anywise notwithstanding.

Upon the memorial of Capt. Titus Hurlburt, of New London, therein shewing that he had the care and charge of the battery and stores in said New London committed to him, with a commission therefor from this Assembly, all which he had faithfully performed, and that he had not had any consideration therefor for the space of three years last past, &c.: Granted by this Assembly, that there be paid out of the publick treasury of this Colony unto the said Titus Hurlburt the

sum of one hundred and twenty pounds old tenour, in full satisfaction for his service aforesaid.

Upon the report of the committee of this Assembly for affixing a place for building a presbyterian meeting-house in the society of Ripton in the township of Stratford, reporting to this Assembly that they have set up a stake with stones about it at the north end of Acquanguage Plain, near where the school-house stands, near the side of the hill where the paths meet to go over the river: This Assembly do approve of the doings of said committee, and order that a meeting house by said society be built upon the place pitcht upon by the committee.

Upon the memorial of Nathaniel Kingsberry and others, living in the southern parts of the first and second societies in the town of Coventry, and others living at the north end of the second society of Lebanon and at the northeast part of Hebron, praying to this Assembly that they may be set off as a distinct ecclesiastical society, &c.: Resolved by this Assembly, that Messrs. Joseph Talcott, Jonathan Hills, of Hartford, and Daniel Bissell, of Windsor, be a committee to repair to said place and notify all persons concerned, view the circumstances of the memorialists, and to make their report of their opinion in the premises to this Assembly in October next.

Upon the memorial of John Baker, agent for the society or parish of Roxberry in the township of Woodberry, representing the infant state of said parish and the burthensome charges the inhabitants of said parish are at in supporting the gospel ministry in the same, and that they are now beginning to build a meeting-house for the worship of God, &c., and praying that all the lands unimproved in said parish may be assessed for the furthering and finishing said meeting-house in said parish, &c.: Resolved and declared by this Assembly, that all the said unimproved lands lying in the said parish of Roxberry shall be assessed at six pence old tenour per acre for the space of four years, to commence next after the rising of this Assembly, to be collected and improved annually for the furthering and finishing of the said meeting-house in said parish; and that Daniel Castle, one of the inhabitants of said society, is appointed and impowered to collect and deliver the same into the hands of the committee of said parish for the time being, to be improved for the purpose aforesaid.

On the memorial of Monmouth Lownsberry and Sellick Holly, praying this Assembly for relief for two bonds for interest money, paid to the Treasurer thro' mistake: Resolved



by this Assembly, that the Treasurer of this Colony pay to the said Monmouth Lownsberry the sum of one pound sixteen shillings and five pence in silver money at eight shillings per ounce, and to the said Sellick Holly the sum of twenty-four shillings and four pence like money, out of the treasury of this Colony.

[351] On the memorial of John Woodworth, of Norwich, shewing to this Assembly that in the expedition at Cape Breton he received a shot, by which he has lost one of his eyes, which occasioned great loss of time, costs and damages to him, praying for relief: Resolved by this Assembly, that seventy pounds in bills of publick credit old tenour be paid out of the publick treasury of this Colony to the said John Woodworth, in satisfaction for his charge of cure, loss of time, and damages.

Upon the memorial of the inhabitants of the town of Torrington, shewing that by a lawful majority they had voted and declared it necessary to build a meeting-house in said town, &c.: Resolved by this Assembly, that Ebenezer Marsh and Joseph Bird, Esq<sup>rs</sup>, of Litchfield, and Nathaniel Baldwin, of Goshen, be, and they are hereby, appointed a committee to repair to said Torrington, and there having sufficiently viewed, and heard the said inhabitants touching the most suitable and convenient place to erect such house upon, they are thereupon to ascertain such place as by them shall be found best for said purpose, by erecting some sufficient monument thereon; and of such their doings to make report to this Assembly, either in their present sessions or sessions at New Haven in October next.

Upon the memorial of John Warner, John Sutlief and Joseph Clark, a committee for the society of Northberry in the town of Waterbury, praying that their collector may be authorized to gather the tax upon the unimproved lands in said society for building a meeting-house, as by the memorial on file: This Assembly do authorize and impower Caleb Humerstone, of said society, to collect and gather said tax.

Upon the memorial of the first or middle society in the town of Killingly, praying to this Assembly for a committee to affix and state a place for said society to build a meeting-house on: This Assembly do appoint Mr. Penuel Deming, Capt. John Daniels, and Mr. Thomas Dresser, all of Pomfrett, a committee to repair to said society, at the charge of the memorialists, and give publick notice to the inhabitants of said society, and view their circumstances, and hear all persons concerned in the premises, and affix and state a place for the said society

to build a meeting-house on, and to make report of their doings in the premises to this Assembly in their present sessions or at their sessions in October next.

Upon the memorial of Hannah Thompson, of New Haven in the county of New Haven, administratrix on the estate of Joseph Thompson, late of New Haven, deceased, representing to this Assembly that the debts due from the estate of said deceased surmounts the moveables the sum of £254 4s. 11*d.*; praying this Assembly to grant liberty to sell so much of the real estate of the said deceased as is necessary to pay said debts and the charges arising on said sale, and to appoint some meet person to do the same: It is resolved by this Assembly, that Thomas Stephens, of said New Haven, be empowered to sell so much land of the said deceased as is necessary for the purposes aforesaid, taking the direction of the court of probate in the district of New Haven therein.

Upon the memorial of Aaron Cook, Abel Munson, Stephen Todd, Merriman Munson, Enos Benham, Amos Johnson, Benjamin Cook, Samuel Negus and Caleb Culver, all inhabitants of the first society in Wallingford, shewing this Assembly that they are remote from the publick worship in said Wallingford and conveniently situate to the 3*d* society in Brandford, and praying that they with their estates might be annexed to the said 3*d* society in Brandford: Resolved by this Assembly, that the above memorialists be with their estates annexed to the said third society in Brandford, and they are hereby annexed to said society accordingly.

Upon the memorial of Caleb Wheeler and Obadiah Wheeler, both of Woodberry in the county of Fairfield, administrators on the estate of Seth Wheeler, late of said Woodberry, deceased, representing to this Assembly that the debts due from the estate of said deceased surmount the personal estate the sum of £61 7s. 8*d.*; praying this Assembly to grant liberty to sell so much of the land of the deceased as to make the said sum of £61 7s. 8*d.* and the charges arising upon said sale: Whereupon it is resolved by this Assembly, that the prayer of the memorialists is granted, and that the memorialists and Mr. Samuel Sherman, of said Woodberry, be empowered to sell so much land of the said deceased as is necessary for the purposes aforesaid, taking the direction of the court of probate in the district of Woodberry.

[352] Whereas this Assembly, at their sessions in May last, upon the memorial of the inhabitants of New Cambridge, resolved that Capt. Giles Hall, Major Jabez Hamlin and Captain Thomas Johnson, should be a committee empowered and

directed to repair to the said parish, to notice all persons concerned, view the circumstances of said parish, and affix the place for building a meeting-house, and report their doings to said Assembly in October last: but forasmuch as the said committee did never make any report on the premises according to said act and directions therein given: It is therefore resolved by this Assembly, that the same committee be again appointed, empowered and directed, to repair to said parish, first notifying all persons concerned, to view the circumstances and affix the place for the building a meeting-house in the same, and make report of their doings to this Assembly in October next.

Whereas the society of North Stratford by their memorial have represented to this Assembly their unhappy and divided circumstances, and that frequent applications have been made to the reverend association of the eastern district of the county of Fairfield, for their advice and directions in supplying the pulpit in said society with a gospel minister, and that their endeavours have been attended with no success; and thereupon praying to this Assembly for assistance and direction: and whereas this Assembly on consideration of the matters aforesaid do apprehend the said difficulties have arisen rather from some different sentiments and misapprehensions which the parties concerned have had and conceived in those matters than any intention or design in any persons concerned therein to embarrass the attempts of said society, and hoping that if mild and moderate measures be pursued the difficulties subsisting in said society may in a good measure subside; and this Assembly having a tender regard to the welfare of said society, and greatly desirous that a good understanding may be promoted and maintained between the reverend association aforesaid and that people, as well as among the members of said society; and being at all times concerned to preserve and support our ecclesiastical constitution, do recommend to the said reverend association, as an expedient on their part in order to remove such difficulties as are subsisting in said society, to request the assistance and advice of such of their reverend brethren of some other association as they shall judge will be most serviceable in promoting the settlement of that unsettled people, when the said society shall apply for advice; and do also recommend it to said society to endeavour to lay aside all animosities and uncharitable and party spirits, and to unitedly pursue proper and regular methods for a peaceable settlement of a gospel minister among them; and, as an expedient to accomplish said end, do appoint Ebenezer Silliman, Andrew

Burr and Thaddeus Burr, Esq<sup>rs</sup>, or any two of them, a committee to repair to said society, and by all proper ways and means to endeavour to restore peace, good order and unanimity among them, in order for their comfortable settlement of a gospel minister there; which committee are directed to attend and assist in said affair on the invitation and at the cost of the memorialists.

Upon the memorial of Gideon Arnold, of Mansfield, administrator on the estate of Mr. John Arnold, late of said Mansfield, deceased, representing to this Assembly that the debts against said estate surmount the moveable estate the sum of £553 0s. 3d., and praying for leave and authority to sell so much of the real estate of the said John Arnold as shall answer the said sum of £553 0s. 3d. of debts, &c., as by the memorial on file: This Assembly grants and orders, that so much of the real estate of the said John Arnold be sold as will answer the aforesaid sum of £553 0s. 3d. with the incident charges, and that the same be sold by the said Gideon Arnold and Mr. John Porter of said Mansfield, by the advice of the court of probate of Windham county.

Upon the memorial of John Clark, Ebenezer Clark and others, inhabitants of the third society in Middletown living in the easternmost part of said society, praying this Assembly that they with other inhabitants living in the easternmost part of said [353] society may be made a distinct ecclesiastical society, with such privileges as by law allowed: Resolved by this Assembly, that the memorialists, with all the inhabitants that live in the bounds hereafter mentioned, be a distinct ecclesiastical society, with such privileges as by law allowed to societies in this Colony; and the bounds and districts thereof shall be, (*viz:*) Beginning at the northeast corner of Middletown bounds next to Pine Swamp *alias* West Chester society, and from thence west to the rear of the long lots, then running northerly by the rear of said lots to the great highway, then turning and running west by the said highway to a highway that runs northerly by the hill called the great hill, then running in said highway to the end of said hill, then running on the top of the hill aforesaid until it intersects the three mile division, then running northerly by said division until it comes to Canfield's northwest corner, then east to Canfield's northeast corner, then running northerly by a highway to Glassenbury line, then east by Glassenbury bounds to Colchester bounds, then running southerly by Colchester bounds to said West Chester society bounds, then to the first mentioned corner; and the said society shall be known by the name of East Hampton.



Upon the memorial of the inhabitants of the north end of Voluntown, extending as far south as the highway that comes from Providence to James Edmonds's mills and then westerly including the said James Edmonds and Mathew Patrick and Robert Thompson, praying this Assembly for liberty to hire an orthodox minister to preach to them four months in the year, (*viz:*) the months of December, January, February and March, with exemption from ministerial charge in the said town of Voluntown, for such term of time as they shall hire a minister among themselves in the months aforesaid: Resolved by this Assembly, that said inhabitants shall have liberty to hire an orthodox minister to preach among themselves for the future during the pleasure of this Assembly in the months abovesaid, with exemption from all ministerial charges in said Voluntown for such term of time only as they shall so hire a minister as abovesaid.

Upon the memorial of the inhabitants of Voluntown living south of Pauchange River in said town, praying this Assembly for liberty to hire an orthodox minister to preach to them four months in the year, (*viz:*) the months of December, January, February and March, with exemption from ministerial charge in the said town of Voluntown for such term of time as they shall hire a minister among themselves in the months aforesaid: Resolved by this Assembly, that said inhabitants shall have liberty to hire an orthodox minister to preach amongst themselves for the future during the pleasure of this Assembly in the months abovesaid, with exemption from all ministerial charge in said Voluntown for such term of time only as they shall so hire a minister as aforesaid.

*Thomas Stow, of Middletown, vs. James Evarts, of Guilford.*

The said Stow by his petition complained to this Court at their sessions in October last of a judgment given in favour of the said Stow against the said Evarts in the superior court held in Hartford on the first Tuesday of March, A. D. 174 $\frac{3}{4}$ , in regard the damages given in said case were too small, and alledged that in equity he ought to have of the said Evarts a much larger sum, and thereupon prayed for relief in equity in said case, and this Court, in October aforesaid, appointed a committee to enquire into the matters in said petition and make report to this Assembly of what they should find, with their opinion thereon; which committee having enquired into said matters made their report to this Court, wherein they report it as their opinion that in equity there is justly due from said Evarts, and that he ought to pay to the said Thomas Stow, the sum of three hundred and fifty-two pounds old currency; and the parties

by their counsel having been fully heard for and against the acceptance of said report: This Court do approve and accept of the said report, and do thereupon order and decree, that the said Thomas Stow shall recover of the said James Evarts, the said sum of three hundred and fifty-two pounds old currency and his cost, taxed at \_\_\_\_\_, and that execution therefor be issued accordingly; and the said judgment of the superior court shall be and is hereby set aside and made void.

[354] Upon the memorial of Ebenezer Walbridge and Timothy Allyn and others, inhabitants of the northeasterly part of the second society in Norwich, setting forth their desire and the necessity that said society be set into two distinct societies, divided as that they may become one by and of themselves, &c., and pray a committee be appointed to enquire and report, &c: Resolved by this Assembly, that Jonath<sup>n</sup> Trumble, John Ledyard and Christopher Avery, Esq<sup>rs</sup>, be and they are hereby appointed and impowered, on some convenient time by them to be assigned, to repair to said parish and to view, enquire and by all proper means to find out the truth of the matters in said memorial alledged, and thereof and of what they shall thereupon judge expedient and best to be done, to make report to this Assembly at their sessions at New Haven in October next, at the proper cost and charge of said memorialists.

Upon the memorial of John Grover, of Coventry, administrator on the estate of Joseph Grover, late of said Coventry, deceased, shewing this Assembly that the debts due from the estate of said deceased surmounts the personal estate of the deceased the sum of £94 4s. 3d. old tenour money, and praying for liberty to sell land sufficient to pay said debts, &c.: Granted by this Assembly liberty to the said administrator, to sell so much of the real estate of the said deceased, taking the advice of the court of probates in the county of Windham, as to enable him to pay said sum of £94 4s. 3d. money as aforesaid, with the necessary charges arising thereon.

Upon the memorial of Jonathan Hobby, administrator on the estate of Benjamin Hobby, late of Greenwich, deceased, shewing to this Assembly that the debts due from the said deceased's estate surmounts the personal estate of the deceased the sum of £220 19s. 3d. old currency, and praying for liberty to sell so much of the real estate of said deceased as shall answer the same: Resolved by this Assembly, that the memorialist have liberty to sell so much of the real estate of the said deceased as will be sufficient to answer the said £220 19s. 3d. old currency, with the charges arising thereon; and

the memorialist is hereby substituted and authorized to make sale thereof accordingly for the purposes aforesaid, taking the advice of the court of probate in the district of Stanford therein.

Upon the memorial of Mrs. Eunice Backus, respecting the decease of her husband, the Rev<sup>d</sup>. Mr. Simon Backus, residing at Louisbourg in quality of chaplain, &c., and the distressed state of her family thereupon, &c., and praying relief: Resolved by this Assembly, that the memorialist have granted to her, for her and family's present subsistence, to be paid out of the publick treasury of this Colony, the sum of one hundred pounds in old tenour bills, and that the further consideration of her said memorial be referred to the session of the General Assembly at New Haven, to be holden in October next.

Upon the memorial of Samuel Gunn, of Milford, setting forth that he had some years past, for a certain sum in bills of credit received out of the publick treasury, mortgaged to the Governor and Company of this Colony a certain tract of land lying in the town of Litchfield, containing about sixty-five acres, being bounded upon a sixty-five acre lot which was mortgaged as abovesaid by Joseph Plumb, north on David Baldwin's land in part and part by James Mitchell's land, east on the highway, and west on Bantam River, which mortgage was defeasible by the said Gun's paying a certain sum in money in the said instrument mentioned, which money the said Gunn, as is alledged by him in his said memorial, hath been paid to Mr. Daniel Edwards, who was appointed to sue out said mortgage: yet nevertheless, the said mortgage having been, by a mere mistake, delivered into the hands of Capt. Elihu Hall, who had since the said money was delivered unto the said Mr. Edwards at the county court holden at [New] Haven in the county of New Haven, in April last past, obtained for the Governor and Company a judgment against the said Gun for the land aforesaid; and the said Gun now praying for relief in the premises: Whereupon it is enacted and declared by this Assembly, that the said judgment, obtained as afore-[355] said, is hereby reversed and made void, and that || upon the said Gun's paying unto the Treasurer of this Colony the full sum for which said land was mortgaged, with lawful interest which shall be due thereon at time of payment, the same shall be released unto the said Gun, his heirs and assigns, in manner and form as is provided by this Assembly in like cases.

Upon the memorial of Ebenezer Gridley and Elizabeth Orviss, administrators on the estate of Charles Orviss, de-

ceased, shewing to this Assembly that the debts due from said estate surmount the moveables more than the land already sold the sum of £9 4s. 3*d.* old tenour, praying for liberty to sell so much of the real estate of the deceased as may be sufficient to answer the aforesaid sum, with incident charges arising thereon: Resolved by this Assembly, that the memorialists have liberty, and they are hereby authorized and impowered, to make sale of so much of the real estate as aforesaid as may be sufficient to pay the said sum of £9 4s. 3*d.* with the incident charges arising thereon, taking the advice of the court of probates in the district of Hartford therein.

Upon the memorial of Justus Bush, of Greenwich, administrator on the estate of Nathaniel Warden, late of said Greenwich, deceased, shewing that the debts surmount the personal estate of said deceased the sum of £88 4s. 11½*d.* old currency, and praying for liberty to sell so much of the real estate of said deceased as will answer the same, &c.: Resolved by this Assembly, that the memorialists have liberty to sell so much of the real estate of said deceased as will be sufficient to answer the said £88 4s. 11½*d.* old currency, with the charges arising thereon; and the memorialist is hereby authorized and substituted to make sale thereof accordingly, for the purpose aforesaid, taking the direction of the court of probates in and for the district of Standford therein.

Upon the petition of John Palmer jun<sup>r</sup>., and Samuel Palmer, both of Windsor, representing that Daniel Filley, of Windsor, brought his action before the county court at Hartford in November last, against the petitioners together with one Jacob Phelps, of said Windsor, demanding £500 0s. 0*d.* by him alledged to be due on one certain promissory note in his writ mentioned and counted upon, and that at the date of said note were subsisting sundry controversies between the defendants in said action, severally, and the said Filley, which to issue they submitted to certain referees, who thereupon arbitrated and gave up their award, which also they had in all points fulfilled, and that said note was an escrow made and into the hands of said arbitrators committed to hold and dispose of, so as to bind the then defendants to fulfil said award, and for no other purpose; and that, their fulfilment notwithstanding, the said note had by means to them unknown gotten into the hands of said Filley, and so was not their act and deed; and that the said Filley in his reply, owning and conceding the matters by the defendants alledged to have been controverted, submitted, awarded upon and fulfilled, further alledged that, over and above the said matters in the defend-



ant's plea mentioned, the said controversy, submission, arbitration and award did particularly include one certain matter of difference between said Filley and said Samuel Palmer and Jacob Phelps, respecting an action then in the law in the county of Hampshire, by said Samuel Palmer and said Phelps prosecuted against said Filley on a bond by him executed to one Samuel Raymond, and that said arbitrators thereon awarded that the defendants, nor either of them, should prosecute the said action any further; also alledging that they did fail to fulfil said award in that point, *viz*: so far as the same did respect the discharging said bond or the not prosecuting the said action thereon, and that the defendants, then not supposing nor understanding said particular matter to have been so submitted and awarded, went to issue and tryal with said Filley thereon, and that the same was found by verdict and judgment by said court therein rendered against them for the sum of £500 0s. 0d. demanded; that from the said breach by the said Filley alledged and tryed and found, said Filley doth not appear to have suffered any considerable damage by any of the defendants, or if so, yet not by the petitioners, or either of them, who had each of them fulfilled everything by them submitted and against them awarded; and thereupon praying a committee may be appointed to inquire of the damage by [356] said Filley || sustained by the breach and failure aforesaid of the said defendants, or either of them, and of what they shall find to be right for the said defendants, or either in favour of said Filley to do or suffer, to make report, &c.: Resolved by this Assembly, that Jon<sup>th</sup>. Trumble, Esq<sup>r</sup>., of Lebanon, John Chester, Esq<sup>r</sup>., of Weathersfield, and Jabez Hamlin, Esq<sup>r</sup>., of Middletown, be and they hereby are appointed and empowered as commissioners, by all lawful and reasonable means to make enquiry of the damages or wrongs by said Filley, by the breach and failure abovesaid, suffered or likely by him to be suffered by occasion thereof, and of what they find, and find just and reasonable by the said defendants, or any or either of them, to be done or suffered for or in favour of said Filley, or towards one another, to make their report to this Assembly in their sessions at New Haven in October next, and that execution on said judgment be suspended until the rising of said next Assembly.

Upon the memorial of John Roberts, Josiah Smith, David Maynerd and John Smith, and others, souldiers on board the Colony's sloop Defence in the late expedition against Cape Breton, for themselves and the rest of their fellow souldiers on board said sloop, representing that in the progress of said

expedition they landed at a place on said island of Cape Breton called St. Ann's and Scataree, and there took from the enemy plunder to a considerable value, and which having been since at New London by publick vendue sold, appear to amount in value to the sum of about £1200 old tenour; that they always insisted and expected that the said plunder, or the moneys for which the same should sell, should be equally and without distinction divided to and amongst all the private souldiers and officers on board said sloop, each souldier and officer sharing therein alike; that Capt. John Prentiss, then commander of said sloop, having gotten the whole of said money into his own hands, on pretext of their having then been and acted under the late royal proclamation touching the British navy, detains and withholds three eighth parts thereof for himself as captain, and for and in behalf of others in commission under him, in proportion as in and by said proclamation specified, to the great wrong and grievance of the memorialists; and thereupon praying relief in the premises, and that they may be allowed, ordered and enabled to share and obtain of said moneys or plunder parts and proportions equal and alike among themselves, and also equal to the part of their said captain and the several other officers on board said sloop, for the reasons in their memorial set forth: Resolved by this Assembly, that the said Capt. John Prentiss, and each and every of the other officers, souldiers, mariners and persons in what character or quality soever, on board or belonging to said sloop Defence in the expedition against Cape Breton, when the said plunder was taken, may and shall share and divide the said plunder, or the money for which the same hath been or shall be sold, equally and alike, without distinction. And it is further resolved, that in case any of the said souldiers, mariners or others on board said sloop allowed to share as abovesaid, shall have withholden from him or them by said Capt. Prentiss, or any other person, his or their (or any part of his or their) equal part or proportion stated and ascertained as abovesaid, it shall be lawful for him or them, or their heirs, executors, administrators, or legal representatives, from whom such share or shares shall be either wholly or in part withholden, either joyntly or severally to bring their action or actions of debt or detainue against him or them so withholding, and on proof thereof, in common course of law made, shall recover the same.

Whereas his Grace the Duke of Newcastle, one of his Majesty's principal Secretaries of State, has by his letter, dated Whitehall, April 9th, 1746, signified to the Governor and

[357] Company of this Colony, that his Majesty has ordered an expedition for the reduction of Canada, and that his Majesty's pleasure is, that this Colony should forthwith make the necessary dispositions for raising as many men as the shortness of the time will permit, to be employed in conjunction with his Majesties regular forces on this important service :

*Resolved by the Governor, Council and Representatives, in General Court assembled,* That there be forthwith raised in this Colony six hundred able-bodied effective men, or more if they shall offer themselves, to be employed in the service aforesaid; and for the encouragement of such men voluntarily to enlist themselves into the service aforesaid, that they shall be provided with cloathing, including a blanket for each man, and with a bed for every two men, and also with proper arms, and that each souldier who shall furnish himself with and appear in cloathing to the acceptance of his captain or chief military officer, and provide himself a blanket, shall in consideration thereof be paid the sum of thirty pounds old tenour bills, or equivalent thereto in new tenour bills of credit, and each souldier who shall provide a good fire-lock to the acceptance of his captain or chief military officer, shall be paid for it the price that shall be set upon it by two persons under oath for that purpose; and if they are not provided as aforesaid, the cloathing and fire-lock shall be provided by the Colony, as well as other necessary arms and accoutrements.

And this Assembly do appoint Jonathan Trumble, Esq<sup>r</sup>., and Hezekiah Huntington, Esq<sup>r</sup>., to provide, in the best and most reasonable manner, such good fire-locks, cutlasses, cartouch-boxes and belts as may be wanted for said service.

That, as further encouragement to enlist into said service, it is resolved, that each souldier on his enlisting shall receive *gratis* the sum of ten pounds old tenour bills of credit, or equivalent in other bills.

That his Honour the Governor be desired, and he is hereby desired, to issue forth proclamations to inform his Majesties subjects in this Colony of the encouragements his Majesty is graciously pleased to give, and the encouragements this government have granted to such as shall enlist into said service, and also to give the proper beating orders, warrants and instructions, to persons who shall be appointed to enlist the said volunteers.

That the troops which shall be raised in this Colony shall be fully supplied with provisions, and each souldier be allowed half a pint of rum per day during the time they shall be subsisted by this government, and be transported to Louisbourg, and from

thence to the place of action, and that they shall imbark at New London at or before the last of June next, if possible.

That there shall be a suitable chaplain, a skilful physician and his first and second mate, to attend the said troops.

*And it is further resolved*, That Andrew Burr, Thomas Welles, Hezekiah Huntington, Gurdon Saltonstall, John Fowler and Jabez Hamlin, Esqrs., be appointed, and they are hereby appointed, Commissaries, with full power by impressing, or otherwise, to provide sufficient transports for said troops and sufficient provisions at present for their subsistence five months from the time of their imbarcation, and also to provide cloathing, beds and other necessaries for said troops, according to the tenour of this act.

That, inasmuch as it is judged our Colony sloop, the Defence, will be very much wanted to guard our coast, his Honour the Governor is desired to make application for a good and sufficient convoy in his Majesties pay, to guard our transports.

That his Honour the Governor be desired, and he is hereby desired, to fill up and give such commissions as shall be sent him from his Majesty for that purpose, to such persons as this Assembly do appoint, or in case of failure of any of them, or want of more, or in case there be any occasion in conformity to such commissions to alter the method provided for by this Assembly, his Honour is desired to fill up and dispose of such commissions, in such method and to such other persons, as he shall judge proper, with the advice of the Committee of War in the county of New Haven.

[358] *And it is further resolved and enacted*, That all other matters and things necessary to be performed, in order for the speedy raising and forwarding the troops to be raised in this Colony for the purpose aforesaid, and for their further subsistence, if need be, and are not particularly provided for by this Assembly, be referred to his Honour the Governor and Committee of War aforesaid, who are hereby impowered to take all necessary care and give such necessary orders and instructions from time to time as occasion may require, to get in readiness the said troops and for their subsistence during the said service, so far as shall be found proper and necessary for this Colony to do, in conformity to the contents of his Grace the Duke of Newcastle's aforesaid letter. And his Honour the Governor is desired, as soon as possible, to transmit to Rear-Admiral Warren at Louisbourg accounts directed to Lient. General St. Clair, of what shall be done, as also an account of the arms and cloathing provided for the men that shall be raised, and the cost of them, requesting an allowance to be



made for the defraying that expence, and take care of such monies or bills as shall be paid or drawn for that purpose.

And whereas it is likely that the troops to be raised in this government will be supplied with provisions by his Majesty as soon as they shall be joyned to the British troops, in which case a great part of the provisions sent from this government for the support of our troops will be spared and not expended : Therefore,

*Resolved by this Assembly,* That the commissary employed by this government in the expedition shall make sale of all such provisions as shall not be expended among our forces, to the best advantage, and return the proceeds of such sale to this government.

This Assembly do appoint Elisha Williams, Esqr, to be Colonel of the regiment to be raised in this Colony for the expedition against Canada, and Captain of the first company ; and Mr. Henry King First Lieutenant of the colonel's company ; Mr. Timothy Bigelow Second Lieutenant, and Mr. John Brown Ensign of said company.

This Assembly do appoint Samuel Talcott, Esqr, to be Lieutenant Colonel of the regiment to be raised in this Colony for the expedition against Canada, and Captain of the 2d company ; Mr. William Smithson First Lieutenant of the lieutenant colonel's company ; Mr. James Peck junr. Second Lieutenant, and Mr. James Blakely Ensign of said company.

This Assembly do appoint Israel Huit, Esqr to be Major of the regiment to be raised in this Colony for the expedition against Canada, and Captain of the 3d company ; Mr. Jonathan Reed First Lieutenant of the major's company ; Mr. Thomas Leeds Second Lieutenant, and Mr. Daniel Redfield Ensign of said company.

This Assembly do appoint Mr. James Church to be Captain of the fourth company in the regiment to be raised in this Colony for the expedition against Canada ; Mr. John Wareham Strong First Lieutenant ; Mr. John Patterson Second Lieutenant, and Mr. Jacob Ford Ensign of said company.

This Assembly do appoint Mr. Josiah Starr to be Captain of the fifth company in the regiment to be raised in this Colony for the expedition against Canada ; Mr. Hezekiah Treadwell First Lieutenant ; Mr. Daniel Belden Second Lieutenant, and Mr. Coe Hinman Ensign of said company.

This Assembly do appoint Mr. Benjamin Lee to be Captain of the sixth company in the regiment to be raised in this Colony for the expedition against Canada ; Mr. Henry Cleave-

land First Lieutenant; Mr. Ichabod Robinson Second Lieutenant, and Mr. John Huntington Ensign of said company.

[359] *Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That all such able-bodied effective men as shall voluntarily enlist themselves as souldiers to serve in the intended expedition against his Majesties enemies at Canada, shall have liberty to proceed in the same, and no such person, nor any officer engaged in said expedition under commission or warrant for that purpose, shall be liable to be arrested and stopped by any process in any civil action taken out against him after the time of his enlisting or receiving commission for that purpose, unless the debt, duty or damage in demand exceed the sum of fifty pounds old tenour bills; and that no person shall have any writ of attachment or arrest against any inhabitant of this government in any civil action signed by authority, unless the person taking out such writ shall make affidavit before some assistant or justice of the peace that, according to his best judgment, the debt, duty or damage in demand is of more value than fifty pounds as aforesaid, and that the same is justly due, and that the same was due upon contract or otherwise before the enlistment, and that such affidavit be endorsed on such writ by the authority signing the same, and that the same be done before such writ be granted out; nor shall any such person be taken and held by any execution on any judgment of court for debt or damages, unless the sum in demand shall exceed the sum of fifty pounds as aforesaid. This act to continue of force until the session of this Assembly in October next, and no longer.

*Resolved by this Assembly,* That the Honourable Roger Wolcott, Esqr, and Jonathan Trumble, Esqr, be appointed, and they are hereby appointed and desired, speedily to go to Boston and consult and advise with his Excellency Governor Shirley about the needful preparations for the comfortable subsistence of the forces to be raised in this Colony for the expedition to Canada, and their being convoyed to the place of rendezvous, and all other things needful for promoting said expedition, and report upon their return to his Honour the Governor of their consultations and conclusions in the affair.

This Assembly do appoint Colo. Thomas Wells, Colo. Hezekiah Huntington, Colo. Gurdon Saltonstall, Colo. Andrew Burr, Capt. John Fowler and Major Jabez Hamlin, Commissioners to make all necessary preparations for the fitting out and setting forth the troops now to be raised in this Colony for his Majesties service in the expedition against Canada.

*Resolved by this Assembly,* That the Committee of War at Hartford, or any three of them, be and are hereby impowered to draw orders on the Treasurer of the Colony for the payment of such sum or sums as they shall from time to time judge necessary for the commissaries to receive, in order for their doing of the service of the present expedition against Canada, assigned them; and the commissaries are to lay their accounts before this Assembly in October next.

*Resolved by this Assembly,* That the Committee of War at Hartford be directed, and they are hereby directed, to deliver to any of the field officers or other commission officers who shall apply to them therefor, such sums of money as said Committeeshall think may be proper, to purchase a regimental dress becoming their respective stations: provided all such officers shall give proper security to this government that, in case his Majesty shall not repay to the Colony for said cloathing, they will return to the Treasurer the sums by each of them received for the purpose aforesaid.

*Resolved by this Assembly,* That all the small arms and all other war-like accoutrements that were impressed or otherways procured at the cost of this government and improved in the expedition to Cape Breton, which the owners have not received, shall be paid for by this Colony, according to their apprizement; [360] and the committee for adjusting the accounts || at Hartford are hereby directed to give orders on the Treasurer of this Colony, for the payment of such sum or sums as are due to any person or persons to whom such arms &c. did belong, upon his or their making it appear to the satisfaction of the said committee that they have not had such arms &c. returned to them; and that the Secretary of this Colony is hereby directed to transmit the accounts of the apprizements of such arms &c. into the hands of the said committee, that they may be under advantage to give their orders accordingly.

This Assembly do appoint Colo. Thomas Fitch and Colonel Andrew Burr to be added to the Committee of War in the county of New Haven, appointed to assist his Honour the Governor in the affairs relating to the war referred, or that may by this Assembly be referred, to said committee; and that any three of the said committee shall be allowed to act in any of the matters aforesaid.

*Resolved by this Assembly,* That the Committee of War at Milford do give orders to the commissaries to provide and procure what they shall think proper for the comfortable subsistence of the chaplain in the expedition against Canada.

This Assembly grants unto the chaplain that shall be im-

proved in the expedition ordered to be made against Canada, the sum of fifty pounds old tenour per each kalendar month.

This Assembly grants unto the physician and chirurgeon that shall be improved in the expedition ordered to be made against Canada, the sum of forty-five pounds old tenour per each kalendar month.

This Assembly grants unto the physician and chirurgeon's first mate to be improved in the expedition against Canada, the sum of thirty pounds old tenour per kalendar month.

This Assembly grants unto the physician and chirurgeon's second mate to be improved in the expedition against Canada, the sum of twenty-five pounds old tenour per kalendar month.

*Resolved by this Assembly*, That his Honour the Governor, with the advice of his Council, be, and he is hereby, desired to issue out proclamations for the keeping days of Fasting and Prayer to Almighty God, for his protection, blessing and assistance in the expedition that his Majesty has now undertaken against Canada.

An Act for the Appointment of Commissioners to meet with Commissioners from the other Governments to concert Measures for carrying on the War.

This Assembly apprehending it to be a matter of very great importance that the British governments on the continent unite in measures for carrying on the present war, and well approving the motion made by some of the other governments for a meeting of commissioners to concert measures for that purpose, do resolve that Commissioners be appointed for that end.

And this Assembly do hereby appoint the Honourable Roger Wolcott, Esqr, Thomas Fitch, Esqr, and Benjamin Hall, Esqr, or any two of them, Commissioners, who are hereby fully authorized and impowered, for and in behalf of this government, to meet and treat with commissioners of his Majesties other governments on the continent, or such of them as shall appoint and send commissioners for that purpose, and with them in such meeting to concert measures for our mutual security, defence and conduct during the present war. And the said Commissioners hereby appointed are directed to make report of such measures as shall be come into at such meeting [361] || to the Governor and Council of this Colony, who, upon approving the same, are hereby authorized and fully impowered to put them in execution, in whole or in part, as they shall judge proper, so far as relates to or concerns this Colony, unless they shall judge the matters to be of such nature and weight as to make it necessary for the calling the Assembly. And his Honour the Governor is desired to write to their Ex-



cellencies the Governors of the Provinces of New York and Massachusetts Bay, acquainting them of the resolutions of this Assembly, moving them to forward the meeting of the Commissioners aforesaid.

*Resolved by the Governor, Council and Representatives, in General Court assembled,* That Eliakim Palmer, Esqr, our Agent at the Court of Great Britain, do, in the name and behalf of the Governor and Company of this Colony, make application, in some proper and suitable method, to his Majesty in Council, or to the Parliament of Great Britain, or to such office or offices as may be most proper, in order to obtain relief in favour of this Colony under the heavy burthens occasioned by the expedition against Cape Breton and the garrisoning at Louisbourg, by a reimbursement of the charges and expences this Colony has paid and stand engaged for. And his Honour the Governor of this Colony is desired to transmit to our Agent duplicates, and triplicates if need be, of the accounts of said charge and expences, give him proper information and directions for the management of the said matter, and press him to be solicitous therein, and also to transmit to him a copy of this act.

*An Act for emitting Bills of Credit.*

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That there be forthwith struck a certain number of bills of credit on this Colony, new tenour, on the new plates, from three pounds to one shilling, which in the whole shall amount to the sum of twenty thousand pounds, and no more, with the additional date of this Assembly, and to be signed by the committee appointed for signing the bills of credit of this Colony, or any three of them, and by them put into the hands of the Treasurer of this Colony, taking his receipt for the same; and the Treasurer is hereby ordered to pay out the same, to answer the debts of this Colony, agreeable to such orders as shall be given to him from time to time according to law.

And, as a fund and security for the repayment and drawing in the said bills into the treasury again, this Assembly grants a tax or rate of twenty-one thousand pounds, to be raised on the polls and rateable estate of this Colony, and to be paid into the treasury of this Colony, by the first day of May *anno Dom.* 1754, to be paid in bills of credit of this Colony, or in silver money as it generally passeth in the Colony at the time of payment.

*An Act for emitting Bills of Credit.*

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,*

That there be forthwith struck a certain number of bills of credit on this Colony, (on the old plate,) from five shillings to two shillings, which in the whole shall amount to the sum of three thousand pounds, and no more, (with the additional date of this Assembly,) and to be signed by the committee appointed for signing the bills of credit of this Colony, and by them put into the hands of the Treasurer of this Colony, taking his receipt for the same; and the Treasurer is hereby ordered to pay out the same to answer the debts of this Colony, agreeable to such orders as shall be given to him from time to time according to law.

And, as a fund and security for the repayment and drawing in of the said bills into the treasury again, this Assembly grants a tax or rate of three thousand one hundred and fifty pounds, to be raised on the polls and rateable estate of this Colony, and to be paid into the treasury of this Colony, by the first day of May in the year 1754, to be paid in bills of credit of this Colony, or in silver money as it generally passeth in the Colony at the time of payment.

[362] An Act in Addition to the Law of this Colony entituled An Act directing how Persons shall be qualified to vote in Society Meetings.

Whereas there are many persons in this Colony who, by reason of their dissenting from the way of worship and the ministry of the Presbyterian, Congregational or Consociated churches of this government, are exempted from the payment of taxes granted for the maintenance and support of the worship and ministry of the said churches: And whereas, although such exempt persons ought not to vote respecting the maintenance and support aforesaid, yet, there being no express direction in the law prohibiting them from voting in those matters, some persons, exempted as aforesaid, have adventured to vote and act therein: Which for the future to prevent,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That no person who is, or hereafter shall be, by the laws of this government freed or exempted from the payment of those taxes granted by any town or society for the maintenance and support of the worship and ministry aforesaid, and for the building of meeting-houses for such worship, on account or by reason of his dissenting from the way of worship and ministry aforesaid, shall be allowed or admitted to act or vote in any town or society meeting in those acts or votes which respect or relate unto the matters aforesaid, nor in the choice of any officers necessary to be appointed for the management of or carrying on the affairs aforesaid; and the acts and votes of such town and society meetings respecting the matters afore-

said, made and passed without computing the votes of such exempt persons, shall be deemed and accounted the acts and votes of such town and society, any law, usage or custom to the contrary in any wise notwithstanding.

An Act in further Addition to an Act entituled An Act for Highways,  
Page 50, Page 468.\*

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That if any person obliged by law to work in highways, and be thereunto lawfully warned, shall refuse or neglect to attend such service according to the warning given, he shall forfeit for every days neglect eight shillings old tenour for a person, and twenty shillings old tenour for a man and team, which forfeitures shall be recovered and improved as in said act is provided; any law, usage or custom to the contrary notwithstanding.

An Act for regulating the Sheriffs' and Constables' Fees.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the sheriffs and constables within this Colony shall be allowed to take and receive for their fees for levying every execution not exceeding twenty pounds, eight shillings and no more; and for every execution exceeding twenty pounds and not exceeding forty pounds, twelve shillings; and for every execution exceeding forty pounds and not exceeding eighty pounds, twenty shillings; and for every execution exceeding eighty pounds and not exceeding one hundred and sixty pounds, thirty shillings; and for every greater sum they shall be allowed to take and receive two shillings for every twenty pounds levied over and above the sum of one hundred and sixty pounds; the said fees to be taken in the same currency for which the execution is; and that the sheriffs shall be allowed for their attendance on the several courts in this Colony sixteen shillings *per diem*.

An Act for the Enlarging of Constables' Fees for their Attendance on  
the several Courts.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the constables' fees for attendance on the General Assembly and on juries at the superior and county courts shall be fourteen shillings old tenour *per diem*; any law, usage or custom to the contrary notwithstanding.

This Assembly do establish and confirm Mr. John Viets to be Captain of the 4th company or trainband in the town of Symsbury, and order that he be commissioned accordingly.

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\* The act to which this is in addition was passed May, 1739. Vol. VIII, 230.

[363] An Act stating the Fare of the Ferry called Smith's Ferry, between the Towns of Weathersfield and Glasenbury.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,*  
That the fare of said ferry for the time to come shall be nine pence for man, horse and load, and for single man or horse four pence, all money of the old tenour.

The Additions to the Lists of Estate of the several Towns in this Government hereafter mentioned, sent in to this Assembly, are as follow, (viz:)

	<i>Single Additions.</i>				<i>Fourfold Assessments.</i>		
	£	s.	d.		£	s.	d.
To New Haven,	2096	5	0	-	1786	16	6
To Windham,	3453	15	9	-			
To Haddam,	115	7	6	-			
To East Haddam,	315	3	0	-	86	0	0
To Woodberry,	328	7	6	-			
To Saybrook,	666	3	6	-			
To Brandford,	199	15	0	-			
To Norwich,	404	16	6	-	667	6	0
To Litchfield,	269	2	0	-			
To Durham,	27	0	0	-			
To Waterbury,	179	16	0	-			
To Lebanon,	599	0	6	-			
To Farmington,	676	9	0	-	32	0	0
To Stanford,	1074	7	7	-	340	0	0
To Guilford,	420	6	6	-	85	4	0
To Norwalk,	744	3	6	-	176	0	0
To Ridgfield,	171	18	0	-			
To Derby,	91	14	6	-			
To Colchester,	35	5	0	-	646	3	0
To Canterbury,	641	16	6	-	108	0	0
To Mansfield,	182	3	0	-	54	8	0
To Killingsworth,	155	17	6	-	171	0	11
To Groton,	127	11	0	-	355	10	0
To Stonington,	643	6	0	-			
To Preston,	798	16	6	-	1474	19	0
To Coventry,	40	10	0	-	38	0	0
To Milford,	177	8	4	-			
To New London,	383	0	0	-	3104	0	0
To Pomfrett,	1262	14	0	-			
To Fairfield,	280	15	1	-	1328	14	0
To Hartford,	753	19	6	-	753	19	0
To Weathersfield,	655	15	9	-			
To Wallingford,	1504	18	0	-			
To Symsbury,	1043	16	0	-			
To Lyme,	1879	14	9	-	731	6	0
To Plainfield,	55	4	0	-	158	0	0



Upon the report of Jonathan Huntington, Richard Hide and Ebenezer Hartshorn, the committee appointed on the request of the towns of Stonington and Groton, to run and ascertain the bounds dividing between said towns, in which report they declare that the line dividing between said towns [364] ought to be as hereafter mentioned, (*viz* :)|| Beginning at the mouth of Mistick River at the sea, thence northward up by the main stream of said river to a pond westward of Lanthorn Hill, where the river runs out of said pond, thence crossing said pond northward to a large heap of stones about a chestnut stump, a walnut staddle, markt on four sides, standing about four feet to the northward of said heap of stones, which is near the middle of said pond at the north end thereof; thence to run a direct line north nine degrees west five hundred and ninety-four rods to a large meer-stone by said committee erected, and stands on the east side of a hill and east twenty-seven rods and nineteen links from a large black oak tree marked with an heap of stones about it, and a rock on the north side said tree, markt, which meer-stone is as far northward as said Groton joyns to said Stonington, between which meer-stone and said chestnut stump in said line heaps of stones are by said committee erected in every eighty rods, which meer-stone is in a direct line from said chestnut stump to an ash tree fallen down, by a little brook, a rock being one rod northeastward from said tree marked S, and a rock one rod southwestward from said tree marked P, which tree was formerly marked with eight notches and called Stonington Eight Mile Tree: Resolved by this Assembly, that the said line as above described, beginning at the mouth of Mistick River at the sea and ending at the said meer-stone, shall be the dividant line between the said towns of Stonington and Groton for the future.

On the memorial of James Fitch, representing that he served in the quality of a physician to the souldiers of this Colony garrison'd at Louisbourg the last winter, &c., praying for allowance: Ordered by this Assembly, that the Treasurer of this Colony shall pay out of the treasury to said James Fitch the sum of thirty pounds old tenour for each kalendar month, to be computed from the ninth day of November last, being the time of his embarkation, until the eleventh day of May instant, the time of his return; taking said Fitch's receipt therefor accordingly.

Upon the memorial of Joseph Mills, Samuel Wilcox and others, inhabitants of the first society in Symsbury living west of the first ledge of the west mountain, representing that said

first society by their vote had freed said inhabitants from paying any rates or future charges towards the settling a minister or building a meeting-house in said first society, and that notwithstanding said society had rated them on their list of the year 1744, to the amount of £32 14s. 4d. in the whole, toward the settling of their minister, &c. ; also praying for liberty to hire an orthodox minister to preach among them, &c. : Resolved and decreed by this Assembly, that no person whatsoever appointed to collect said rate of said inhabitants shall collect the same, but they are hereby expressly inhibited collecting said rate. And it is further granted to said inhabitants living on the west side of said ledge, that they have liberty to hire an orthodox minister to preach among them, and during such time they shall so hire and improve an orthodox minister to preach, as aforesaid, they shall be freed from paying any rates to the first society in Symsbury aforesaid.

Upon the memorial of Jacob Waring, of Standford, administrator on the estate of Robert Mills, late of said Standford, deceased, shewing that the debts surmount the personal estate of said deceased the sum of eleven pounds nine shillings and eleven pence old currency, and praying for liberty to sell so much of the real estate of said deceased as will answer the same, &c. : Resolved by this Assembly, that the memorialists have liberty to sell so much of the real estate of said deceased as will be sufficient to answer the said £11 9s. 11d. old currency with the charges arising thereon; and the memorialists are hereby authorized and substituted to make sale thereof accordingly, for the purpose aforesaid, taking the direction of the court of probate in and for the district of Standford therein.

[365] Upon the memorial of the inhabitants of the first or middle society in the town of Killingly, setting forth the vote of said society declaring the necessity of building a meeting-house in said society, and praying a committee to repair to said society, view and report, Messrs. John Daniels, Penuel Deming and Thomas Dresser were now appointed a committee to that purpose, and accordingly now reported in the premises, as followeth, (*viz.*) After due warning given, to all the inhabitants in said society, upon the 26th and 27th days of May instant we repaired to said society and heard all persons at large, and upon the whole we affixed the place on the east side of the country road, right against Noah Leavinze's now dwelling house, where said Leavinze has given a deed of an acre of land for that use, where we have set down a stake, which is to be enclosed with the sills of said meeting-house; as per said report on file appears: Whereupon it is resolved

by this Assembly, that the place above by said committee in said report described and pitched upon shall be, and the same hereby is, fixed and stated for the place whereupon said meeting-house shall be erected.

Upon the memorial of Ebenezer Smith, of Farmington, representing that during his absence and attending his Majesties service in the expedition to Cape Breton, one certain deed of mortgage by him to the Governor and Company of this Colony executed, of about thirty acres of land, bounded as in said deed, was sued out, and judgment by default therefor rendered at an adjourned county court at Hartford in June last, for said Governor and Company to recover of him, the said Smith, about thirty acres of land, which he also shews to have been so mortgaged for the sum of one hundred pounds; and praying further liberty to redeem his said land: Resolved by this Assembly, that on payment by the memorialist unto Mr. Daniel Edwards, attorney to the Governor and Company, to be made of the interest of said sum in said mortgage contained for one year next coming from the rising of this Assembly, with all the cost and charge, execution on said judgment be stayed during the term of one year; and that if the memorialist, on or before the expiration of said one year, shall also pay unto the said Daniel Edwards (committee for the county of Hartford to receive the same,) the full principal sum of said mortgage, with the interest thereon arisen from the time in which said money became payable to the time of said judgment, then and in such case he, the memorialist, shall have executed to him a deed of release of said land, to him to be executed by the committee to such purpose appointed and empowered.

Whereas this Assembly, at their sessions in October, A. D. 1745, did appoint Colo. Benjamin Hall, John Southmaid and Elihu Hall, Esqrs, a committee to make sale of all the lands of Elisha Parker, of Wallingford in New Haven county, which he forfeited to this Colony for his uttering false and counterfeit bills: And whereas the said committee have made report to this Assembly that they have proceeded, and have sold all his lands that did belong to said Parker, and have taken two bonds, one for the payment of one hundred and three pounds current money of the old tenour, executed by Benjamin Gaylord, of Farmington, one other for fifty-four pounds four shillings, executed by Isaac Parker, of Wallingford, payable to John Whiting, Esqr, Treasurer of this Colony, for the use of the Governor and Company of said Colony, at or before the 15th of October next; also shewing that they had expended

£4 7s. 6*d.* in the affair : Resolved by this Assembly, that Colo. Benjamin Hall, who has said bonds in his hands, deliver them into the hands of the Treasurer aforesaid and take his receipt for the same, and deliver the receipt into the hands of the Secretary of this Colony ; and the said Treasurer is hereby ordered to pay unto said committee the sum of £4 7s. 6*d.* old tenour bills, for cost and charges of the sale of the land.

Upon the memorial of the inhabitants of the north society in Guilford, complaining that the eastern bounds of the said society are uncertain, the said north society claiming to extend eastward near three-quarters of a mile further than where the first society alledge the eastern bounds to be, whereupon disputes have arisen ; and thereupon praying for a committee to ascertain the same : Resolved, that Messrs. William Gould, Jonathan Russell and Robert Foot, all of Brandford, be appointed, and they are hereby appointed, a committee, upon the cost of the memorialists, to repair to the said north society of Guilford, and view the circumstances of the lines in controversy, and report their opinion thereon to this Assembly in October next.

[366] Upon the memorial of Elizabeth Perry, of Ashford, administratrix on the estate of Thomas Perry, late of Ashford, deceased, shewing to this Assembly that the said Thomas Perry was one of the borrowers of the last bank of loan money of this Colony, &c.; and praying that the time of payment of the money due on the first bond given for the payment of the said loan money may be lengthened out, &c.: Resolved by this Assembly, that the time of the payment of the money due on the said first bond be lengthned out for two years from the beginning of May instant ; and that the lawful interest for the whole money due on said bond from the time the said bond became due be paid.

Upon the memorial of William House and Alpheus Gustin, of Glassenbury, administrators on the estate of Henry Goslee, deceased, shewing to this Assembly that the debts due from said estate surmount the personal estate the sum of £110 1s. 10*d.* old tenour ; praying for liberty to sell so much of the real estate of the said deceased as may be sufficient to answer the aforesaid sum with the incident charges arising thereon : Resolved by this Assembly, that the memorialists have liberty, and they are hereby authorized and impowered, to make sale of so much of the real estate as aforesaid as may be sufficient to pay the said sum of £110 1s. 10*d.* with necessary charges arising thereon, taking the advice of the court of probate in the district of Hartford therein.



Upon the memorial of the selectmen for the time being of Newtown in the county of Fairfield, setting forth that there are two brethren in said town, and the proper care and charge thereof, (*viz.:*) Thaddens Lyon and Phinehas Lyon, from their infancy very much destitute of rational powers in exercise, both of them by way of eminency *non compos mentis*; that they have been for a long season lunatick and distracted, not the least prospect of their relief, being utterly uncapable of providing for themselves, their personal estate already spent, and no relations that will provide, or can by law be compelled to provide, for them; and craving an act of this Assembly for the selling of about seventeen acres of land within the said township of Newtown, possessed by said Thaddens and Phinehas Lyon, as their proper estate, and that some suitable person or persons may be authorized to make sale of said land for the past support and future maintenance of said Thaddens and Phinehas: This Assembly taking said memorial into consideration, grant the request of said selectmen, and appoint the following persons of aforesaid Newtown, (*viz.:*) Heth Peck, Joseph Botsford and John Lake, or either two of them, with full power and authority to make sale of said seventeen acres of land for the use abovesaid.

Upon the memorial of Francis Whitmore, of Middletown in Hartford county, shewing to this Assembly that he mortgaged to the Governor and Company of this Colony fifteen acres of land, situate in Middletown at a place called Moromus, for the consideration of sixty-seven pounds ten shillings, as per his deed of mortgage to said Governor and Company, dated April, 1734, which said deed of mortgage was sued out and final judgment obtained at the superior court held at Hartford in March last, for the surrendry of said fifteen acres of land and cost of court; praying that this Assembly on his paying said sum contained in the mortgage aforesaid, with the lawful interest of said sum since the mortgage was out, and the cost of court: Resolved by this Assembly, that on the said Whitmores paying to Mr. Daniel Edwards, of Hartford, agent for said Governor and Company, said sums of money, that Nathaniel Stanly, Esqr, and George Wylls, Secretary of this Colony, in the name and behalf of the Governor and Company of this Colony, give to said Whitmore, his heirs, &c., a deed of release of said fifteen acres of land.

Upon the memorial of Gideon Hun, of Weathersfield, representing that he had bought of one David Griswold a tract of land in the town of Farmington of forty-two acres, which at the time of the said purchase was under mortgage to this Col-

ony; praying that the same may be released to him, the [367] said Gideon Hun: || Resolved by this Assembly, that said forty-two acres be released and secured to him, the said Gideon Hun, his heirs &c., upon his paying into the publick treasury of this Colony the sum of one hundred pounds in bills of credit of this Colony, and the interest thereof since the said mortgage became indefeazible, or so much thereof as yet remains unpaid, with the cost that has arisen in a suit brought on the mortgage aforesaid; and Nathaniel Stanly, Esqr, and the Secretary of this Colony are hereby impowered and directed to execute a deed of the said forty-two acres to the said Gideon Hun, his heirs, &c., under the publick seal, to the purpose aforesaid.

On the petition of David Nevins, of Kingstown in the Province of the Massachusetts Bay, *vs.* Samuel Pelton, of Middletown, on file: The question was put, whether the judgment prayed for to be set aside should be set aside and a new tryal granted to the petitioner as prayed for: Resolved by this Assembly in the negative. *Cost allow'd respondent* £4 8s. 0d. *Ex. granted May 28th, 1746.*

On the memorial of Daniel Clark junr, and Jonah Clark, both of Colchester, *vs.* Rich'd Goodrich and Joseph White, both of Middletown: The question was put, whether anything prayed in the said memorial should be granted: Resolved by this Assembly in the negative. *Cost allowed respondents* £3 5s. 0d. *Execution granted May 19th, 1747.*

On the petition of Stephen Munson, of New Haven, *vs.* John White, of New Haven, as on file: The question was put, whether the judgment of the superior court complained of therein be erroneous: Resolved in negative. *Cost allowed respondent is* £4 10s. 0d.

On the petition of Benoni Hills, of Goshen, *vs.* Abigail Dickinson, of Weathersfield, widow, as on file: The question was put, whether a committee should be appointed to examine evidences, hear the parties, &c., as prayed for in said petition: Resolved by this Assembly in the negative. *Cost allowed respondent, £4 0s. 6d. Ex. granted December 5th, 1748.*

This Assembly do grant unto the Hon<sup>ble</sup> Jonathan Law, Esqr, Governor, for his first half year's salary for this current year, the sum of seventy pounds new tenour bills of credit.

This Assembly do grant unto the Hon<sup>ble</sup> Roger Wolcott, Esqr, Deputy Governor, for his first half year's salary, the sum of thirty-five pounds new tenour bills of credit, for the current year.

This Assembly grants unto George Wyllys, Secretary, for his salary the current year, the sum of six pounds in new tenour bills of credit.

This Assembly do grant unto the Hon<sup>ble</sup> Jon<sup>th</sup> Law, Esq<sup>r</sup>, Governor, for his extraordinary service for the government the last half year, the sum of twenty pounds in new tenour bills of credit.

This Assembly do grant to Eliakim Palmer, Esq<sup>r</sup>, our Agent at the Court of Great Britain, the sum of two hundred and fifty pounds bills of credit of the old tenour, for his salary the current year.

This Assembly do grant unto Mr. Timothy Green, printer, for his last half year's salary, the sum of eighteen pounds new tenour bills of credit.

*Resolved by this Assembly*, That the entry on the publick records by Mr. Secretary of all the votes passed by this Assembly for the encouragement of obtaining Indian enemy prisoners, or their scalps, is suspended till further order.\*

On the petition of Moses Rush, of Midletown, *vs.* Daniel Robbins, of Weathersfield, as on file: The question was put, whether anything should be granted on the prayer of said petition: Resolved in the negative. *Cost allowed respondent is £3 0s. 0d. old tenour. Ex. granted June 28th, 1746.*

Whereas this Assembly has been drawn out to so great a length that all the members thereof cannot without great difficulty stay to hear the laws and orders of this Assembly read off, do thereupon appoint Nathaniel Stanly, Ozias Pitkin, William Pitkin, Esq<sup>rs</sup>, Mr. Joseph Buckingham, Mr. Joseph Talcott, Mr. Elisha Williams and Colo. John Chester, to be a committee to attend his Honour the Deputy Governor, to hear the acts and orders of this Assembly read off, and then signed by the Secretary as compleat.

The whole record of the several Acts, Grants and Orders of this Assembly, as it stands entered on the pages of this book next preceding, were read off in the presence of the committee abovenamed, (except Mr. Elisha Williams,) and signed as compleat.

GEORGE WYLLYS, Secret'y.

[From the originals in *War*, iv. 297-299.]

An Act for the more effectual carrying on the War and defending of  
the Frontiers.

Whereas the enemy are frequently making incursions and committing insults on the British settlements in their outward and

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\* The acts referred to are inserted after the record of this session.

frontier borders, which calls for our speedy and vigorous assistance in defending against and annoying of the enemy: Therefore,

*Be it enacted by the Governour, Council and Representatives, in General Court assembled, and by the authority of the same,* That the Committee of War in the county of Hartford be, and they are hereby, directed to send forth twenty effective men into the western frontiers in the county of Hampshire, to joyn the forty men already posted there, to garrison and scout in such manner as may best defend and protect those frontier settlements; and that the said Committee effectually pursue the powers and instructions already given for the prosecuting and carrying on the war and defending against the enemy, by sending such numbers of men as they shall judge needful to garrison and scout in such places as they shall judge to be proper for that purpose.

*And it is further enacted by the authority aforesaid,* That the said Committee of War be, and they are hereby, impowered and directed to raise fifty able-bodied effective volunteers, either English or Indian, more or less as they shall judge needful, having regard to the numbers joyned them by the governments of New York and Massachusetts Bay, or either of them, to joyn such men as shall be raised in the said governments, or either of them, or if need be to impress such numbers as the said Committee shall have occasion for, (taking the same method therein as is provided for the raising men to garrison and scout,) to be sent into the enemies' borders, to make incursions upon and to annoy the enemy in their own habitations and settlements, and to scout between the enemies' borders and the borders of the British plantations; and to nominate proper officers for that purpose, whom the Governour of this Colony is desired to commission for the said service. Which scouts shall be under the direction of the said Committee of War, or such person or persons as they shall appoint for that purpose, with respect both to the time of their continuing in, and place or places where they shall perform said service.

And, for the encouragement of such as shall be employed in the service aforesaid,

*It is further enacted by the authority aforesaid,* That the officers and souldiers shall have the same wages already stated for those officers and souldiers who have been employed in garrisoning and scouting in the county of Hampshire; and also, that all such officers and souldiers as shall provide themselves with arms, ammunition, provision and other necessities, shall have as a reward for every male prisoner of the Indian enemy sixteen years old and upward, the sum of three hundred pounds bills of credit old tenor, and for every scalp of such Indian 16 year old and upward, half so much; and for every female prisoner or *children* under the age of sixteen years of such Indians the sum of one hundred and fifty pounds like bills, and for every scalp of such enemy Indian female or *children* of such Indians half so much, to be paid out of the publick treasury of this Colony, on an order drawn by said Committee, on the producing to them such prisoners or scalps.



And if said officers and souldiers are provided with arms, ammunition, provision and other necessities by the government, they shall have a reward of half so much for each of the respective services as those have who provide for themselves as aforesaid.

Past in the Upper House.

*Test.* GEORGE WYLLYS, Secret'y.

In the Lower House: Concurred, with this alteration, that instead of the word *children* in the ninth line from the top of this paper and in the eleventh line, be inserted the word *child*.

*Test.* JNO. FOWLER, Clerk.

Concurr'd in the Upper House.

*Test.* GEORGE WYLLYS, Secret'y.

And, for the encouragement of such as shall voluntarily and at their own proper cost and charge go out against our Indian enemies,

*Be it further enacted by the authority aforesaid,* That if any persons shall offer themselves to the said Committee of War, for said purpose, who by them shall be judged suitable to have the command of a company, shall be by them recommended to his Honour the Governour to be commissioned, who is desired to commission such persons accordingly; who, being commissioned for the purpose aforesaid, shall have power to enlist such able-bodied men, English or Indians, as shall freely offer themselves for said service; and such officers and souldiers going out at their own proper cost as aforesaid, shall have for every male prisoner of the enemy Indians sixteen years old and upward the sum of four hundred pounds old tenor, and for every scalp of male Indian the sum of three hundred and fifty pounds old tenor, and for every female, or child under sixteen years of age, of such enemy Indians taken captive, the sum of two hundred pounds old tenor, and for every scalp of such female or child, killed in fight, the sum of one hundred and seventy-five pounds old tenor. And to the inhabitants of this Colony attacked by Indian enemies, and to such souldiers as may be employed by this Colony issuing out upon any party or parties of Indians, shall be given for each enemy Indian killed and scalp produced, or taken prisoner by such inhabitant or souldiers, the sum of one hundred pounds old tenor. All which payments to be made by the Treasurer of this Colony on an order to be drawn for the purpose by the said Committee of War, on such prisoner or scalps produced to the acceptance of said committee.

Past in the Upper House.

*Test.* GEORGE WYLLYS, Secret'y.

Concurred with in the Lower House.

*Test.* JNO. FOWLER, Clerk.

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[368] *Anno Regni Regis Georgii secundi vigesimo.*

AT A GENERAL ASSEMBLY HOLDEN AT NEW HAVEN IN HIS MAJESTIES ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, (BY SPECIAL ORDER OF HIS HONOUR THE GOVERNOR,) ON THURSDAY THE 19th DAY OF JUNE, AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE DAY OF THE SAME MONTH, ANNOQUE DOMINI 1746.

*Present :*

The Honourable Jonathan Law, Esquire, Governor.

The Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, Deputy Governor.

James Wadsworth,	Thomas Fitch,	} Esq <sup>rs</sup> , As- sistants.
Nathaniel Stanly,	Roger Newton,	
Timothy Pierce,	Ebenezer Sillman,	
Samuel Lynde,	Jonathan Trumble,	
William Pitkin,	Andrew Burr,	

*Representatives or Deputies that attended at this Assembly are as follow, (viz :)*

Mr. Joseph Talcott, for Hartford.

Colo. Gurdon Saltonstall, for New London.

Major Thomas Dyer, Capt. Eliezer Cary, for Windham.

Capt. John Fowler, Mr. Robert Treat, for Milford.

Colo. Jonathan Hoit, for Standford.

Capt. Asahel Strong, Mr. John Hooker, for Farmingtown.

Mr. Samuel Fitch, Mr. James Lockwood, for Norwalk.

Capt. Robert Walker, Capt. David Judson, for Stratford.

Capt. Charles Bulkley, Capt. Nath<sup>l</sup>. Foot, for Colchester.

Major Ebenezer Marsh, Capt. Joseph Bird, for Litchfield.

Mr. Joseph Brunson, Mr. Timothy Judd, for Waterbury.

Capt. Moses Hawkins, Mr. Abel Gun, for Derby.

Mr. John Hall, Colo. Benjamin Hall, for Wallingford.

Mr. William Johnson, for Mansfield.

Capt. John Mead, Capt. Israel Knapp, for Greenwich.

Mr. John Hitchcock, Capt. Samuel Sherman, for New Haven.

Capt. Samuel Burr, for Fairfield.

Colo. Hez<sup>h</sup> Huntington, Mr. Ebenezer Backus, for Norwich.

Colo. William Preston, Mr. Noah Hinman, for Woodberry.

Capt. Samuel Parker, for Coventry.

Mr. James Bicknal, Mr. William Watkins, for Ashford.

Mr. Thomas Benedict, Capt. Josiah Starr, for Danbury.

Capt. Joseph Phelps, for Hebron.

Colo. John Dyer, Mr. Stephen Frost, for Canterbury.

Capt. Elnathan Stephens, for Killingsworth.

Mr. Ebenezer Bateman, Mr. Penuel Child, for Killingly.

Capt. Richard Olmstead, Mr. Samuel Olmstead, for Ridgfield.

Capt. Jedadiah Chapman, Mr. Ambrose Whittelsey, for Saybrook.

Mr. Hez<sup>b</sup>. Brainerd, for Haddam.

Mr. Ebenezer West, Major Joseph Fowler, for Lebanon.

[369] Capt. Nath<sup>l</sup>. Harrison. Capt. Robert Foot, for Brandford.

Mr. John Humphrey, for Symsbury.

Mr. William Wittar, Capt. Samuel Hoit,\* for Preston.

Colo. John Chester, Mr. Elisha Williams, for Weathersfield.

Colo. Christopher Avery, Mr. John Ledyard, for Groton.

Mr. John Griswold, Mr. Richard Lord, for Lyme.

Mr. Seth Wetmore, for Middletown.

Colo. Samuel Hill, Capt. Timothy Stone, for Guilford.

Mr. David Noble, for New Milford.

Colo. Thomas Welles, Capt. Jonathan Hale, for Glassenbury.

Mr. Simeon Minor, Capt. John Breed, for Stonington.

Major Elihu Chauncey, Mr. James Wadsworth, for Durham.

Mr. William Marsh, for Plainfield.

Mr. Ebenezer Holebrook, Capt. Noah Sabin, for Pomfrett.

Colo. Samuel Hill, Speaker, } of the House of Repre-  
Capt. John Fowler, Clerk, } sentatives.

Whereas this Assembly, at their sessions in May last, resolved that there should be forthwith raised in this Colony six hundred able-bodied effective men, or more if they should offer themselves, to be employed in his Majesties service in an expedition for the rednction of Canada ; and for the encouragement of such men voluntarily to enlist themselves into the said service, among other things, granted a reward of ten pounds old tenour to each man that should inlist, and to such as should appear with cloathing to the acceptance of his captain or chief military officer, and provide himself with a blanket, should have the sum of thirty pounds old tenour : And whereas it appears necessary to this Assembly that, in order the more effectually and speedily to promote the said service, the number of men to be raised should be ascertained, and greater encouragement given, and the price for the cloathing and blankets enlarged, and, in case the number ascertained should not voluntarily enlist themselves, that the number wanting to make up the complement should be imprest to go into said service : Thereupon,

*It is resolved by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That there shall be raised, as soon as possible, in this Colony the number of one thousand able-bodied effective men, (including officers,) for the service aforesaid, inclusive of those who*

\* Probably an error in the record for Coit.

are already raised in pursuance of the resolve of this Assembly aforesaid; and that each souldier that has already enlisted, or shall voluntarily enlist into the said service, shall have paid him as a premium the sum of thirty pounds in old tenor bills of credit, or in new tenor bills equivalent, in the lieu and stead of the ten pounds granted in May. Always provided, that the ten pounds aforesaid already paid to such as have enlisted shall be accounted part of the said thirty pounds.

*And it is further resolved,* That instead of the thirty pounds allowed by the resolve in May last for the cloathing of each souldier and for each blanket, where the souldiers shall provide themselves with them, be forty pounds old tenor bills, or new tenor equivalent; and his Honour the Governor is desired to issue forth proclamations and orders accordingly.

It is also recommended to his Honour the Governor, that he improve Andrew Burr, Thomas Wells, Hezekiah Huntington [370] ton, Gurdon Saltonstall, || John Fowler, and Jabez Hamlin, Esq<sup>rs</sup>, to provide the cloathing and blankets that shall be found necessary and wanting for the soldiers employed in said service, and that he improve Jonathan Trumble and Hezekiah Huntington, Esq<sup>rs</sup>, to provide, in the best and most reasonable manner, such good fire-locks, cutlasses, cartouch-boxes and belts as may be wanted for said service; and that his Honour the Governor draw on the Treasurer for money needful to purchase the cloathing, blankets and arms aforesaid. And his Honour the Governor is hereby desired to have the accounts hereof prepared and laid before Lieut. General St. Clair, who is by his Majesty authorized and empowered to make a reasonable allowance for defraying the expence thereof.

*And it is further enacted by the authority aforesaid,* That if by reasonable contracts and bargains the said preparations cannot be made, his Honour the Governor, Deputy Governor and the assistants of this Colony, to any of whom any of the commissaries or persons aforesaid are to apply, are authorized and directed to grant proper warrants to impress victuals, transports, cloathing, arms and other necessities that cannot otherwise reasonably be obtained for the service aforesaid.

*It is further resolved,* That the billeting the souldiers shall be allowed to be at the rate of sixteen shillings per week old tenor for each souldier, and so *pro rato*, and eighteen pence per meal when they are marching; and that the captain, with the advice of one justice of the peace, shall have power and authority to appoint the place and places of their billeting.

*And it is further resolved,* That in case there shall not ap-



pear a sufficient number of volunteers to fill up the several companies resolved to be raised for the service aforesaid, by the first day of July next, the several enlisting officers who shall then want any man or men to make up his or their complement, shall immediately certify to his Honour the Governor what number of men they respectively want, to fill their companies: Thereupon his Honour the Governor, with the advice of the Committee of War appointed to assist his Honour, is desired and fully empowered to give proper orders or warrants to such officers as they shall judge proper, for the impressing so many able-bodied effective men, either out of the militia or of vagrant or wandering persons, as shall be necessary to fill up such company or companies, who being thus impressed shall attend the said service or be treated and suffer as deserters. Always provided, that if any such impressed men shall within twenty-four hours after they shall be impressed, shall voluntarily inlist themselves into said service, they shall be accounted volunteers and receive the same reward and benefits as other volunteers receive.

*And it is further resolved,* That in case it shall be found necessary for any part of the militia to be mustered, in order to make said impresses, and the captain of any company shall order a muster for said purpose, that if any souldier, being warned by order of his captain to muster at time and place by said captain to be appointed, shall not attend said muster, unless prevented by sickness or other inevitable providence, shall forfeit to the Treasurer of the Colony, for the use of the Colony, the sum of twenty pounds old tenor bills, to be levied by a warrant signed by the two chief officers of the company to which such souldier belongs, as other military fines by law are to be levied.

*Resolved by this Assembly,* That if any soldier that has already or shall hereafter inlist into the present expedition [371] against Canada, and receive || the premium granted by this Assembly, and shall after such receipt of the premium, or after such enlistment, desert his Majesty's service, shall refund and pay back the money he has or shall receive of the inlisting officer with whom he shall inlist into the publick treasury of this Colony, in addition to the penalties already provided by the laws of this Colony in case of desertion; and in case he be not able to refund and pay back said money, shall be sold by the county court in that county where the offence is committed, to any of his Majesty's subjects, for the repayment of the same.

*Resolved by this Assembly,* That his Honour the Governor

be desired, and he is hereby desired, forthwith to lay an imbargo upon all provisions of pork, beef, wheat, bread, flour, pease and beans, of the produce of this Colony, until the first day of August next, unless the Governor shall see cause to take off the same before the expiration of said term; and that no provisions, as aforesaid, during said imbargo shall be conveyed out of the limits of this Colony, upon the penalty of the forfeiture of the same provisions, or the price thereof, to the use of the Colony.

Whereas this Assembly resolved, in May last, that the commissaries should for the present provide five months provisions for the forces to be raised in this government to be employed in the expedition against Canada:

*It is now resolved*, That the commissaries appointed for said service forthwith make the necessary provisions for the subsistence of the forces now resolved to be raised, for the space of five months from their embarkation, to be sent with the said forces.

*It is also resolved*, That the said commissaries do make the necessary provisions for the subsistence of said forces the space of seven months more, which they are directed to engage and procure as soon as may be, and to get them ready for transportation by the tenth day of September next, and accordingly send the same to be delivered to the commissary employed by this government, for the use of our forces in the service aforesaid; unless that before that time it shall appear to his Honour the Governor and Committee of War, that the said seven months provision need not be sent, in which case his Honor is desired to give orders to the commissaries to proceed no further in the business aforesaid.

Whereas this Assembly is informed that Capt. Martin Kellogg is acquainted with a considerable part of the navigation of the river of St. Lawrence: This Assembly, in compliance with his Majesty's directions signified to us by his Grace the Duke of Newcastle, do appoint Nathaniel Stanly and William Pitkin, Esq<sup>rs</sup>, to agree with and engage the said Capt. Kellogg, to serve as a pilot on board his Majesty's fleet in the expedition against Canada, and certify to his Honour their conclusions with the said Captain Kellogg; and thereupon his Honour the Governor is desired to acquaint Rear Admiral Warren, that the said Kellogg is engaged as aforesaid, and also the rate at which he shall be engaged.

*An Act for emitting Bills of Credit.*

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,*

That there be forthwith struck a certain number of bills of credit on this Colony, new tenor, from three pounds to seven shillings, which in the whole shall amount to the sum of thirty-five thousand pounds, and no more, and to be signed by the committee appointed for signing the bills of credit of [372] this Colony, or any three of them, and by them be put || into the hands of the Treasurer of this Colony, taking his receipt for the same; and the Treasurer is hereby ordered to pay out the same to answer the debts of this Colony, agreeable to such orders as shall be given to him from time to time, according to law.

And, as a fund or security for the repayment and drawing in the said bills into the Treasury again, this Assembly grant a tax or rate of thirty-six thousand seven hundred and fifty pounds, to be raised on the polls and rateable estate of the inhabitants of this Colony, and to be paid into the treasury of this Colony by the first day of May, A. D. 1758, to be paid in bills of credit of this Colony, or in silver money as it generally passeth in the Colony at the time of payment.

*Resolved by this Assembly,* That his Honour the Governor and the Committee of War appointed to assist his Honour, do, and they are hereby impowered to act and do in all matters not particularly provided for by the Assembly relating to the expedition against Canada, and give all proper orders for the same, as fully and amply with regard to all necessities for the thousand men by this Assembly resolved to be raised, as they were impowered to do for the six hundred or more ordered to be raised by the Assembly in May last.

This Assembly do appoint Captain William Whiting to be Captain of a company of foot to be raised in this Colony for the expedition against Canada.

This Assembly do appoint Mr. Samuel Fitch, of Lebanon, to be First Lieutenant of Captain William Whiting's company of foot to be raised in this Colony for the expedition against Canada.

This Assembly do appoint Doct. Normand Morrison, of Hartford, to be Second Lieutenant of Captain William Whiting's company of foot to be raised in this Colony for the expedition against Canada.

This Assembly do appoint Mr. Daniel Sharp Ensign of Captain William Whiting's company of foot to be raised in this Colony for the expedition against Canada.

This Assembly do appoint Captain John Whiting, of Stonington, to be First Lieutenant of Captain Denison's company

of foot to be raised in this Colony for the expedition against Canada.

This Assembly do appoint Mr. Roger Billings to be Second Lieutenant of Captain Denison's company of foot to be raised in this Colony for the expedition against Canada.

This Assembly do appoint Mr. Isaac Jones to be Ensign of Captain Denison's company of foot to be raised in this Colony for the expedition against Canada.

This Assembly do appoint Captain Elihu Hall, of Wallingford, to be Captain of a company of foot to be raised in this Colony for the expedition against Canada.

This Assembly do appoint Mr. Samuel Sanford the 3d, of Milford, to be First Lieutenant of Capt. Elihu Hall's company of foot to be raised in this Colony for the expedition against Canada.

This Assembly do appoint Mr. John Russell junr, of Brandford, to be Second Lieutenant of Captain Elihu Hall's company of foot to be raised in this Colony for the expedition against Canada.

This Assembly do appoint Mr. Arthur Worster, of Derby, to be Ensign of Captain Elihu Hall's company of foot to be raised in this Colony for the expedition against Canada.

[373] This Assembly do appoint Captain Joseph Worster to be Captain of a company of foot to be raised in this Colony for the expedition against Canada.

This Assembly do appoint Mr. Daniel Belding, of Norwalk, to be First Lieutenant of Captain Joseph Worster's company of foot to be raised in this Colony for the expedition against Canada.

This Assembly do appoint Mr. Eliakim Robinson, of New Haven, to be Second Lieutenant of Captain Joseph Worster's company of foot to be raised in this Colony for the expedition against Canada.

This Assembly do appoint Mr. James Mead to be Ensign of Captain Joseph Worster's company of foot to be raised in this Colony for the expedition against Canada.

This Assembly do appoint Mr. David Burr Second Lieutenant of Captain Josiah Starr's company of foot to be raised in this Colony for the expedition against Canada.

This Assembly do appoint the Reverend Mr. Ashbel Woodbridge, of Glassenbury, to be improved as Chaplain to the forces raised in this Colony for the expedition against Canada.

This Assembly do appoint Doctor Normand Morrison to be



improved as Chief Physician and Chirurgeon in the expedition against Canada.

*Resolved by this Assembly, That three chirurgeon's mates be employed in the expedition against Canada.*

Whereas it is supposed that the staff officers appointed by this government to serve in the expedition against Canada will be taken into his Majesty's pay: This Assembly do resolve, that in case the said officers be taken into his Majesty's pay, the several wages granted by this Assembly in May last to such officers shall not be paid them; anything in the said grant contained notwithstanding.

Upon the memorial of the third society of Brandford, shewing this Assembly that the inhabitants of said society at their legal society meeting, more than two-thirds voted that it was necessary to build a meeting-house in said society for divine worship, and praying this Assembly for a committee to affix a place for said inhabitants to build a meeting-house upon, &c.: Resolved by this Assembly, that Captain John Hubbard, Capt. Jonathan Allyn, and Mr. John Hitchcock, all of New Haven, be a committee to repair to said society, notify all parties concerned, view their circumstances, and hear them fully on the premises, and affix a place for said inhabitants to build a meeting-house upon, and make return to this Assembly in October next.

This Assembly do appoint Nathaniel Stanly, William Pitkin, Esq<sup>rs</sup>, and Mr. Joseph Talcott, a committee to attend the Secretary of this Colony at Hartford, to hear the acts and orders of this Assembly read off, and then signed by the Secretary as compleat.

[374] *Anno Regni Regis Georgii secundi vigesimo.*  
*Connecticut* }  
*Colony.* }

AT A GENERAL ASSEMBLY HOLDEN AT NEW HAVEN IN HIS MAJESTIES ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, ON THE SECOND THURSDAY OF OCTOBER, (BEING THE 9TH DAY OF SAID MONTH,) AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE 24TH DAY OF THE SAME MONTH, ANNOQUE DOMINI 1746.

*Present:*

The Honourable Jonathan Law, Esquire, Governour.  
 The Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, Deputy Governour.

James Wadsworth,	} Esq <sup>rs</sup> .	Thomas Fitch,	} Esq <sup>rs</sup> .	<i>Assistants.</i>
Nathaniel Stanly,		Roger Newton,		
Timothy Pierce,		Ebenez <sup>r</sup> . Silliman,		
Samuel Lynde,		John Bulkley,		
William Pitkin,		Andrew Burr,		

*Representatives or Deputies that attended at the Assembly are as follow, (viz:)*

Colo. Joseph Pitkin, Mr. Thomas Seymour, for Hartford.

Mr. Jeremiah Miller, Mr. Jeremiah Chapman, for New London.

Colo. Hez<sup>h</sup> Huntington, Mr. Ebenezer Backus, for Norwich.

Mr. James Bicknal, Mr. William Watkins, for Ashford.

Colo. John Chester, Colo. Elizur Goodrich, for Weathersfield.

Capt. Nathan Baldwin, Mr. Robert Treat, for Milford.

Mr. Joseph Strong, Mr. Ebenezer Root, for Coventry.

Mr. John Noyes, Mr. Joseph Denison, for Stonington.

Mr. John Humphrey, Mr. Joseph Wilcoxson, for Symsbury.

Capt. Moses Hawkins, Mr. Abel Gun, for Derby.

Mr. Hezekiah Brainerd, for Haddam.

Capt. Joseph Bird, Major Ebenezer Marsh, for Litchfield.

Colo. Christopher Avery, Mr. Ebenezer Avery, 2d, for Groton.

Mr. Samuel Fitch, Mr. Joseph Platt, for Norwalk.

Mr. John Hitchcock, Capt. Samuel Sherman, for New Haven.

Colo. Samuel Burr, Capt. John Read, for Fairfield.

Mr. Samuel Canfield, Mr. David Noble, for New Milford.

Colo. Thomas Welles, Capt. Jonathan Hale, for Glassenbury.

Capt. Joseph Phelps, Mr. Benjamin Skinner, for Hebron.

Capt. Charles Bulkley, Mr. John Day, for Colchester.

Mr. Stephen Frost, Capt. Jabez Fitch, for Canterbury.

Capt. Thomas Storrs, Mr. William Johnson, for Mansfield.

Capt. John Mead, Capt. Israel Knapp, for Greenwich.

Capt. Elnathan Stephens, Capt. Isaac Kelsey, for Killingworth.

Capt. Jabez Chapman, for East Haddam.

Capt. James Beebe, Mr. Thomas Benedict, for Danbury.

Capt. Jedadiah Chapman, Mr. Ambrose Whittelsey, for Saybrook.

Mr. Robert Dixon, Mr. Thomas Kesson, for Voluntown.

[375] Colo. Samuel Hill, Capt. Timothy Stone, for Guilford.

Colo. Jonathan Hoit, Capt. Jonathan Maltbie, for Standford.

Colo. William Preston, Mr. Noah Hinman, for Woodbury.

Mr. Boaz Stearns, Mr. John Dwight, for Killingly.

Major Elihu Chauncey, Mr. James Wadsworth, jun., for Durham.

Capt. Roger Wolcott, Capt. Pelatiah Allyn, for Windsor.

Capt. Theophilus Nichols, Mr. Joseph Booth, for Stratford.  
 Major Jabez Hamlin, Mr. Seth Wetmore, for Middletown.  
 Mr. Samuel Olmstead, Capt. Richard Olmstead, for Ridgfield.  
 Capt. Gershom Clark, Mr. Ebenezer West, for Lebanon.  
 Mr. John Griswold, Capt. Elisha Shelden, for Lyme.  
 Mr. John Creerey, Mr. Benjamin Wheeler, for Plainfield.  
 Capt. Timothy Hopkins, for Waterbury.  
 Colo. Benjamin Hall, Capt. William Ward, for Wallingford.  
 Capt. Nathaniel Harrison, Capt. Robert Foot, for Brandford.  
 Mr. Ebenezer Holebrook, Mr. Thomas Cotton, for Pomfrett.  
 Capt. Asahel Strong, Capt. Hezekiah Lee, for Farmington.  
 Colo. Thomas Welles, Speaker, } of the House of Repre-  
 Mr. Jeremiah Chapman, Clerk, } sentatives.

An Act directing Proprietors of Lands lying convenient for a Common Field, where no Common Field has been before made and used, how they shall be enabled to form such Lands into a Common Field.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,*  
 That when any number of proprietors within this Colony have such lands lying convenient to be improved as a common field, wherein five-sixth parts of said proprietors shall agree to improve their said land as a common field, (always accounting their votes by their interest in said lands,) are hereby directed to represent the circumstances of their said lands to the county court in the same county where said lands do lye, and notify the other proprietors of said lands to appear at said court, to make their objections, if any they have, against said lands being improved as abovesaid; and on said proprietors obtaining the approbation and allowance of the county court to improve said lands as abovesaid, the proprietors of such lands are hereby allowed to improve said lands as a common field, and shall have the benefit of the laws of this Colony made for regulating and protecting common fields.

An Act for enlarging the District of the Court of Probate at Danbury in Fairfield County.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,*  
 That the town of Ridgfield be annexed, and it is hereby annexed, to the district of Danbury; any law to the contrary notwithstanding.

The Gentlemen nominated by the Votes of the Freemen of this Colony to stand for Election in May next are as follow, (viz:)

The Honourable Jonathan Law, Esq<sup>r</sup>.

The Honourable Roger Wolcott, Esq<sup>r</sup>.

James Wadsworth, Esq<sup>r</sup>. Jonathan Trumble, Esq<sup>r</sup>.

Nathaniel Stanly, Esq<sup>r</sup>. John Bulkley, Esq<sup>r</sup>.

Ozias Pitkin, Esq<sup>r</sup>. Andrew Burr, Esq<sup>r</sup>.

Timothy Pierce, Esqr.	Hezekiah Huntington, Esqr.
Samuel Lynde, Esqr.	Colo. John Chester.
William Pitkin, Esqr.	Mr. Elisha Williams.
Thomas Fitch, Esqr.	Mr. John Griswold.
Roger Newton, Esqr.	Colo. Benjamin Hall.
Ebenezer Silliman, Esqr.	Colo. Gurdon Saltonstall.

[376] This Assembly do establish and confirm Mr. Caleb Hall jun<sup>r</sup>. to be Lieutenant of the second company or trainband in the town of Wallingford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Moses Hall to be Ensign of the second company or trainband in the town of Wallingford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Giddings to be Captain of the fifth company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Nye to be Captain of the company or trainband in the town of Tolland, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ephraim Grant to be Lieutenant of the company or trainband in the town of Tolland, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Solomon Loomis to be Ensign of the company or trainband in the town of Tolland, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Glover to be Captain of the 2d company or trainband in the town of Newtown, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Booth to be Lieutenant of the 2d company or trainband in the town of Newtown, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Heth Peck to be Ensign of the 2d company or trainband in the town of Newtown, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Talcott to be Captain of the company or trainband in the town of Bolton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joel White to



be Lieutenant of the company or trainband in the town of Bolton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jabez Loomiss to be Ensign of the company or trainband in the town of Bolton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Burnham to be Captain of the 7th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Porter to be Lieutenant of the 7th company or trainband in the sixth regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Hart to be Ensign of the 7th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Chamberlain to be Lieutenant of the north company or trainband in the town of Colchester, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Aaron Skinner to be Ensign of the north company or trainband in the town of Colchester, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel St. John to be Captain of the 2d company or trainband in the town of Norwalk, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elnathan Hanford to be Lieutenant of the 2d company or trainband in the town of Norwalk, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nehemiah Mead to be Ensign of the 2d company or trainband in the town of Norwalk, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonas Belton to be Ensign of the 3d company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elisha Lothrop to be Captain of the 6th company or trainband in the town of Norwich, and order that he be commissioned accordingly.

[377] This Assembly do establish and confirm Mr. Samuel Lothrop 3d to be Ensign of the 6th company or trainband in

the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Aaron Cook to be Captain of the company or trainband at the 3d society in Brandford, and order that he be commissioned accordingly.

This Assembly do establish Mr. Philip Pond to be Lieutenant of the company or trainband at the 3d society in Brandford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Josiah Rogers junr. to be Ensign of the company or trainband at the 3d society in Brandford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Josiah Starr to be Captain of the first company or trainband in the town of Danbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Benediet to be Lieutenant of the first company or trainband in the town of Danbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jabez Daviss to be Ensign of the first company or trainband in the town of Danbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Josiah Averill to be Captain of the 4th company or trainband in the town of Woodberry, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Richard Peet to be Lieutenant of the 4th company or trainband in the town of Woodberry, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Morgan to be Lieutenant of the 2d company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Theophilus Avery to be Ensign of the 2d company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Eleazer Fitch to be Ensign of the first company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do order and direct Colonel John Whiting, Treasurer of this Colony, to attend the Assembly on Wednesday the 22d day of October instant, and bring with him a sufficiency of bills of credit in his hands to defray the charges of the Assembly.

Upon the petition of George Richards, of New London, *vs.* Jonathan Mack, of Lyme, complaining of a judgment of the superior court held in New London on the fourth Tuesday of September last, rendered in favour of the said Mack against the said Richards in a case wherein the said Mack was plaintiff and the said Richards was defendant; praying for relief, as per his petition on file: Resolved by this Assembly, that the said judgment of the superior court be reversed, and the same is hereby reversed and set aside, and that the said Richards shall have liberty of another tryal of the said case at the superior court to be held at Norwich on the fourth Tuesday of March next; and that the whole cost shall follow the final judgment that shall be given in said case.

Upon the memorial of Lieutenant Joseph Hart, Jonathan Miller, and the rest of the northern inhabitants belonging to the first society in Farmington, living on or near the divisions of land commonly called the divisions of land against Nodd, representing their great distance from the place of publick worship and difficulty of attending the same in the winter season, &c.: Resolved by this Assembly, that all said inhabitants, from Symsbury bounds southward so far as to include the houses and estates of John Orton and Simeon Judd, and east to the mountain called Pinnacle Mountain, and west so far as to include the first tier of lots in the aforesaid division on the west side of Farmington River, shall have liberty to hire some suitable orthodox person to preach the gospel among them during the months of December, January, February and March, annually; and that during such time as they shall hire a suitable orthodox person, to preach as aforesaid in the months aforesaid, they shall be freed from other ministerial charges in the said town; and that they shall have powers and privileges according as by law in such cases is provided.

[378] Upon the memorial of Edward Higbey, of Middletown in the county of Hartford, administrator on the estate of John Dowd, late of Middletown, deceased, shewing to this Assembly that the debts and necessities set out to the widow of said deceased surmount the moveable estate the sum of £404 8s. 8d. old tenour money, praying this Assembly to impower the said memorialist to sell so much of the real estate of said deceased as to answer said sum and cost: Resolved by this Assembly, that the said administrator, with the advice of the court of probate in Hartford county, sell so much of the real estate of the said deceased as to pay said sum of £404 8s. 8d. with the incident charges thereon arising.

On the petition of Benjamin Wilmott, of New Haven, *vs.*

Jonathan Mansfield, of New Haven, on file, the question was put, whether the pleas offered in abatement of said petition are sufficient: Resolved by this Assembly in the affirmative. *Cost allowed respondent £4 0s. 0. Ex granted Oct. 24th, 1746.*

The Sums total of the Lists of Estate of the several Towns in this Colony hereafter mentioned, and sent in to this Assembly and accepted, are as follow, (viz:)

	£	s.	d.		£	s.	d.
Hartford,	32936	15	1	New Haven,	47516	16	3½
New London,	28464	6	6	Fairfield,	44100	14	0
Windham,	20229	5	9	Norwich,	45543	14	9
Ridgefield,	8703	7	6	Colchester,	19591	4	0
Farmington,	32076	6	6	Ashford,	8736	19	11
Coventry,	13000	6	6	Killingly,	17720	10	0
Litchfield,	8242	14	0	Standford,	25790	11	7
Voluntown,	7923	0	0	Mansfield,	12420	8	9
Durham,	10282	12	9	East Haddam,	16721	12	0
Norwalk,	29538	17	11½	Haddam,	9793	8	3
Stratford,	34455	8	8	Windsor,	34238	10	0
Derby,	10016	0	3	Woodberry,	21565	18	1
Groton,	21592	11	0	Lyme,	22802	11	9
Killingsworth,	13507	19	9	Danberry,	13394	0	6
Lebanon,	34110	3	0	New Milford,	9819	1	0
Weathersfield,	25585	0	2	Stonington,	28782	8	0
Glassenburg,	10599	14	0	Guilford,	30874	14	1
Plainfield,	10701	11	6	Hebron,	14031	16	6
Greenwich,	19464	5	4	Preston,	16642	10	0
Canterbury,	12647	5	0	Saybrook,	18035	3	9
Symsbury,	15300	0	0	Brandford,	21728	11	1
Waterbury,	13380	0	0	Wallingford,	35811	11	2
Pomfret,	13789	17	0	Midletown,	41427	4	6
Milford,	26397	8	0				

Upon the memorial of Daniel Andruss and Eunice Andruss, administrators on the estate of Timothy Kelsey, late of Weathersfield, deceased, representing that the debts, charges, &c., due from the estate surmount the moveable part of said estate the sum of £182 11s. 5d. and praying that said memorialists may be impowered to sell so much of the real estate of said deceased as will be sufficient to procure said sum: Resolved by this Assembly, that the memorialists be impowered, and they are hereby impowered, to sell so much of the real estate of said deceased as will procure said sum of £182 11s. 5d. with the incident charges arising on said sale, taking the direction of the court of probate in the district of Hartford therein.

[379] *Resolved by this Assembly, That the fee for impound-*



ing neat cattle that are taken *damage feasant* shall be two shillings for each head, in bills of credit of the old tenour, whereof four pence shall be to the keeper of the key ; any law, usage or custom to the contrary notwithstanding.

Upon the petition of James Tilley, of New London. *vs.* Thomas Forsdick, of said New London, complaining that he, said Tilley, and Ruth his wife, by their deed of mortgage dated the 16th day of February, 172 $\frac{1}{2}$ , mortgaged the spot of land whereon the petitioner's dwelling house stands to the said Forsdick, which land not being redeemed according to the condition of said mortgage, the said Forsdick sued for the surrendry of said land, with the petitioner's house built thereon since the said mortgage was given ; and that, pending said suit, the said Tilley agreed with and purchased of the said Forsdick all his right in the said land &c., but suffered final judgment in the superior court in Norwich, March, 1744, to be rendered against him in favour of said Forsdick after the said purchase ; alledging they agreed that the said Forsdick should take no benefit by said judgment, but that the said Tilley should have the direction thereof ; and, that notwithstanding, the said Forsdick had taken out execution requiring the officer to serve the same, to the said Tilley's great damage ; and thereupon praying for relief, as per his petition on file more fully appears ; on which petition the parties being heard, the said Forsdick's attorney consented a committee should be appointed to enquire into and make report in said affair : Therefore, its resolved by this Assembly, that Messrs. John Griswold, Jedadiah Chapman and Stephen Lee, be a committee, and they are hereby appointed a committee, to enquire by all proper means into the matters of controversy referred to in said petition, and hear the parties thereon, and make report of what they shall find, with their opinion thereon. to this Assembly at their sessions in Hartford in May next ; and that the execution on the judgment of the superior court be suspended till the rising of said Assembly.

Upon the memorial of the inhabitants of the parish of Chester in the town of Saybrook in the county of New London, representing to this Assembly that Capt. Abraham Waterhouse, who was appointed by this Assembly to collect a tax granted on all the unimproved lands in said parish by this Assembly at their sessions at New Haven October, 1740, was unable to collect the same, by reason he had not authority to sell said lands where no persons or personal estate cannot be found ; praying said Waterhouse may be by this Assembly

impowered to sell so much of the lands taxed as to pay said tax with the necessary charges of sale: Resolved and enacted by this Assembly, that the said Capt. Abraham Waterhouse, after having set up a notification in the state house in New London or Norwich, where said court is holden sixty days before the sale, which shall be during the sessions in said county of New London, mentioning the sum of the tax unpaid, for what years, and from whom due, and the time of sale, and the place, which shall be at the meeting-house in said parish, and also set up like notifications in the town of Saybrook and in said parish of Chester, the persons then not paying said tax with the charges of notification &c. according to the tax, then at the end of sixty days the said Capt. Waterhouse shall proceed to sell at a publick vendue so much of the lands of any and all persons thus taxed within said parish, to the highest bidder, as will pay the tax in arrears with the charges of sale; and is hereby fully impowered to measure off and give deed or deeds of the same, which deed or deeds shall [380] be as good and effectual in law to pass || the title in fee as if executed by the proprietor or proprietors of said land.

Said parish also praying that a tax, in order to finish their meeting-house, of four pence per acre be granted on all the land in said parish: Resolved and enacted also, that a tax of four pence old tenour a year per acre be granted to said parish of Chester on all the lands within said parish for the space of four years next after the rising of this Assembly, and that the same be for the use of said parish, to build and finish their meeting-house; and that Capt. Abraham Waterhouse above-said be, and is hereby, fully impowered to collect the same and, if need be, under the above regulation, to sell the land of the proprietors in said parish to pay said tax: said tax to be levied according to the grant of the division of said lands.

This Assembly do establish and confirm Mr. James Ransom to be Ensign of the company or trainband in the parish of New Salem, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Friend Weeks to be Captain of the 5th company or trainband in the town of Woodberry, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Durke to be Ensign of the 5th company or trainband in the town of Woodberry, and order that he be commissioned accordingly.

Upon the memorial of John Jerom and Stephen Jerom, of Brandford in the county of New Haven, praying for the

sole liberty of making salt in this Colony by boiling sea water, and setting forth their skill and ability to set up and carry on said works, and readiness to undertake and engage in said business if suitably encouraged therein ; and this Assembly considering the advantage such a manufacture may be to this Colony, if succeeded : It is resolved by this Assembly, that the memorialists, their associates and assigns, shall have the sole liberty and privilege of making salt, by boiling of sea water, in this Colony, and the said liberty and privilege is hereby granted unto them for the space of fourteen years from this time ; and all and every other person and persons are hereby forbid and prohibited setting up, erecting and carrying on any works, buildings or materials for carrying on the business of making salt, as aforesaid, in this Colony, for the space of fourteen years next coming, without the liberty of the memorialists, their associates or assigns, on penalty that every such person or persons so doing shall forfeit the sum of five hundred pounds money, to be recovered by the memorialists and their associates or assigns in any court proper to try the same : provided, nevertheless, that if the memorialists, their associates and assigns, shall neglect or fail, to erect, set up and prepare suitable works and materials for the making of salt, as aforesaid, for the space of two years, or shall fail of making the quantity of five hundred bushels of good salt in any one of the remaining twelve years after the said two years, that then this grant and every part thereof shall be void and of none effect ; anything therein before to the contrary in any wise contained notwithstanding.

On the memorial of Thomas Mathews and Rebecca Thomas, administrators on the estate of Samuel Thomas, late of Waterbury, deceased, shewing that the debts on said estate surmount the moveable estate £52 4s. 8d., praying that the real estate of the said Samuel Thomas may be ordered to be sold for that purpose, and that some meet person may be appointed thereunto : Resolved by this Assembly, that Mr. John Southmaid be, and he is hereby, empowered to make sale of so much of the real estate of said deceased that is free from any incumbrance of a mortgage, as shall be sufficient to pay said £52 4s. 8d. with incident charges arising thereon ; taking the direction of the judge of probates in the district of Woodberry.

[381] An Act for reviving and further continuing the Law entitled An Act directing how Juries to attend the Courts of Tryal shall for the Future be chosen and appointed, passed by the General Assembly at New Haven October 11th, in the 18th Year of his Majesties Reign. George the 2d &c. King, Annoque Dom. 1744.

Whereas the abovementioned law was to continue for the space of two years from the rising of the Assembly abovesaid,

and no longer, which time is now near expired ; and the said law having been found for the benefit of his Majesties subjects in this Colony :

*Be it therefore enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That the aforesaid law shall be revived, and the same is hereby revived, and shall remain in full force in all the parts and paragraphs thereof until this Court shall order otherwise.*

On the memorial of Ebenezer Clark, of Middletown, in the parish of East Hampton, agent for said parish, praying this Assembly that there might be a land tax of six pence per acre on all the lands laid out and divided in said parish, (except the publick lands, if any be,) for the settlement of a minister and building of a meeting-house, and that some suitable person be appointed to collect the said tax: Resolved by this Assembly, that all the lands within the bounds of said parish that are divided and laid out be taxed for the purpose aforesaid, except publick lands; and this Assembly grants a tax of four pence old tenour money on the acre for the term of three years next coming, to be collected and paid into the hands of the committee of said parish for the time being, to be improved for the settlement of an orthodox minister among them and in building a meeting-house; and that Jonathan Alverdt, of said parish, be a collector to gather said tax.

Upon the report of Giles Hall, Jabez Hamlin, Thomas Johnson, Esqrs, a committee appointed by the General Assembly in May last to affix a place for the building a meeting-house in the parish of New Cambridge, representing that they had, on the sixth and seventh days of October instant, viewed the circumstances of said parish and affixed a place upon the top of a hill about forty-eight rods southward of a stake said to be the center of said society, where they pitched a stake and put stones about it, to be the most suitable place for the purpose aforesaid: Resolved by this Assembly, that the aforesaid place on the top of said hill be, and the same is hereby, established to be the place for the building of a meeting-house in said parish; and the said stake and stones are to be enclosed by the sills of said meeting-house.

This Assembly do establish and confirm Mr. Nathaniel Gregory to be Captain of the 2d company or trainband in the town of Danbury, and order that he be commissioned accordingly.

Upon the memorial of Samuel Wetmore, of Middletown, administrator on the estate of Samuel Wetmore, late of said



Midletown, deceased, shewing to this Assembly that the debts due from said estate surmounted the moveable estate of said deceased the sum of £172 6s. 11*d.*, thereupon praying this Assembly for liberty to sell so much of the land of said deceased as will procure the said sum with the necessary charges arising thereon: Resolved by this Assembly, that the said administrator sell, and he is hereby impowered to sell, so much of the real estate of the said deceased as will procure the aforesaid sum of £172 6s. 11*d.* with the necessary charges arising thereon, taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of Lydia Norton, administratrix on the estate of Samuel Norton, late of Symsbury, deceased, representing that the debts due from the estate of said deceased surmount the moveable part of said estate the sum of £62 2s. 4*d.*, and praying that some person may be enabled to sell so much of the real estate of said deceased as will procure the said sum, &c.: Resolved by this Assembly, that the memorialist be impowered, and she is hereby impowered and directed, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £62 2s. 4*d.* with the incident charges arising on said sale, taking the advice of the court of probate for the district of Hartford therein.

[382] Upon the memorial of Sarah Wetmore, of Midletown in Hartford county, shewing to this Assembly that her husband, Francis Whitmore jun<sup>r</sup>, of said Midletown, some years past went under the command of Capt. Roger Newberry into the expedition against the Spanish West Indies, and there died, and that some time before he went away he had made a purchase of his father, Mr. Francis Whitmore of said Midletown, of all his right in one certain tract of land containing one hundred and twenty-eight acres then by his said father mortgaged to this government for the sum of sixty pounds money, said land situate in said Midletown, and took a quitclaim of said land of his said father, dated February 21st, 1739-40, and entered into the premises, designing and hoping to pay and redeem said mortgage, but by inevitable providence being prevented; and also shewing to this Assembly that judgment is recovered for the surrendry of said land, and execution awarded; praying that the execution may be stayed for some convenient time, and that upon paying the said mortgage money with interest and costs, a committee may be appointed to execute a deed of release to the heirs of said Francis Whitmore jun<sup>r</sup>, deceased: Resolved by this Assembly, that Nathaniel Stanly, Esq<sup>r</sup>, and George Wylls,

Secretary, the committee appointed for giving releases of lands mortgaged to this government, are hereby appointed a committee with full power to execute a deed of release to the heirs of Francis Whitmore junr., deceased, from this government, upon their paying to the Treasurer of this Colony the full sum due on said mortgage with the interest and cost of suit that have arisen thereon, and that said execution be stayed for the space of six months next after the rising of this Assembly.

On the memorial of Joseph Brown and Gloriana Maverick, of Stratford in Fairfield county, &c., administrators on the estate of Mr. Paul Maverick, late of said Stratford, deceased, shewing to this Assembly, that the debts due from said estate surmount the moveable estate of the deceased the sum of one thousand seven hundred and five pounds eleven shillings and nine pence, and praying this Assembly would give liberty to the memorialists to sell so much of the real estate of the deceased Paul Maverick as shall be sufficient to pay the above-said sum of £1705 11s. 9d. and all necessary charges arising thereon: Resolved by this Assembly, that the said administrators be and are hereby impowered to sell so much of the said real estate as shall be sufficient to pay said sum of £1705 11s. 9d. with the necessary charges arising by said sale, taking the advice of the court of probate for the east district in the county of Fairfield.

Whereas the towns of Symsbury and Newtown have not sent in to this Assembly lists vouched as the law directs: Resolved by this Assembly, that the town of Symsbury be doomed, and the same is hereby doomed, at fifteen thousand three hundred pounds in the publick list, and said town is hereby required to pay rates accordingly, and the said town shall receive their school money accordingly; and the said town of Newtown is doomed at twelve thousand pounds in the said list, who are required to pay rates accordingly, and said Newtown shall receive the school money in proportion to said sum.

This Assembly do appoint Capt. Theophilus Nickols to be a Justice of the Peace in and for the county of Fairfield until the first day of June next.

Upon the memorial of John Stubbins, of New London, representing to this Assembly that he, on the 5th day of June, 1735, obtained a certificate from the committee at New London for letting out the loan bank made by this Colony, to the Treasurer of this Colony, for the sum of one hundred pounds thereof, and that said committee, to secure the Governor and Company of this Colony, took of said Stubbins a deed of mort-

gage of his land, and that he had received no more than sixty-eight pounds five shillings of said Treasurer, and did secure the interest of said sum to this Colony by bond, &c.: Resolved by this Assembly, that Ebenezer Backus, Esqr, of Norwich, be and is hereby impowered to adjust and settle the said affair with said Stubbins, and upon his making full payment, within [383] two months next after the rising || of this Assembly, of the real sum which he did receive and the just interest arisen thereupon and the cost of suit, to said Ebenezer Backus for the use of this Colony, and obtain a certificate signed by the Treasurer of this Colony that he hath received the full sum due to the treasury on account of the same, then Nathaniel Stanly, Esqr, and George Wylls, Secretary of this Colony, shall, in behalf of the Governor and Company of this Colony, make and execute a deed of release unto the said Stubbins, according to law, of the land by him mortgaged as aforesaid.

Upon the report of Nathaniel Baldwin, Ebenezer Marsh and Joseph Bird, a committee appointed by this Assembly to fix and ascertain the place to build a meeting-house on in the town of Torrington: Resolved by this Assembly, that the place to build a meeting-house on [in] said town shall be about thirty rods northward of the house of Ebenezer Lyman, Esqr, in the cross highway which runs east and west, where said committee have set up a stake with a large heap of stones about it; the sills of said house to enclose said heap of stones.

Upon the motion and request of Benjamin Cogshall and Elizabeth his wife, and Samuel Jones and Hannah his wife, all of Stratford, shewing to this Assembly that whereas this Assembly did in their sessions in May, A. D. 1745, appoint Messrs. John Fowler, Robert Treat and Nathaniel Farrand, all of Milford, a committee to divide a certain tract of land at the White Hills, in said Stratford, between the abovesaid Jones, Cogshall, and Mr. James Dunlopp, &c., as by said act and appointment may appear, and that the said Mr. Farrand is since deceased, and said work not compleated; praying this Assembly to appoint some suitable person to joyn with the surviving gentlemen committee to finish said work: This Assembly do appoint and impower Mr. Nathaniel Farrand, of Milford, to joyn the abovesaid Mr. John Fowler and Mr. Robert Treat, to finish and compleat the abovesaid work.

On the petition of David Cosseboom, of Huntington in the county of Suffolk and Province of New York, &c., *vs.* William Olmstead, of East Haddam, one of the proprietors of the common and undivided land in said East Haddam, and the rest of the proprietors of said common and undivided land, as on file:

The question was put, whether anything prayed for in said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondents £5 7s. 6d. Ex. granted June 5th, 1747.*

On the memorial of William Payn, administrator on the estate of David Payn, late of New Haven, deceased, shewing to this Assembly that the debts and charges of administration due from the estate of said David, deceased, surmounts the moveable or personal estate of the said David the sum of £120 9s. 0d. money, and that there is lands belonging to the estate of said David to the amount of £118 11s. 7d., and praying that the said William may be impowered to sell the same, to pay said debts: Granted by this Assembly, that the said William Pain, with the advice and direction of the court of probate in the district of New Haven, is hereby fully impowered to make sale and conveyance of the land of the deceased, or so much as to pay the said debt and charges of sale.

Upon the memorial of Mrs. Eunice Backus, of the parish of Newington, representing the grievous circumstances of herself and family, which have happened by occasion of the death of her husband the Reverend Mr. Simon Backus, who lately deceased while in the service of this government, at Louisbourg, and particularly the loss of a considerable part of his estate that happened thereby, and praying for relief, &c.: Resolved by this Assembly, that the memorialist shall receive out of the publick treasury of this Colony the sum of two hundred pounds in bills of credit of the old tenour, over and above the hundred pounds granted to her by this Assembly in May last.

Upon the memorial of Mr. James Harris, of New London, exhibited to this Assembly in their sessions in May last, praying that he might be allowed for sundry charges, disbursements and time, spent in the service of this Colony at two Commissioners Courts at Norwich, &c.: This Assembly enact and order, that said James Harris shall be paid out of the treasury of this Colony the sum of one hundred pounds old tenour bills, in full for said services and disbursements.

[384] Upon the memorial of the Rev<sup>d</sup> Mr. Samuel Dorrance, shewing to this Assembly that he was settled in the work of the gospel ministry in the town of Voluntown, and that the inhabitants of said town in their lawful meeting, June 3d, 1723, did covenant and agree to give him for his yearly salary five pence on the pound on all their rateable estate till the same amounted to one hundred pounds a year, and so to stand during his ministry there; further shewing that a rate of five pence on the pound on the rateable estate of said in-



habitants for the space of three years last past would amount to more than one hundred pounds a year; also shewing that the paper currency has lately greatly discounted, that nevertheless the inhabitants aforesaid have refused to afford him any other means of relief than only the sum of one hundred pounds in bills of credit old tenour, which is altogether insufficient to support himself and family; and thereupon praying this Assembly to order and decree that the inhabitants of said town should pay the memorialist the said sum of one hundred pounds with the discount thereon, &c.: Resolved by this Assembly, that the inhabitants of said Voluntown shall pay unto the said Samuel Dorrance, for his salary for this present year, the sum of two hundred pounds old tenour, which shall be levied on their polls and rateable estate; and Charles Campbell, of said Voluntown, is hereby appointed a collector to collect the same, with the same power as other collectors in this Colony have.

Upon the petition of John Stoyel and Dorothy his wife, both of Voluntown in the county of Windham, *vs.* James Douglass, of said Voluntown, complaining of a judgment of the superior court held in Windham, on the third Tuesday of September, 1745, rendered against them in a case wherein the said Stoyel and his said wife were plaintiffs and the said Douglass was defendant, demanding the surrendry of about forty-five acres of land in Voluntown aforesaid; alledging that the jury in the tryal of said case missed the law, in determining a certain deed, dated the 12th day of December, 1726, given to the said Dorothy, of the said lands, by John Gallop, Robert Parke and Ebenezer Dow, a committee appointed by this Assembly to sell land for non-payment of a land tax, contained a grant only *in futuro*; and thereupon praying for relief, as per their petition on file: Resolved by this Assembly, that the aforesaid judgment of the superior court be reversed and set aside, and the same is hereby reversed, and that the petitioners have liberty of another tryal of said case, at the superior court to be held in Windham on the third Tuesday of March next; and that the whole cost follow the judgment that shall be rendered in said case.

Upon the memorial of Normand Morison, of Hartford, representing that he was appointed physician and chirurgeon to attend on the forces of this government raised for the late expedition against Cape Breton, and the great burthen that was cast upon him by his undertaking in said service, and praying that such further reward might be allowed to him, in addition to his former allowances, as might be a sufficient reward for his services aforesaid: Resolved by this Assembly, that, in

lieu and stead of the allowances heretofore made to the memorialist by said Assembly, there shall be paid him out of the publick treasury the sum of sixty-five pounds per month, old tenour bills, from the time of his entering into the service of physician and chirurgion to the forces that went from this Colony on the aforesaid expedition until his return: always accounting what he hath already received, by virtue of said former allowances, as part of the sixty-five pounds per month as aforesaid.

Upon the memorial of Elizabeth Brooks, administratrix on the estate of Timothy Brooks, late of New London, deceased, representing that the debts due from the estate of said Timothy, deceased, surmount the moveable part of said estate the sum of £73 15s. 11d., and praying for liberty to sell so much of the real estate of said deceased as may be sufficient to procure that sum: Resolved by this Assembly, that the said Elizabeth Brooks, together with Clement Leach of said New London, be impowered, and they are hereby impowered, to sell so much of the real estate of said deceased as will procure the aforesaid sum of £73 15s. 11d. with the incident charges arising on said sale, taking the advice of the court of probate for the district of New London therein.

[385] Whereas this Assembly in May last appointed Jonathan Trumble, Esqr, John Chester, Esqr, and Jabez Hamlin, Esqr, to enquire into the matter of difference between John Palmer, junr, and Samuel Palmer, both of Windsor, and Daniel Filley, of said Windsor, then lying before said Assembly, by the petition of the said John and Samuel, and report to this Assembly in their present sessions: And whereas, by the indisposition of the said Jonathan Trumble, the business hath not been attended, and this Assembly being moved again to appoint the same committee, or to supply the place of the said Jonathan Trumble, Esqr, with some other person, and authorize them as before in said act: This Assembly do appoint, authorize and empower Colo. Thomas Welles (in the room and stead of Jonathan Trumble, Esqr,) with Colo. John Chester and Major Jabez Hamlin, to enquire and determine in said matters of controversy in the same manner as the committee were authorized to do by the said act of this Assembly in May last, and to report to this Assembly in their sessions in May next what they find in the premises; and that the same execution, mentioned in said act, is hereby suspended till the rising of the Assembly in May next.

On the memorial of Samuel Clinton, of New Haven, shewing to this Assembly that he enlisted into his Majesties service

in the intended expedition against Canada, and took the premium granted by this Colony for the encouragement of persons voluntarily to enlist in said service, and that David Sandford, of Milford, as his master, took and still forcibly and without right doth hold from him, said Samuel Clinton, (who was his apprentice,) the sum of £24 10s. 0*d.* part of the premium aforesaid : praying for relief in the premises : Resolved by this Assembly, that the said Samuel Clinton recover of the said David Sandford the sum of twenty-four pounds ten shillings bills of credit old tenour, and that execution, signed by the Secretary of this Colony, go forth accordingly. *Ex. granted Oct. 24th, 1746.*

Upon the memorial of Dositheus Humphrey and Isaac Seymour, administrators on the estate of Cyprian Nickols jun<sup>r</sup>. of Hartford, deceased, representing to this Assembly that the debts and charges due from said estate amount to the sum of £303 5s. 3*d.* more than the moveable estate of said deceased : Resolved by this Assembly, that the said administrators be and are hereby impowered to sell so much of the real estate of said deceased as shall be sufficient to pay the said sum of £303 5s. 3*d.* with the necessary charges arising upon such sale, taking the advice of the court of probate for the district of Hartford therein.

Upon the report of Messrs. John Hubbard, Jonathan Allen and John Hitchcock, a committee appointed by this Assembly at their special sessions in June last past, to affix a place for the meeting-house in the 3d society in Brandford, representing that they had, on the 26th day of said June, viewed the circumstances of the said society, and affixed a place for the building of a meeting-house within the same, about twenty rods northward of the house of Mr. Samuel Bartholomew, on the west side of the path in the highway, the sills of the said meeting-house to inclose a walnut staddle there standing with a heap of stones about it: Resolved by this Assembly, that the aforesaid place be, and the same is hereby established to be, the place for the building of a meeting-house in said society.

Upon the prayer of Roger Bidwell, of Hartford, requesting that the sentence of this Assembly against him in May, 1743, wherein he was deprived of the privilege of voting in any publick meeting and rendered incapable of giving evidence in any case and giving a verdict in any cause, and also laid under bonds for his good behaviour during the pleasure of this Assembly, may in all parts of it be taken off, and that he may be restored to all the privileges of which by the said judgment

he now stands deprived : Upon consideration whereof with the testimonials of the said Bidwell's good behaviour since the said sentence, it is now resolved by this Assembly, that the said Roger Bidwell be restored, and he is hereby restored, to all the privileges of which he was deprived by the judgment above referred unto ; and he is also hereby released from his bonds given for his good behaviour.

Upon the memorial of the President and Fellows of Yale College : Resolved by this Assembly, that the said president and fellows receive out of the Colony treasury, for the use of said college, the sum of two hundred sixty-two pounds ten shillings in bills of the old tenour, in lieu of what by a former grant of this Assembly they had right to draw in this instant October.

[386] An Act for stating the Fare of the Ferry across the Little River at Windsor at the usual Place of Crossing.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the fare of said ferry for man, horse and load, shall be four pence, and no more, and for each single person two pence, and no more ; to be paid in bills of publick credit of the old tenour.

This Assembly grants a tax on all the polls and rateable estate in this Colony, on the list of this current year, of two pence on the pound in bills of credit of this Colony new tenour, at the proportion of three shillings and six pence old tenour for one shilling new tenour, and so proportionably, with the usual advance of one shilling on the pound ; or in good silver at eight shillings per ounce troy weight sterling alloy, or gold equivalent.

This Assembly do establish and confirm Mr. Jonathan Pettibone to be Ensign of the south company or trainband in the town of Symsbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Lord to be Captain of the first company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Buckingham to be Lieutenant of the first company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do appoint Christopher Avery, Esqr, to be Colonel of the eighth regiment in this Colony, and order that he be commissioned accordingly.



This Assembly do appoint John Williams, Esqr, to be Lieutenant Colonel of the 8th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do appoint Samuel Coit, Esqr, to be Major of the 8th regiment in this Colony, and order that he be commissioned accordingly.

Whereas, pursuant to his Majesties order, a regiment of land forces has been raised in this Colony for his Majesties service in the expedition formed against Canada, and all the proper dispositions made for the transporting the said regiment to the place of rendezvous, and the souldiers have been waiting for orders to proceed, until the season of the year is so far advanced as that it is doubtful whether by his Majesties orders the said forces will be called forth into his Majesties service for some time, and his Majesties pleasure respecting the said service is not yet known: Therefore, it is resolved, that his Honour the Governour of this Colony be desired, and he is hereby desired, to advise the colonel or chief officer of the said regiment to offer a furlough to the said souldiers, that they may retire to their respective places of abode until they shall have his Majesties orders for mustering again; and that the said officers be directed to take care that all such souldiers as are sick or lame or unable to care for themselves be provided for and billeted out until such souldiers shall recover their health and be fit to return to their own home again. And whereas his Honour, agreeable to his Majesties pleasure signified by his Grace the Duke of Newcastle, has procured arms for the said troops, which Lient. General St. Clair is to make a reasonable allowance for, his Honour the Governour is further desired to direct the said colonel, or chief officer of each company, to take a proper receipt for the arms delivered to his company, as delivered to them by order of the Governour, and transmit the said receipts to his Honour, and also to direct the said colonel or chief officer to order each of the captains, or chief officer of each company, to take and receive into their care and keeping all the arms and ammunition provided for his company, and preserve the ammunition from waste and embezzlement, and keep the arms clean and fit for use on the most sudden emergencies.

[387] *Resolved by this Assembly*, That the several commissaries appointed to make provision for the subsistence of the troops raised in this Colony for his Majesties service in the expedition formed against Canada, do, and they are hereby directed and ordered to make sale and disposition of the pork, beef, bread, flour, butter, cheese, casks and other perishable

provisions and materials which they have respectively provided, or have now in their care and custody for the purpose aforesaid, to the best advantage for the use of this Colony, unless any of the said provisions or materials cannot be sold without great loss, in which case the commissaries shall use their discretion, and dispose or not dispose of such things as they shall judge for the Colony's interest. And the said commissaries are hereby further directed to deliver the money they respectively shall receive for the provisions and materials aforesaid, to the Treasurer of this Colony, taking his receipt for the same, and lodge the said receipts with the Secretary of the Colony; and that they take care of and safely store and keep the rum, molasses and other provisions, materials and implements, provided as aforesaid, till further order from this Assembly or from his Honour the Governour with the advice of the Committee of War in the county of New Haven, whose orders the said commissaries are directed to observe respecting the same, and to lay their whole accounts thereof before this Assembly at their sessions in May next.

An Act to encourage all such Officers and Souldiers as are or shall be sent forth in Defence of the Frontiers to provide themselves with Arms, Ammunition and Blankets.

*Resolved by this Assembly*, That the officers and souldiers that are or may be sent forth in defence of the frontiers in this or the neighbouring governments, shall be allowed and paid out of the publick treasury the following wages in new tenour bills, (*viz* :) To a captain £1 6s. 6d. per week; to a lieutenant, £1 1s. 3d. per week; to a sergeant, £0 15s. 0d. per week, and to a clerk and corporal, £0 13s. 0d. per week; and to each centinel shall be paid, in bills of credit as aforesaid, the sum of twelve shillings per week: upon condition, that such officers and souldiers shall provide for themselves arms, ammunition and blankets, to the acceptance of the officers by whom such souldiers shall be inlisted or detached; and such as shall not provide for themselves as aforesaid shall have the wages heretofore allowed.

An Act for securing of Souldiers listed and taken into his Majesties Service from Arrests.

Whereas a number of troops have been raised, and more may be raised in this Colony for his Majesties service, who may be liable to be taken out of his Majesties service by unjust or fraudulent arrests, whereby his Majesty and the publick may be deprived of their service: Which to prevent,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same*, That no person whatsoever who is listed or shall list and enter himself as a volunteer or shall be impressed into his Majesties

service by the order or direction of this government or in pursuance thereof, during the continuance of this act, shall be liable to be taken out of his Majesties service by any process or execution other than for some criminal matter, unless for a real debt or other just cause of action arisen before their entry into such service, and unless before the taking out of such process or execution, (not being for a criminal matter,) the plaintiff or plaintiffs therein, or some other person or persons on his or their behalf, shall make affidavit before the authority or officer granting such process or execution, (who are impowered to administer the same,) or before some other proper authority, that to his or their knowledge the original sum justly due and owing to the plaintiff or plaintiffs from the defendant or defendants, in the action or cause of action on which such process or execution shall issue, amounts to the value of fifty pounds old tenour bills of publick credit at least, a memorandum of which affidavit shall be marked on the [388] back of such || process or execution; and if any person shall be nevertheless arrested, contrary to the intent of this act, it shall and may be lawful for any one assistant and one justice of the peace, or two justices (*quorum unus*,) upon complaint made thereof by the party himself, or by any of his superior officers, to examine into the same by the oath of the parties or otherwise, and by warrant under their hands to discharge such souldier so arrested contrary to the intent of this act, upon due proof made before them that such souldier so arrested was legally listed or impressed as a souldier into his Majesties service and arrested contrary to the intent of this act, and to award reasonable cost to the party complaining, and grant execution therefor accordingly: provided nevertheless, that nothing in this act shall be construed to extend to prohibit or hinder any process or execution going out against the estate of such souldiers in due form of law.

This act to continue in force till the rising of this Assembly at their sessions in May next.

*Resolved by this Assembly*, That his Honour the Governor be desired, with the advice of the Committee of War in the county of New Haven, to take such proper measures as they shall judge consistent with the best interest and safety of this Colony, for the obtaining from his Majesty's Pay-Master-General such wages as are or may become due to the officers and souldiers raised in this Colony for his Majesty's service in the intended expedition to Canada.

Whereas there is in the care and custody of Jeremiah Miller, Esqr, at New London, a small number of old guns,

small swords and cartouch boxes, returned from the Cape Breton expedition, which belong to this Colony, and not fit to be improved in the intended expedition against Canada; and whereas there is also in the custody of Hezekiah Huntington, Esqr, of Norwich, some of the aforesaid warlike accoutrements that were returned from the late expedition and not fit for improvement, as aforesaid: Resolved by this Assembly, that Jeremiah Miller, Esqr, be impowered, and he is hereby impowered, to sell at publick vendue to the highest bidder, or otherwise to the best advantage, such of said guns, swords &c., as are lodged at New London; and that Hezekiah Huntington, Esqr, be impowered, and he is hereby fully impowered and authorized, to make sale, as aforesaid, of those of the aforesaid guns, swords &c., as are lodged at Norwich; and that the money received for the sale of such arms &c. shall by the said Jeremiah Miller and Hezekiah Huntington be lodged with the Treasurer of this Colony, taking his receipts for the same, which receipts shall be lodged with the Secretary of this Colony; and that the said Miller and Huntington lay their accounts of such sales &c. before this Assembly at their sessions in May next.

This Assembly do grant to the Hon<sup>ble</sup> Jonathan Law, Esqr, Governor, for his last half year's salary, the sum of seventy pounds new tenour bills.

This Assembly do grant to the Hon<sup>ble</sup> Roger Wolcott, Esqr, for his last half year's salary, the sum of thirty-five pounds new tenour bills.

This Assembly do grant to George Wylls, Secretary, for his salary the current year, six pounds in new tenour bills.

This Assembly grants to Mr. Timothy Green, printer, for his half year's salary the current year, the sum of eighteen pounds in bills of credit of the new tenour.

This Assembly do grant to the Hon<sup>ble</sup> Jonathan Law, Esqr, Governor, for his extraordinary service in the government the last half year, the sum of twenty pounds in bills of credit new tenour.

This Assembly do grant to the Hon<sup>ble</sup> Roger Wolcott, Esqr, the sum of twenty pounds new tenour bills of credit, for his extraordinary services, being President of the Committee of War in Hartford, for which he has had no consideration.

Whereas this Assembly hath been drawn out to so great a length that all the members thereof cannot at this time stay to hear the records read off: It is thereupon resolved, that Nath<sup>l</sup>. Stanly, Esqr, Ozias Pitkin, Esqr, and Wm. Pitkin,



Esqr, Colo. Joseph Pitkin, Mr. Thomas Seymour, Colo. John Chester and Colo. Elizur Goodrich, be a committee to attend his Honour the Deputy Governor at the State House in Hartford, to hear the acts and orders of this Assembly read off by the Secretary, and then signed as perfect and compleat.

The whole record of the several Acts, Grants and Orders of this Assembly, as it stands entered on the pages on this book next preceding, was read off in the presence of the major part of the committee above named and signed as compleat.

GEORGE WYLLYS, Secretary.

[389] *Anno Regni Regis Georgii secundi vigesimo.*

AT A GENERAL ASSEMBLY HOLDEN AT NEW HAVEN IN HIS MAJESTIES COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, (BY SPECIAL ORDER OF HIS HONOUR THE GOVERNOR,) ON WEDNESDAY THE 28TH DAY OF JANUARY, AND CONTINUED BY SEVERAL ADJOURNMENTS TO THE 30TH DAY OF THE SAME MONTH, ANNOQUE DOMINI 1746-7.

*Present:*

The Honourable Jonathan Law, Esquire, Governor.

The Hon<sup>ble</sup> Roger Wolcott, Esqr, Deputy Governor.

James Wadsworth,	} Esq <sup>rs</sup> ,	Thomas Fitch,	} Esq <sup>rs</sup> As-
Nathaniel Stanly,		Roger Newton,	
Timothy Pierce,		Ebenezer Silliman,	
Samuel Lynde,		Andrew Burr,	
William Pitkin,			
} sistant.			

*Representatives or Deputies that attended at the Assembly are as follow, (viz:)*

Colo. Joseph Pitkin, Mr. Thomas Seymour, for Hartford.

Mr. Jeremiah Chapman, jun<sup>r</sup>, for New London.

Capt. Eleazer Carey, Colo. Jabez Huntington, for Windham.

Mr. Samuel Canfield, Mr. David Nobles, for New Milford.

Capt. Hezekiah Lee, for Farmington.

Colo. John Chester, Colo. Elizur Goodrich, for Weathersfield.

Capt. Nathan Baldwin, Mr. Robert Treat, for Milford.

Mr. Joseph Strong, Mr. Ebenezer Root, for Coventry.

Capt. Jabez Chapman, for East Haddam.

Capt. John Mead, Capt. Israel Knapp, for Greenwich.

Capt. Elnathan Stephens, Capt. Isaac Kelsey, for Killingworth.

Capt. Joseph Bird, Major Ebenezer Marsh, for Litchfield.

Colo. Christopher Avery, Mr. Ebenezer Avery, for Groton.

Mr. Joseph Platt, for Norwalk.

Mr. Samuel Olmstead, Capt. Richard Olmstead, for Ridgefield.  
 Colo. William Preston, Mr. Noah Hinman, for Woodberry.

Mr. Boaz Stearns, Captain John Dwight, for Killingly.

Capt. Timo. Hopkins, for Waterbury.

Mr. John Carery, Mr. Benja. Wheeler, for Plainfield.

Mr. John Hitchcock, Capt. Samuel Sherman, for New Haven.

Capt. Samuel Burr, Capt. John Read, for Fairfield.

Colo. Hezekiah Huntington, Mr. Ebenezer Backus, for Norwich.

Mr. James Bicknal, Mr. William Watkins, for Ashford.

Colo. Thomas Welles, Capt. Jonathan Hale, for Glassenbury.

Capt. Joseph Phelps, for Hebron.

Capt. Charles Bulkley, Mr. John Day, for Colchester.

Mr. William Johnson, for Mansfield.

Mr. John Humphrey, Mr. Joseph Wilcoxson, for Symsbury.

Capt. Moses Hawkins, Mr. Abel Gun, for Derby.

Mr. Hezekiah Brainerd, for Haddam.

Capt. James Beebe, for Danbury.

Capt. Jedadiah Chapman, for Saybrook.

Colo. Samuel Hill, Capt. Timothy Stone, for Guilford.

Capt. Gershom Clark, Mr. Ebenezer West, for Lebanon.

Mr. John Griswold, Capt. Elisha Shelden, for Lyme.

Major Elihu Chauncey, Mr. James Wadsworth junr, for Durham.

Capt. Roger Wolcott, Capt. Pelatiah Allyn, for Windsor.

[390] Colo. Benjamin Hall, Capt. William Ward, for Wallingford.

Mr. William Wittar, for Preston.

Major Jabez Hamlin, Mr. Seth Wetmore, for Middletown.

Capt. Theophilus Nickols, Mr. Joseph Booth, for Stratford.

Capt. Nathaniel Harrison, Capt. Robert Foot, for Brandford.

Mr. Ebenezer Holebrook, for Pomfrett.

Colo. Thomas Welles, Speaker	} of the House of Rep-
Mr. Jeremiah Chapman, Clerk	

This Court being called by special order of the Governor of this Colony, his Honour was pleased to lay before the Court divers letters lately received from his Excellency Governor Shirley, the resolves of the Legislature of the Province of the Massachusetts Bay, as also the opinion of the committee of the Council of the Colony of New York, with an extract of a letter from his Excellency Governor Clinton, relating to an expedition proposed against the French fort at Crown Point, to be carried on by the forces lately raised in these American governments by his Majesties special order for an expedition proposed against the French settlements in Canada; and re-

commended the matters in said letters and resolves to the consideration of this Assembly at this time, for which purpose he had now called them to meet.

And thereupon, this Assembly having taken into consideration the said affair and duly weighed the same, it appears to this Court,

That a winter campaign will be attended with many and great difficulties, hazards and fatigues, which will greatly dispirit and dishearten the troops, and may make them incapable of the services necessary to render success even probable. And,

That as the small-pox has been and, according to the best accounts that can be had, still is among the troops of the western and southern Colonies, so their joyning with the New England troops will most probably bring that distemper into the whole army, and, if so, be likely to defeat the whole design.

That this government (supposing this expedition, which was in agitation last fall, was wholly laid aside, and knew not but that it was until it was too late to carry subsistence and other necessities by water to Albany for the troops raised in this Colony, have not carried the said subsistence and necessities to said place,) it is now impracticable by land carriage at this difficult season, within so short a time as is proposed and is necessary should be done in case of a procedure, to supply the Connecticut troops with such provisions and other necessities as they will certainly want over and above what they can be supplied with from the Massachusetts stores according to a resolve of the Legislature of that government, which this Assembly gratefully acknowledges.

That it is very uncertain whether the western and southern Colonies will joyn in this expedition, for that the Governor of New York being by committee of Council advised to assist in the affair on condition Connecticut joyn with the Massachusetts, but what assistance he can afford is uncertain; and inasmuch as that committee signifie their opinion to be that the undertaking is hazardous and difficult, seem only to advise Governor Clinton to assist, that he or that government might not be left alone and be liable to blame in case of a miscarriage.

That there wants some general agreement and plan for conducting, governing and carrying on such an expedition; and that in case such an attempt at this juncture and season, and under the present situation of affairs, should so far weaken or destroy the troops raised for the expedition against Canada that by them no assistance can be afforded in that expedition

the next summer, in case his Majesty should require them, this Colony are apprehensive they might incur his Majesties displeasure, as well as be instrumental in preventing the reduction of Canada.

[391] That, under all circumstances, success appears at least very doubtful at this season ; and in case the attempt should fail, the ill and unhappy consequences thereof are too well known and numerous to need mentioning.

Therefore, this Assembly (who have his Majesties interest really at heart, and would exert themselves to the utmost in this important affair, could they see it practicable and advisable at this time,) are of opinion, that it is not expedient to attempt at this season to provide and transport subsistence and other necessaries for the Connecticut troops to go in an expedition against Crown Point, and do therefore for the present suspend proceeding therein. But, inasmuch as it appears to be of very great importance to reduce or demolish the said fort, this Assembly declare their readiness cheerfully to exert themselves, to the utmost of their power, for the reduction or demolition of that fort, in conjunction with his Majesties other governments, as soon as the season and other circumstances will permit ; and do thereupon resolve, that his Honour the Governor, with advice of the Committee of War appointed to assist him, be, and he is hereby, impowered and desired that in case the troops raised in this Colony for the expedition against Canada by any proper orders be called or ordered forth into his Majesties service against the French, before the sessions of this Assembly in May next, to give orders to the commissaries appointed by this Court to make provision for that expedition, to deliver out the stores now in their hands, and also to provide and furnish what further may be wanted for the said troops' subsistence and other necessaries, for such time as he shall be advised to, and to provide for the transportation thereof, according to such directions as he shall, by advice as aforesaid, think proper to give.

*Resolved by this Assembly*, That Eliakim Palmer, Esqr, our Agent in Great Britain, be authorized and impowered, and he is hereby authorized and impowered, to receive in behalf of this Colony such sum or sums of money as is or shall be ordered to be paid by the Parliament of Great Britain to this Colony for the reimbursement of the expences this Colony was at in the taking and garrisoning of Louisbourg, and the same money, when received, to dispose and pay out according to such orders as shall be given by this government respecting the same ; and his Honour the Governor is desired



to transmit a copy of this resolve, under the Colony seal, to our Agent for that purpose.

*Resolved by this Assembly*, That a draft for a congratulatory address to his Majesty on the success of his arms under the conduct of his Royal Highness the Duke, in suppressing the rebellion raised in Great Britain in favour of a Popish Pretender, and now laid before this Court, be signed by the Governor and Secretary of this Colony, and transmitted to his Grace the Duke of Newcastle, to be presented to his Majesty in behalf of this Colony: Which is in the following words, (*viz* :)

*To his Most Excellent Majesty George the second, King of Great Britain, &c.*

The humble Address of the Governor and Company of the English Colony of Connecticut in New England in America.

*Most Gracious Sovereign*: We, your Majesties loyal and most dutiful subjects in your remote Colony of Connecticut, beg leave humbly to assure your Majesty of our strongest attachment to your person, family and government, and to acknowledge the favours this Colony has enjoyed under your Majesties auspicious reign, and to express our utmost abhorrence of that || most unnatural rebellion raised in Great Britain in favour of a popish pretender, against the best of kings, the best constitution and government; which vile design by Divine Providence being happily suppressed, we beg leave on this occasion humbly to congratulate your Majesty on the happy success of your arms under the excellent conduct of his Royal Highness the Duke, who God has crowned with a glorious victory over those wicked rebels and traitors, to the honour of your Majesty, and confusion and shame of them and their abettors.

As your Majesties whole reign has been an uniform evidence that you have nothing more at heart than the protection and security of your subjects in the enjoyment of their religion, liberty and property, so it appears the more surprising that it should ever enter into the heart of any of your subjects to rebel against your government, with design to dethrone your royal person and to subvert the laws and liberties of your kingdom. Though these sons of violence have been permitted to be a scourge to the British nations, yet, blessed be God, he has not suffered them to prevail in their attempts to introduce popery and slavery, nor to endanger the protestant interest, but has confounded their devices, and by his all-wise providence over-

ruled that wicked design for the more firm establishment of your throne and government.

May that merciful Providence which placed your Majesty on the British throne, and has given you so long and so illustrious a reign, still protect your sacred person, subdue your enemies, make your reign prosperous, and continue the crown in your royal and illustrious family to the latest posterity.

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[393] A TA GENERAL ASSEMBLY HOLDEN AT HARTFORD IN THE COUNTY OF HARTFORD IN HIS MAJESTIES ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, ON THE SECOND THURSDAY OF MAY, BEING THE 14TH DAY OF SAID MONTH, AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE FIFTH DAY OF JUNE NEXT FOLLOWING, ANNO REGNI REGIS GEORGHII SECUNDI MAGNÆ BRITANNIÆ &C. VI-GESSIMO, ANNOQUE DOMINI 1747.

*Present :*

The Honourable Jonathan Law, Esq<sup>r</sup>, Governor.

The Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, Deputy Governor.

James Wadsworth,	Roger Newton,	} Esq <sup>rs</sup> , <i>Assistants</i> .
Nathaniel Stanly,	Ebenezer Silliman,	
Samuel Lynde,	Jonathan Trumble,	
William Pitkin,	John Bulkley,	
Thomas Fitch,	Andrew Burr,	

*Representatives or Deputies that attended at this Assembly are as follow, (viz :)*

Mr. Joseph Buckingham, Mr. Joseph Talcott, for Hartford.  
 Colo. Gurdon Saltonstall, Mr. Jeremiah Miller, for New London.

Capt. Eleazer Carey, Capt. Eliphalet Dyer, for Windham.

Colo. Jonath. Hoit, Capt. Jonathan Malthie, for Standford.

Mr. Joseph Strong, Capt. Peter Buel, for Coventry.

Mr. Ebenezer West, Capt. Gershom Clark, for Lebanon.

Mr. James Bicknal, Mr. William Wadkins, for Ashford.

Mr. Samuel Fitch, Mr. Elnathan Hanford, for Norwalk.

Capt. James Bebee, Mr. Thomas Benedict, for Danbury.

Capt. James Cornish, Mr. John Humphrey, for Symsbury.

Capt. Theophilus Nickols, Mr. Joseph Booth, for Stratford.

Capt. Timothy Hopkins, for Waterbury.

Capt. Joseph Phelps, Mr. Benjamin Skinner, for Hebron.

Mr. John Hitchcock, Capt. Samuel Sherman, for New Haven.

Capt. Samuel Burr, Mr. Thaddus Burr, for Fairfield.

Mr. Ebenezer Backus, Mr. Daniel Huntington, for Norwich.

Capt. Asahel Strong, Capt. Hez<sup>h</sup> Lee, for Farmingtown.

Capt. John Fowler, Capt. Nathan Baldwin, for Milford.  
 Colo. William Preston, Mr. Noah Hinman, for Woodberry.  
 Capt. Nath<sup>l</sup> Harrison, Mr. Jonath. Russell, for Brandford.  
 Capt. John Riggs, Capt. Samuel Bassett, for Derby.  
 Colo. Thomas Welles, Mr. Abner Moseley, for Glassenburg.  
 Mr. David Noble, Mr. Samuel Canfield, for New Milford.  
 Mr. John Crarey, Mr. William Marsh, for Plainfield.  
 Colo. John Dyer, Mr. Stephen Frost, for Canterbury.  
 Capt. Timothy Stone, Mr. Samuel Robinson, for Guilford.  
 [394] Capt. Jabez Chapman, for East Haddam.  
 Mr. Hez<sup>h</sup> Brainerd, for Haddam.  
 Mr. Joseph Denison, Capt. Rufus Minor, for Stonington.  
 Major Elihu Chauncey, Mr. James Wadsworth jun., for Durham.  
 Capt. Richard Olmstead, Mr. Samuel Olmstead, for Ridgfield.  
 Mr. Ebenezer Bateman, Major Hez<sup>h</sup> Sabin, for Killingly.  
 Colo. Benja. Hall, Capt. William Ward, for Wallingford.  
 Capt. Robert Dixon, Capt. Isaac Gallopp, for Voluntown.  
 Capt. Pelatiah Allyn, Capt. Roger Wolcott, for Windsor.  
 Capt. Charles Bulkley, Capt. Timothy Wright, for Colchester.  
 Capt. Joseph Sandford, Capt. Thomas Harrison, for Litchfield.  
 Mr. Benja. Gale, Capt. Elnathan Stephens, for Killingsworth.  
 Mr. Humphrey Avery, Mr. Roger Billings, for Preston.  
 Capt. Thomas Storrs, Mr. William Johnson, for Mansfield.  
 Capt. Israel Knapp, Capt. John Mead, for Greenwich.  
 Capt. Jedadiah Chapman, Mr. Ambrose Whittelsey, for Saybrook.  
 Mr. Thomas Cotten, Mr. Ebenezer Holbrook, for Pomfrett.  
 Mr. John Griswold, Capt. Elisha Shelden, for Lyme.  
 Capt. Tho<sup>s</sup> Tousey, Mr. John Northrop, for Newtown.  
 Colo. John Chester, Colo. Elizur Goodrich, for Weathersfield.  
 Major Jabez Hamlin, Mr. Seth Wetmore, for Middletown.  
 Colo. Christopher Avery, Mr. John Ledyard, for Groton.  
 Colo. Thomas Welles, Speaker, } of the House of Rep-  
 Capt. John Fowler, Clerk, } resentatives.

This day being appointed by the royal charter and the laws of this Colony for the Election of the publick officers of the Colony, viz: Governor, Deputy Governor, Assistants, Treasurer and Secretary, proclamation was made, and the freemen proceeded to give in their votes to persons appointed by the Governor, Council and Representatives, to receive, sort and count them; which persons were Nathaniel Stanly, William Pitkin, Thomas Fitch, Roger Newton, Ebenezer Silliman, John Bulkley, Andrew Burr, Esq<sup>rs</sup>, Mr. Joseph Buckingham, Capt. Charles Bulkley, Capt. Samuel Sherman, Major Elihu

Chauncey, Capt. Elisha Sheldon, Mr. Ebenezer Backus, Colo. Jonathan Hoit, Mr. Thaddeus Burr, Colo. John Dyer, and Capt. Eleazer Carey, (who were all sworn to a faithful discharge of that trust.) And the freemen's votes being brought in, sorted and counted,

The Honourable Jonathan Law, Esq<sup>r</sup>, was chosen Governor of this Colony for the year ensuing, and the Governor's oath prescribed by the law of this Colony, and the oath required by act of Parliament, relating to trade and navigation, were administered to him by his Honour the Deputy Governor in the presence of the Assembly.

The Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, was chosen Deputy Governor of this Colony the year ensuing, and was sworn, according to law, by his Honour the Governor in the presence of the Assembly.

James Wadsworth, Esq <sup>r</sup> ,	Roger Newton, Esq <sup>r</sup> ,
Nathaniel Stanly, Esq <sup>r</sup> ,	Ebenezer Silliman, Esq <sup>r</sup> ,
Timothy Pierce, Esq <sup>r</sup> ,	Jonathan Trumble, Esq <sup>r</sup> ,
Samuel Lynde, Esq <sup>r</sup> ,	John Bulkley, Esq <sup>r</sup> ,
William Pitkin, Esq <sup>r</sup> ,	Andrew Burr, Esq <sup>r</sup> ,
Thomas Fitch, Esq <sup>r</sup> ,	John Chester, Esq <sup>r</sup> ,

[395] were chosen Assistants for the year ensuing, || and the Assistant's oath, provided by law, was administred to the said James Wadsworth, Nathaniel Stanly, Samuel Lynde, William Pitkin, Thomas Fitch, Roger Newton, Ebenezer Silliman, Jonath. Trumble, John Bulkley, Andrew Burr, and John Chester, Esq<sup>rs</sup>, by his Honour the Governor.

John Whiting, Esq<sup>r</sup>, was chosen Treasurer of this Colony, for the year ensuing, and had the Treasurer's oath, provided by law, administred to him by his Honour the Governor.

George Wyllys was chosen Secretary of this Colony for the year ensuing, and had the Secretary's oath, provided by law, administred to him by his Honour the Governor in the presence of the Assembly.

Several members of the Assembly, who had not taken the oaths provided by act of Parliament instead of the oaths of allegiance and supremacy, now took the said oaths, and likewise the oath of abjuration, and made the declaration against popery.

*Ordered*, That Ebenezer Silliman, Esq<sup>r</sup>, and Mr. Thaddeus Burr, return the thanks of this Assembly to the Reverend Mr. Nathaniel Hun, for his sermon delivered before them on the 14th of May instant, and desire a copy thereof that it may be printed.

This Assembly do appoint the Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>,



to be Chief Judge of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint James Wadsworth, Esq<sup>r</sup>, William Pitkin, Esq<sup>r</sup>, Ebenezer Silliman, Esq<sup>r</sup>, and John Bulkley, Esq<sup>r</sup>, to be Judges of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint William Pitkin, Esq<sup>r</sup>, to be Judge of the County Courts in the county of Hartford the year ensuing.

This Assembly do appoint Joseph Buckingham, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Hartford the year ensuing.

This Assembly do appoint John Bulkley, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of East Haddam the year ensuing.

This Assembly do appoint Ebenezer Marsh, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Litchfield the year ensuing.

This Assembly do appoint Thomas Welles, Henry Allyn, and Jabez Hamlin, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Hartford the year ensuing.

This Assembly do appoint Joseph Buckingham, Joseph Talcott, George Wylls, David Goodrich, Edward Bulkley, Roger Wolcott, jun<sup>r</sup>, William Wolcott, jun<sup>r</sup>, Mr. Daniel Bissell, Giles Hall, Joseph White, Thomas Johnson, Seth Wetmore, William Wadsworth, Thomas Hart, John Hart, Asahel Strong, Thomas Hart, Jonathan Hale, John Humphrey, Joseph Wilcoxson, Hezekiah Brainerd, Jabez Chapman, Stephen Horsmer, jun<sup>r</sup>, Nathaniel Foot, Epaphras Lord, Benjamin Skinner, Joseph Phelps, Thomas Pitkin, Zebulon West, Samuel Dimmock, Ebenezer Marsh, Joseph Bird, Isaac Kellogg, Ebenezer Lyman, John Beach, George Holloway, Timothy Hatch, Joseph Pitkin, Elizur Goodrich, Charles Bulkley, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Hartford the year ensuing.

This Assembly do appoint Roger Newton, Esq<sup>r</sup>, to be Judge of the County Courts in the county of New Haven the year ensuing.

This Assembly do appoint Joseph Whiting, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of New Haven for the year ensuing.

This Assembly do appoint Samuel Hill, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Guilford the year ensuing.

This Assembly do appoint Samuel Hill, Benjamin Hall, John Fowler and John Hubbard, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of New Haven the year ensuing.

This Assembly do appoint Joseph Whiting, Samuel Bishop, Isaac Dickerman, John Hitchcock, Deodate Davenport, Robert Treat, Nathan Baldwin, John Russell, Jonathan Russell, [396] Andrew Ward, Samuel Hopson, Thomas Hodgskins, Timothy Stone, Elihu Chamcey, Theophilus Yale, Samuel Hall, Elihu Hall, Ezekiel Boyce, John Riggs, Samuel Bassett, Samuel Riggs, John Southmaid, Thomas Clark, Roger Brownson, Samuel Canfield, Nathaniel Bostwick, Samuel Hutchinson, John Williams, Thomas Chipman, Timothy Russell, Nathaniel Harrison, and Samuel Sherman and Thos. Mathews, jun<sup>r</sup>, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of New Haven the year ensuing.

This Assembly do appoint Samuel Lynde, Esq<sup>r</sup>, to be Judge of the County Court in and for the county of New London the year ensuing.

This Assembly do appoint John Richards, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of New London the year ensuing.

This Assembly do appoint John Griswold, Christopher Avery jun<sup>r</sup>, Isaac Huntington, Jeremiah Miller and Richard Lord, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of New London the year ensuing.

This Assembly do appoint Simeon Minor, Joseph Denison, John Whiting, Nathan Cheesbrough, Jedadiah Tracey, Humphrey Avery, Samuel Morgan, Nathaniel Brown, Jabez Hide, Samuel Lothrop, Ebenezer Backus, Daniel Huntington, Luke Perkins, John Ledyard, Joshua Hempstead, John Richards, Joshua Raymond, Daniel Coit, Gurdon Saltonstall, Stephen Lee, Daniel Ely, Elisha Sheldon, Nath<sup>l</sup> Clark, Jedadiah Chapman, John Tully, Ambrose Whittelsey, Benjamin Gale, Isaac Kelsey, Abraham Pierson, Elnathan Stephens, and Benjamin Lee, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of New London the year ensuing.

This Assembly do appoint Andrew Burr, Esq<sup>r</sup>, to be Judge of the County Courts in the county of Fairfield the year ensuing.

This Assembly do appoint Ebenezer Silliman, Esq<sup>r</sup>, to be Judge of the Courts of Probate in the district of Fairfield the year ensuing.

This Assembly do appoint Joseph Minor, Esq<sup>r</sup>, to be Judge

of the Court of Probate in the district of Woodberry the year ensuing.

This Assembly do appoint Jonathan Hoit, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Standford the year ensuing.

This Assembly do appoint Thomas Benedict, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Danberry the year ensuing.

This Assembly do appoint Edmund Lewiss, John Thompson, Jonathan Hoit, William Preston, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in the county of Fairfield the year ensuing.

This Assembly do appoint Joseph Blackleach, Theophilus Nickols, Samuel Addams, Robert Walker, Thomas Tousey, Job Sherman, Joseph Minor, Noah Hinman, James Beebe, Thos. Benedict, John Read, Thaddeus Burr, Samuel Sherwood, Moses Dimon, jun<sup>r</sup>, Samuel Handford, Samuel Fitch, James Lockwood, Jonathan Maltbie, Nathaniel Peck, Richard Olmstead, Israel Knapp, James Benedict, Ephraim Hubbell, Samuel Betts, William Burr, Samuel Grigory, and Hez<sup>h</sup> Hooker, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Fairfield the year ensuing.

This Assembly do appoint Jonathan Trumble, Esq<sup>r</sup>, to be Judge of the County Courts in the county of Windham the year ensuing.

This Assembly do appoint Jonathan Trumble, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Windham the year ensuing.

This Assembly do appoint Ebenezer West, Shubael Conant and John Dyer, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Windham the year ensuing.

This Assembly do appoint Joseph Strong, Joseph Leavinz, Leicester Grosvenour, Joseph Cadey, Peter Buel, Thomas Storrs, John Crery, Joseph Fowler, Gershom Clark, Nathaniel Huntington, Jos. Palmer, Thomas Tiffany, Ebenezer Holbrook, Nathaniel Wales, Joseph Clark, Eliphalet Dyer, Samuel Danielson, James Bicknal, and John Smith jun<sup>r</sup>, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Windham the year ensuing.

An Act appointing a Court of Probate in the County of Windham and for limiting the District thereof.

*Be it enacted by the Governor, Council and Representatives, [397] in General Court || assembled, and by the authority of the same, That the towns of Plainfield, Canterbury, Killingly, Pomfrett and Voluntown, all in the county of Windham, be one entire district for holding a court of probate, and shall be*

known by the name of the District of Plainfield; and said court shall be held by one judge and clerk, with powers and privileges that the other courts of probate in this Colony have; and in all cases where the law allows of appeals, they shall be made to the superior court holden at Windham.

This Assembly do appoint Timothy Pierce, Esqr, to be Judge of the Court of Probate in the district of Plainfield the year ensuing.

This Assembly do appoint Jonathan Trumble, Esqr, John Chester, Esqr, Mr John Humphrey, Capt. Asahel Strong, Capt. Samuel Sherman, Capt. Elisha Shelden, Mr. Elnathan Handford, and Capt. Gershom Clark, to be Auditors to audit the Colony accounts with the Treasurer.

This Assembly do establish and confirm Mr. Samuel Adams to be Captain of the company or trainband at the parish of Ripton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Sevignion Lewiss to be Lieutenant of the company or trainband at the parish of Ripton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Shelton to be Ensign of the company or trainband at the parish of Ripton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Bates to be Captain of the company or trainband at the parish of Middlesex, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Selleck to be Lieutenant of the company or trainband in the parish of Middlesex, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Handford to be Ensign of the company or trainband in the parish of Middlesex, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Peter Bulkley to be Captain of the company or trainband in the parish of New Salem, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Carew to be Cornet of the Troop of Horse in the 3d regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Richard Bush-



nell to be Quarter-Master of the Troop in the 3d regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Crocker to be Captain of the 4th company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Denison to be Lieutenant of the 4th company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Dart to be Ensign of the 4th company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Belden to be Captain of the 9th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Wright to be Ensign of the 9th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Bradley to be Captain of the 5th company or trainband in the town of Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Bradley to be Lieutenant of the 5th company or trainband in the town of Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Banks to be Ensign of the 5th company or trainband in the town of Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Sherwood to be Captain of the company or trainband in the parish of Stratfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Hezekiah Odell to be Lieutenant of the company or trainband in the parish of Stratfield, and order that he be commissioned accordingly.

[398] This Assembly do establish and confirm Mr. Samuel Odell to be Ensign of the company or trainband in the parish of Stratfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elihu Ketcham to be Lieutenant of the south company or trainband in the town of Sharon, and order that he be commissioned accordingly.

This Assembly do establish Mr. Philip Kirtland to be Captain of the 8th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Denison to be Lieutenant of the 8th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Pratt to be Ensign of the 8th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Josiah Roots to be Quarter-Master of the Troop of Horse in the 13th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Caleb Mathews to be Captain of the 6th company or trainband in the town of Farmington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Gaylord to be Lieutenant of the 6th company or trainband in the town of Farmington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Edward Gaylord to be Ensign of the 6th company or trainband in the town of Farmington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Caleb Allyn to be Captain of the second company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Israel Munson to be Lieutenant of the 2d company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Bradley junr, to be Ensign of the 2d company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Hubbard

to be Captain of the first company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Peck jun<sup>r</sup>, to be Lieutenant of the 1st company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Austin to be Ensign of the 1st company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Josiah Olcott to be Ensign of the 6th company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Josiah Meiggs to be Captain of the 6th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Bishop to be Lieutenant of the 6th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Field to be Ensign of the 6th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Spencer to be Lieutenant of the company or trainband at the parish of Millington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Eden Burroughs to be Ensign of the 4th company or trainband in the town of Woodbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Thomas to be Ensign of the 3d company or trainband in the town of Woodbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joel Northrop to be Captain of the company or trainband at the parish of Amity, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Stephen Sandford to be Ensign of the company or trainband in the parish of Amity, and order that he be commissioned accordingly.

[399] This Assembly do establish and confirm Mr. Nathan

Botsford to be Ensign of the 1st company or trainband in the town of New Milford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Butler to be Captain of the 3d company or trainband in the town of Weathersfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Wells to be Ensign of the 3d company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Starr to be Lieutenant of the 2d company or trainband in the town of Danbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Hoit to be Ensign of the 2d company or trainband in the town of Danbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Stephen White to be Captain of the company or trainband in the parish of Standwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Dible to be Lieutenant of the company or trainband in the parish of Standwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Webb to be Ensign of the company or trainband in the parish of Standwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Lothrop 3d to be Lieutenant of the 6th company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Isaac Woodworth to be Ensign of the 6th company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Murdock to be Lieutenant of the 10th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Day to be Lieutenant of the company or trainband in the 3d society in the town of Colchester, and order that he be commissioned accordingly.



This Assembly do establish and confirm Mr. Abel Forward to be Lieutenant of the company or trainband at the parish of Turkey Hills in the town of Symsbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Martin Winchell to be Ensign of the company or trainband at the parish of Turkey Hills in the town of Symsbury, and order that he be commissioned accordingly.

This Assembly appoints John Chester, Esqr, to be of the Quorum in the county of Hartford the year ensuing.

*Resolved by this Assembly,* That John Bulkley, Esqr, be appointed, and he is hereby appointed, with full power and authority to settle the accounts with the legatees of Capt. John Pickett, late of New London, deceased, concerning the storage of the small-arms which were in the custody of the said Pickett, and, on their shewing who have received the same, to give order on the treasury for them to receive therefrom what is in equity due for the storage thereof, and also discharge said estate therefrom.

*Resolved by this Assembly,* That Jonathan Trumble, Esqr, be appointed, and he is hereby appointed, to examine into the receipts given for the premium granted and paid for the company under the command of Capt. Robert Denison in the expedition to Cape Breton; it being reported that the premium for that company hath been paid once into the hand of Colo. Simon Lothrop, and twice into the hands of said Capt. Robert Denison, through mistake. And the said Jonath. Trumble, Esqr, is further directed to account with the said Colo. Lothrop and Capt. Denison respecting the same, and to recover and receive the money that hath been so paid out by mistake, and deliver the same into the hands of the Treasurer, taking his receipt therefor.

An Act giving further Encouragement for the destroying Wolves in this Colony.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That for the future the premium allowed for killing any wolf or wolves, &c., shall be the sum of ten pounds old tenour out of the publick treasury of said Colony, and the sum of five pounds out of the town treasuries; and all under the same regulations as is by law already provided; and half so much for every wolf's whelp.

[400] An Act directing how Taxes granted by the General Assembly to be levied upon Lands in some of our Towns and Societies shall be collected.

Whereas this Assembly, for the speedy settling of and more equal raising the taxes in some of our towns and ecclesiastical

societies, have granted a tax upon the lands in such town or society, and for want of particular direction how such tax should be collected much difficulty hath arisen: Which to prevent,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That whensoever this Assembly shall grant a tax to be levyed upon the lands of any such town or society, the same shall be demanded as other rates or taxes by law ought to be, and if the owner or owners of such lands do not pay such tax to the collector chosen to gather the same, then such officer may apply to some assistant or justice of the peace, who shall grant him a writ, by force whereof such collector may proceed to levy the tax or taxes not paid as aforesaid, in the same form and manner as town or society taxes ought to be levyed.

*And it is further enacted,* That in every case wherein this Assembly hath granted any tax, as aforesaid, and the same is not already levyed, the collector or collectors of such tax shall proceed to collect the same as abovementioned: always provided, that if the owners of any land taxed, or that shall be taxed, by order of this Assembly as aforesaid, and such owner be or shall be taxed or greater taxes levyed of them than what this Assembly hath or shall grant, then, in every such case, such owner may make complaint to the county court in the county where such lands do lye, which court shall proceed to hear such complaint and grant relief to all persons they shall find wronged and oppressed by any collector, town or society, and tax costs to the person unnecessarily vexed in such affair.

This Assembly do establish and confirm Mr. Daniel Southmaid to be Captain of the company or trainband in the town of Waterbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Porter to be Lieutenant of the company or trainband in the town of Waterbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Gershom Fulford to be Ensign of the company or trainband in the town of Waterbury, and order that he be commissioned accordingly.

This Assembly being informed that the inhabitants living on that tract of land in this Colony commonly known by the name of Mortlake, not being included within the limits of

any particular town bounds, whereby they hitherto have escaped paying any publick tax to said Colony, and the said inhabitants being conveniently situated to the town of Pomfrett: Resolved by this Assembly, that the Secretary of this Colony shall give proper and due notice to the said inhabitants to appear at the General Assembly to be holden at New Haven in October next, if they see cause, to shew reason, if any they have, why said inhabitants should not be annexed to the said town of Pomfrett.

This Assembly doth impower and order Capt. Titus Hurlburt to inlist twenty effective men, in equal proportion, out of the two military companies in the town plat in New London, to attend at the Battery in said New London, there to be exercised in the best manner to qualify them so as to improve said battery to the best defence of that port and place, and the most effectual repelling any aggressor; which company is ordered at all times, at half an hour's warning, to be in readiness to attend on every emergency, and particularly to appear and attend two days in a month from the first of June to the first of November, and do duty, for which two days they shall be allowed souldiers wages, and are to be under the same regulation with other military companies, and shall be exempt from all duty in the companies from which they were detached, during the time of said five months.

*Resolved by this Assembly,* That Titus Hurlburt, Captain of the Battery of New London, be allowed the sum of forty pounds old tenour out of the publick treasury, for his last year's service in the capacity aforesaid.

Upon the memorial of the President and Fellows of Yale College in New Haven, representing that the present college house is not large enough to entertain one half of the students, and that there is a necessity of a new house of about one hundred and ten feet in length and thirty-eight feet in breadth and three stories high besides the gar-[401] rets, praying this Assembly || to take the matter into their consideration at this time, and grant that money necessary for the building of such an house may be raised in such a manner as under the present circumstances of the government may be thought most convenient:

*Resolved by this Assembly,* That there be a pub[lick] lottery of fifty thousand pounds old tenour concerted and drawn in the usual and proper form of publick lotteries, at New Haven in the county of New Haven, and that fifteen *per cent.* be deducted out of each prize, for building of said house and charge of said lottery.

*And it is further ordered and enacted,* That the said affair of the lottery shall be forthwith proceeded upon, and that Capt. John Hubbard, Mr. Samuel Mix and Mr. Chauncey Whittelsey, all of New Haven, be the directors and managers thereof, who may appoint their clerks for said purpose; and the said directors or managers, and the clerk or clerks by them appointed, shall be sworn before his Honour the Governor to a faithful discharge of their trust, or before some Assistant in this Colony, and shall receive the sum of two hundred pounds old tenour as a reward for their service in said affair, to be deducted out of said fifteen *per cent*.

*And it is further enacted,* That if any person shall forge, counterfeit or alter any ticket in imitation of any ticket signed by the said directors or any other person by their orders, or if any person shall by virtue of any such forged, counterfeit or altered ticket, (knowing the same to be such,) claim any prize in the said lottery, he shall incur the same penalty, on conviction thereof, as persons by law are liable to in other cases of forgery. And the money which shall be raised by the lottery as aforesaid shall remain in the hands of the aforesaid directors and managers of said affair, to be disposed of in erecting a college as aforesaid, according to such orders as shall be given by this Assembly from time to time.

This Assembly grants to Mr. Timothy Green, printer, the sum of eighteen pounds in bills of publick credit new tenour, for his last half years salary.

Upon the memorial of the town of Salisbury, by their agent Mr. Thomas Chipman: Resolved by this Assembly, that Major Ebenezer Marsh, Capt. Joseph Bird and Capt. Joseph Sandford, all of Litchfield, be a committee to fix a place for the said town to build a meeting-house upon, and make return of their doings to this Assembly at their sessions in October next.

Upon the memorial of Mr. Salmon Treat, of Preston, setting forth that upon the invitation of the inhabitants of said town he had been settled in the ministry in that place and continued there in the south society until the 14th day of March, A. D. 174 $\frac{1}{2}$ , and the said Mr. Treat produced two votes of the said inhabitants: in the first they granted to said Mr. Treat the sum of forty pounds per year in money with the addition of two pounds per year until the said sum should amount to fifty pounds, &c.; and in the second vote, which was past on the 20th day of December, 1710, the said town declared they had before granted unto the said Mr. Treat the said fifty pounds per year, and that they had also got his fire-



wood, and thereupon vote him sixty-two pounds per year, provided said Mr. Treat did clear the town from getting said wood ; and notwithstanding the said two votes, the said society had refused to pay said Mr. Treat his full salary for the last four years and two months he continued in the ministry there ; and that thereupon he had brought his action against Hez<sup>h</sup>. Parks, Jedadiah Tracey sen<sup>r</sup>., and the rest of the inhabitants of said society, and that said action came to the superior court at New London the fourth Tuesday of September last, where final judgment was given against said Treat, to his great wrong ; and thereupon praying for a new hearing at the superior court to be holden at New London in September next : In consideration whereof, it appeareth to this Assembly, that the said second vote of said Preston is in addition to the first vote above recited, and was passed to make the salary therein referred to larger, and not to lessen it, and that it was not necessary in the second vote to mention the specie in which said salary should be paid in, but that was settled in the first vote : Whereupon it is resolved by this Assembly, that the said Mr. Treat shall have liberty of another tryal in his said action at the superior court to be holden at New London in September next, and another tryal of said case is hereby granted unto said Mr. Treat accordingly ; and the whole costs to follow said tryal.

This Assembly do establish and confirm Mr. George Dolbear to be Lieutenant of the company or trainband in the parish of New Salem, and order that he be commissioned accordingly.

[402] Upon the memorial of Thomas Darling, of New Haven in the county of New Haven, praying for the sole liberty of making glass in this Colony, and setting forth his readiness to undertake and engage in said business if suitably encouraged therein ; and this Assembly considering the advantage such a manufacture may be to this Colony if succeeded : It is resolved by this Assembly, that the memorialist and his assigns shall have the sole liberty and privilege of making and manufacturing glass in this Colony, and the said liberty and privilege is hereby granted unto them for the space of twenty years from this time, and all and every other person and persons are hereby forbid and prohibited setting up, erecting and carrying on any works, buildings, or materials for carrying on the business of making glass, as aforesaid, in this Colony for the space of twenty years next coming, without the liberty of the memorialist or his assigns, on penalty that every such person or persons so doing shall forfeit the

sum of one thousand pounds money, to be recovered by the memorialist or his assigns in any court proper to try the same : provided nevertheless, that if the memorialist and his assigns shall neglect or fail to erect, set up and prepare suitable works and materials for the making of glass, as aforesaid, for the space of four years, or shall fail of making the quantity of five hundred feet of good window-glass in any one of the remaining sixteen years after the aforesaid four years, that then this grant and every part thereof shall be void and of none effect, anything thereinbefore to the contrary in anywise contained notwithstanding.

An Act for the better supporting the Currency of the Bills of Publick Credit on this Colony.

Whereas the bills of publick credit on the neighbouring governments of New England have obtained a currency in this Colony and have been received and passed by the inhabitants of this Colony promiscuously with the bills of credit on this Colony, by which means this Colony bills have sunk in their credit with the bills of the neighbouring governments, and thereby the medium of trade has become very unstable : Which inconveniency for the future to prevent,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That for the future the bills of publick credit of this Colony only, or silver or gold equivalent thereto, shall be accepted, taken or received in this Colony for and in payment of court and jury fees, and for imposts, duties, excise and other payments to be made for the use of the Colony or county treasuries ; and all judges and officers who shall receive any fees, imposts, duties, excise, or other payments for the uses aforesaid, are hereby strictly forbid to take or receive any of the bills of credit of the neighbouring governments for the aforesaid fees, imposts, duties, excise, or other payments for the uses aforesaid.

*Provided nevertheless,* That nothing herein shall be understood to prohibit or forbid the taking and receiving the aforesaid bills of credit of the said governments into the publick treasury in payment or discharge of bonds or mortgages heretofore given to the Governor and Company of this Colony, expressly allowing the receipt of the bills of credit of the aforesaid governments in payment or discharge thereof, but the said bills may be received according to the expression in such bonds or mortgages contained, this act notwithstanding.

*And be it further enacted by the authority aforesaid,* That all and every bond, bill, note or other contract, which shall be made in this Colony after the first day of October next, wherein

or whereby the payment of bills of credit, of any of the aforesaid neighbouring governments or New York shall be expressly contracted for, shall be null and void ; any usage or custom in any wise heretofore to the contrary notwithstanding.

An Act for the Regulating and Encouragement of Trade in this Colony.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That from and after the first day of January next all and every person and persons who shall import or bring into this Colony, either by water or land-carriage, any goods, wares or merchandizes, above the value of fifteen pounds new tenour, from the neighbouring governments in New England, or from the governments of New York, New Jersey or Pensilvania, shall pay a duty of five pounds for every hundred pounds [403] worth of such goods, wares and merchandizes, by him or them so imported or brought into this Colony from the aforesaid governments, unless the same be so imported or brought in by a person that is not an inhabitant of this Colony, in which case the duty by him to be paid shall be seven and half *per centum*. The value of which goods, wares and merchandizes, at the place or port from whence they shall be brought, shall be esteemed the value thereof, and the said value being computed in bills of credit of this Colony, the said duties shall be paid in such bills at the said rates of five and seven and half *per centum*.

*And that the said duties hereby laid may be effectually collected and paid, Be it further enacted by the authority aforesaid,* That there shall be a collector or collectors of duties appointed in each of the respective counties in this Colony, who shall collect and receive all such duties as shall become due or payable by virtue of this act ; and the Governor of this Colony for the time being is hereby fully impowered and desired to appoint and authorize such collectors, and so many of them as occasion shall require.

That every person or persons who shall, after the said first day of January next, import or bring into this Colony any goods, wares or merchandizes, from any of the aforesaid neighbouring governments, shall within three days next after such importation or bringing into this Colony, and before any sale or disposition thereof or of any parcel thereof be made, deliver to such collector a manifest under his or their hand containing a true account of the quantity and value of such goods, and make oath before such collector to the truth thereof, which oath such collector is hereby impowered to require and administer, at which time the importer or owner of said goods shall pay to such collector the duties laid by this act

for such goods, wares and merchandizes, or give bond with a good surety to the Treasurer of the Colony for the payment thereof within three months, at the furthest, from that time.

That if any person or persons shall neglect or refuse to conform to this act, by not giving a manifest, or attesting thereto, or in not paying the said duties or giving security therefor, according to the direction in this act contained, such goods, wares and merchandizes, by him or them so imported or brought into this Colony from any of the aforesaid governments, shall be forfeited, one-half to the Colony Treasurer for the use of the government, and the other half to him or them who shall inform thereof and prosecute such information to effect.

That the said goods, wares and merchandizes, or any part thereof, may be accordingly seized by such collector or collectors, or by warrant from any one assistant or justice of the peace, and on information made to the next superior court or county court in the county where such seizure shall be made or where the importer, owner or claimer of such goods resides, when the same cannot be seized as aforesaid, the said superior or county court may proceed to hear and determine the cause and give judgment therein, either for the forfeiture of such goods, wares and merchandizes as shall be seized, and order the same to be sold for the purposes aforesaid; or, in case there be no seizure, then they shall give judgment for the forfeiture of the value of said goods, wares and merchandizes so imported or brought into this Colony, for which no duties have been paid or secured to be paid as aforesaid, against such person or persons as hath imported or brought the same into this Colony contrary to the intent and meaning of this act, and award execution thereon accordingly; in the tryal whereof the burthen of proof respecting the conformity to this act shall lye on the importer or claimer of such goods, wares and merchandizes.

That the collectors of such duties shall deliver the said duties and securities, by them respectively collected or received, to the Treasurer of this Colony, taking his receipt for the same; which duties shall lye as a fund in the treasury to answer the premium hereafter in this act granted for or upon the importation of goods, wares and merchandizes, from Great Britain and Ireland.

*Provided nevertheless,* That nothing in this act shall be understood to lay a duty on the importation or bringing into this government cast, bar and slit iron, nails, salt, steel, beaver, leather, deer-skins, fish both dry and pickled,



train-oil, whale-bone, rice, tar, turpentine, window-glass and lumber, from any of the aforesaid neighbouring governments, but the same shall be free from such duties, anything in this act before contained to the contrary notwithstanding.

And whereas the encouraging and promoting a trade to Great Britain and Ireland will likely be greatly for the interest of his Majesties subjects here, as well as increase the trade of those Kingdoms :

*Be it further enacted by the authority aforesaid,* That if any person or persons || belonging to this Colony shall, on his or their own proper risque and account, import from Great Britain or Ireland into this Colony any goods, wares or merchandizes, and dispose of the same for the use of the inhabitants here, he or they shall receive as a premium therefor out of the publick treasury five pounds in bills of publick credit for every hundred pounds worth of such goods, wares and merchandizes, in the like bills of credit: the said goods to be valued according to invoice taken at the place of exportation and a just exchange thereon to be computed.

And for the preventing of fraud in paying in the said premium, and for direction therein,

*Be it further enacted by the authority aforesaid,* That the person or persons importing any goods, wares and merchandizes into this Colony from Great Britain or Ireland shall, before he or they shall be entituled to the said premium, make oath before an assistant and justice of the peace, or before two justices of the peace (*quorum unus,*) that such goods, wares and merchandizes were imported from Great Britain or Ireland on his or their own proper risque and account and have been disposed of and (*bona fide*) sold in this Colony for the use of the inhabitants here ; which oath the said authority are hereby empowered to administer, and thereupon to draw an order on the Treasurer of the Colony for the payment of so much as shall appear to them to be justly due to such importer as a premium by virtue of this act ; which orders the Treasurer shall pay out of the moneys or bills of credit that shall be brought into the treasury for the duties by this act laid on the importation, or bringing in of goods from the neighbouring governments and for the duties laid by an act of this Assembly on the exportation of lumber, so far as the said duties will answer, and no further. And, that the Treasurer may be the better able to observe and conform to this act, he is hereby ordered and directed to make and keep a separate and particular account of the duties he shall receive and of the *premia* he shall pay out pursuant to this act.

*And it is further enacted by the authority aforesaid,* That the aforesaid collectors shall be sworn to a faithful discharge of their trust, and shall have a reward for their service, in collecting and taking security as aforesaid, five *per centum*, and shall render an account to this Court when thereto required; and the charge arising on the *premia* aforesaid shall be defrayed by the person or persons receiving the same.

This act to continue in force for the space of five years from the first day of June next.

An Act for laying a Duty on the Exportation of Lumber to the neighbouring Governments.

Whereas great quantities of divers sorts of lumber are frequently exported out of this Colony to the neighbouring governments, to the great destruction of timber, to the prejudice of building of shipping, and to the great damage of our West India trade: Therefore,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That for all lumber of the growth of this Colony that shall at any time after the first of October next be shipped on board any vessel in any port, river, harbour, road or place of lading in this Colony, for exportation to either of the governments of the Massachusetts, New York, Rhode Island or New Hampshire, shall be paid a duty for the use of this government, as followeth, (*viz* :)

Fifteen shillings for each thousand of barrel staves.

Twenty shillings for each thousand of hogshead staves.

Thirty shillings for each thousand of pipe or butt staves.

Thirty shillings for each thousand of hogshead heading.

Fifteen shillings for each thousand of barrel heading.

Twenty shillings for every tun of ship timber.

Five shillings for every hundred foot of plank.

Two shillings and sixpence for every hundred foot of boards, and

Twenty shillings for every cord of bark.

All in bills of credit of this Colony new tenour, or in other bills of this Colony equivalent thereto.

And, that the said duties may be effectually collected and paid,

*It is further enacted by the authority aforesaid,* That the several duties by this act laid shall be paid to and received by such collector or collectors of duties as shall be appointed by the Governor of this Colony for the time being for the collecting of duties arising on the importation and bringing in of [405] goods || from the neighbouring governments, out of which duties such collectors shall receive five *per centum* for their trouble therein.

That if any person or master of a vessel shall ship or take on board any vessel in any port, river, harbour, road or place of lading in this Colony, any quantity of the aforementioned sorts of lumber for exportation to any of the aforesaid neighbouring governments before entry thereof made with one of the aforesaid collectors of duties, and bond with surety given not to export such lumber to the said neighbouring governments, or shall export the same to any of the said governments before the duty by this act laid shall be paid, the said lumber so shipped and put on board contrary to this act, or the value thereof, shall be forfeited, one half to the Treasurer of this Colony for the use of the government, and the other half to the informer who shall prosecute the same to effect.

That the said lumber so shipped may be seized by such collector, or by warrant from any assistant or justice of the peace, and secured for tryal at the next county court in the county where such seizure shall be made; which court on information made of the transgression of this act may hear and determine the same, and give judgment for the forfeiture and sale of such lumber as shall appear to be shipped contrary to this act; and in case no seizure be made, they shall give judgment for the value of said lumber so exported against him or them who exports the same contrary to this act, and award execution thereon for the uses aforesaid, accordingly; and that if on the tryal of any such cause there shall arise a dispute about the growth of said lumber, the burthen of proof shall lye on the shipper, owner or claimer of such lumber, and if no claimer or owner appear, or no plea or dispute happens about the growth of such lumber, it shall be presumed and taken for granted that such lumber was of the growth of this Colony; any law, usage or custom to the contrary in any wise notwithstanding.

An Act for regulating Fees.

*Be it enacted by the Governor, Council and Representatives in General Court assembled, and by the authority of the same,* That the establishment of the fees belonging to the several officers in this Colony be as followeth, in new tenour bills, (*viz:*)

	£	s.	d.
Assistants Fees.			
For attending the General Assembly, <i>per diem</i> ,	0	10	6
Travel per mile out, - - -	0	0	7
Representatives Fees.			
For attending the General Assembly, <i>per diem</i> ,	0	7	0
Travel per mile out, - - -	0	0	7
Superior Courts Fees.			
Chief judge, <i>per diem</i> , - - -	0	17	6

	£	s.	d.
Assistant judges, <i>per diem</i> , - - - -	0	13	2
Trying each action, - - - -	0	17	6
Each default or confession, - - - -	0	9	0
To the jury, - - - -	1	1	0
Clerk of the Superior Courts Fees.			
Entering each action and judgment, - -	0	3	6
Filing each individual testimony, - - -	0	0	4
Each execution, - - - -	0	2	8
Entering judgment acknowledged, - - -	0	1	9
Copy of each testimony, - - - -	0	0	7
County Courts Fees.			
Chief judge, <i>per diem</i> , - - - -	0	11	6
Justices of the quorum, <i>per diem</i> , - - -	0	8	0
For trying each action, - - - -	0	10	6
Each judgment on default or confession, -	0	5	3
For a lycence to each tavern-keeper, -	0	3	6
To clerk for each lycence, - - - -	0	1	9
To the jury for trying each action, - - -	1	1	0
[406] Clerk of the County Courts Fees.			
Entering every action, - - - -	0	0	5
Entering every judgment, - - - -	0	1	9
For attachment, summons and executions, and other things proper to him, as in the as- sistant and justices fees, - - - -			
Court of Probates Fees.			
Granting administration, to the judge, -	0	2	8
Receiving and probate of every will and inven- tory of fifty pounds or under, whereof to the clerk 9 <i>d.</i> - - - -	0	3	6
Receiving and probate of every will and inven- tory of above fifty pounds, whereof to the clerk 1 <i>s.</i> 6 <i>d.</i> - - - -	0	5	3
Each <i>quietus</i> , whereof to the clerk 1 <i>s.</i> -	0	2	0
Recording every will and inventory of fifty pounds or under, - - - -	0	4	4
Recording every will and inventory of above fifty pounds and not exceeding one hundred pounds, - - - -	0	5	3
Also 9 <i>d.</i> per hundred for every hundred pounds after the first hundred, and half so much for copy of the same, - - - -			
Each bond for administration, and each letter of administration, - - - -	0	1	9
Every citation, - - - -	0	0	7
Making out a commission, receiving and exam-			



	£	s.	d.
ining the claims of creditors to insolvent estates, and registering the same, and making out the average, whereof to the clerk 2s.,	0	4	0
Registering the commissioners report per page for each page of 28 lines, ten words in a line, - - - - -	0	1	0
Entering an order upon the administrator to pay out the estate in proportion unto the several creditors returned by the commissioners, - - - - -	0	1	0
Allowing of accompts, settling and dividing of intestate estates, - - - - -	0	2	8
Appointing guardians and taking bond, - - - - -	0	1	9
Assistant and Justices Fees.			
Attachments or summons for action, - - - - -	0	1	0
When bond is given, - - - - -	0	1	4
A warrant for witnesses, - - - - -	0	0	7
Entry and tryal of an action, - - - - -	0	3	6
Every execution, - - - - -	0	1	9
Every warrant for criminals, - - - - -	0	1	9
Bond for appeal, - - - - -	0	0	10
Copy of evidence, the least, - - - - -	0	0	7
Copy of judgment, - - - - -	0	1	0
Every recognizance, - - - - -	0	1	0
Judgment on confession or default, - - - - -	0	1	9
Affidavits taken out of court, each, - - - - -	0	1	0
Acknowledging a deed, mortgage, or other instrument, - - - - -	0	1	0
Secretarys Fees.			
Recording laws and orders of publick concernment, in the Colony records, each, - - - - -	0	1	9
Affixing the Colony seal, each time, - - - - -	0	1	9
Each military commission, - - - - -	0	1	9
Each commission for the justices in each county, - - - - -	0	8	9
Commission for the judges of the superior court, - - - - -	0	5	3
Commission for the judges of the county court and court of probate, each, - - - - -	0	2	8
Each petition or memorial to the General Assembly, - - - - -	0	2	8
To the General Assembly for every petition, - - - - -	1	15	0
[407] Sheriffs and Constables Fees.			
Serving every summons 7d., if by copy, 10d.; serving every attachment 10d.; bail-bond, 1s. 2d.			
Attending at a justices court when obliged to attend, for each action tryed, - - - - -	0	1	9

	£	s.	d.
Each mile travel out, two pence half-penny, -	0	0	2½
Fees for plaintiff, defendant or evidences attending any court, <i>per diem</i> , - - -	0	2	8
Travel for plaintiff, defendant or evidence in any court, per mile, - - -	0	0	2½
Fees for a jury imployed in laying out highways shall be for every juror <i>per diem</i> , - -	0	5	3
And the sheriff attending on said jury, <i>per diem</i> , -	0	7	0
Town Clerks Fees.			
For recording a deed, - - - - -	0	1	4
For copy of deed, - - - - -	0	1	4
To survey bill, - - - - -	0	0	7
To recording a marriage, - - - - -	0	0	6
To recording a birth or death, - - - - -	0	0	3
Leather Sealers Fees.			
For each dicker, - - - - -	0	1	6
For a single hide, - - - - -	0	0	4
Half a dicker, - - - - -	0	1	0
Attorney Fees.			
In taxing bills of cost, (the parties that recover,)			
For attorneys fees at county court, - - -	0	8	0
In the superior courts, - - - - -	0	16	0
County Surveyors Fee <i>per diem</i> , besides his expences, -	0	8	0
Sheriffs and Constables Fees.			
Sheriff for tending General Assembly, superior and county court, <i>per diem</i> , - - -	0	6	6
Constables fee for tendance, &c., - - -	0	5	6
For levying every execution, not exceeding five pounds, - - - - -	0	3	0
For every execution of more than five pounds, not exceeding twenty pounds, - - -	0	4	0
For all executions more than twenty pounds, not exceeding forty pounds, - - - - -	0	8	0
And for every twenty pounds above forty, two shillings, and so proportionably for greater or lesser sums.			
Sealers of Weights and Measures Fees.			
For each weight and measure, - - -	0	0	4
Recorder of Horses Fee.			
For branding and recording every horse kind, - -	0	0	6

This act to continue in force for the space of one year, and no longer.

*Resolved by this assembly,* That Mr. Daniel Edwards, of Hartford, be impowered, and he is hereby fully authorized and impowered, to sue out all the bonds given for the pay-

ment of the first half of the principal sum borrowed in new tenour bills, and loaned by order of this Assembly in the county of Hartford and remain unpaid, and to proceed to final judgment and execution according to the common rules and course of the law; and the money, when recovered and received, to pay into the hands of the Treasurer of this Colony, taking his receipt therefor, and to lodge the same with the Secretary.

And Capt. Elihu Hall of Wallingford is in like manner fully authorized and impowered to sue out the bonds given in the county of New Haven for the said first half of the new [408] tenour || bills loaned out as aforesaid, and to proceed and do therein according to the above directions. And Mr. Ebenezer Backus, of Norwich, is in like manner fully authorized and impowered to sue out the bonds given in the county of New London, for the said first half of the new tenour bills loaned as aforesaid, and to proceed and do therein according to the above directions. And Capt. Robert Walker, of Stratford, is in like manner fully authorized and impowered to sue out such bonds which were given in the county of Fairfield, and to proceed therein according to the above directions. And Jonathan Trumble, of Lebanon, Esqr, is in like manner fully authorized and impowered to sue out such bonds which were given in the county of Windham, and to proceed therein according to the above directions. And the Treasurer is hereby directed to deliver out to the several persons above named the respective bonds belonging to each of the aforesaid counties which remain unpaid, taking their receipts for the bonds given into each of their hands.

*Resolved by this Assembly, That, for the future, the wages of the officers, seamen and souldiers, imployed on board the Colony sloop Defence shall be as follow, in bills of credit of the new tenour, viz:*

	£	s.	d.		£	s.	d.
To the captain,				To the lieutenant,			
<i>per diem,</i>	0	7	6	<i>per diem,</i>	0	5	0
To the master,	0	3	10	To the carpenter,	0	3	6
To the mate,	0	3	0	To the boatswain,	0	3	0
To the gunner,	0	3	0	To the doctor,	0	3	10
To the cook,	0	3	0	To the chaplain,	0	3	10
To an able seaman,	0	2	8	To souldiers and or-			
				dinary seamen,	0	2	0

An Act in Addition to an Act intituled An Act for regulating the Militia. (Page 494.)

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, That if any person belonging to any foot company and liable*

to train or be viewed on days appointed by law for viewing of arms, having been duly warned and not appearing and attending the same, shall pay a fine of three shillings in new tenour bills for each days neglect; any law, usage or custom to the contrary notwithstanding; and also that drummers shall have three shillings new tenour *per diem*.

An Act for raising and stating the Fare of the Ferry across Connecticut River, commonly called Rocky Hill Ferry in Weathersfield.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That for the future the fare of said ferry shall be as followeth, (*viz.:*) for man, horse and load, nine pence; for a foot man, five pence, and for a led horse, six pence, all old tenour.

This Assembly do appoint Mr. Cyprian Webster, to be a Justice of the Peace for the county of Hartford for the year ensuing.

*Resolved by this Assembly,* That the town of Tolland send into this Assembly in October next the sum total of their list, as the law directs.

Whereas the estate of Samuel Weed, of Derby, both real and personal, is forfeited to this government, and is by this Assembly ordered to be sold to the best advantage by a committee appointed for that purpose; and this Assembly being now informed that since the same has been declared to be forfeit, some persons, under colour of title from the said Samuel Weed, have entered into his lands and would prevent the orders aforesaid taking effect: This Assembly do appoint and fully empower Capt. Elihu Hall, of Wallingford, in the name of the Governor and Company, to commence a suit or suits, as the case may require, to eject any person or persons that have entered or may hereafter enter into any of the said Weed's lands forfeited to this government as aforesaid, and the same to prosecute from time to time until such incumbrances may be removed; which shall be done at the charge of this government.

*Resolved by this Assembly,* That the sum of six hundred pounds old tenour be delivered out of the treasury to his Honour the Lieutenant Governor, to be by him forwarded as soon as may be to Colo. John Stoddard, to be improved for the use of the Six Nations in such manner as the said Colo. Stoddard may think most for the advantage of this Colony.

[409] *Resolved by this Assembly,* That his Honour the Governor, with the advice of his Council, be impowered, and they are hereby fully impowered and authorized, to do, act and fully conclude, from time to time until the next sessions



of this Assembly, what shall be best and needful for the encouragement of the Indians of the Six Nations in the carrying on the present war, and to draw money for that purpose out of the publick treasury, not exceeding the sum of two thousand pounds old tenour.

*Resolved by this Assembly,* That William Pitkin, Jonathan Trumble and George Wyllys, Esq<sup>rs</sup>, be a committee, they or either two of them, to take into consideration Mr. Agent Palmer's letters, particularly relating to the muster-rolls of the forces that were employed in the expedition against Cape Breton, and also the best proof of their services, and to compleat the account of the expences of the Colony till the gar- risoning of Louisbourg was taken into the hands of his Majesty and our troops returned.

The Additions to the Lists of Estate of the several Towns in this Gov- ernment hereafter mentioned, sent in to this Assembly, are as follow, (viz:)

	<i>Single Addition.</i>			<i>Fourfold Assessments.</i>		
	£	s.	d.	£	s.	d.
To Hartford,	1226	9	6	-	-	-
To Danbury,	56	3	0	-	-	-
To Fairfield,	276	11	9	-	-	692 0 0
To Windham,	2133	1	0	-	-	-
To New Milford,	67	19	0	-	-	-
To Stanford,	988	12	0	-	-	600 12 0
To Canterbury,	560	18	0	-	-	-
To Mansfield,	496	2	0	-	-	337 14 0
To Branford,	111	7	6	-	-	459 6 0
To Groton,	189	3	6	-	-	-
To New London,	162	6	0	-	-	2381 4 0
To Ashford,	315	5	7	-	-	-
To Lebanon,	639	4	0	-	-	-
To Ridgfield,	89	0	0	-	-	72 12 0
To Farmingtown,	397	18	0	-	-	69 4 0
To Stonington,	711	4	0	-	-	1755 8 0
To Plainfield,	87	0	0	-	-	-
To Greenwich,	2058	18	0	-	-	-
To Colchester,	803	12	0	-	-	-
To Windsor,	928	1	6	-	-	904 12 0
To Wallingford,	1347	16	6	-	-	-
To Norwalk,	1653	7	8½	-	-	172 4 0
To Guilford,	331	2	6	-	-	245 4 0
To Preston,	1081	18	6	-	-	1195 16 0
To Voluntown,	373	2	0	-	-	710 0 0
To Durham,	38	0	0	-	-	-
To Pomfrett,	1007	6	0	-	-	-
To Milford,	490	0	0	-	-	217 0 0

	<i>Single Addition.</i>			<i>Fourfold Assessments.</i>		
	£	s.	d.		£	s. d.
To New Haven,	1242	16	0	- - -	513	4 0
To Lyme,	122	9	0	- - -	218	4 0
To Waterbury,	93	14	0	- - -	447	8 0
To Killingsworth,	29	11	6	- - -	170	8 0
To Stratford,	2324	5	11	- - -		
To Hebron,	309	0	0	- - -		
To Weathersfield,	426	17	11	- - -		
To Middletown,	315	17	0	- - -		
To Saybrook,	876	0	0	- - -	348	0 0
To Norwich,	1897	0	3	- - -	2157	13 0

Whereas this Assembly, at their sessions in June last, desired his Honour the Governour to have the accounts, respecting the cloathing and arms, which he directed the commissaries to provide for the souldiers inlisted for the expedition against Canada, prepared and laid before Lieut. General St. Clair, who was appointed by his Majesty to make a reasonable allowance for the defraying the expence [410] thereof: || And whereas it has so happened that the said expedition did not go on, and there has been no opportunity to lay the said accounts before Lieut. General St. Clair for his allowance thereof: Therefore, it is now resolved, that his Honour the Governor be, and he is hereby, desired as soon as may be, to make proper drafts on the Pay-Master-General of the King's forces, for the allowance and payment of those expences, or upon any other officer or board proper for that purpose, and to take all proper measures for the allowance of said accounts and payment of said expences. And William Pitkin, Jonathan Trumble and George Wyllys, Esq<sup>rs</sup>, or any two of them, are appointed to assist the Governor in putting in proper order and preparing the said accounts for the purpose aforesaid.

*Resolved by this Assembly,* That his Honour the Governor, with the advice of the Council of War at Milford, be empowered and authorized to give orders from time to time to the several commissaries in this government, to sell and dispose of the stores in their custody which were provided for the expedition against Canada, either in whole or in part, as they shall think fit, and to deliver the money to the Treasurer of this Colony, according to the act of Assembly passed in October last.

Upon the petition of James Tilley, of New London in the county of New London, *vs.* Thomas Forsdick, of said New London, representing that by a certain deed, dated

the 16th day of February, 1727 $\frac{7}{8}$ , the said Tilley and his late wife Ruth mortgaged the spot of land whereon the petitioner's dwelling house stands unto the said Forsdick, which land not being redeemed according to the condition of said mortgage, and the petitioner having built his house thereon, the said Forsdick brought his action against the petitioner for a surrendry of said house and land, and that pending said suit the petitioner agreed with and purchased the said land of the said Forsdick, and further agreed to suffer judgment in said suit to be rendered against the petitioner after said purchase, and that he should after that have the direction and benefit thereof; that, notwithstanding, the said Forsdick, contrary to said agreement, had taken out execution on said judgment, in order to levy the same, to the petitioner's great damage; and thereupon praying for relief in the premises: on which this Court appointed a committee in October last, to enquire into and report their opinion in the premises, which being made to this Court, and accepted: It is now resolved thereon, that the judgment of the superior court held in Norwich on the 4th Tuesday of March, 1744, rendered in favour of the said Forsdick against the said Tilley in the suit aforesaid, be reversed and set aside, and the same with the execution thereon is hereby reversed and set aside; and that inasmuch as the said Forsdick for a valuable consideration conveyed the said land by his deed dated the 6th day of February, 1743 $\frac{3}{4}$ , to the said Tilley, the same deed is hereby ratified and confirmed unto the said Tilley, his heirs and assigns; and that the said Forsdick pay the costs he, the said Tilley, hath been put to in this case, allowed and taxed at £65 11s. 3d., and that execution go forth accordingly. *Ex. granted June 3d, 1747.*

Upon the petition of Samuel Talcott, Esqr, sheriff of Hartford county, shewing that one Daniel Chapman, of Cornwall, having by four several writs of attachment issued in favour of Jonathan Dodge, of Colchester, [been] taken and committed to the common goal in said Hartford, and the goal-keeper having by occasion of some false and forged order [been] induced to suffer the said Chapman to go at large, &c., he, the petitioner, hath been by the said Dodge sued therefor in four several suits, and final judgments on each of them rendered, though the said Dodge had in fact, before said Chapman's enlargement, been fully satisfied his debts on which said attachments issued, &c.; prays the said judgments against him be set aside and he be allowed a new

tryal of said actions &c., as per petition on file: Resolved by this Assembly, that the petitioner have liberty of a new tryal in each of the said actions at the adjourned county court to be held at Hartford on the third Tuesday of June next; and that if the plaintiff in said actions recover, the future cost only to follow the final judgments; and in case the defendant in said actions recover finally, he shall recover back the sums in said former judgments given in damage against him, and his future cost.

Upon the petition of Silas Wells, of Glassenbury, Charles Wilcox, Jerusha Wilcox, of Middletown, and Ichabod Andruss, of Farmington, all in the county of Hartford, praying this Assembly to set aside the judgment of the superior court held at Hartford in March last past, wherein the petition-[411] ers || were plaintiffs *vs.* Moses Bush, of Middletown, defendant, for that the jury missed the law in the case and gave their verdict for the defendant to recover his cost, whereas they ought to have brought in their verdict in favour of the plaintiffs: Resolved by this Assembly, that the judgment of the superior court be set aside and all the doings thereon, and that the petitioners have another tryal at the superior court to be held at Hartford in September next, as prayed for; and all the cost to follow the final tryal.

Upon the petition of Joshua Brainerd, Daniel Gates the 2d, Thomas Gates, Jonathan Cone, and several other persons of East Haddam, whose names are subscribed to the said petition dated the 29th day of April last, being some of the proprietors of the common land in East Haddam, *vs.* the proprietors of the common and undivided lands there, and William Olmstead of East Haddam, complaining that since the 26th day of February, A. Dom. 1744 $\frac{1}{2}$ , the proprietors of the said common and undivided lands have in divers illegal meetings made sundry votes and acts, so called, respecting the division of lands in said town, and appointed committees to proceed therein; also complaining of a judgment obtained by the said William Olmstead at the county court held at Hartford on the second Tuesday of April last against the proprietors of the said common and undivided lands, for the sum of £241 16s. 4d. old tenour, debt, and £5 15s. 2d cost, as being obtained in an illegal and undue manner, and that execution thereon was granted, dated the 15th day of April aforesaid; and thereupon praying for relief in the premises, as per their petition on file more fully appears: Resolved by this Assembly, that all the votes, acts and doings of the said proprietors, passed, voted or



entered in their meetings, so called, since the 26th day of February, 174 $\frac{4}{5}$ , and also the doings and acts of their committees consequent thereon, shall be, and they are hereby, reversed, set aside and made null and void, and shall be esteemed and accounted as null and void in the law; and that the said judgment obtained by the said William Olmstead, and the said execution and all the doings thereon, be, and the same are hereby, reversed, revoked and wholly set aside; and liberty is hereby granted that said proprietors have a new tryal of said case at the adjourned county court to be held in Hartford in and for the county of Hartford on the third Tuesday of June, A. Dom. 1747, and that the petitioners shall have liberty to appear by themselves or their attorney, to defend in the suit on which said judgment was obtained, if none else of said proprietors will joyn with them therein; and that said action may proceed as though first brought to said adjourned court. *Cost allowed petitioners is £23 12s. 6d. Ex. granted Septem. 1st, 1747. Alias ex. granted Nov. 27th, 1747. Same ex. new dated viz.: Feb. 11th, 174 $\frac{7}{8}$ .*

Upon the petition of John Soper, of Windsor, representing that Isaac Skinner, of said Windsor, having before the county court at Hartford in April last obtained a judgment against him on demurrer in an action of trespass, and that the said action was, by mere oversight, omitted to be reviewed, and praying liberty to give bond for prosecution &c., and have liberty of another tryal of said case per review at the adjourned county court at Hartford in June next, &c.: Resolved by this Assembly, that the petitioner have liberty (first entering his bond of prosecution with the clerk of said court) to have another tryal of said cause at the said adjourned court in June next, as though he had actually moved for a review and given bond of prosecution before the said court where said judgment was given; and that execution be accordingly stayed till final judgment; and that the future cost only, in case the petitioner, defendant in said cause, recover, shall follow such final tryal.

Upon the petition of Isaac Skinner, of Windsor, *vs.* John Soper, of said Windsor, representing that there had been sundry controversies and differences between the said parties relating to a certain tract of land in said Windsor called Moses's Grant, the northern part whereof was claimed by the said Skinner, and the southern part by the said Soper, and especially with respect to the stating of a line between their said claims, and also with respect to their book accounts, and

that they had had sundry agreements, arbitrations, law suits &c., thereon, and that justice was still likely to be obstructed and hindered in the premises, and praying for a committee to enquire into the equity of said cause, &c.: Whereupon it is resolved by this Assembly, that Messrs. Nathaniel Case, Jeremiah Filer and Joseph Collier, be appointed a committee to enquire into all matters of controversy between said parties, and to make their report to this Assembly at their sessions in October next.

Upon the petition of David Nevens, late of Kingstown in the county of Hampshire and Province of the Massachusetts Bay, [412] now of Canterbury in the county of Windham, || *vs.* Samuel Pelton, late of Midletown, now of Hartford in the county of Hartford, representing that he had an execution against one John Blye, of said Midletown, for the sum of £6 13s. 6d. lawful money damages, and for cost of suit 13s. 7d. lawful money, issued on a judgment obtained at the county court held at Hartford in April term, A. D. 1743, which was dated the 30th day of April, 1744, and delivered into the hands of said Pelton, as he was constable of said Midletown, for him to execute the same; also that he had brought his action against the said Pelton for neglecting and refusing to execute said writ of execution, demanding damages forty pounds money, which action came to final tryal on the plea of not guilty at the county court held at said Hartford in April, 1746, when and where he, the said Nevens, lost his said action for want of sufficient evidence to prove that said Pelton had received said execution; representing also that he had since said tryal found new evidence to prove said matter of fact, and praying for a new tryal in said action, &c.: Whereupon it is resolved by this Assembly, that the aforesaid final judgment of said county court be, and it is hereby, set aside and made void; and the said Daniel Nevens shall have the liberty of having a new tryal in said action at the adjourned county court to be held at said Hartford in and for said county of Hartford on the 3d Tuesday of June next, and the whole cost shall follow the final judgment; and if the said Nevens shall finally recover against the said Pelton in said action, the said county court shall give judgment also for all the damages that the said Nevens hath suffered by occasion of the said judgment of the said county court in April, 1746, and the execution that issued thereon.

Upon the petition of Samuel Beamond, of Symsbury, setting forth that James Poisson, of said Symsbury, obtained a writ of attachment against him, and thereby attached his

body, and afterwards released him and agreed that said action should not proceed; and the petitioner, depending upon said agreement, did not appear at court, and the said Poisson at court, (*viz*:) the county court held in Hartford in November, 1745, entered his action and obtained a judgment against the petitioner, for the sum of £500 0s. 0d. debt and £6 0s. 4d. cost of suit; praying that the said judgment be reversed and set aside: Resolved by this Assembly, that the said judgment of the county court be reversed, and the same is hereby reversed and made null and void, and all the doings thereon; and the said Poisson has hereby liberty given him to enter his action upon said writ of attachment at the adjourned county court to be held at Hartford on the 3d Tuesday of June next, and that all the cost follow the final tryal in said case.

Upon the petition of James Rogers, of New London, setting forth that Richard Durfey, of said New London, brought his action against him, demanding £782 3s. 2d. by book, which came to a final tryal at the superior court held in Norwich in March last, at which tryal the said Rogers was not allowed to give his book in evidence with the charges of mariners wages in it, whereby he was prevented of having credit for the greater part of his charges, and had the judgment rendered against him for the sum of £337 11s. 7d. debt, besides a large bill of cost; and praying this Assembly to set aside the said judgment and appoint commissioners to examine and adjust their accounts, as by the petition on file appears: This Assembly doth suspend the said judgment of the superior court, with all doings thereon, and do appoint Samuel Lynde, Esqr, and Messrs. Ebenezer Backus and Stephen Lee, to hear and examine the accounts between the said Richard Durfey and James Rogers, as well respecting mariners wages as other articles, and make report to this Assembly in October next what they shall find the just ballance of their accounts in favour of either party.

Upon the petition of John Seaberry, of Groton in the county of New London, against Godfrey Malbone, of Newport in the county of Newport and Colony of Rhoad Island, praying for a rehearing in a certain action brought by said Malbone against the said Seaberry to the county court in New London on the 2d Tuesday of June, 1745, upon bond, demanding one hundred pounds old tenour by bond, and in which there was a final tryal at the superior court held in New London in Sep-[413] tember, 1746, as by the petition on file appears: || This Assembly doth reverse and set aside the said judgment of the superior court and all the doings thereon, and grants unto

the said Seaberry liberty of another tryal in the superior court to be held in New London on the fourth Tuesday of September next, and that all the costs from the beginning follow said tryal.

Upon the petition of Isaac Shelden and Samuel Wells, both of Hartford, agents for the proprietors of the common and undivided lands in the town of Union, *vs.* James Enno, of Union, as on file: The question was put, whether the pleas offered (by the respondent) in abatement of said petition are sufficient: Resolved by this Assembly in the affirmative. *Cost allow'd respondent* £8 4s. 9d.

Upon the petition of Samuel Palmer, of Hebron, *vs.* Jonathan Morton, of Hatfield, &c., as on file: The question was put, whether anything prayed for in the said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent* £13 19s. 2d. *Ex. granted June 3d, 1747.*

Upon the petition of Joseph Barnerd, of Hartford, *vs.* Jonathan Olcott, of Hartford: The question was put, whether the pleas offered in abatement &c. of the said petition are sufficient: Resolved by this Assembly in the affirmative. *Cost allowed respondent is* £2 18s. 0d. *Ex. granted Feb. 28th, 1749-50.*

Upon the petition of John Hough, of Norwich, *vs.* Timothy Waters, of Lebanon: The question was put, whether anything should be granted on the prayer of said petition: Resolved by this Assembly in the negative. *Cost allowed respondent is* £7 17s. 6d. *Ex. granted June 3d, 1747.*

Upon the petition of Benadam Gallop jun<sup>r</sup>., of Groton, *vs.* John Noyes, late of Groton, now John Noyes jun., of Stonington, as on file: The question was put, whether the prayer of the petitioner should be granted: Resolved by this Assembly in the negative. *Cost allow'd respondent is* £8 11s. 6d. *Ex. granted June 3d, 1747.*

Upon the petition of Timothy Waters, jun<sup>r</sup>, of Lebanon, *vs.* John Starke jun<sup>r</sup>, of New London and John Hough of Norwich, as on file: The question was put, whether the pleas offered in demurrer to the said petition are sufficient, &c.: Resolved by this Assembly in the affirmative. *Cost allow'd respondent* £4 12s. 0d.

Upon the petition of Timothy Waters, of Lebanon, *vs.* John Hough, of Norwich, as on file: The question was put, whether the pleas offered in abatement of said petition are sufficient: Resolved by this Assembly in the affirmative. *Cost allow'd respondent is* £4 0s. 6d.



Upon the petition of Jonathan Dean, of Plainfield, *vs.* Robert Hunter, of Voluntown, on file, by continuance from this Assembly in October last : The question was put, whether the petitioner shall have another tryal of his cause as prayed for in said petition : Resolved by this Assembly in the negative.

Upon the petition of David Cosseboom, of Smith-Town in the county of Suffolk on the island of Nassau in the Province of New York, and the others named in said petition, *vs.* William Olmstead, one of the proprietors of the common and undivided land in the town of East Haddam, and the rest of the proprietors of said common and undivided land, as on file : The question was put, whether anything prayed for in said petition should be granted : Resolved by this Assembly in the negative. *Cost allowed respondents is £13 10s. 0d. Ex. granted July 22d, 1747.*

Whereas the inhabitants of the towns of Woodstock, Endfield, Suffield and Sommers, by their agents have preferred their petition to this Assembly, representing that the said towns are situate within the bounds granted by the royal charter to this Colony ; that by the settlement of the dividing line between the Province of the Massachusetts Bay and this Colony, by commissioners from each government in the year of our Lord 1713, the said towns were set off or put into the jurisdiction of the said Province of the Massachusetts Bay without their consent, and that by means thereof the inhabitants of said towns are (as the said agents complain) deprived of their just rights and privileges, and thereupon aggrieved, and have therefore now made request to this Assembly for relief in the premises ; praying that a committee be appointed to treat with said Province, or that such other measures may be taken as shall be most proper therein : Whereupon it is resolved by this Assembly, that Jonathan Trumble, John Bulkley, Esq<sup>rs</sup>, Colo. Benjamin Hall and Capt. Roger Wolcott, they or any three of them, be appointed, at the cost of the petitioners, and they are hereby appointed, Commissioners to meet and confer with such gentlemen as may be appointed by the Province of the Massachusetts Bay, at such time and place as shall be agreed on between them, to hear, consider and report to the next Assembly after said meeting and conference, their opinion on what shall be offered in this affair by the Commissioners of said Province and the inhabitants of said towns.

[414] Upon the memorial of Thomas Webster, Nathaniel Kingsberry, Nathaniel House and others, part of the first and second societies in Coventry, part of the second society in the

township of Lebanon, and part of the inhabitants of the township of Hebron, praying to be made a distinct ecclesiastical society according to a certain report of Joseph Talcott, Daniel Bissell and Jonathan Hills, a committee appointed by this Assembly in May, A. D. 1746, or otherwise, as by their memorial on file appears: This Assembly do enact, order and grant, unto the memorialists, that they be, and they are hereby made, a distinct ecclesiastical society, with all the privileges and immunities of such a society according to the acts and laws of this Colony, and shall be known by the name of Andover; bounded and described as followeth, *viz*: Beginning at a heap of stones which is the northwest corner of Simon Atherton's land in the east line of the town of Bolton, from thence south in said Bolton east line, there measuring two miles 136 rods, to a large heap of stones which is the southeast corner of said town of Bolton and the southwest corner of the town of Coventry, from thence running west, measuring there two hundred and twenty rods, to a heap of stones, from thence running south twenty-one degrees east, there measuring one mile and half and forty rods unto a heap of stones six rods southwest of Ebenezer Horton's now dwelling house, which last line includes Thomas Webster's now dwelling house, from thence running south thirty-four degrees east unto a heap of stones which are west from Jonathan Sacket's house, from thence to the most northern part of the said Sacket's house, from thence a straight line to the east line of the town of Hebron and the west line of the town of Lebanon two mile and one half mile and twenty-eight rods from the northeast corner of the said town of Hebron, from thence north eighteen degrees east one mile and eight rods into said town of Lebanon, including the now dwelling house of Philip Bill, from thence north thirty-seven degrees east two hundred and fifty-six rods unto a chestnut tree in the highway near Gibbs's now dwelling house, from thence continuing the same point north thirty-seven degrees east one mile and ninety-two rods unto a heap of stones on the southerly side of Hop River, from thence north twenty-five degrees west, crossing said river, there measuring two miles and ninety-eight rods to a white-oak tree between two rocks on the east side the highway and at Silas Long's land, from thence west three degrees south, there measuring one mile one hundred and twelve rods unto a large white-oak tree, including the now dwelling house of Benjamin Jones, from thence west twenty-three degrees north, there measuring one mile and half, unto the bounds first mentioned.

Whereas Samuel Weed, Daniel Tucker and Nathaniel

Worster, all of Derby in the county of New Haven, before a special superior court held at New Haven on the 4th Tuesday of April last past, were severally indicted for counterfeiting the bills of publick credit on this Colony, or being aiding or assisting therein, and the said Weed and Tucker before said court were found guilty of the crime aforesaid on their confession, and the said Worster was found guilty of the said crime by the verdict of the jury, and thereupon the said Weed, Worster and Tucker, were severally sentenced by the said superior court to suffer the corporal punishments by law ordered, and also that they should, each of them, forfeit all his estate unto this government, and the sheriff of the county of New Haven was by the said court ordered and directed to make due enquiry after and to seize and take into his possession the estate of the said Weed, Worster and Tucker, until this Assembly should make some orders about the same: It is now resolved by this Assembly, that Capt. John Fowler and Capt. Samuel Bassett be a committee with full power and authority to demand and receive of Samuel Mansfield, Esqr, sheriff of the county of New Haven, all such goods or estate of the said Weed, Worster and Tucker, as he has seized and is in his hands or that may be found in the hands or possession of any other person, both real and personal, and to make sale of the same to the best advantage for the use of this government, and to make and execute deeds of any lands sold as aforesaid to any purchaser or purchasers, in behalf of this government; and the money that shall be raised on such sales shall be delivered to the Treasurer, taking his receipt for the same: and in case any part of such estate cannot be sold to good advantage for ready money, it may be sold on good bonds with sure-[415] ties payable at the expiration of a time not || exceeding two years, which bonds shall be lodged in the Secretary's office. Always provided, that the said committee do not retain or dispose of any of the estate of either of said persons as is for necessary use and by law is already exempted from being taken by execution, but allow them respectively to have the same, and necessary provisions for their wives and families till the first day of January next.

Upon the memorial of Epaphras Lord, Esqr, William Buel and others, representing that they belonged some to the first society in Colchester, some within the town of Hebron, some within the second society in Glassenbury, and some of them within the third society in said Colchester, and that they lived at a great distance from the several places of publick worship where they respectively belong; and praying to be made a dis-

tinct ecclesiastical society, and to have bounds and limits according to a certain plan and report of Messrs. Roger Wolcott jun<sup>r</sup>, Esq<sup>r</sup>, Mr. Daniel Bissell and Hezekiah May, who were appointed a committee to view the circumstances of the memorialists, &c.; which bounds and limits are as follow, *viz*: Beginning at the northeast corner of Midletown bounds, and from thence a line drawn northerly to the northwest corner of David Dickinson's land in Eastberry, and from thence eastward to the northwest corner of a lot of land on which Daniel Chamberlain's barn stands, and from thence to run near east on the north side of said Chamberlain's land until it meet with Hebron west line, and from thence southerly to the northwest corner of a farm of land on which the widow Lucy Talcott now dwells, and from thence a straight line to the road at Daniel Root's, and from thence on a straight line to the riding place over Fawn Brook, being at the northeast corner of the land of Joseph Phelps jun<sup>r</sup>, and from thence southerly as the brook runs until it comes to the riding place passing from Joseph Kellogg's over said brook to the Pine Hill, and from thence a straight line to Mr. John Adams's farm to the southeast corner by the country road, including said farm, and from the most southerly part of said farm a west line to Midletown east bounds, then northerly by Midletown line to the first-mentioned corner: Resolved by this Assembly, that the memorialists and all such as do or shall live within the bounds and limits above described shall be a distinct ecclesiastical society, with powers and privileges as other ecclesiastical societies in this Colony are invested with, and the same shall be known and distinguished by the name of Marlborough. And all those inhabitants within the aforesaid limits that are within the bounds of Eastbury shall contribute their several proportions of parish charges in said Eastbury for the space of four years next ensuing.

Upon the memorial of Solomon Gee, of Lyme, shewing to this Assembly that in the month of October, 1746, he purchased of one William Minor, of Lyme aforesaid, a certain tract of land lying in said Lyme, containing in quantity about eighteen acres, for which he paid to the said William Minor, to his full satisfaction, the sum of fifty pounds money, and that thereupon the said William Minor made a deed under his hand and seal to the memorialist of the said eighteen acres, in which the said eighteen acres was particularly bounded and described, and was dated the 22d day of October aforesaid, and delivered unto him; that soon after, and before the said William Minor had any opportunity to acknowledge the same before some au-



thority according to law, he was removed by death, having made no disposition of his estate, nor order about the said affair, nor any person capable in law to ratify and confirm the said sale unto said Gee; and complaining that he is in danger of being much wronged, and of losing his just right; and praying for relief in the premises, and that his title to said land by virtue of said deed may be confirmed, &c.: Resolved by this Assembly, that the aforesaid deed of the said William Minor to the said Solomon Gee, being duly entered on the records of the town of Lyme, shall be sufficient and effectual in the law for the sure holding the land contained in the same unto the said Gee, his heirs and assigns, against all persons whatsoever, as the said deed would or could have been if the same had been acknowledged by the said Minor in his lifetime before some lawful authority according to law.

Upon the memorial of John Whiting, Esqr, Treasurer of the Colony, praying of certain lands by Zebulon Mygat of Hartford mortgaged to the Governor and Company and by him in the name of said Governor and Company recovered, some part thereof be sold for the sum borrowed and interest &c., and that the residue thereof be made over to one John Gurney of said Hartford, to whom the said Mygat had before said [416] recovery sold and agreed to convey the same: || Resolved by this Assembly, that some part of said recovered lands be sold to the highest bidder, and the money therefor paid be by said Treasurer received and kept in his hand for the use of the government, to the whole amount of the sum loaned to said Mygat and interest and cost; and that Nathaniel Stanly and Joseph Buckingham, of said Hartford, Esqrs, be a committee with full power and authority, in the name of the said Governor and Company, to execute a good and effectual deed of release and quit-claim of the other parcel thereof, *viz*: of the part sold as aforesaid, unto the said John Gurney, the said bond by said Mygat and Sarah Waters being delivered up to the memorialist to be cancelled.

Upon the memorial of Elijah Clapp and Thomas Clapp, both of Hartford, representing that Thomas Clapp, their father, late of Hartford, deceased, by his deeds well executed had mortgaged to the Governor and Company of this Colony two pieces of land in said Hartford, being parcels of his home-lot, and praying for liberty to redeem said lands to themselves, as per their memorial on file appears: Resolved by this Assembly, that on condition the said memorialists, within two months from the rising of this Assembly, shall pay into the publick treasury the principal sums for which said lands were mort-

gaged, with the interest to the time of payment, together with ten pounds more, old tenour, for all other costs, the said mortgaged premises shall be released to the memorialists in usual form, by the committee appointed for such purpose.

Upon the memorial of Samuel Cluckstone, Ralph Isaacs, William Johnson and Joseph St. John, all of Norwalk, late owners of the sloop *Jane* which was, when in the government's service, cast away at Louisbourg: This Assembly grants to the memorialists the sum of one hundred and three pounds fifteen shillings old tenour, in full of what is due to them for the hire of said sloop beyond what they have received, and order the Treasurer to pay the same accordingly.

Upon the memorial of Nathaniel Worster and Daniel Tucker, both of Derby, now confined in goal in the county of New Haven by order of the superior court held in New Haven on the fourth Tuesday of April last, before which court they were convicted of being aiding in counterfeiting bills of publick credit; praying for a release from said confinement, &c.: Resolved by this Assembly. that each of the memorialists may have liberty to go out of said goal into the town of Derby, and there remain within the limits of said town during the pleasure of this Assembly: provided they each of them procure a good surety to be bound in a bond of five hundred pounds to the Treasurer of the Colony for the memorialists' good behaviour while out of goal and their return to goal again when thereto they shall be remanded by this Court; and the sheriff of said county, on their procuring said bonds, may let the memorialists out of goal.

Upon the memorial of Joseph Wuyock and the rest of the Pequod Indians living in Groton in the county of New London, by their overseers John Richards and Daniel Coit, Esq<sup>rs</sup>, of New London, shewing to this Assembly that there is a considerable tract of land lying in said Groton, known by the name of Massantuxet, reserved for the use of the memorialists for their planting ground, and that this Assembly, in the year 1732, did grant liberty to the proprietors of Groton to lay out one half of the reserved lands into fifty acre lots, with liberty to fence the same, during the pleasure of this Assembly, reserving to the Indians liberty to get firewood and plant on said land; and that of late the inhabitants of Groton have fenced in the greatest part of said reserved land, and have cut up and destroyed the Indians' corn there planted, so that the Indians are prevented from using said land, contrary to the acts of this Assembly; and thereupon praying that a committee may be appointed to enquire into the complaints of the

memorialists, &c.: Resolved by this Assembly, that Jonathan Trumble and John Bulkley, Esq<sup>rs</sup>, be a committee, and they are hereby appointed a committee, to enquire into the matters referred to in the memorial and endeavour a settlement thereof, and to make report of what they shall find and do therein, with their opinion thereon, to this Assembly in October next.

Upon the memorial of the parish of Kensington, and on the memorial of James Patterson and others in the west part of the parish of Newington, and on the memorial of Thomas Stanly and others living on the southeast part of Farmington old society, and on the memorial of Stephen Lee and others living partly in Farmington old society and partly in Kensington || society, praying to this Assembly for relief in respect of their parish affairs, in manner and form as set forth in said memorials: Resolved by this Assembly, that William Pitkin, Esq<sup>r</sup>, Colo. Benjamin Hall and Major Elihu Chauncey, be a committee to repair to said parishes and places of said memorialists' residence, and to notify all parties concerned, to hear them thereon and view their circumstances, and to report their opinion thereon to this Assembly, if it may be, or to the next Assembly.

Upon the memorial of Hezekiah Huntington, Esq<sup>r</sup>, praying this Assembly that some methods may be used by this government for the redemption of his son, who is now with many others of our people in captivity at Canada:\* Resolved by this Assembly, that his Honour the Governor be desired, and he is hereby desired, to get the best information whether any cartel is or can be settled with the Governor of Canada for the exchange of prisoners by sending a flag of truce up the river St. Lawrence to Quebeck; and in case the above method should be found impracticable, that then his Honour should enquire, whether any cartel is or can be settled to effect the purpose aforesaid by land. And that his Honour the Governor may be enabled to prosecute the design aforesaid, either by land or water as he may be advised of an opportunity, so much money may be drawn out of the publick treasury as his Honour the Governor, with the advice of the Council, shall judge to be necessary.

Upon the petition of the inhabitants of Newtown, shewing that the reason that said inhabitants did not send in their list to this Assembly in October last was, for that their listers were disenabled by sickness, and that the said Assembly had

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\* The young man was graduated at Yale College in 1744. He was taken captive by a French man-of-war, June 28th, 1746, and died in captivity, May 15th, 1747.

doomed the said town at a certain sum upon which their taxes were to be levied, as appeared by the records of said Assembly: It is now resolved by this Assembly, that the sum of eleven hundred eighty-three pounds eighteen shillings and five pence shall be abated out of the said sum mentioned in said record, and that the taxes granted in October last shall be levied upon said town of Newtown exclusive of the said eleven hundred eighty-three pounds eighteen shillings and five pence.

Upon the memorial of Margaret Douglass and William Douglass, of New London, executors of the last will and testament of Richard Douglass, late of New London, deceased, complaining of great loss sustained in consequence of a purchase made by the said Richard Douglass, with Mr. John Richards, of some lands formerly Wait Winthrop's, and giving bond to the town of New London on account of such purchase; and praying for help and relief under their difficulties occasioned thereby: Resolved by this Assembly, that the memorialists have granted, and this Assembly do hereby grant to them, three hundred pounds old tenour bills of credit to be paid out of the publick treasury, and the Treasurer is hereby ordered to pay the same accordingly.

On the memorial of the proprietors of Sharon: Voted, that Colo. William Preston and Mr. Samuel Canfield be a committee, at the cost and charge of the memorialists, to repair to Sharon and enquire into the circumstances of the Indians there, and see what land may be necessary for them to live upon, and describe the same, as also what they shall think reasonable to be laid out to said proprietors in the ungranted lands of this Colony as an equivalent for the lands they judge should be sequestered for the use of said Indians in said town, and in what place. And Capt. John Williams, of Sharon, is impowered, in the name of this Colony, to commence a suit against Benjamin Johns, to eject the said Johns off the land mentioned in said memorial: provided the same be done at the cost of said proprietors.

Upon the memorial of Benjamin Collins, jun<sup>r</sup>, of Lebanon, shewing that he had burnt with the house of his father, in September last, the sum of thirteen pounds nine shillings and six pence in old tenour bills of credit of this Colony, praying to this Assembly for relief: Thereupon it is ordered by this Assembly, that the Treasurer of this Colony pay out of the treasury the sum of thirteen pounds nine shillings and six pence old tenour bills for his loss aforesaid.

Upon the memorial of Justus Classon, administrator on



the estate of Stephen Clason late of Stanford, deceased, shewing to this Assembly that the debts due from the estate of the said deceased surmount the personal estate the sum of £106 11s. 3*d.*, money of the old currency, and praying to this Assembly for liberty to sell so much of the real estate of the said deceased as shall answer the sum of £106 11s. 3*d.* with the necessary charges arising thereon: Resolved by this Assembly, that the memorialist have liberty to sell so much of the real estate of the said deceased as shall amount to the sum of £106 11s. 3*d.* money; and the said memorialist is hereby substituted and impowered to sell so much of the real estate of the said deceased as shall make the sum of £106 11s. 3*d.* money of the old currency with the necessary charges arising thereon, taking the direction of the court of probate in the district of Stanford therein.

[418] Upon the memorial of Lemuel Abbott, Stephen Northrop and others, inhabitants of Ridgefield living on that tract of land commonly known by the name of Ridgefield New Patent, praying for liberty to hire preaching among themselves in the most difficult seasons in the year, &c.: Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same, that the memorialists and such others as now do or hereafter shall come to live on said tract of land known by the name of the New Patent, as aforesaid, (excepting only three families who belong to and are annexed to the town of Danbury,) shall have liberty, and they hereby have liberty granted to them, from time to time to procure and hire some suitable orthodox preacher of the gospel to preach to them for five months in each year annually; and that the memorialists, and others aforesaid, shall be released, and they are hereby released and discharged, from paying anything towards the support of the gospel's being preached at the town of Ridgefield for the time that they so hire preaching among themselves.

Upon the memorial of Nathaniel Woodward, of Coventry, praying exemption of his poll from paying taxes, for reasons in his memorial set forth: Resolved by this Assembly, that the said Nathaniel Woodward be, and he is hereby, freed and exempted from paying rates or taxes on his poll for the future.

Upon the memorial of Joseph Wright, of Colchester, and John Patterson, of Farmington, representing that they with others were bound to the Governor and Company of this Colony for the interest of the money loaned to the members of the late New London Society, and that judgments had been

since obtained for the whole sums in said bonds contained, which really contained a great deal more than was justly due for said interest, for that a considerable part of the said principal moneys had been paid long before the suing out of said bonds, which was never allowed or deducted out of said bonds, and for that also that said judgments did include interest upon interest; and praying for a committee to enquire into the premises, &c.: Resolved by this Assembly, that Nathaniel Stanly, Esqr, and William Pitkin, Esqr, be a committee, at the cost of the memorialists, to enquire into the matters in said memorial referred to, and make their report to this Assembly in October next.

On the memorial of Edward Collins, of Merridan in New Haven county, praying this Assembly to order a deed of release of land lying in said Merridan, for the reasons in said memorial assigned, which land was mortgaged to this Colony, &c.: Resolved by this Assembly, that in case the said Edward Collins, within two months next after the rising of this Assembly, satisfy the cost arisen on the suit, &c., and procure a bond with sufficient surety for the payment of the principal sum contained in said mortgage and interest thereon, (together with five pounds old tenour more for other costs and charges,) to the acceptance of Nathaniel Stanly and George Wyllys, Esqrs, that then said Stanly and Wyllys shall execute a deed of release of the said mortgaged premises accordingly.

Upon the memorial of Clement Minor, of Stoningtown in the county of New London, shewing to this Assembly that, together with his dwelling-house, warehouse and shop, he had sundry bills and notes of hand consumed by fire in the evening next after the 16th day of April last, and praying that some proper persons might be appointed to take cognizance of the matters of said notes and bills, and act so as to secure the memorialist in his just dues which belonged to him thereby, as by the memorial on file appears: This Assembly do appoint and empower Jonathan Trumble of Lebanon, Esqr, Jeremiah Miller of New London, Esqr, and John Ledyard of Groton, Esqr, to take cognizance of all matters respecting notes or bills that belonged to said Clement Minor and were consumed in his house, shop or warehouse, as aforesaid, and enquire of the parties upon oath, and other witnesses and evidences as they shall think proper, as a court of chancery might do, and award and judge for the said Minor what shall appear to be his due upon the account of any note or bill consumed as aforesaid, and also towards either party, and costs of prosecution as by law is allowed of in other common process

as in the county court, and grant out execution on their said judgments, directing the same to proper officer or officers to levy and serve, as any other executive courts in this Colony by law may do; and that said executions, signed by any one of the said commissioners, shall be authentick for the purpose [419] aforesaid. || And the said commissioners are hereby authorized and empowered to call any person before them in the business and matters aforesaid, by summons or attachment as any the county or superior courts in this Colony by law may do, and to command and retain any sheriff, deputy sheriff or constable, to attend and execute as the said county or superior courts may or can order and command; and all sheriffs, deputy sheriffs and constables, are to yield their obedience accordingly. And in case said committee shall find that the moneys or other things engaged to be paid the said Minor by any such note or bill was not to be paid until some time after the enquiry shall be made by them, that then the said commissioners shall immediately make up judgment for the sum engaged by said note or bill, and shall order that execution be stayed till the time set in said note or bill for payment, and then grant and make out execution thereon; and for said commissioners this shall be their warrant.

Upon the memorial of Clement Minor, of Stoningtown in the county of New London, setting forth that he had burnt in his house and shop in the evening next after the 16th day of April last past as many bills of publick credit of this Colony as amounted to the sum of three hundred and twenty pounds ten shillings old tenour; praying for relief, as by his memorial on file: This Assembly grants unto the said Clement Minor the sum of three hundred and twenty pounds ten shillings old tenour, to be paid him out of the treasury of the Colony, and the Treasurer is hereby ordered to deliver the same accordingly.

On the memorial of Thomas Curtiss, Thomas Marshall, Ebenezer Lyman, selectmen of the town of Torrington: Resolved, that this memorial be continued to the sessions of this Court at New Haven in October next, and that Thomas Stoughton, John Cook, Joel Thrall and Aaron Loomiss, all of said town, be summoned by the memorialists to appear at said Assembly to answer to said memorial, and that until that time the said Cook, Thrall and Loomiss, as a committee, or any other persons of the said town, be ordered to desist any other proceedings about said meeting-house by any power pretended to be given by a vote of said town in town-meeting, May 19th, 1747; and that further proceedings by said town

about said meeting-house be stayed till said Assembly in October next; and that a copy of this resolve be by the memorialist left with the town clerk of said town, to give notice to the inhabitants of said town of the doings of this Assembly thereon.

Upon the memorial of Timothy Clark and others, and upon the memorial of Caleb Hide and others, all living in the northern and north-westerly parts of the first society of Lebanon, and upon the southeasterly parts of the second society in Lebanon and the northwesterly parts of the 3d society there, praying for a society to be made out of the first, second and third societies of Lebanon, as set forth in their memorials: Resolved by this Assembly, that Roger Wolcott jun<sup>r</sup>, John Ledyard and Elisha Sheldon, Esq<sup>rs</sup>, be a committee to repair to the first society in Lebanon, to notice all parties concerned and hear them thereon, and to consider whether it be proper to make a society out of all or any of the parishes aforesaid; and if they find convenient to make them a parish, to fix them a line; and to report their opinion upon the whole to the Assembly in October next, at the cost of all the memorialists.

On the memorial of Jacob Hotchkiss, of New Haven, shewing a mortgage deed by him given to the Governor and Company of this Colony for twenty-three acres of land had been sued, praying the same to be released, for the reasons therein assigned: Resolved by this Assembly, that on condition the said Jacob Hotchkiss shall, within two months after the rising of this Assembly, satisfy the cost already arisen on the suit, &c., and pay the principal sum, and interest to the time of payment, together with five pounds more old tenour for all other costs, the committee heretofore appointed to give releases of lands mortgaged to the Governor and Company are empowered to execute to the memorialist, in the name of the Governor and Company, a deed of release of the mortgaged premises.

Upon the memorial of Daniel Dunham and Mary Dunham, administrators on the estate of Jonathan Dunham, late of Sharon, deceased, representing that the debts due from the estate of said deceased amount to the sum of £1546 14s. 6d. more than the personal estate of the said deceased will pay, and praying for liberty to sell so much of the real estate of the said deceased Jonathan Dunham as will procure the aforesaid sum &c.: Resolved by this Assembly, that the memorialists have liberty, and they are hereby empowered, to sell so much of the real estate of the said deceased Jonathan Dunham as will procure the aforesaid sum of £1546 14s. 6d. old tenour, with



the incident charges of sale, taking the advice of the court of probate in the district of Litchfield therein.

Upon the memorial of James Beach, of Stratford in the county of Fairfield, overseer and conservator of the estate of Margaret Curtiss, of Stratford, an impotent person, shewing [420] to this Assembly || that the expences for the said Margaret hath been more than her personal estate, that she is still needy, and that her lands are of considerable value, which she is not of capable mind to bargain away and convey; praying this Assembly to authorize some proper person or persons to make conveyance of some of the said Margaret's lands for her maintenance: This Assembly doth enact, grant and order, that so much of the said Margaret's land as shall be sufficient to raise the sum of one hundred pounds old tenour be sold for the payment of the said Margaret's present debts and comfortable support for the future, and that the said James Beach and Robert Walker, also of said Stratford, are hereby authorized and impowered to make and execute deed or deeds of such land to the purchaser.

Upon the memorial of John Woodworth, representing to this Assembly that in the service of this Colony, in the late expedition against Cape Breton, he lost one of his eyes, and is thereby in a great degree obliged to lose his time: Resolved by this Assembly, that the Treasurer pay out of the publick treasury of the Colony to the said Woodworth the sum of thirty pounds old tenour.

Upon the memorial of Amos Calkins, representing to this Assembly his distressed and piteous condition, by reason of a fall in or by the fire, whereby he has lost the sight of one eye and is rendered incapable of labour by reason of his sore condition; and praying that his rateable estate may be freed from the general list: Resolved by this Assembly, that the rateable estate of the memorialist shall be exempt from being taxed for the future.

Upon the memorial of Richard Hendey, Robert Griffen, Isaac Stow and Jasper Griffen, all of Guilford in the county of New Haven, praying that they may be annexed to and made members of the fourth society in said town, and be exempted from paying taxes in the first society in said town: Resolved, that the memorialists be, and they are hereby, annexed to said fourth society in said Guilford, and are hereby also freed from paying taxes to the first society in said Guilford accordingly.

Upon the memorial of the proprietors of the township of

Sharon, by their agent Mr. John Williams, praying for a patent of said township: Resolved by this Assembly, that his Honour the Governor and the Secretary of this Colony be empowered, desired and directed, and they are hereby empowered, desired and directed, to execute the patent of said township by said proprietors now presented to this Assembly, as prayed for.

Upon the memorial of Joseph White, agent for the third society in Middletown, praying for a committee to ascertain the place for building a meeting-house in said society: Resolved by this Assembly, that Colo. Joseph Pitkin, Abraham Kilbourn and Capt. Jonathan Hills, be a committee for that purpose, and to repair to said society, first notifying all parties concerned, and to view their circumstances, and to affix and ascertain a place for the building a meeting-house in said society, and make their report to this Assembly at their present sessions.

Upon the memorial of John Porter, Jacob Seargent and Abigail Porter, all of Mansfield, administrators on the estate of the late Experience Porter of said Mansfield, deceased, praying liberty to sell so much of the land of said deceased as may be sufficient to discharge the sum of £275 10s. 2d. old tenour, debts due from said estate more than the inventoried moveable estate, with the incident charges thereon: Resolved by this Assembly, that the said John Porter, Jacob Sergeant and Abigail Porter, have liberty to sell so much of the land of said deceased Experience Porter as may make the said sum of £275 10s. 2d. old tenour, with the incident charges thereof, taking the direction of the probate court in the district of Windham therein.

Upon the memorial of Daniel Elsworth, agent for the parish of Ellington in the township of Windsor, representing the burthens lying upon said parish by the diminution of their inhabitants, and the resignation of their minister in his pastoral office, and their inability to settle another minister in said parish, and praying for a tax on all the unimproved lands within said parish: Resolved by this Assembly, that a tax or rate of four pence per acre be assessed on all the unimproved lands within the bounds and limits of said parish of Ellington, to be levied annually for the space of four years next after the rising of this Assembly, and to be collected by the collector of the said parish for the time being, and by him to be delivered into the hands of the committee of said parish, to be improved towards the settling and support of a gospel minister among them.

[421] Upon the memorial of the first society in Fairfield, praying this Assembly to fix and establish a place in said society to build a meeting-house upon, as per their memorial on file : Resolved by this Assembly, that the place where the old meeting-house now stands in said society be and is hereby fixed and established to be the place to build a new meeting-house upon in said society for divine worship.

On the memorial of James Nickols, of Waterbury, shewing that by a judgment of the county court held in New Haven in April, 1746, rendered in favour of the Governor and Company of this Colony on a mortgage deed, execution had been levied on about twenty-five acres of land ; praying said land may be released on the memorialist's paying the principal sum and interest growing thereon, together with cost : Resolved by this Assembly, that in case said James Nickols shall pay into the treasury the principal sum borrowed, within sixty days next coming, and the interest growing to that time, and all costs arising thereon, the said Nickols shall have a deed of release of the mortgaged premises under the seal of the corporation executed in due form of law therefor accordingly.

Upon the memorial of Timothy Pierce, Esqr, representing to this Assembly that the debts and charges due from the estate of Timothy Pierce jun. of Plainfield, deceased, surmounts the moveable estate of said deceased the sum of £239 15s. 5d., praying to this Assembly for power and liberty to sell so much of the real estate of said deceased as to pay the same : Resolved by this Assembly, that said Timothy Pierce, Esqr, be and hereby is impowered to sell so much of the real estate of said Timothy Pierce junr, as shall be sufficient to pay the said sum of £239 15s. 5d. and the necessary charges arising thereon ; and that the said Timothy Pierce, Esqr, give due notification of the time and place of the sale of said real estate, and sell the same at a publick vendue, to the highest bidder.

Upon the memorial of the President and Fellows of Yale College : Ordered, that the sum of eighty-five pounds fourteen shillings and three pence in bills of the new tenour be allowed and paid out of the Colony treasury to the said president and fellows, for the last half year, in lieu of what was granted them by this Assembly in May, 1745.

Upon the memorial of Benjamin Wheat, administrator on the estate of Richard Tozer, deceased, shewing to this Assembly that said Tozer served as doctor under Doctor Morison at Cape Breton for some considerable time, and praying for some

satisfaction for his services, as set forth in said memorial: Whereupon it is resolved by this Assembly, that the said Benjamin Wheat, as administrator, receive out of the publick treasury of this Colony the sum of thirty pounds per month for the term of four months and fifteen days, (including the wages the said Tozer, or any in his behalf, hath received as souldier and clerk,) for his service as doctor at Cape Breton, and in full satisfaction therefor; and the Treasurer of this Colony is hereby directed to pay the same.

Upon the memorial of Hannah Thompson, of New Haven, administratrix on the estate of Joseph Thompson late of New Haven, deceased, shewing to this Assembly that the debts due from the estate of the deceased surmount the moveable estate of the deceased the sum of £700 0s. 0d., praying the said Assembly to appoint some suitable person to sell so much of the real estate of said deceased as to make said sum with the charges thereon arising: Resolved by this Assembly, that the said administratrix be impowered, and she is hereby impowered, to sell so much of the real estate of the said deceased, (taking the advice of the court of probate in the district of New Haven,) as to make said sum with the charges thereon arising.

Upon the memorial of Ephraim Bate, administrator on the estate of Robert Bate late of Saybrook, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate the sum of £82 5s. 6d., and praying for liberty to sell so much of the lands of the said deceased as will amount to the said sum of £82 5s. 6d.: Resolved by this Assembly, that said administrator have liberty to sell so much of the lands of the said deceased as will amount to the said sum of £82 5s. 6d. together with the necessary charges arising on the sale thereof, taking the advice of the court of probate in the district of Guilford.

An Act advancing the Fare of the Ferry over New Haven East River.

*It is resolved by this Assembly,* That the fare of said ferry for the future shall be, for man, horse and load, nine pence; each single horse, seven pence: each foot man, six pence, all old tenour: always provided this act extend not to interrupt any agreement between the town of New Haven and the ferry-man of said ferry.

Cost allowed to John Stoyel and the proprietors of Volun-town against Zachariah Frink, to answer the petition of said Frink preferred to this Assembly and withdrawn, is £5 16s. 3d.

[422] Upon the memorial of Caleb Andruss, administrator on the estate of Gideon Andruss late of New Haven, deceased,



shewing this Assembly that the debts due from the estate of the said deceased surmount the moveable estate of the deceased the sum of £25 16s. 7d., and praying for liberty to sell lands for the discharge of the same, &c.: Resolved by this Assembly, that the said administrator sell so much of the real estate of the said deceased, taking the advice of the court of probate in New Haven, as to enable him to pay the aforesaid debts with the necessary charges arising thereon.

Upon the memorial of the proprietors of Kent, by their agent Mr. Timothy Hatch, praying for a patent of the said township: Resolved by this Assembly, that his Honour the Governor and the Secretary of this Colony be impowered, desired and directed, to execute a patent of said township now presented to this Assembly, as prayed for.

This Assembly grants to the Honourable Jonathan Law, Esq<sup>r</sup>, Governor, the sum of one hundred and thirty pounds new tenour, for the first half year's salary for the current year.

This Assembly grants to the Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, Deputy Governor, the sum of sixty-five pounds new tenour, for the first half year's salary for the year ensuing.

This Assembly grants Eliakim Palmer, Esq<sup>r</sup>, our Agent at Great Britain, the sum of three hundred pounds in old tenour bills of publick credit, for his salary for the current year.

This Assembly grants to John Whiting, Esq<sup>r</sup>, Treasurer of this Colony, the sum of thirty pounds new tenour bills of credit, for his first half year's salary for the current year.

This Assembly grants to George Wylls, Esq<sup>r</sup>, Secretary of the Colony, the sum of eight pounds new tenour bills of credit, for his salary the current year.

*Resolved by this Assembly*, That all such petitions, memorials, reports of committees, remonstrances, as by continuance or otherwise are found entered in the rolls of the business of this Assembly, be, and the same hereby are, continued to the sessions of this Assembly to be holden at New Haven in October next.

Whereas this Assembly is drawn out to such a length that all the members cannot conveniently attend to hear the records read: This Assembly appoints Nathaniel Stanly, William Pitkin, John Chester, Esq<sup>rs</sup>, Colo. Thomas Welles, Mr. Joseph Buckingham and Mr. Joseph Talcott, a committee to attend his Honour the Deputy Governor, at the Court House in Hartford, to hear the records of the doings of this Assembly read off, and then see them signed by the Secretary as perfect and compleat.

The several Acts, Grants and Orders of this Assembly, as they stand entered on the pages of this book next preceding, were read off in the presence of his Honour the Deputy Governor and the major part of the committee above named, and signed as compleat.

GEORGE WYLLYS, Secret'y.

[423] *Anno Regni Regis Georgii secundi vigessimo-primo.*

AT A GENERAL ASSEMBLY HOLDEN AT NEW HAVEN IN HIS MAJESTIES ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, ON THE SECOND THURSDAY OF OCTOBER, (BEING THE 8th DAY OF SAID MONTH,) AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE 29th DAY OF THE SAME MONTH, ANNOQUE DOMINI 1747.

*Present :*

The Honourable Jonathan Law, Esquire, Governor.

The Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, Deputy Governor.

James Wadsworth,	Roger Newton,	} Esq <sup>rs</sup> , <i>Assistants</i> .
Nathaniel Stanly,	Ebenezer Silliman,	
Samuel Lynde,	Jonathan Trumble,	
William Pitkin,	Andrew Burr,	
Thomas Fitch,	John Chester,	

*Representatives or Deputies that attended at the Assembly are as follow, (viz:)*

Mr. Joseph Buckingham, Colo. Joseph Pitkin, for Hartford.  
 Mr. Jeremiah Miller, Colo. Gurdon Saltonstall, for New London.  
 Mr. Eleazer Carey, Colo. Jabez Huntington, for Windham.  
 Capt. Joseph Phelps, Mr. Benjamin Skinner, for Hebron.  
 Mr. John Griswold, Mr. Richard Lord, for Lyme.  
 Capt. Thomas Tousey, Mr. John Northrup, for Newtown.  
 Capt. John Benedict, Mr. Daniel Benedict, for Danbury.  
 Mr. Joseph Denison, Mr. Jonas Prentiss, for Stonington.  
 Capt. Moses Fish, Mr. Luke Perkins, for Groton.  
 Capt. Moses Hawkins, Mr. Abel Gun, for Derby.  
 Capt. James Case, Mr. Andrew Robey, for Symsbury.  
 Capt. Charles Bulkley, Mr. John Day, for Colchester.  
 Colo. Elisha Williams, Colo. Elizur Goodrich, for Weathersfield.  
 Mr. Samuel Fitch, Mr. Elnathan Hanford, for Norwalk.  
 Capt. Jonathan Lane, Capt. Isaac Kelsey, for Killingsworth.  
 Capt. Isaac Dickerman, Capt. Samuel Sherman, for New Haven.  
 Capt. John Read, Mr. David Rowland, for Fairfield.  
 Colo. Hez<sup>h</sup> Huntington, Mr. Ebenezer Backus, for Norwich.  
 Colo. Benja. Hall, Mr. Gideon Ives, for Wallingford.

Mr. Thomas Hart, Mr. Timothy Porter, for Farmingtown.  
 Capt. John Fowler, Mr. Robert Treat, for Milford.  
 Colo. Thomas Welles, Capt. Jonathan Hale, for Glassenbury.  
 Mr. Caleb Martin, Mr. Benja. Heacox, for Woodberry.  
 Colo. Shubael Conant, Mr. William Johnson, for Mansfield.  
 Mr. Solomon Tracy, Capt. Gideon Cobb, for Canterbury.  
 Mr. Sam<sup>l</sup>. Morgan, Capt. Ebenezer Leonard, for Preston.  
 Mr. John Tulley, Mr. John Murdock, for Saybrook.  
 Capt. Nath<sup>l</sup>. Harrison, Mr. Jonath. Russell, for Branford.  
 Mr. Sam<sup>l</sup>. Canfield, Mr. Paul Welch, for New Milford.  
 Mr. Ebenezer Holbrook, Mr. Sam<sup>l</sup>. Sumner, for Pomfrett.  
 [424] Major Jabez Hamlin, Mr. Return Meiggs, for Middletown.  
 Capt. Nathan Camp, Capt. Abram Bartlett, for Durham.  
 Major Hez<sup>h</sup>. Sabin, Mr. Boaz Stearns, for Killingly.  
 Capt. Joseph Sandford, Capt. Thos. Harrison, for Litchfield.  
 Colo. Samuel Hill, Capt. Thomas Hotchkiss, for Guilford.  
 Mr. James Cone, for East Haddam.  
 Mr. Ebenezer West, Major Joseph Fowler, for Lebanon.  
 Capt. Robert Dixon, Capt. Thos. Kesson, for Voluntown.  
 Capt. Nath<sup>l</sup> Weed, Mr. Abram Davenport, for Stanford.  
 Capt. Pelatiah Allyn, Capt. John Elsworth, for Windsor.  
 Mr. James Benedict, Mr. Samuel Olmstead, for Ridgefield.  
 Capt. Israel Knapp, Mr. Ebenezer Mead, for Greenwich.  
 Mr. John Creerey, Mr. Benja. Wheeler, for Plainfield.  
 Mr. Phinehas Strong, Mr. Silas Long, for Coventry.  
 Capt. Nath<sup>l</sup>. Sutliet, for Haddam.  
 Capt. Theoph. Nickols, Capt. Robert Fairechild, for Stratford.  
 Capt. Timothy Hopkins, Mr. James Baldwin, for Waterbury.  
 Colo. Thomas Welles, Speaker, { of the House of Representatives.  
 Capt. John Fowler, Clerk. }

Several members of the Assembly who had not taken the oaths provided by act of Parliament, instead of the oaths of allegiance and supremacy, now took the said oaths, and likewise the oath of abjuration, and made the declaration against popery.

This Assembly do establish and confirm Mr. Timothy Hinman to be Lieutenant of the south company or trainband in the town of Woodberry, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Burley to be Lieutenant of the Troop of Horse in the 3d regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Philip Turner to be Cornet of the Troop of Horse in the 3d regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Abraham Brooks to [be] Captain of the 11th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Hubbard to be Lieutenant of the 11th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elijah Brainerd to be Ensign of the 11th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Dart to be Lieutenant of the 4th company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Simon Smith to be Ensign of the 4th company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Henry Glover to be Lieutenant of the first company or trainband in the town of Newtown, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Cadey to be Captain of the first company or trainband in the town of Killingly, and order that he be commissioned accordingly.

[425] This Assembly do establish and confirm Mr. Jonathan Camp to be Lieutenant of the Troop of Horse in the 9th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Deliverance Cleaveland to be Ensign of the second company or trainband in the town of Canterbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Warner to be Lieutenant of the first company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Abraham Post to be Ensign of the 10th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.



This Assembly do establish and confirm Mr. Thomas Seymour to be Captain of the company or trainband in the parish of Canaan, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Eliphalet Sealey to be Lieutenant of the company or trainband in the parish of Canaan, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Handford to be Ensign of the company or trainband in the parish of Canaan, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Israel Bunnell to be Captain of the company or trainband in the parish of West Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Kimberly to be Lieutenant of the company or trainband in the parish of West Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Japhet Benham to be Ensign of the company or trainband in the parish of West Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Amos Spafford to be Captain of the Troop of Horse in the 12th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Davenport to be Cornet of the Troop in the 12th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Dan Throop to be Lieutenant of the Troop of Horse in the 12th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Phelps to be Quarter-Master of the Troop of Horse in the 12th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Durkee, to be Lieutenant of the 5th company or trainband in the town of Woodberry, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ephraim Baker to be Ensign of the 5th company or trainband in the

town of Woodberry, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elisha Stoddard to be Captain of the 1st company or trainband in the town of Woodberry, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Burnham to be Lieutenant of the 1st company or trainband in the town of Woodberry, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Mathew Minor to be Ensign of the 1st company or trainband in the town of Woodberry, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Huntington to be Captain of the south company or trainband in the 1st society in Lebanon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Fitch to be Lieutenant of the south company or trainband in the 1st society in Lebanon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Garret Winegar to be Captain of the south company or trainband in the town of Sharon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jacob Bacon to be Ensign of the south company or trainband in the town of Sharon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas North to be Captain of the north company or trainband in the town of Sharon, and order that he be commissioned accordingly.

[426] This Assembly do establish and confirm Mr. Stephen Calkins to be Lieutenant of the north company or trainband in the town of Sharon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Sprague to be Ensign of the north company or trainband in the town of Sharon, and order that he be commissioned accordingly.

The Gentlemen that stand in Nomination for Election in May next, as sent in to this Assembly by the Freemen, are as follow :

The Hon<sup>ble</sup> Jonath. Law, Esqr,

The Hon<sup>ble</sup> Roger Wolcott, Esqr,

James Wadsworth, Esq <sup>r</sup> ,	John Bulkley, Esq <sup>r</sup> ,
Nath <sup>l</sup> Stanly, Esq <sup>r</sup> ,	Andrew Burr, Esq <sup>r</sup> ,
Timo. Pierce, Esq <sup>r</sup> ,	John Chester, Esq <sup>r</sup> ,
Sam <sup>l</sup> Lynde, Esq <sup>r</sup> ,	Hez <sup>h</sup> Huntington, Esq <sup>r</sup> ,
W <sup>m</sup> . Pitkin, Esq <sup>r</sup> ,	Colo. Gurdon Saltonstall,
Tho <sup>s</sup> Fitch, Esq <sup>r</sup> ,	Mr. John Griswold,
Roger Newton, Esq <sup>r</sup> ,	Colo. Elisha Williams,
Ebenezer Silliman, Esq <sup>r</sup> ,	Colo. Benjamin Hall,
Jonath. Trumble, Esq <sup>r</sup> ,	Capt. Roger Wolcott.

This Assembly do appoint Mr. Phinehas Strong to be a Justice of the Peace for the county of Windham till the first of June next.

Upon the memorial of the President and Fellows of Yale College: Ordered, that the sum of eighty-five pounds fourteen shillings and three pence, in bills of the new tenour, be allowed and paid out of the Colony treasury to the said president and fellows, for the first half of the current year, in lieu of what was granted them by this Assembly in May, 1745.

Upon the memorial of the parish of New Cambridge, by their agent Ebenezer Hamlin of said parish, shewing this Assembly that in May, 1745, there was a tax of six pence per acre on the lands in said parish granted by said Assembly, and Moses Lyman of said parish was appointed to collect the same, and said Lyman having removed out of said parish, and praying for some other person to be appointed to collect the remainder of said tax: Resolved by this Assembly, that Josiah Lewiss be appointed to collect the two last years tax of the tax aforesaid, in room of the said Moses Lyman.

Upon the memorial of the inhabitants of the parish of North Stratford in the town of Stratford, praying that a committee be appointed to repair to said society and view their circumstances and affix a place whereon said society may build a meeting-house for divine worship: Resolved by this Assembly, that Samuel Sherwood, Esq<sup>r</sup>, Mr. David Rowland and Mr. Nathaniel Farrand, be a committee to view the circumstances of said society, affix and ascertain the place on which said society may build a house for divine worship, and make report to the General Assembly in May next.

Upon the memorial of Elisha Andrews and Benoni House, executors to the last will and testament of Stephen Shipman, of Glassenbury, in the county of Hartford, deceased, shewing to this Assembly that the debts due from the estate of the said deceased Stephen Shipman surmount the moveable estate of the said deceased the sum of seventy-three pounds sixteen shillings and one penny old tenour, and praying this Assembly

to grant liberty to the said memorialists to sell so much of the lands of the said deceased as will pay the sum aforesaid and the charges arising thereon : This Assembly grants liberty to the memorialists aforesaid to sell so much of the lands of the said deceased Stephen Shipman as will pay the sum of £73 16s. 1d. old tenour, and the incident charges arising on the sale thereof, taking the advice of the court of probate in the district of Hartford therein.

An Act for the Stating the Toll of the Bridge over the Great River at New Milford, called the Toll Bridge.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That for the future the toll of said bridge for each team shall be one shilling and two pence ; for each man, horse and load, nine pence ; each single man, four pence ; and for each horse and each neat kind that shall be led or drove, four pence per head ; and for each sheep or swine, one penny per head ; all old tenour.

[427] An Act for raising the Fare of the Ferry at New London called New London Ferry.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That for the future the fare of said ferry shall be, for man, horse and load, eighteen pence ; for each single person, eight pence ; for each led horse, twelve pence ; for each ox, two shillings ; and for all other neat cattle, eighteen pence per head ; and for all sheep, hogs, or goats, two pence per head, and no more ; all to be paid in old tenour bills.

Upon the memorial of Ebenezer Lines of New Haven, shewing the difficulty he labours under on the account of having one of his arms broken, and praying for exemption of his head out of the list, &c. : Resolved by this Assembly, that the said Lines for the future have his head freed from being taxed in the publick list in this Colony accordingly.

Upon the memorial of Judith Yale, administratrix on the estate of Elihu Yale of Wallingford, deceased, shewing this Assembly that the debts due from the estate of the said deceased surmounts the moveable estate of said deceased the sum of £69 17s. 4d., and praying liberty to sell so much of the lands of the said deceased as to enable said administratrix to pay said sum with the charges arising thereon, &c. : Resolved by this Assembly, that the said administratrix have liberty to sell so much of the lands of the said deceased, taking the advice of the court of probate in New Haven, as to enable said administratrix to pay the said sum of £69 17s. 4d. with the necessary charges arising thereon.



Upon the memorial of Elizabeth Perkins, administratrix on the estate of Daniel Perkins late of New Haven, deceased, shewing to this Assembly that the debts, charges, &c., due from said estate surmount the moveable estate the sum of £71 5s. 2d., praying that she may be allowed and impowered to sell so much of the real estate of said deceased as to pay said sum and the charges arising thereon: Resolved by this Assembly, that, with the advice and direction of the court of probate in the district of New Haven, the said administratrix may and shall sell so much of the real estate of the said deceased as to pay said sum and the charges arising thereon, and give a deed of conveyance accordingly.

Upon the memorial of Daniel Latham, John Whitney, Jedediah Chester and Lancaster Gorton, preferred to this Assembly in May last, shewing to this Assembly that they had served this Colony on board the country sloop the year past, and had wages due to them, which Capt. Michael Burnham, captain of said sloop, had received, and for some reasons were withheld from them; thereupon praying this Assembly that they would order the said Capt. Burnham to pay them their respective wages, &c.; whereupon the Assembly did, in their sessions in May last, determine that the prayer of the said memorialists be granted as prayed for, and that a bill of form should be brought in accordingly: yet no bill in form being brought in to the Assembly at their sessions aforesaid: Whereupon it is now resolved by this Assembly, that the said Capt. Michael Burnham do forthwith pay to the memorialists abovenamed all the wages due to each of them respectively for their service on board the said country sloop.

On the memorial of the President and Fellows of Yale College in New Haven, praying this Assembly to give proper orders and directions for the disposal and improvement of the money to be raised in pursuance of an act of this Assembly made in May last for the building a new house for the entertainment of the students of said college: Resolved by this Assembly, that Capt. John Hubbard, Mr. Samuel Mix and Mr. Chauncey Whittelsey, be and are hereby directed to deliver unto the said president and fellows, or their order, all such money as shall be raised in pursuance of the act aforesaid, to be by them improved at their discretion for the building the house aforesaid.

This Assembly do establish and confirm Mr. Moses Atwater to be Ensign of the 1st company or trainband in the parish of New Cheshire, and order that he be commissioned accordingly.

On the petition of Joseph Hurlburt, of New London, *vs.* Gurdon Saltonstall, Esqr, &c., of New London, on file: The question was put, whether anything should be granted thereon: Resolved by this Assembly in the negative. *Cost allowed respondents £10 4s. 8d. old tenour. Ex. granted Oct. 22d, 1747.*

An Act in Addition to the Law entituled An Act for enlarging  
Goalers' Fees.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That for the future each goaler in the respective counties within this Colony shall be allowed four shillings new tenour per week for dieting each prisoner; any law, usage or custom to the contrary notwithstanding.

[428] This Assembly do order and direct Colo. John Whiting, Treasurer of this Colony, to attend the Assembly on Monday the 26th day of October instant, and bring with him a sufficiency of bills of credit in his hands to defray the charges of this Assembly.

Upon the representation and complaint of Benjamin Skinner, Joseph Phelps and John Gillett, agents for the first society in Hebron, shewing that in the night season next after the 15th day of October instant, was set on fire and burnt down to ashes the meeting-house for publick worship in said society, which they was then about to enlarge, and praying that the same place be affixed and ascertained for the building of another meeting-house in said society: Resolved by this Assembly, that the aforesaid place where said former meeting-house stood be affixed, and the same is hereby affixed and ascertained, to be the place for the building of a meeting-house for publick worship within and for said first society in said Hebron.

Upon the petition of Thomas Hill. of Fairfield in the county of Fairfield, *vs.* Robert Turney and Timothy Wheeler, of said Fairfield, proprietors of the common and undivided land in said Fairfield, and the rest of the proprietors of the said common and undivided land in said Fairfield, complaining of a judgment of the superior court held in Fairfield on the last Tuesday save one in August last, rendered against him in favour of said proprietors on a demurrer to the declaration in an action brought by the petitioner against the said proprietors for the partition of some of the said common and undivided lands, alledging that, or in the rendering said judgment manifest error hath intervened, and praying that the judgment of the said superior court may be reversed and set aside; and praying this Assembly to grant the petitioner a

new tryal of the aforesaid case at the superior court to be held at said Fairfield on the last Tuesday save one of February next, and that the whole cost follow the final judgment in said case: Resolved by this Assembly, that the aforesaid judgment of the superior court be reversed and set aside, and the same is hereby reversed and set aside accordingly; and liberty is hereby granted to the petitioner to have another tryal of the aforesaid action at the superior court to be held in Fairfield on the last Tuesday save one in February next, and that the whole cost in said action shall follow the final judgment that shall be rendered in said case.

Upon the petition of James Rogers, of New London, against Richard Durfey, of said New London, setting forth that the said Richard Durfey brought his action against the said Rogers, demanding £782 3s. 2d. by book, which came to a final tryal at the superior court held in Norwich in March last, at which tryal the said Rogers was not allowed to give his book in evidence with the charge of mariners' wages in it, whereby he was prevented of having credit for the greater part of his charge, and had the judgment rendered against him for the sum of £337 11s. 7d. debt, besides a large bill of cost; praying the Assembly to set aside the said judgment and appoint commissioners to examine and adjust their accounts, as by the petition on file appears; which petition was preferred to this Assembly in May last, and thereupon the said Assembly suspended said judgment of the superior court with all the doings thereon, and appointed Samuel Lynde, Esqr, and Messrs. Ebenezer Backus and Stephen Lee, to hear and examine the accounts between the parties, as well respecting mariners' wages as other articles, and make report to this Assembly in their present sessions: And whereas the said commissioners' report made to this Assembly has in this present sessions been set aside: This Assembly doth further suspend said judgment of the superior court, and all the doings thereon, and do appoint Colo. Hez<sup>h</sup> Huntington, Colo. Gurdon Saltonstall and Mr. Nathaniel Shaw, to hear and examine the accounts between the said Richard Durfey and James Rogers, as well respecting mariners' wages as other articles, and make report to this Assembly in May next what they shall find the just ballance of their accounts in favour of either party.

On the petition of Gideon Welman, &c., of Killingsworth, and Elias Shipman, of Saybrook, *vs.* Josiah Wilcox of Killingsworth, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this

Assembly in the negative. *Cost allowed respondent is £9 10s. 7½d. Ex. granted Jan'y 19th, 1747.*

[429] On the petition of Benjamin Barns, Jun<sup>r</sup>, and Lydia his wife, of Branford, *vs.* Samuel Hazzard, of the city and province of New York: The question was put, whether the pleas offered by the respondents in abatement of said petition are sufficient: Resolved by this Assembly in the affirmative.

The petition of Zachariah Frink, of Voluntown, *vs.* John Dixon, late of Voluntown now of Killingly, &c., and William Trumble and James Douglass, of Voluntown, proprietors of the common and undivided lands in Voluntown, and the rest of the proprietors of said common and undivided lands, being entered, &c., the same was withdrawn by the petitioners' attorney, Mr. Walker: thereupon the respondents exhibited a bill for their cost, which is allowed to be £13 6s. 4½d. money old tenour. *Ex. granted October 21st, 1747.*

This Assembly grants unto Timothy Green, printer, for his first half year's salary, the sum of eighteen pounds in bills of credit of the new tenour.

Upon the memorial of Nathaniel Tracey, Samuel Standish, Caleb Gates, Daniel Park, Daniel Gates, Samuel Tracey, Samuel Palmer, Thomas Standish, Thomas Gates, Joseph Freeman, James Freeman, Caleb Freeman, Daniel Tracey, jun<sup>r</sup>., Benjamin Brewster, and Joseph Tracey, all inhabitants of Norwich, in New London county, living on the easterly side of Norwich, (*viz.*) between the ancient reputed line and the true line as it is now settled between said Norwich and Preston, shewing that this Assembly at their sessions in Hartford, in May, 1735, did enact that the inhabitants living to the eastward of said ancient reputed line, or that had estates there, should pay their rates to said town of Preston until the line between said towns was otherwise settled, and that in obedience to said act they have ever since given in their lists and paid their rates to Preston until this present year, and that the dividing line between said towns was, in the beginning of May last, by committees from each of the said towns respectively appointed for that purpose, settled and established: but that the listers for the town of Norwich, the act of Assembly aforesaid notwithstanding, did, in the year 1746, fourfold the memorialists for all their estates lying to the eastward of said reputed line, the true line then not being any otherwise settled than at the time of making said act; and praying this Assembly to abate said fourfold assessment, and declare the doings of said listers thereon to be null and void: Where-



upon it is resolved by this Assembly, that the fourfold assessments aforesaid be set aside, and they are hereby made void, and that all the rates that are thereon made by any of Norwich aforesaid are abated, and that all officers yield obedience hereunto.

Upon the memorial of Joseph Weed, shewing that he was suspected to be guilty, with others, of helping, aiding and abetting in forging an order or orders on the Treasurer of this Colony, for which, on the 9th of May, 1747, before John Hubbard, Esqr., justice of the peace for New Haven county, he was recognized to appear before the superior court held in New Haven on the last Tuesday of August last, to answer for said crime or any other matter that should be charged against him in behalf of our Lord the King, and not depart without lycence, &c., and that being by accident prevented appearing before said court on the first day of the sessions, he and his sureties were called out, by which means the said recognizance is forfeited; and also shewing he moved on the second day of the court to be admitted to appear, but his motion was by said court denied; and thereupon praying for relief: Resolved by this Assembly, that the said Joseph Weed be admitted to appear before the superior court to be held in New Haven on the last Tuesday of February next, and submit himself to a tryal therein for the matters to which he was recognized to answer; and if he so submit himself and abide the judgment of the said court that shall be given against him for any of the matters aforesaid, that the said Weed shall be discharged from said recognizance, but on failure therein it shall remain in force against the recognizers, this provision notwithstanding.

This Assembly grants to Colo. Joseph Pitkin, of Hartford, the sole privilege of slitting iron within this Colony for the term of fourteen years from the sessions of this Assembly, and that a patent be executed in due form, to secure the said privilege to him and such others as he shall desire to be named with him therein: with this proviso only, that he shall certify this Assembly in May next that he hath began to provide to build a slitting mill, and that the same be set on work within two years from the present sessions of this Assembly, and kept going as occasion shall be to the end of the said term.

[430] *Resolved*, That Jonathan Trumble, John Chester, Esqrs, Colo. Thomas Welles and Colo. Joseph Pitkin, be and they are hereby appointed Auditors of the publick accounts of the Colony with the Treasurer some time before the sessions of this Assembly in May next, and to do what shall be

needful to render the accounts distinct and clear, and prepare an account of the bills of publick credit of this Colony that are now outstanding.

An Act for advancing and stating the Fare of the Ferry called Keeny's Ferry passing over Connecticut River from Hartford to Weathersfield.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the fare of said ferry for the future shall be twelve pence old tenour for man, horse and load, and six pence for a single person or single horse.

The Sums Total of the Lists of Estate of the several Towns in this Colony hereafter mentioned, sent in to this Assembly and accepted, are as follow, viz:

	£	s.	d.		£	s.	d.
Hartford,	35989	14	0	New Haven,	50136	18	8 $\frac{1}{4}$
New London,	30981	12	6	Fairfield,	45973	9	0
Windham,	22256	16	3	Windsor,	34139	9	3
Symsbury,	14084	14	0	Ridgefield,	9148	1	4
Killingly,	19017	15	0	East Haddam,	16683	18	0
Stonington,	26572	4	6	Coventry,	13878	11	0
Haddam,	10518	5	6	Canterbury,	13690	0	3
Woodberry,	23609	2	9	Colchester,	23526	19	0
Voluntown,	8074	15	0	Hebron,	14541	18	0
Guilford,	33378	5	9	Danbury,	14593	6	5 $\frac{1}{2}$
Pomfrett,	14516	18	0	Mansfield,	13807	0	3
Groton,	19946	6	6	Durham,	10546	7	0
Tolland,	7478	19	0	New Milford,	11102	1	8
Killingsworth,	13948	18	5	Wallingford,	38135	16	3
Plainfield,	10853	4	0	Norwich,	48109	7	1
Glassenbury,	12005	3	6	Saybrook,	18209	10	0
Litchfield,	9145	15	6	Farmington,	34518	17	7
Preston,	17939	8	6	Newtown,	11358	5	9
Milford,	28819	9	9	Stanford,	26002	6	8
Ashford,	9340	7	0	Stratford,	34625	1	2
Lyne,	22667	14	0	Waterbury,	13790	18	0
Greenwich,	18011	15	0	Lebanon,	33362	6	1
Weathersfield,	25881	10	0	Brandford,	22385	2	0
Norwalk,	32086	19	7	Derby,	10123	8	9
Midletown,	43416	19	0				

Upon the representation of Capt. John Riggs, shewing to this Assembly that one Jeremiah Weyman was apprehended by order of authority on suspicion of counterfeiting bills of publick credit, and thereupon committed to the goal in New Haven, and was afterwards delivered to an officer to be transported to New York in order to a tryal, and that Samuel Weed was apprehended at Waterbury, and from thence conveyed to New Haven, for which services no allowance hath

hitherto been made: Resolved by this Assembly, that Ebenezer Silliman, Esq<sup>r</sup>, and Colo. Benja. Hall be a committee to examine and adjust the accounts with respect to their being apprehended and committed as aforesaid, and make a reasonable allowance to the several persons concerned therein, and draw an order on the Treasurer of this Colony accordingly.

Upon the memorial of the inhabitants of the second society in Lebanon, praying for a committee to ascertain and fix a place to build a meeting-house upon in said society: Resolved, that Mr. John Phelps, of Hebron, Mr. Joseph Strong, of Coventry, and Mr. Zephaniah Swift, of Lebanon, be a committee, and they are hereby appointed a committee to repair to the said second society in Lebanon, view their circumstances, hear all parties, and affix and ascertain a place for said society to build a meeting-house upon for the publick worship of God, and make report to this Assembly in May next.

[431] Upon the memorial of Thomas Curtiss, Thomas Marshal and Ebenezer Lyman jun<sup>r</sup>., selectmen of the town of Torrington, shewing that said town having voted to erect, and actually erected, a frame for a meeting[-house] at a place legally fixed and ascertained, of the dimensions of thirty foot square and eighteen foot between joyns, and also appointed Messrs. William Grant, Isaac Higley and Noah Wilson, to carry on the building and finishing said house, and granted a tax accordingly to defray the charge thereof, yet did soon after dismiss said committee, vote to cut down, and did cut down, said frame to the height of but eight foot between joyns, appointed a second committee, &c.; and praying a new appointment of said Higley and Wilson, together with Jacob Strong of said town, a committee, instructing them to erect, carry on and finish said house according to its original dimensions, &c.: Resolved by this Assembly, that said second committee as aforesaid appointed proceed no further to act in the affair to which they were appointed, and that the said Isaac Higley, Noah Wilson and Jacob Strong be, and they hereby are appointed to be, a committee to erect, carry on and finish said meeting-house at the said place according to the original dimensions thereof, at the proper cost and charge of the inhabitants of said town; who are also hereby directed with all convenient speed to convene, and grant and levy a tax on the said inhabitants to that purpose; and that the clerk of said town keep account of said disbursements, and certify according to law; and that the memorialists for and in behalf of said town recover of the said Thomas Stoughton, John Cook, Joel Thrall and Aaron Loomis, (as the persons chiefly

concerned in said disorderly action,) their cost, which is taxed and allowed to be £21 6s. 5d. old tenour money. *Ex. granted, December 8th, 1748.*

Upon the memorial of Jasper Starr, John Holt, John Slater and others, representing that they were in the Colony's service on board the sloop Defence in the expedition against Cape Breton in the year 1745, and was joyned with his Majesties fleet during the siege at Louisbourg, and for some considerable time afterwards, during which sundry captures were made by said fleet; that the part and share of said captures and prizes belonging to the company on board said sloop Defence, (exclusive of the captain's share,) was by the captain of said sloop, *viz*: Capt. John Prentiss of New London, since deceased, sold to Mr. William Bowdoin of Boston, for the sum of five thousand pounds, and that the said Prentiss had received the said sum of Mr. Bowdoin in behalf of said company, and that neither the said Prentiss in his life time, nor his executors, *viz*: Mr. Jonath. Prentiss and Mrs. Sarah Prentiss, nor either of them, since his death, had ever paid out to them their proportions and just share in said £5000; and praying this Assembly would order and appoint some proper persons to act as a court of chancery in said affair, &c.: Resolved by this Assembly, that Samuel Lynde, Esqr, Mr. Jeremiah Miller, Colo. Christopher Avery, and Mr. John Ledyard, or any three of them, be appointed, and they are hereby appointed and impowered, as a court of equity, to take knowledge of all those persons that were imployed on board said sloop in said expedition and their legal representatives, and at the suit of any or either of them, after due notice thereof to the said executors given by the parties that shall put in his claim for his part of said £5000, at such time and place as said commissioners shall appoint they, said commissioners, shall hear the parties thereon, make up judgment and award execution in favour of such person or persons that shall make out their equitable claim and right in said £5000, according to his or their just proportion thereof, against the estate of the said John Prentiss in the hands of said executors.

Upon the petition of Thomas Elmor and Joseph Rockwell, of Windsor, representing that they brought their action against William Moll, of the island of Barbadoes, before the county court held at Hartford in and for the county of Hartford on the first Tuesday of November, A.D. 1745, demanding the sum of two thousand pounds money, said to be due to them by book as they were traders in company; also representing that they had charged the said Moll in debt in their



book for nineteen cask of tobacco at thirty shillings Barbadoes money per hundred; that the said action did finally come to the superior court held at said Hartford in September last, when the same was committed to auditors; that the said auditors did entirely reject the said article of the nineteen cask of tobacco out of their consideration as not being a proper article of book account, whereby the petitioners were much aggrieved; and praying that the judgment of the said superior court consequent thereupon be set aside, and that they may have a new tryal of said action at the superior court to be held at said Hartford in March next, &c. : Resolved by this Assembly, that the aforesaid judgment of the said superior court in September last be, and it is hereby, set aside, and the petitioners have liberty of another tryal in said cause at the superior court to be held at said Hartford in March next, and the petitioners' book may be given in evidence in said tryal; and that the whole cost follow the final judgment.

[432] Upon the memorial of John Clark, John Penfield, and others of the 3d society in Middletown, praying this Assembly to set aside the report of a committee appointed by the General Assembly in May last to affix the place whereon to build a meeting-house in said society, and to appoint another committee to view the circumstances of said society and state a place whereon to build a meeting house: Resolved by this Assembly, that the report of said committee be set aside and another committee granted as prayed for; and this Assembly do appoint Major Elihu Chauncey, Mr. Nathan Camp and Capt. Abraham Bartlett, all of Durham, to be a committee to repair to said society, and notify all parties concerned, and view their circumstances, and affix a place whereon to build a meeting-house, and make report to this Assembly in May next.

This Assembly do establish and confirm Mr. Robert Geer to be Captain of the 4th company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Stanton to be Lieutenant of the 4th company or trainband in the town of Groton, and order that he be commissioned accordingly.

*Resolved by this Assembly,* That the publick Seal of this Colony be altered and changed from the form of an oval to that of a circle, and that the same shall have cut and engraved upon it the same inscription, motto and device, that are on the present seal, with a correction of such mistakes as happened in the spelling and letters in the inscription and motto of the present seal; and the Secretary of this Colony is

directed to procure such alteration at the cost of this Colony as soon as conveniently may be.\*

This Assembly grants to Thomas Fitch, Esq<sup>r</sup>, the sum of one hundred pounds old tenour, in part of pay for his service in revising the laws of this Colony.

Upon the memorial of Obadiah Dunham, Aaron Wright and others, living in the northwest part of the town of Hebron, shewing to this Assembly that they live so remote from the place of publick worship in the first society in said Hebron, where they belong, that it is very inconvenient to attend publick worship in said first society ; also shewing the willingness of said first society that they be set off ; and they praying also to be set off and made a distinct ecclesiastical society, and that a committee be appointed to view their circumstances to that end, &c. : Resolved by this Assembly, that Capt. James Church, Capt. Thos. Pitkin and Capt. Jonath. Hills, be a committee to repair to the said town of Hebron, first notifying all parties, and to view the circumstances of the said first society in Hebron and the circumstances of the memorialists, and ascertain the line between the memorialists and the first society in Hebron, if they think reasonable the memorialists should be set off as aforesaid ; and they are to report their opinion to this Assembly at their sessions in May next upon the whole.

Upon the petition of Jonathan Westover, of Symsbury, representing that Samuel Welles, Esq<sup>r</sup>, of Boston, bro't his action against him to the county court held at Hartford in the county of Hartford on the first Tuesday of November last, on a bond, demanding two hundred pounds lawful money of the Province of the Massachusetts Bay, which action came finally to the adjourned county court held at said Hartford the last Tuesday of January last, and was there tryed on the plea *non est factum*, and judgment thereon against the petitioners rendered ; also representing that one Samuel Smith had imposed upon him, by misreading said bond when he executed the same, and also that he, the petitioner, had missed his plea in said tryal ; and praying that the said judgment of the said county court in said action at the said January court should be set aside, and that he may have liberty of another tryal in said case, &c. : Resolved by this Assembly, that the aforesaid judgment of the said county court in January last be reversed, and it is hereby reversed and set aside, and the petitioner is

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\* Nothing appears to have been done under this resolution. The word *Connecticensis* appeared in the legend around the seal, instead of *Connecticutensis*, as at present.

allowed another tryal in said action at the county court to be held at said Hartford on the first Tuesday of November next, and he is allowed to alter or amend his plea in said action, as he shall see fit ; and in case that the petitioner shall finally obtain in said action, the said county court shall make up judgment for him to recover against the said Wells all that sum which the said Westover hath paid on the judgment aforesaid, the former cost excepted, and the future cost shall follow the final judgment that shall be rendered in said case.

[433] On the memorial of Donald Grant, of Newtown, shewing to this Assembly that in the month of October last he received of Samuel Sherman, of said Newtown, a counterfeit bill of credit of twenty shillings new tenour of this Colony, and being certified that it was a counterfeit, he purchased a writ whereby the said Sherman was arrested and committed to Fairfield goal, and being let to bail by the sheriff upon bond of £300 lawful money, came back to Newtown and voluntarily confessed what he knew in the whole affair of counterfeiting and uttering false bills, and engaged in the prosecution thereof, by means whereof several persons have been convicted of counterfeiting bills of credit and uttering the same, and also of counterfeiting draughts on the Colony treasury ; and that after said prosecution, said Sherman neglected to appear at the superior court to which he was bound, and thereby forfeited his bond ; and praying that his, the said Grant's, costs, which together with the loss of said bill amounts to near the sum of £20, also the premium allowed by law for the prosecution, may be granted him out of the Colony treasury : Resolved by this Assembly, that the superior court, at their next sessions in Fairfield, chancer the bond of said Sherman down to such a sum as shall be sufficient to answer all charges arising on said Sherman's prosecution and the premium allowed by law therefor, and that they make a reasonable allowance to said Grant out of the same.

Upon the memorial of Cornelius Knowles, of Middletown, praying this Assembly to grant the fare of the ferry to him over Connecticut River, where it was granted to Mr. Jonathan Yeomans in Middletown at Middle-Haddam society : Resolved by this Assembly, that the place aforesaid be and is hereby granted to the said Knowles, his heirs, &c., during the pleasure of this Assembly, and that the fare thereof be fourteen pence for a man, horse and his load, and six pence for a single person, and for each single horse nine pence ; all old tenour ; any law, usage or custom to the contrary notwithstanding.

Upon the memorial of Ebenezer Leach, agent for the soci-

ety of Andover, praying for a committee to state the place for building a meeting-house in said society: Resolved by this Assembly, that Capt. John Bissell, Zebulon West, Esq<sup>r</sup>, and Deacon Jonathan Strong, be a committee to repair to the said society of Andover, first notifying all parties, and view their circumstances, and to affix and ascertain a place for the building a meeting-house for publick worship in said society, and make their report to this Assembly in May next.

Upon the memorial of Temperance Stone and Josiah Stone, of Litchfield, executors of the last will and testament of Josiah Stone late of said Litchfield, deceased, representing that the debts of the said deceased Josiah exceed the personal estate of the said deceased the sum of £575 3s. 2d., praying this Assembly to enact that so much of the lands of the said deceased might be sold by some proper and meet persons as should be sufficient to answer the said sum, as by the memorial on file appears: This Assembly do grant and enact, that the said Temperance Stone and Josiah Stone, the memorialists, with the advice of the judge of probate in the district of Litchfield, have power, and they are hereby authorized to sell so much of the real estate of the said deceased as shall be sufficient to defray and answer the sum of £575 3s. 2d. of the debts due from the estate of the said deceased Josiah Stone.

Upon the memorial of Philip Pond and Abigail Pond, administrators on the estate of Josiah Pond late of Branford, deceased, shewing that the debts and charges arising upon the estate of said deceased surmounts the moveable part of said estate the sum of £134 18s. 2d., and praying that they may have liberty to sell so much of the real estate of said deceased as to pay the said sum, &c.: Resolved by this Assembly, that the aforesaid administrators be, and they are hereby, fully empowered and authorized to sell so much of the real estate of said deceased as will pay the aforesaid sum of £134 18s. 2d. and charges arising thereon, taking the direction and advice of the court of probate for the district of Guilford therein.

*Resolved by this Assembly,* That William Pitkin, Ebenezer Silliman, Jonathan Trumble, Gurdon Saltonstall, Esq<sup>rs</sup>, be a committee, and they are hereby appointed a committee, to procure, prepare and draw up an account of the expence of the cloathing, arms, accoutrements, bounty, and all other expences which this Colony have been at in pursuance of his Majesties orders, signified to us by his Grace the Duke of Newcastle, on account of the expedition against Canada, from the time of the levying of the troops until the date of such



accounts, and therein make proper distinctions between the several articles of expence; and when done, to lay the same before the Governor, in order for their being properly vouched for allowance.

[434] This Assembly appoints Colo. Elisha Williams to wait on their Excellencies Governor Shirley and Governor Knowles, with the accounts of the expence of this Colony incurred on account of the Canada expedition, as soon as his Honour the Governor shall have got them prepared and well avouched to be laid before their Excellencies. And the said Colo. Williams is directed to attend, if it shall appear to him needful, until those accounts shall be adjusted and liquidated by their Excellencies, as far as that may be obtained, and to endeavour to forward and promote the allowance of the whole.

Upon the memorial of sundry inhabitants of the second society in Norwich, representing the broken and unsettled circumstances of said society and the unhappy divisions subsisting therein; also shewing that the said society, at their meeting on the 13th day of instant October, declared they, under their unhappy circumstances, did not choose to hold Mr. Henry Wills as their minister, and that at the same time also they declared that they as a society did differ or dissent from Saybrook Platform of Church Discipline, as the church in said society had done; and further representing their fears that, in consequence of said votes and declarations, the said society would soon attempt to shut the said Mr. Wills out of the pulpit there, by which means they apprehend great disorders would necessarily follow; and thereupon praying the interposition of this Court: And whereas, although the state and circumstances of said society and the reasons for giving a judgment respecting the same cannot fully be known and understood without the contending parties be heard on the matters of difference, yet, least greater confusion and disorder should happen before a full hearing and determination can be had: It is resolved by this Assembly, that the said society be, and they are hereby, forbid to offer any force or violence to the said Mr. Wills, in order to dispossess him of his pulpit, or in any way or manner to resist and disturb him, but are hereby ordered to permit him to abide in and perform his function there till the rising of this Assembly in May next, unless the said Mr. Wills be orderly dismissed from his service there before that time. And all persons are directed to conform to this order, on penalty of incurring the displeasure of this Assembly.

On the petition of John Banister, of New-Port, and Samuel Banister, of Stoningtown, and William Bowen and Frances his wife, (in her right,) of Boston, &c., *vs.* Moses Fish, of Voluntown, as on file: The question was put, whether the pleas offered in abatement of this petition by the respondent are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allow'd respondent £16 1s. 1½d. old tenour. Ex. granted Nov. 13th, 1747.*

Upon the petition of John Palmer and Samuel Palmer, both of Windsor, to this Assembly in their sessions at Hartford in May, 1745, preferred, representing that one Daniel Filley, of said Windsor, before the county court held at Hartford in November, 1745, obtained a judgment against them, together with one Jacob Phelps of said Windsor, for the sum of £500 money and £21 17s. 2d. for cost, on an action brought on a note for that sum; that said note was an escroll, given only to hold the said Palmers and Phelps severally to fulfil and perform what they should be awarded severally to do by certain arbitrators, to whom sundry controversies had been by them and the said Filley submitted; that they, the petitioners and said Phelps, had performed everything by said arbitrators awarded to be by them severally done, save only their not discharging one certain bond on which an action had been commenced and depending in the county of Hampshire, or the not ceasing to prosecute said action; that said failure was only by and on the part of the said Jacob Phelps alone, they, the said petitioners, having failed in no point; that they, the said petitioners, have accordingly done or occasioned no damage to the said Filley, and thereupon praying appointment of a committee to enquire of the said Filley's damage; a committee, as prayed for, was at said Assembly in May, 1746, appointed who, not able to undertake such enquiry, &c., and other committee being appointed, to this Assembly in their sessions in May last gave in their report in the premises, *viz:* That the said suit prosecuted in Hampshire county was prosecuted to final judgment by said Jacob Phelps only, as he was administrator on the estate of one [435] Raymond, the plaintiff in said action, and that said Palmers, the petitioners, were not concerned in said suit or the judgment thereon rendered; that if anything be due in equity to said Filley on account of damage sustained by said recovery or through the not discharging the same, the same is due only from said Jacob Phelps; that the said judgment by said Filley obtained against the said Phelps and the petitioners hath been in part carried into execution, and that said

John Palmer, by an execution thereon issued, hath been compelled to pay, and hath paid, to said Filley the sum of £49 19s. 0d. money, which they judge not to have been due and in equity payable from said Palmer, as per said petition and report on file appears: which report being at said Assembly in May last referred to the consideration of this Assembly, and now, on hearing the parties on said report, and consideration thereof had: Resolved, that the said report be accepted, and this Assembly doth accept of and approve the same; and that nothing appears to have been justly due and payable from the petitioners to said Filley on said judgment obtained at Hartford; and doth thereupon further resolve, that the said John Palmer may, at any time within twelve months from the rising of this Assembly, bring his action against the said Jacob Phelps at any stated or adjourned county court to be holden at said Hartford, for the sum of £49 19s. 0d., and on proof of his having paid said sum as aforesaid, and giving this resolve in evidence, shall recover and have judgment to have and recover such sum of said Phelps, unless on such tryal it be made to appear that said John Palmer hath, or in any point, failed to perform that which by the said award it was his duty severally and by himself to do; and that no appeal in said action be allowed; and that execution on said judgment, at said Hartford for £500 rendered as aforesaid, be no further levied on the petitioners, or either of them or their estates; and that the petitioners now have and recover of the said Filley their cost, which is £40 14s. 9d. *Ex. granted, November 14th, 1747, for the abovesaid cost.*

Whereas the inhabitants of the towns or plantations of Woodstock, Suffield, Endfield and Summers, by their memorial to this Assembly have represented and shewed that the said towns are situate within the bounds of the royal charter granted to this Colony, and that by the settlement of the dividing line between this Colony and the Province of the Massachusetts Bay, made by commissioners from each government in the year of our Lord one thousand seven hundred and thirteen, it was agreed the said towns should be and remain under the jurisdiction of the government of the said Province, although it hath appeared by the running of the said dividing line that the said towns are within the limits of this Colony; which determination the memorialists alledge was made without their consent, and that by means thereof they have been and still are deprived of their rights and privileges to which they are justly intituled by the said charter; and thereupon complain they are aggrieved; that having suggested these

matters to the respective Assemblies of the Massachusetts Bay and this Colony for relief, have as yet been unsuccessful in their endeavours for a redress, have now repeated their petition to this Assembly for relief in the premises; praying that (as they humbly conceive they have a just right to the privileges and liberties of this government, the said agreement notwithstanding,) so this Assembly would acknowledge them to be in this Colony, and allow them the liberties and privileges thereof; and this Assembly being desirous to prevent all controversies between the said Province and this Colony respecting the said towns, and that justice and right may be done to the inhabitants thereof in the matters aforesaid: Thereupon it is resolved by this Assembly, that Jonathan Trumble, John Bulkley, Esq<sup>rs</sup>, and Capt. Roger Wolcott, or any two of them, be appointed, and they are hereby appointed to be, Commissioners in behalf of this Colony to meet with such commissioners as shall be appointed on the part of the said Province, to hear the inhabitants of the said towns or plantations on the matters of their complaint, and report to the respective governments what they shall apprehend right to be done, that so this affair may be amicably settled, and justice may therein be done to his Majesties subjects. And the General Court of the said Province are desired to joyn herein. And his Honour the Governor is desired to transmit to his Excellency Governor Shirley a copy of this resolve, and request him to lay the same before the Assembly of the said Province for their consideration; and also to commission the persons hereby appointed, when it shall be needful for the purpose aforesaid.

*Resolved by this Assembly, That the Colony sloop Defence shall forthwith be, by the present commander thereof, delivered into the hands of Colo. Gurdon Saltonstall, who is hereby directed to strip her of her sails and rigging liable to suffer, [436] and house them, and lay her up in || some convenient place within the harbour of New London until the next spring, and then, in case the war should continue, to be, by the direction of his Honour the Governor, in the most frugal manner refitted for and improved in the defence and protection of our coast as heretofore. And, in case a peace should in the interim ensue, that then Colo. Gurdon Saltonstall, Messrs. Jeremiah Miller and John Ledyard, be a committee to equip said sloop and provide and put in her some suitable cargo, at the cost and on the account and risque of this Colony, and send her to such place in the West Indies where there shall be a prospect of the best market, to be with her cargo sold and disposed of for the benefit of this Colony.*



Upon the memorial of John Richards, of New London, complaining of great loss sustained in consequence of a purchase made by the said John Richards and one Richard Douglass late of New London, deceased, of some lands formerly Wait Winthrop's, and giving bond to the town of New London on account of such purchase; and praying for help and relief under his difficulties occasioned thereby: Resolved by this Assembly, that the memorialist have granted, and this Assembly do hereby grant to him, three hundred pounds old tenour bills of credit, to be paid out of the publick treasury; and the Treasurer is hereby ordered to pay the same accordingly.

Upon the memorial of Samuel Scott, of Waterbury, shewing this Assembly that he had done service as an officer and expended money in service of this Colony, in bringing to justice counterfeiters and forgers, &c.: Granted by this Assembly to the said Samuel Scott out of the publick treasury of this Colony the sum of thirty-one pounds thirteen shillings old tenour, for the service aforesaid.

*Resolved by this Assembly*, That Nathaniel Stanly, Esqr, of Hartford in the county of Hartford, be, and he is hereby, fully authorized and impowered to require, receive and secure all that can be had of the arms and accoutrements of the officers and souldiers raised for the late intended expedition against Canada, belonging to the companies under the command of Colo. Elisha Williams, Lt. Colo. Samuel Talcott and Capt. James Church, who are hereby directed to deliver such arms and accoutrements of their respective companies to the said Nathaniel Stanly, Esqr, taking two receipts for them of like tenour and date, one of which they are respectively desired to deliver into the office of the Secretary of this Colony. And the said officers are desired to deliver the said arms and accoutrements at such place as may be with most conveniency to them and least expence to the Colony to carry them to the place where the same shall be lodged, and to deliver to the said Nathaniel Stanly, Esqr, an account of such arms and accoutrements as are withheld or imbezzeled, with the name of the person withholding, and the price of the arms, &c. And it is further resolved, that the said Nathaniel Stanly, Esqr, do take care of and keep clean and in good order all the arms and accoutrements received as aforesaid, and attend such orders and directions as shall be given him by this Assembly.

*Resolved by this Assembly*, That Nathaniel Stanly, Esqr, of Hartford in the county of Hartford, be, and he is hereby, impowered to require, receive and secure for the use of the

Colony, the ammunition which was prepared for the companies under the command of Colo. Elisha Williams, Lt. Colo. Samuel Talcott and Capt. James Church, who are hereby directed to deliver the same to him, taking his receipt therefor.

*Resolved by this Assembly,* That Mr. Aaron Day, of New Haven in the county of New Haven, be, and he is hereby, fully authorized and impowered to require, receive and secure, all that can be had of the arms and accoutrements of the officers and souldiers raised for the late intended expedition against Canada belonging to the company under the command of Capt. Elihu Hall, who is hereby directed to deliver such arms and accoutrements of his company to the said Mr. Aaron Day, taking two receipts for them of like tenour and date, one of which said Capt. Hall is desired to deliver into the office of the Secretary of this Colony. And the said Capt. Hall is desired to deliver the said arms and accoutrements at such place as may be with most conveniency to him and least expence to this Colony to carry them to the place where the same shall be lodged, and to deliver to the said Mr. Day an account of such [437] arms and accoutrements || as are withheld or imbezzeled, with the name of the person withholding and the price of the arms, &c. And it is further resolved, that the said Mr. Day do take care of and keep clean and in good order, all the arms and accoutrements received as aforesaid, and attend such orders and directions as shall be given him by this Assembly.

*Resolved by this Assembly,* That Mr. Aaron Day, of New Haven, be, and he is hereby, impowered to require, receive and secure for the use of the Colony, the ammunition that was prepared for the company under the command of Capt. Elihu Hall, who is hereby directed to deliver the same to him, taking his receipt therefor.

*Resolved by this Assembly,* That Mr. Jabez Huntington, of Norwich in the county of New London, be, and he is hereby, fully authorized and impowered to require, receive and secure all that can be had of the arms and accoutrements of the officers and souldiers raised for the late intended expedition against Canada, belonging to the companies under the command of Major Israel Huit and Capt. Robert Denison, who are hereby directed to deliver such arms and accoutrements of their respective companies to the said Mr. Jabez Huntington. taking two receipts for them of like tenour and date, one of which they are respectively desired to deliver into the office of the Secretary of this Colony. And the said officers are desired to deliver the said arms and accoutrements at

such place as may be with most conveniency to them and least expence to the Colony to carry them to the place where the same shall be lodged, and to deliver to the said Mr. Jabez Huntington an account of such arms and accoutrements as are withheld or imbezzeled, with the name of the person withholding and the price of the arms &c. And it is further resolved, that the said Mr. Jabez Huntington do take care of and keep clean and in good order all the arms and accoutrements received as aforesaid, and attend such orders and directions as shall be given him by this Assembly.

*Resolved by this Assembly,* That Mr. Jabez Huntington, of Norwich in the county of New London, be, and he is hereby, impowered to require, receive and secure for the use of the Colony, the ammunition which was prepared for the companies under the command of Major Israel Huit and Capt. Robert Denison, who are hereby directed to deliver the same to him, taking his receipt therefor.

*Resolved by this Assembly,* That Andrew Burr, Esqr, of Fairfield, be, and he is hereby, authorized and impowered to require, receive and secure all that can be had of the arms and accoutrements of the officers and souldiers raised for the late intended expedition against Canada, belonging to the companies under the command of Capt. Josiah Starr and Capt. Joseph Worster, who are hereby directed to deliver such arms and accoutrements of their respective companies to the said Andrew Burr, Esqr, taking two receipts for them of like tenour and date, one of which they are respectively desired to deliver into the office of the Secretary of this Colony. And the said officers are desired to deliver the said arms and accoutrements at such place as may be with most conveniency to them and least expence to this Colony to carry them to the place where the same shall be lodged, and to deliver to the said Andrew Burr, Esqr, an account of such arms and accoutrements as are withheld or imbezzeled, with the name of the person withholding and the price of the arms, &c. And it is further resolved, that the said Andrew Burr, Esqr, do take care of and keep clean and in good order all the arms and accoutrements received as aforesaid, and attend such orders and directions as shall be given him by this Assembly.

*Resolved by this Assembly,* That Andrew Burr, Esqr, of Fairfield, be, and he is hereby impowered to require, receive and secure for the use of the Colony, the ammunition which was prepared for the companies under the command of Capt.

Josiah Starr and Capt. Joseph Worster, who are hereby directed to deliver the same to him, taking his receipt.

*Resolved by this Assembly,* That Jonathan Trumble, Esqr, of Lebanon in the county of Windham, be, and he is hereby, fully authorized and impowered to require, receive and secure all that can be had of the arms and accoutrements of the officers and souldiers raised for the late intended expedition against Canada, belonging to the companies under the command of Capt. William Whiting and Capt. Benjamin Lee, who are hereby directed to deliver such arms and accoutrements of their respective companies to the said Jonathan [438] Trumble, Esqr, taking two receipts for them || of like tenour and date, one of which they are respectively desired to deliver into the office of the Secretary of this Colony. And the said officers are desired to deliver the said arms and accoutrements at such place as may be with most conveniency to them and least expence to this Colony to carry them to the place where the same shall be lodged, and to deliver to the said Jonathan Trumble, Esqr, an account of such arms and accoutrements as are withheld or imbezzelled, with the name of the person withholding and the price of the arms, &c. And it is further resolved, that the said Jonathan Trumble, Esqr, do take care of and keep clean and in good order all the arms and accoutrements received as aforesaid, and attend such orders and directions as shall be given him by this Assembly.

*Resolved by this Assembly,* That Jonathan Trumble, Esqr, of Lebanon, be, and he is hereby, impowered to require and receive, and secure for the use of the Colony, the ammunition which was prepared for the companies under the command of Capt. William Whiting and Capt. Benjamin Lee, who are hereby directed to deliver the same to him, taking his receipt therefor.

[Here follows the resolution upon the petition of Jonathan Westover, in the same words as it had been before recorded on page [432] and is printed on page 334.]

Upon the memorial of Samuel Bowles, late of Durham, shewing to this Assembly that, on the request and at the desire of James Fitch, and with advice of the chief officers of this government and Massachusetts at Cape Breton, he, said Fitch, came home from Cape Breton with Boston forces, and he, said Bowles, tarried with the forces of this Colony and did not arrive with them until about two month after said Fitch; praying for pay for the time he was in the service of this Colony after said Fitch's return: Resolved by this Assembly, that the said Bowles be paid out of the publick treasury



the sum of twenty pounds old tenour, and the Treasurer of the Colony is hereby ordered to pay said sum to said Bowles or his order.

Upon the prayer of the Rev<sup>d</sup> Mr. John Norton, late of Farmington and more late a chaplain at Fort Massachusetts, shewing he was taken and carried into captivity and has suffered great loss and damage, and at present is much deprived of the means of living, and praying for the compassionate consideration of this Assembly towards him in his low estate: This Assembly grants to the said Mr. John Norton the sum of one hundred pounds bills of credit of the old tenour, and the Treasurer is hereby ordered to pay him the same out of the Colony treasury accordingly.\*

His Honour the Governor having laid before this Assembly an agreement come into by the Commissioners from the governments of the Massachusetts Bay, New York and Connecticut, bearing date at the city of New York on the twenty-eighth day of September last, signed by the said Commissioners; and having recommended the said agreement to the consideration of this Assembly for their acceptance and ratification; which agreement contains divers articles concerted for the carrying [439] on the war || against the common enemy, and for the defence of the British Colonies on the continent in North America; which agreement having been duly weighed and considered: It is now resolved by this Assembly, that the said agreement be, and the same is hereby, accepted, approved of and ratified on the part and behalf of this government, so far as this Colony is concerned therein. Provided nevertheless, that this acceptance, approbation and ratification, shall be of force for the establishment of those articles only in said agreement which shall be accepted, approved and ratified, also by the legislatures of both of the aforesaid governments of the Massachusetts Bay and New York; anything in the above resolve notwithstanding.†

This Assembly appoint the Honourable Roger Wolcott, Esqr, and Benjamin Hall, Esqr, a committee to meet with such committee or committees as shall be appointed by the

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\* Mr. Norton published, in 1748, a pamphlet under the title of *The Redeemed Captive, being a narrative of the taking and carrying into captivity the Reverend Mr. John Norton, when Fort Massachusetts surrendered to a large body of French and Indians, August 20th, 1746*. Copies are rare, but it has been re-printed in the appendix to S. G. Drake's *Particular History of the Five Years French and Indian War*. Boston, 1870.

† The agreement is printed in the *Journal of the Legislative Council of New York*. Vol. 2, pp. 984-7. Albany, 1861. No copy remains in our archives.

other governments to meet at Midletown in this Colony on the 11th day of December next, or as soon after as may be, in order to determine and ascertain the several particulars necessary to be provided at the common charge of the governments for the carrying on the proposed expedition against Crown Point Fort; and also to agree what particular sorts or species of the said particulars each government shall undertake to provide, pursuant to the agreement of the Commissioners, made at New York, dated the 28th day of September last. And the committee hereby appointed are directed to endeavour to get the best information they can of what particulars may be necessary to be provided for the purpose aforesaid, and which of them this government can most easily supply. And when those matters shall by them be ascertained and determined, as aforesaid, the account thereof to be laid before his Honour the Governor.

*Resolved by this Assembly*, That the Committee of War in the county of Hartford be impowered, and they are hereby impowered and directed, from time to time as occasion shall require, to send such a number of men into the county of Hampshire to scout or keep garrison there as they shall think necessary, and to draw them off again as they shall think best.

*Ordered*, That the Treasurer of this Colony pay out of the publick treasury unto Tho<sup>s</sup> Fitch, Esqr, the sum of £102 0s. 0d. old tenour, and to Colo. Benja. Hall the sum of £83 9s. 9d., for their service &c. in attending the late congress at New York as Commissioners from this Colony.

This Assembly grants a tax on all the polls and rateable estate in this Colony on the list of the current year, of two pence on the pound in bills of credit of this Colony new tenour, at the proportion of three shillings and six pence old tenour for one shilling new tenour, or in good silver at eight shillings per ounce troy weight sterling alloy, or gold equivalent.

An Act for repealing Part of the Law entituled An Act for the better supporting the Currency of the Bills of Publick Credit on this Colony, made and passed in May last.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same*, That the last paragraph of the said act be repealed, and the same is hereby repealed and made void accordingly.

This Assembly grants to the Honourable Jonathan Law, Esqr, Governor, the sum of one hundred and thirty pounds new tenour bills of credit, for his last half year's salary.

This Assembly grants to the Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, Deputy Governor, for his last half year's salary, the sum of sixty-five pounds new tenour.

Upon the petition of Jane Shepard, of Hartford, *vs.* Zebulon Shepard, of said Hartford, shewing that in a suit depending in the superior court at Hartford on the first Tuesday of September last, between the petitioner, plaintiff, and the said Zebulon, defendant, the petitioner by mere mistake was nonsuited, and thereupon that judgment was rendered against said Jane in favour of said Zebulon on the said nonsuit for cost; and thereupon praying the said judgment may be reversed, and that she may have liberty to enter the said action anew and proceed to tryal therein, as per her petition on file: Resolved by this Assembly, that the said judgment of the superior court given for cost against the petitioner on the aforesaid nonsuit be reversed and set aside, and the same is hereby reversed and set aside with the proceedings thereon; and liberty is hereby granted to the petitioner to enter and revive the said action in the superior court to be held in Hartford on the first Tuesday of March next, and therein to proceed as though the said nonsuit had not happened; and the whole cost shall go according to the final judgment that shall be rendered in said case.

Whereas this Assembly hath been drawn out to such a length that all the members thereof cannot stay to hear the acts and orders thereof read off: This Assembly do appoint Nath<sup>l</sup> Stanly, Will<sup>m</sup> Pitkin and John Chester, Esq<sup>rs</sup>, Colo. Joseph Pitkin, Mr. Jos. Buckingham, Colo. Elisha Williams and Colo. Elizur Goodrich, to be a committee to attend upon the Deputy Governor at the State House, to hear the acts and orders of this Assembly read off and signed by the Secretary as perfect and compleat.

The whole record of the Acts and Orders of this Assembly, as it stands entered on the pages of this book next preceding, was read off in the presence of the major part of the committee abovenamed, and signed as compleat.

GEORGE WYLLYS, Secret'y.

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[440] AT A GENERAL ASSEMBLY HOLDEN AT HARTFORD IN THE COUNTY OF HARTFORD IN HIS MAJESTIES ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, ON THE SECOND THURSDAY OF MAY, (BEING THE 12TH DAY OF SAID MONTH,) AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE 3D DAY OF JUNE FOLLOWING, ANNO REGNI REGIS GEORGHII SECUNDI MAGNÆ BRITANNIÆ, &C., VIGESSIMO-PRIMO, ANNOQUE DOMINI 1748.

*Present :*

The Honourable Jonathan Law, Esq<sup>r</sup>, Governor.

The Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, Deputy Governor.

James Wadsworth,	} Esq <sup>rs</sup> ,	Ebenzer Sillman,	} Esq <sup>rs</sup> , As-	
Nathaniel Stanly,		Jonathan Trumble,		sistants.
Samuel Lynde,		John Bulkley,		
William Pitkin,		Andrew Burr,		
Thomas Fitch,		John Chester,		
Roger Newton,				

*Representatives or Deputies that attended at this Assembly are as follow, (viz :)*

Mr. Joseph Buckingham, Colo. Joseph Pitkin, for Hartford.  
Colo. Gurdon Saltonstall, Mr. Jeremiah Miller, for New London.

Capt. Eliezer Carey, Mr. Jonath. Huntington, for Windham.  
Colo. Elizur Goodrich, Capt. Jonath. Belden, for Weathersfield.  
Colo. Jonathan Hoit, Mr. Abraham Davenport, for Stanford.  
Capt. John Fowler, Capt. Nathan Baldwin, for Milford.  
Mr. Justus Bush, Capt. Israel Knapp, for Greenwich.  
Colo. Benja. Hall, Mr. Gideon Ives, for Wallingford.  
Mr. Joseph Wittar, Mr. Nath<sup>l</sup>. Brown, for Preston.  
Colo. Thomas Welles, Capt. Jonathan Hale, for Glassenbury.  
Mr. Phinehas Strong, Mr. Joseph Strong, for Coventry.  
Capt. Robert Dixon, Mr. Tho's Kesson, for Voluntown.  
Capt. Jonathan Lane, Capt. Isaac Kelsey, for Killingworth.  
Mr. Solomon Tracy, Mr. Stephen Frost, for Canterbury.  
Mr. John Crerey, Capt. Thomas Stephens, for Plainfield.  
Capt. Isaac Dickerman, Capt. Samuel Sherman, for New Haven.

Mr. Thaddeus Burr, Capt. John Burr, for Fairfield.  
Colo. Hez<sup>h</sup>. Huntington, Mr. Ebenezer Backus, for Norwich.  
Mr. Ebenezer West, Major Joseph Fowler, for Lebanon.  
Capt. Asahel Strong, Capt. Wm. Burnham, for Farmingtown.  
Colo. Shubael Conant, Mr. William Johnson, for Mansfield.  
Capt. Robert Walker, Mr. Elnathan Wheeler, for Stratford.  
Capt. Charles Bulkley, Mr. John Day, for Colchester.



Mr. Ambrose Whittelsey, Capt. Jedadiah Chapman, for Saybrook.

Mr. John Griswold, Mr. Richard Lord, for Lyme.

Major Ebenezer Marsh, Capt. John Bird, for Litchfield.

Mr. Samuel Fitch, Mr. Elnathan Hanford, for Norwalk.

Mr. John Williams, Mr. Ebenezer Holbrook, for Pomfrett.

Mr. James Bicknal, Mr. Wm. Wadkins, for Ashford.

Colo. Hez<sup>b</sup>. Sabin, Mr. Boaz Stearns, for Killingly.

[441] Major Jabez Hamlin, Mr. Seth Wetmore, for Middletown.

Mr. John Ledyard, Capt. Robert Allen, for Groton.

Colo. John Williams, Capt. Rufus Minor, for Stonington.

Mr. Caleb Martin, Mr. Benja. Hecock, for Woodberry.

Mr. James Benedict, Mr. Samuel Olmstead, for Ridgfield.

Capt. Thos. Tousey, Mr. Henry Glover, for Newtown.

Capt. Nath<sup>l</sup>. Sutlief, for Haddam.

Mr. Joseph Phelps, Mr. Benjamin Skinner, for Hebron.

Colo. Samuel Hill, Capt. Timothy Stone, for Guilford.

Capt. Nath<sup>l</sup>. Holcomb, Capt. James Case, for Symsbury.

Mr. Samuel Canfield, Mr. Paul Welch, for New Milford.

Capt. Timothy Hopkins, Mr. James Baldwin, for Waterbury.

Capt. Moses Hawkins, Mr. Abel Gun, for Derby.

Capt. Nath<sup>l</sup>. Harrison, Mr. Jonath. Russell, for Brandford.

Capt. James Bebee, Mr. Thomas Benedict, for Danbury.

Mr. James Cone, for East Haddam.

Mr. Nathan Camp, Mr. James Wadsworth, for Durham.

Capt. Pelatiah Allyn, Mr. Mathew Rockwell, for Windsor.

Colo. Thomas Welles, Speaker, } of the House of Representatives.  
 Capt. John Fowler, Clerk, }

This day being appointed by the royal charter and the laws of this Colony for the election of the publick officers of the Colony, (*viz*.) Governor, Deputy Governor, Assistants, Treasurer, and Secretary, proclamation was made, and the freeman proceeded to give in their votes to persons appointed by the Governor, Council and Representatives, to receive, sort and count them; which persons were, Nathaniel Stanly, Samuel Lynde, William Pitkin Thomas Fitch, Ebenezer Silliman, John Bulkley, Andrew Burr, John Chester, Esq<sup>rs</sup>, Mr. Joseph Buckingham, Major Jabez Hamlin, Capt. Nathan Baldwin, Mr. James Wadsworth, Mr. Richard Lord, Mr. John Ledyard, Colo. Jonathan Hoit, Mr. Elnathan Wheeler, Capt. Eliezer Carey, and Major Joseph Fowler, who were all sworn to a faithful discharge of that trust. And the freemen's votes being brought in, sorted and counted,

The Honourable Jonathan Law, Esq<sup>r</sup>, was chosen Governor

of this Colony for the year ensuing, and the Governor's oath prescribed by the law of this Colony, and the oath required by act of Parliament, relating to trade and navigation, were administered to him by his Honour the Deputy Governor in presence of the Assembly.

James Wadsworth, Esq<sup>r</sup>,

Nathaniel Stanly, Esq<sup>r</sup>,

Samuel Lynde, Esq<sup>r</sup>,

William Pitkin, Esq<sup>r</sup>,

Thomas Fitch, Esq<sup>r</sup>,

Roger Newton, Esq<sup>r</sup>,

Ebenezer Silliman, Esq<sup>r</sup>,

Jonathan Trumble, Esq<sup>r</sup>,

Hezekiah Huntington, Esq<sup>r</sup>,

John Bulkley, Esq<sup>r</sup>,

Andrew Burr, Esq<sup>r</sup>,

John Chester, Esq<sup>r</sup>,

were chosen Assistants for the year ensuing, and the Assistant's oath provided by law was administered to them by his Honour the Governor.

John Whiting, Esq<sup>r</sup>, was chosen Treasurer of this Colony for the year ensuing, and had the Treasurer's oath provided by law administered to him by his Honour the Governor.

George Wyllys was chosen Secretary of this Colony for the year ensuing, and had the Secretary's oath provided by law administered to him by his Honour the Governor, in the presence of the Assembly.

[442] The several members of this Assembly who had not taken the oaths provided by act of Parliament instead of the oaths of allegiance and supremacy, now took the said oaths, and likewise the oath of abjuration, and made the declaration against popery.

*Ordered*, That Hezekiah Huntington, Esq<sup>r</sup>, and Colo. John Williams return the thanks of this Assembly to the Rev<sup>d</sup>. Mr. Nathaniel Eells, for his sermon delivered on the 12th day of May instant before the Assembly, and desire a copy thereof that it may be printed.

This Assembly do appoint the Honourable Roger Wolcott, Esq<sup>r</sup>, to be Chief Judge of the Superior Courts in this Colony for the year ensuing.

This Assembly do appoint James Wadsworth, Esq<sup>r</sup>, William Pitkin, Esq<sup>r</sup>, Ebenezer Silliman, Esq<sup>r</sup>, and John Bulkley, Esq<sup>r</sup>, to be Judges of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint William Pitkin, Esq<sup>r</sup>, to be Judge of the County Courts in the county of Hartford the year ensuing.

This Assembly do appoint Roger Newton, Esq<sup>r</sup>, to be Judge of the County Courts in the county of New Haven the year ensuing.

This Assembly do appoint Samuel Lynde, Esqr, to be Judge of the County Courts in the county of New London the year ensuing.

This Assembly do appoint Andrew Burr, Esqr, to be Judge of the County Courts in the county of Fairfield the year ensuing.

This Assembly do appoint Jonathan Trumble, Esqr, to be Judge of the County Courts in the county of Windham the year ensuing.

This Assembly do appoint Joseph Buckingham, Esqr, to be Judge of the Court of Probate in and for the district of Hartford the year ensuing.

This Assembly do appoint John Bulkley, Esqr, to be Judge of the Court of Probate in and for the district of East Haddam the year ensuing.

This Assembly do appoint Ebenezer Marsh, Esqr, to be Judge of the Court of Probate in the district of Litchfield the year ensuing.

This Assembly do appoint John Hubbard, Esqr, to be Judge of the Court of Probate in the district of New Haven the year ensuing.

This Assembly do appoint Samuel Hill, Esqr, to be Judge of the Court of Probate in the district of Guilford the year ensuing.

This Assembly do appoint John Richards, Esqr, to be Judge of the Court of Probate in the district of New London the year ensuing.

This Assembly do appoint Ebenezer Silliman, Esqr, to be Judge of the Court of Probate in the district of Fairfield the year ensuing.

This Assembly do appoint Joseph Minor, Esqr, to be Judge of the Court of Probate in the district of Woodberry the year ensuing.

This Assembly do appoint Jonathan Hoit, Esqr, to be Judge of the Court of Probate in the district of Standford the year ensuing.

This Assembly do appoint Thomas Benedict, Esqr, to be Judge of the Court of Probate in the district of Danbury the year ensuing.

This Assembly do appoint Jonathan Trumble, Esqr, to be Judge of the Court of Probate in the district of Windham the year ensuing.

This Assembly do appoint John Crerey, Esqr, to be Judge

of the Court of Probate in the district of Plainfield the year ensuing.

This Assembly do appoint Thomas Welles, Henry Allyn, Jabez Hamlin and Joseph Buckingham, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Hartford the year ensuing.

[443] This Assembly do appoint Joseph Pitkin, George Wyllys, Joseph Talcott, David Goodrich, Edward Bulkley, Elizur Goodrich, Roger Wolcott jun<sup>r</sup>, William Wolcott jun<sup>r</sup>, Daniel Bissell, William Wadsworth, Thomas Hart, Asahel Strong, Tho<sup>s</sup>. Hart 2d, Giles Hall, Joseph White, Seth Wetmore, Thomas Johnson, Hezekiah Brainerd, Stephen Horsmer jun<sup>r</sup>, John Humphrey, Joseph Wilcoxson 2d, Jonathan Hale, Nathaniel Foot, Epaphras Lord, Charles Bulkley, Benja. Skinner, Joseph Phelps, Ebenezer Marsh, Joseph Bird, Thomas Pitkin, Zebulon West, Sam<sup>l</sup>. Dimmock, Isaac Kellogg, Cyprian Webster, Timothy Hatch, George Holloway, Ebenezer Lyman, John Beach, David Whitney, Thomas Addams, Daniel Edwards, David Hubbard, and Joseph Hooker, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Hartford the year ensuing.

This Assembly do appoint Samuel Hill, Benjamin Hall, John Fowler and John Hubbard, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of New Haven the year ensuing.

This Assembly do appoint Robert Treat, Nathan Baldwin, Isaac Dickerman, John Hitchcock, Deodate Davenport, Samuel Sherman, John Russell, Jonathan Russell, Nathaniel Harrison, Andrew Ward, Thomas Hotchkins, Samuel Hopson, Timothy Stone, Elihu Chauncey, Theophilus Yale, Samuel Hall, Elihu Hall, Ezekiel Royce, John Southmaid, Thomas Clark, Thomas Mathews, John Riggs, Samuel Bassett, Samuel Riggs, Timothy Russell, Samuel Canfield, Nathaniel Bostwick, Samuel Hutchinson, John Williams, Thomas Chipman, Sam<sup>l</sup>. Sacket, John Prout, and Paul Welch, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of New Haven the year ensuing.

This Assembly do appoint John Griswold, Christopher Avery jun<sup>r</sup>, Richard Lord, Isaac Huntington and Jeremiah Miller, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of New London the year ensuing.

This Assembly do appoint Simeon Minor, Joseph Denison, Nathan Cheesbrough, John Whiting, Humphrey Avery, Jedediah Tracy, Samuel Morgan, Nathaniel Brown, John Ledyard,



Luke Perkins, Joshua Hempstead, John Richards, Gurdon Saltonstall, Daniel Coit, Joshua Raymond, Stephen Lee, Jabez Hide, Samuel Lothrop, Ebenezer Backus, Daniel Huntington, Daniel Ely, Elisha Sheldon, Benja. Lee, Jedadiah Chapman, Nathaniel Clark, John Tulley, Ambrose Whittelsey, Abraham Pierson, Isaac Kelsey, Benjamin Gale, Elnathan Stephens, Samuel Coit, Samuel Prentiss, Nathan Smith, Wm. Williams, Abraham Waterhouse junr, Esqrs, to be Justices of the Peace in and for the county of New London the year ensuing.

This Assembly do appoint Edmund Lewiss, John Thompson, Jonathan Hoit, William Preston, Esqrs, to be Justices of the Peace and Quorum in and for the county of Fairfield the year ensuing.

This Assembly do appoint Joseph Minor, Noah Hinman, Joseph Blackleach, Samuel Addams, Robert Walker, Theophilus Nickols, William Burr, Thomas Tousey, Job Sherman, Thaddeus Burr, John Read, Samuel Sherwood, Moses Dimon junr, James Bebee, Thomas Benedict, Samuel Grigory, James Benedict, Richard Olmstead, Samuel Handford, James Lockwood, Samuel Fitch, Samuel Betts, Jonathan Maltbie, Nathaniel Peck, Ebenezer Mead, Israel Knapp, Ephraim Hubbell, Hezekiah Hooker, Samuel Olmstead, Esqrs, to be Justices of the Peace in and for the county of Fairfield the year ensuing.

This Assembly do appoint Ebenezer West, Shubael Conant and John Dyer, Esqrs, to be Justices of the Peace and Quorum in and for the county of Windham the year ensuing.

This Assembly do appoint Jonathan Huntington, John Crerey, Thomas Storrs, Joseph Leavinze, Joseph Fowler, Joseph Cadey, Nathaniel Huntington, Thomas Tiffany, James Bicknal, Nathaniel Wales, Ebenezer Wales, Eliphalet Dyer, Joseph Clark, Joseph Palmer, Phinehas Strong, Ebenezer Holbrook, John Smith junr, Samuel Danielson, William Metcalf, William Marsh, Joseph Strong junr, and Joseph Holland, Esqrs, to be Justices of the Peace in and for the county of Windham the year ensuing.

An Act in further Addition to an Act entituled An Act for Highways.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That if any person obliged by law to work in highways, and be thereunto lawfully warned, shall refuse or neglect to attend such service according to the warning given, he shall forfeit for every days neglect the sum of five shillings new tenour, and ten shillings of the same tenour for a man and team, which forfeitures shall be recovered and improved as in said act is provided.

*And it is further enacted*, That the several surveyors of high-  
[444] ways in this Colony shall be liable to render an account ||  
of the improvement of all such forfeitures as shall by them be  
recovered to the assistant or justice who granted out a distress  
for the same, within twenty days after the recovery of such  
forfeiture ; and if it appear to such assistant or justice that  
any such surveyor hath neglected to improve such money ac-  
cording to the direction of said act, that then, in such case,  
such assistant or justice are hereby authorized and impowered  
to grant a distress against the goods or chattels of such sur-  
veyor for collecting such sum or sums as shall be found not  
to be improved as aforesaid, and the same to be delivered to  
the treasurer of the town where such distress is made.

An Act in Addition to an Act entituled An Act for directing Fence-View-  
ers what Fence shall be accounted sufficient.

Whereas disputes have arisen in many parts of this Colony,  
whether stone wall four feet high shall be adjudged good and  
sufficient fence : Which to prevent,

*Be it enacted by the Governor, Council and Representatives,  
in General Court assembled, and by the authority of the same,*  
That all stone wall, four feet high, well and substantially  
erected, shall be adjudged good and sufficient fence.

An Act for reviving and further continuing an Act entituled An Act  
for regulating of Fees, made in May last.

Whereas said act was made to continue for the space of one  
year only, which is now expired,

*Be it therefore enacted by the Governor, Council and Represen-  
tatives, in General Court assembled, and by the authority of  
the same,* That said act be revived, and the same in all the  
parts and paragraphs thereof is hereby revived and made  
of full force till the rising of this Assembly in May next.

An Act for stating the Fare of Smith's Ferry at Glassenbury across  
Connecticut River.

*Be it enacted by the Governor, Council and Representatives,  
in General Court assembled, and by the authority of the same,*  
That the fare of said ferry for the future shall be one shilling  
for man, horse and load ; for single man, six pence, and for  
single horse, nine pence ; all old tenour.

This Assembly doth impower and order Capt. Titus Hurl-  
burt to inlist twenty effective men, in equal proportion out of  
the two military companies in the town plot in New London,  
to attend at the battery in said New London, there to be exer-  
cised in the best manner to qualify them so as to improve said  
battery to the best defence of that port and place and the most  
effectual repelling any aggressor ; which company is ordered  
at all times, at half an hour's warning, to be in readiness to  
attend on every emergency, and particularly to appear and

attend two days in a month, from the first of June to the first of November, and do duty, for which two days they shall be allowed souldier's wages, and are to be under the same regulation with other military companies, and shall be exempt from all duty in the companies from which they were detached, during the time of said five months.

*Resolved by this Assembly,* That Titus Hurlburt, captain of the battery at New London, be allowed the sum of forty pounds old tenour, for his last years service in the capacity aforesaid, to be paid out of the publick treasury.

Whereas Capt. Michael Burnham, commander of the Colony sloop Defence, hath represented to this Assembly that he hath lately taken a French snow, (supposing her to be lawful prize,) and hath bro't her into the port of New London: This Assembly do thereupon constitute, appoint and fully impower, Thos. Fitch, Esqr, to be Agent for this government, to pursue all lawful and proper methods in order to a tryal and condemnation of said snow and cargo, and do everything necessary and proper to be done by this government while the said affair may be depending, and to take into his care and make disposition, if he thinks fit, of all such share or interest in said snow and cargo as may be adjudged to belong to this government.

[445] *Resolved by this Assembly,* That the wages for officers and souldiers in the service of this Colony shall be as followeth, (*viz* :)

To a captain, per week, (old tenour bills,)	-	£6	16s.	6d.
To a lieutenant, do., - - - - -	-	5	12	0
To an ensign and cornet, - - - - -	-	4	9	3
To a sergeant and corporal of troop, - - - - -	-	3	18	9
To a clerk, - - - - -	-	3	8	3
To a corporal of foot company, - - - - -	-	3	5	8
To a centinel, - - - - -	-	3	3	0

And all persons that shall victual any officer or souldier in their march in the Colony service (when thereto required) shall be allowed three shillings per meal, and for boarding them by the week shall be allowed twenty-four shillings per week.

Whereas John Fowler and Samuel Bassett, Esqrs, who were appointed by this Assembly in May last to make sale of the estate of Samuel Weed, the whole of whose estate was forfeited to this government on his, the said Weed's, being convicted before the superior court of counterfeiting bills of publick credit on this Colony, have informed this Assembly that they, the said Fowler and Bassett, have now in their hands

sundry bonds and notes for money given by sundry persons to said Weed, which amount to upwards of four hundred pounds, and thereupon praying for direction in the premises : Whereupon it is resolved, that as things in action as well as other estate of the said Weed are forfeited and belong to this government by the law in such cases provided, the said bonds and notes shall be sued and the money thereby due demanded in the name of the Governor and Company of this Colony ; and the said John Fowler and Samuel Bassett, and each of them, are hereby impowered and appointed, in the name of the Governor and Company of this Colony, to sue for, recover and receive, all such sum and sums of money as are due by such bonds or notes given by any person or persons to the said Weed, that are or shall come into the hands or possession of the said Fowler and Bassett, or either of them, and upon receipt thereof full discharge and acquittance to give. And they are hereby directed, upon the receipt of said money, to pay the same into the Colony treasury, taking the Treasurer's receipt for the same, and lodge such receipt with the Secretary of this Colony.

This Assembly do nominate and appoint Capt. William Chandler, of Killingly, to be Surveyor of Lands in and for the county of Windham.

This Assembly do nominate and appoint Mr. Edmund Freeman, of Mansfield, to be Surveyor of Lands in and for the county of Windham.

Whereas this Assembly, at their sessions in October last, did, upon the memorial of Jasper Starr and others, appoint Messrs. Samuel Lynde, Jeremiah Miller, Christopher Avery and John Ledyard, or any three of them, as a court of equity, to take knowledge of all those persons that were imployed on board the country sloop in the expedition against Cape Breton, and their legal representatives, and at the suit of any or either of them, (after due notice thereof to the executors of Capt. Prentiss being given by the parties that shall put in his claim to any part of the five thousand pounds for which the prizes taken in said expedition were sold,) to hear the parties and award execution ; and the said commissioners have made report that sundry difficulties have hitherto obstructed their proceedings : 'Tis now resolved by this Assembly, that the said commissioners have power, and they are hereby impowered, to appoint a clerk, if need be, and swear him, and to tax costs as they shall find just and reasonable ; and execution by them awarded shall be levyed by any officer as executions in all other cases are ; and the commissioners shall be allowed



ten shillings *per diem* new tenour, to be paid them by the persons calling them to said service.

This Assembly orders the Treasurer to pay out of the publick treasury to Capt. Titus Hurlburt the sum of seventy-eight pounds six shillings and ten pence old tenour, for the cost of a new flag by him provided for the fort which he commands in New London.

[446] The Additions to the Lists of Estate of the several Towns in this Government hereafter mentioned, sent in to this Assembly, are as follow, (viz:)

	<i>Single Additions.</i>			<i>Fourfold Assessments.</i>		
	£	s.	d.	£	s.	d.
To New London,	453	2	0	-	-	1793 0 0
To Preston,	549	2	6	-	-	-
To Greenwich,	1397	2	0	-	-	-
To Lebanon,	1449	18	0	-	-	-
To Newtown,	295	4	0	-	-	-
To Mansfield,	106	16	0	-	-	-
To Farmington,	848	13	9	-	-	1683 0 0
To Weathersfield,	443	15	6	-	-	-
To Hartford,	907	2	6	-	-	3136 10 0
To Fairfield,	1375	8	9	-	-	-
To Windham,	936	13	0	-	-	-
To Lyme,	419	0	0	-	-	53 12 0
To Stonington,	974	7	0	-	-	8075 18 0
To Norwich,	123	16	9	-	-	559 7 2
To Guilford,				-	-	462 0 0
To Norwalk,	1789	7	1½	-	-	223 12 0
To New Haven,	352	5	0	-	-	1352 0 0
To Wallingford,	821	11	3	-	-	-
To Woodberry,	860	10	0	-	-	-
To Voluntown,	66	4	0	-	-	526 0 0
To Hebron,	1476	17	0	-	-	-
To Stanford,	668	9	9	-	-	197 0 0
To Killingsworth,	557	10	7	-	-	-
To East Haddam,	668	11	0	-	-	-
To Stratford,	3926	6	5	-	-	-
To Canterbury,	140	7	0	-	-	216 0 0
To Coventry,	56	8	0	-	-	-
To Tolland,	48	0	0	-	-	-
To Danberry,	119	19	0	-	-	-
To Haddam,	153	10	0	-	-	-
To Windsor,	2260	3	0	-	-	-
To Saybrook,	1012	18	0	-	-	81 0 0
To Ridgfield,	60	10	0	-	-	32 0 0
To Derby,	574	18	6	-	-	-
To Ashford,	274	12	6	-	-	-

	<i>Single Additions.</i>			<i>Fourfold Assessments.</i>		
	£	s.	d.	£	s.	d.
To New Milford,	7	4	0	-	-	-
To Pomfrett,	579	0	0	-	-	-
To Plainfield,	450	16	0	-	-	-
To Groton,	354	13	0	-	-	409 4 0
To Glassenbury,	148	0	0	-	-	-
To Middletown,	1659	5	0	-	-	-
To Symsbury,	1684	11	0	-	-	-
To Colchester,	1702	13	6	-	-	-
To Killingly,	33	0	0	-	-	-

Upon the petition of Nathaniel Johnson, of Guilford in the county of New Haven, *vs.* Charles Caldwell, of said Guilford, representing to this Assembly that Joseph Tumery, late of said Guilford now deceased, in his life time, for the consideration of thirty-one pounds money which said Tumery owed to the said Caldwell, made and executed his deed of about eighty acres of land in said Guilford, and bounded as in said deed is set forth, dated the first day of April, 1734, and that the said Caldwell gave his bond of two hundred and sixty pounds to the said Tumery for the reconveyance of said lands upon the said Tumery's paying to the said Caldwell the said sum of thirty-one pounds by the first day of September next after the date of said deed, and that the said Tumery had paid said sum on or about that time, and having made his last will and testament dated the 8th day of September, 1743, and therein and thereby gave [447] and devised to the said Johnson all his estate and made || him sole executor, died a souldier at Louisbourg about the 29th day of January, 1745; praying this Assembly to order a conveyance of said lands to the petitioner, or so much money as the said land is worth, as by the petition on file appears: It is granted, enacted and ordered by this Assembly, that the said Charles Caldwell, within two months from this time, make and execute to the said Nathaniel Johnson a good, ample and compleat deed of said eighty acres of land for the said Johnson's holding the same in fee, or, on failure thereof, to pay unto the said Nathaniel Johnson the sum of two hundred and sixty pounds old tenour bills of credit, for which the Secretary is hereby directed to grant execution in case said deed is not made and executed according to the provision in this act made. *Cost allowed said Johnson vs. the said Caldwell, £7 5s. 4½d. new tenour bills. Ex. granted for the said £260 0s. 0d. and cost, Oct. 6th, 1748.*

Upon the petition of James Rogers of New London, living on the Great Neck in said town, son of James Rogers late deceased, which deceased James was son of Joseph Rogers late

deceased, representing that Philip Tabor of said New London, before the superior court held at Norwich in March last against him obtained a final judgment, and execution thereon issued and executed for surrendry of seizin and possession of about fourteen acres of land in New London Great Neck, &c., and that he had at said tryal been disappointed of some evidence he had taken due care then to improve, and has also since found new evidence then unknown of, and thereupon praying reversal of said final judgment and liberty of a new tryal, &c.: Resolved by this Assembly, that the said final judgment and execution, with all the doings thereon, be reversed and set aside, and that the petitioner be allowed another tryal of said case at the superior court to be held at New London in September next, and that in case he shall recover final judgment in said action, he shall at the same time have judgment to have and recover back from said Tabor all such cost and damage as by virtue of said execution he hath been compelled to pay, and be also rescized of the said lands by said execution taken from him, and also that all the cost shall follow such final judgment.

Upon the petition of James Rogers the 3d, of New London, complaining of a judgment of the county court holden at Norwich on the fourth Tuesday of November last past, given by said court in a cause depending between said Rogers and Pardon Tabor of said New London by a writ dated the 26th day of June, A. D. 1747, wherein the said Rogers set forth that the said Pardon Tabor secretly assaulted the said Rogers, as by said writ appears; praying for relief against the judgment aforesaid, for the reasons assigned: Resolved by this Assembly, that the aforesaid judgment be set aside, and that the petitioner have liberty to enter his action at the county court to be holden at New London on the 2d Tuesday of June next, and to amend his process and prosecute the same to a final issue in the law, and that the whole cost follow the final judgment thereon.

Upon the memorial of Nathaniel Harrison, Joseph Frisbee, Nathaniel Johnson and others, inhabitants of the first parish in Brandford, setting forth the unhappy and divided state of the inhabitants in said society, and that altho there hath been means used for the uniting and settling said parish in peace and order, as well among themselves as with their minister, Mr. Philemon Robbins, yet all endeavors have proved ineffectual: This Assembly do therefore now recommend it to the inhabitants of said society to call in for their help and to advise them, the Rev<sup>d</sup>. Messrs. Eliphalet Addams of New London,

Ebenezer Williams of Pomfrett, Benjamin Lord of Norwich, Solomon Williams of Lebanon, Stephen Steel of Tolland, Ashbel Woodbridge of Glassenbury, Noah Hobart of Fairfield, with messengers from the respective churches that the said reverend ministers stand related to. And this Assembly do desire the said reverend gentlemen, with the messengers from the said churches, to repair to said parish and to enquire into their state and hear all parties there and give such advice to the said Mr. Robbins and all other parties as they shall think proper, that so peace and order may be restored to said parish. And this Assembly do advise all parties in said parish with freedom to lay their difficulties before said persons, when convened as above directed; and this Assembly do expect all parties will submit to such advice when given.

Upon the petition of James Harris *vs.* James Brown, dated the 21st of April last, now preferred to this Assembly: Resolved, that Messrs. Robert Walker, Seth Wetmore and Elihu Hall, be a committee to enquire into the matters complained of in said petition and all matters relating thereto, and hear the parties and evidences in the case, and make report of their opinion thereon to this Assembly at the present sessions.

[448] Whereas his Honour the Governor hath laid before this Assembly a letter from the duke of Bedford, one of his Majesties principal Secretaries of State, dated the 25th of February, 1747, directed to the Governor and Company of this Colony, and therewith the King's proclamation to explain and enforce the prohibition of all trade and commerce with the subjects of the French King by any of the subjects of the King of Great Britain during the time of open war, and giving direction that the same be duly observed: Resolved by this Assembly, that the said proclamation be published by the several sheriffs in the respective counties of Hartford, New Haven, New London, Fairfield and Windham; and in order thereto, the Secretary of this Colony is directed to send attested copies of said proclamation and of this act to each of said sheriffs, that so his Majesties subjects may be made acquainted therewith.

Whereas his Honour the Governor has laid before this Assembly a letter from Capt. Michael Burnham, captain of the Colony sloop Defence, dated May 11th, 1748, requesting that his orders might be made more extensive and particular: Therefore, resolved by this Assembly, that his Honour the Governor be desired to grant to Capt. Burnham a Letter of Marque, with such orders and directions as to the places to which he shall go for the improvement thereof as to his Hon-



our shall (by the advice of the committee appointed to assist him) seem best.

This Assembly do establish and confirm Mr. Jonathan Munger to be Ensign of the 4th company or trainband in the town of Woodberry, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Baldwin to be Ensign of the 2d company or trainband in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Abraham Kimberly to be Ensign of the first company or trainband in the town of Newtown, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Edward Hall to be Ensign of the 3d company or trainband in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Andrew Lester to be Lieutenant of the 2d company or trainband in the town of Preston, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Billings junr, to be Ensign of the second company or trainband in the town of Preston, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Robbins to be Captain of the 1st company or trainband in the 6th regiment of this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Belden to be Lieutenant of the 1st company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Timothy Wright to be Ensign of the 1st company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Deodate Davenport to be Captain of the 3d company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Isaac How to

be Lieutenant of the 3d company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Hemingway to be Ensign of the 3d company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Prentice to be Captain of the 5th company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Douglass to be Lieutenant of the 5th company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Lyon to be Captain of the west company or trainband at Horseneck in the town of Greenwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Banks to be Ensign of the west company or trainband at Horseneck in the town of Greenwich, and order that he be commissioned accordingly.

[449] This Assembly do establish and confirm Mr. David Deming to be Lieutenant of the 3d company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elijah Stanton to be Cornet of the troop of horse in the 8th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Packer junr. to be Quarter-Master of the troop of horse in the 8th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. George Holmes to be Lieutenant of the company or trainband in the parish of New Salem, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Isaacs to be Quarter-Master of the troop of horse in the 9th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Jarvis junr. to be Cornet of the troop of horse in the 9th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Abraham Morehouse to be Captain of the first company or trainband in the town of Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Wakeman to be Lieutenant of the first company or trainband in the town of Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Allen to be Ensign of the 1st company or trainband in the town of Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Warner to be Lieutenant of the 2d company or trainband in the town of New Milford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Hitchcock to be Ensign of the second company or trainband in the town of New Milford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Bartlett to be Captain of the 2d company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Stone to be Lieutenant of the 2d company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joshua Pendleton to be Ensign of the 2d company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Brewster to be Cornet of the troop of horse in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Lazell to be Quarter-Master of the troop of horse in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathan Reed to be Ensign of the company or trainband at the parish of Middlesex, and order that he be commissioned accordingly.

This Assembly do appoint Roger Newton, Esqr, to be Lieutenant Colonel of the second regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do appoint John Russell, Esqr, to be Major of the second regiment in this Colony, and order thas he be commissioned accordingly.

This Assembly do appoint John Dyer, Esqr, to be Colonel of the eleventh regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do appoint Hezekiah Sabin, Esqr, to be Lieutenant Colonel of the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do appoint John Holland, Esqr, to be Major of the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Grover to be Lieutenant of the 4th company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

[450] This Assembly do establish and confirm Mr. Samuel Humphrey to be Lieutenant of the 5th company or trainband in the town of Symsbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Nathaniel Cook to be Captain of the 8th company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Tracy, junr, to be Lieutenant of the 8th company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Tracy 3d to be Ensign of the 8th company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Robins to be Ensign of the 9th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

Upon the petition of Joseph Barnerd *vs.* Isaac Shelden, dated the 10th day of March last and now preferred to this Assembly: Resolved, that Messrs. Ebenezer West, John Ledyard and Timothy Stone, be a committee to enquire into the matters complained of in said petition, hear the parties and their evidences, and make examinations of the parties under oath if they judge proper, and report to this Assembly what they find, together with their opinion what is just and right to be done in the premises.

Upon the memorial of Daniel Alden, of Stafford, agent for



said town, representing that at the sessions of the General Assembly of this Colony, at Hartford in May, 1718, a committee was appointed to procure said town to be laid out and settled, &c., and that Messrs. James Wadsworth, John Hall and Hezekiah Brainerd, three of said committee, did accordingly soon after, by the assistance of Mr. Surveyor Kimberly, survey and lay out the same, and also proceed to lay out a number of house lots and other lots and parcels of land for pious uses, highways, and also to the admission of settlers in said town under the regulations and restrictions by them agreed upon, and to assign to each one so admitted their particular allotments, and thereof and of other their proceedings made a rough and informal draught; that, whether by death or other inevitable providence, it hath so happened that said committee have been prevented perfecting said undertaking, so the minutes of their said proceedings still remain unfinished and unattested, and in part concealed in private hands, inasmuch as that they, the settlers and inhabitants of said town, remain to this day destitute of any proper and legal records of the original titles of their respective allotments or of the allotments of those under whom they claim and hold; and praying relief in the premises: Resolved by this Assembly, that Colo. James Wadsworth, Colo. Jonathan Trumble and Colo. Joseph Pitkin, or any two of them agreeing, be a committee to repair to said town and there to enquire after and discover all and all manner of papers or writings by said former committee made or procured to be made, whether finished or unfinished, relating to the premises, and by examining of all witnesses, parties or persons therein interested or not, under oath or otherwise, as well as by any other evidence, to discover whatever, touching the laying and dividing out said township and settling the same, hath by said former committee been done or agreed to be done, unto whom they assigned or intended or ought to have assigned the several allotments of land there; and to this end, all and every paper or writing by said committee made, thereto relating, of any and every person withholding the same to demand and receive, all proper and needful oaths to administer, and all and every person or persons before them to appear and give evidence in the premises, also to disclose and on demand to deliver up all papers or writings made as abovesaid, by all lawful means to compel, as occasion may be; and such draught, form or description of said township, surveys or divisions, either for publick or pious uses or particular persons, as they shall find either by said former committee to have been proceeded to or concluded on, or may find still further necessary to be made for the safety

and security of said town and the settlers or just and real [451] owners thereof, their heirs || and assigns, to exhibit before this Assembly in their sessions at New Haven in October next, and that they also then report their opinion thereon, and what further may then remain needful or expedient to be done in the premises, and all at the cost of the inhabitants of said town of Stafford or the proprietors of said land, as the said committee shall judge just and reasonable.

*Resolved by this Assembly,* That the Secretary send a copy of the following advertisement to Colo. Jonath. Trumble, attested by order of this Assembly, and signify to him that it is the pleasure of this Assembly that he cause the same to be printed in the weekly print called the *Post-Boy*.

ADVERTISEMENT.

Whereas there has been a certain strolling woman passing up and down this Colony, sometime by the name of Mary Rogers, sometimes Mary Remington, and sometimes by other names, and is a person of evil name and fame for stealing and many disorders, to the disturbance of his Majesties good people, which woman it is said many times dresses in men's apparel, who is still supposed to be wandering about in this Colony, being a woman of middling stature, about thirty-five years of age, and it is said hath two scars on the back part of her neck concealed by her apparel: These are therefore to warrant and direct any and every person that shall find the said woman within this Colony, to seize and secure her and carry her to the next justice of the peace, who is hereby directed to examine her and thereupon to commit her to the common goal in the county where she shall be apprehended, there to remain until the next sessions of the county court in such county, unless she procure good and sufficient bail for her personal appearance before such court to answer all such matters as shall be alledged against her respecting any the matters aforesaid, or whatever else may be alledged against her on his Majesties behalf; and that such person who shall thus seize, secure and carry her to such justice, as aforesaid, shall have twenty pounds old tenour reward, on his making oath before such justice that she was taken in this Colony.

On the petition of Samuel Clark, of the town and county of New Haven, &c., *vs.* Thomas Clark and Gamaliel Clark, both of Milford, Thomas Tousey of Newtown, and Richard Bryan junr, and Mehitabel Ingersole, both of Milford, &c., as on file:\*

\* He petitioned for a new trial, claiming that the superior court, in giving judgment, February term, 1746-7, that lands descended to and ought to be divided among all the children of an intestate, missed the law. In his petition he cites at length the decree of the King in Council on the appeal of Winthrop against Lechmere.

The question was put, whether the pleas offered by the respondents in abatement of said petition are sufficient to abate the same: Resolved by this Assembly in the affirmative. *Cost allowed respondents £4 5s. 1d. new tenour bills. Ex. granted June 4th, 1748.*

On the petition of John Soper, of Windsor, *vs.* Enoch Drake and Lydia Drake, both of said Windsor, &c., on file, dated April 28th, 1748: The question was put, whether anything prayed for in said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondents £1 19s. 0d. new tenour. Ex. granted, July 2, 1748.*

On the petition of Bevil Seymour, of Weathersfield, Isaac Norton and Sarah his wife, of the parish of Kensington, Augustus Stanly and Alice his wife and Jerusha Seymour, all of Hartford, &c., on file, dated May 3d, 1748, *vs.* Thomas Seymour, and Nathaniel Seymour and Mary his wife, and Elisha Smith and Ruth his wife, all of Hartford: The question was put, whether any thing should be granted &c.: Resolved by this Assembly in the negative.

On the petition of John White, of Hartford, *vs.* Hugh White, of Middletown, on file, dated May 2d, 1748: The question was put, whether the prayer of the petitioner should be granted: Resolved by this Assembly in the negative.

On the petition of Charles Wilcox and Jerusha Wilcox, minors, both of Middletown, by their guardians John Wilcox and Benja. Cornwell, Ichabod Andruss, a minor, of Farmington, by his guardian David Andruss, and Silas Wells of Glasenbury, *vs.* Moses Bush, of Middletown, on file, dated May 4th, 1748: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

On the petition of Timothy Parsons, of Durham, *vs.* Hope Halley, of Middletown, &c., on file, dated April 28th, 1748: The question was put, whether the prayer of the petitioner should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent £3 12s. 3d. new tenour. Ex. granted September 12th, 1748.*

[452] On the petition of John Banister, of Newport in the Colony of Rhode Island, Samuel Banister, of Stonington in the county of New London, and William Bowen and Frances his wife, of Boston, &c., on file, dated March 29th, 1748: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

On the petition of Robert Turney and Timothy Wheeler, of

Fairfield, two of the proprietors of the common and undivided land in the town of Fairfield, and the rest of the proprietors of said common and undivided land &c., on file, dated April 30th, 1748, *vs.* Tho<sup>s</sup> Hill, Esq<sup>r</sup>, of Fairfield: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondents is £3 4s. 0d. new tenour. Ex. granted June 24th, 1748.*

Upon the representation made by Ephraim Smith, one of the listers of the town of Stonington for the year 1747, shewing to this Assembly, on behalf of himself and other listers in said town for said year, that they did, upon inspection of the list for the year 1747, make a fourfold assessment upon divers of the inhabitants of said town, for estates left out of the list, near about the sum of eight thousand pounds, according to the direction of the law, and that sundry persons, pretending to be aggrieved by their assessments, have applied to several gentlemen in said town who are justices and selectmen, to have their assessments abated; informing also that the authority and selectmen who have granted bills of abatement are all of them assessed fourfold for part of their estates left out, and not indifferent judges in the affair, &c.: This Assembly taking into consideration the case represented as above-said, and being desirous to prevent injustice being done, do hereby appoint Messrs. John Ledyard, Dudley Woodbridge, of Groton, and John Richards of New London, a committee on behalf of this Assembly, who are hereby directed in some proper form to give publick notice to the parties concerned, that those that are aggrieved by the assessments aforesaid may lay their grievances before them for relief, who are hereby impowered to grant such relief as they shall find just; and no person in said town shall take benefit by any bill of abatement obtained for any of the assessments laid upon them by the said listers, unless such as have been and shall be allowed by the said listers or the committee.

Upon the memorial of Abraham Wanser and others, inhabitants of the town of New Fairfield, shewing to this Assembly that the people of said town have fallen into great contentions about their meetings for the choice of town officers in December last, and praying for relief: Resolved by this Assembly, that the proceedings of said inhabitants in their town meetings in December last were irregular, and the same are hereby declared to be null and void. And that proper officers for the current year may be appointed in said town, the persons that were selectmen in the town of New Fairfield in the year 1747,



are hereby ordered and directed to cause all the inhabitants in the said town to be personally warned to meet in said New Fairfield at such time and place as shall be appointed for that purpose by Samuel Canfield, Esqr, of New Milford, who is hereby appointed moderator of said meeting and is hereby directed to lead the said inhabitants to the choice of all proper town officers for the current year. And this Assembly further orders and directs, that all town meetings for the choice of town officers, &c., in the said town of New Fairfield, for the space of five years next coming, shall be warned by a notification under the hands of the major part of the selectmen for the time being, read to the said inhabitants, or notice thereof left at the place of their usual abode, at least six days before the meeting to be held for the purpose aforesaid.

Upon the report of John Bissell, Zebulon West and Jonathan Strong, representing that they had, pursuant to the appointment of this Assembly, viewed the circumstances of the parish of Andover, and had affixed a place for the building a meeting-house in said society about sixty rods northeast of the centre of said society, in Mr. Aaron Phelps's homelot, and about twenty rods southwesterly of the said Phelps's dwelling house, where they had set up a large stake, &c. : Resolved by this Assembly, that the report of the said Messrs. Bissell, West and Strong, be approved, and the said place in the said Mr. Phelps's homelot where they erected said stake be the place, and it is hereby confirmed and established to be the place, for building a meeting-house for publick worship in said society ; the sills of said meeting-house to enclose the said stake.

[453] Upon the memorial of Stephen Sedgwick, of Farmington, shewing to this Assembly that his son Stephen Sedgwick hath been and still is greatly disenabled for bodily labour, upon account of lameness in one of his hips, and praying this Assembly that he may be released from paying all publick taxes for his head for the future : Resolved by this Assembly, that the memorialist's said son Stephen be released, and he is hereby released, from paying of all publick taxes for his head for the future.

Upon the prayer of Cusk, an Indian belonging to the tribe of Indians inhabiting in the township of Farmington, praying to this Assembly for liberty to sell an acre of land lying in the meadow in the Indian Neck, so called, in said Farmington, for the enabling him to build an house and put himself into a capacity to live in a credible and civil manner, in some degree after the English method ; and this Assembly being certified that the said Cusk from his behaviour in time past is

likely to act prudently with the avails of said land : This Assembly do grant liberty to the said Cusk to convey his right to said acre of land, and any of the inhabitants of this Colony to purchase the same.

Upon the memorial of Mr. Epaphras Lord, Daniel Horsford and William Buel, committee for the parish of Marlborough in the county of Hartford, shewing to this Assembly that the inhabitants have agreed upon building a meeting-house, and also universally agreed upon the place on which it should be erected, which place agreed upon by said parish is on the top of the hill on the east side of the highway joyning to the highway about twenty-eight rods north of Mr. Ezra Strong's dwelling house, and praying this Assembly to establish the said place for setting the meeting-house on : And it is thereupon resolved and ordered by this Assembly, that the inhabitants of the parish aforesaid shall build their meeting-house for divine worship on the place above described, according to the vote of the inhabitants of said parish.

Upon the memorial of Phinehas Strong, of Coventry in the county of Windham, administrator on the estate of Mr. Noah Rust, late of Coventry, deceased, shewing to this Assembly that the said Noah Rust dyed in debt the sum of two hundred and eighty-nine pounds sixteen shillings and six pence more than all his moveable estate will pay, and that there are lands of the deceased sufficient to pay the said £289 16s. 6d., and praying liberty of this Assembly to sell so much of the lands of the said deceased as may be sufficient to pay the said £289 16s. 6d. with the charges arising thereon : And it is now resolved and ordered by this Assembly, that the said Phinehas Strong, together with Mr. Samuel Rust the other administrator on the said estate, shall have power, and they are hereby directed and ordered, to sell so much of the lands of the said deceased as will be sufficient to pay the said £289 16s. 6d. according to old tenour bills, and the charges arising thereon ; they taking the direction of the court of probate in the district of Windham, in order to sell said land.

Upon the memorial of John Parsons, of Wallingford, shewing that he had paid a mortgage of Benjamin Curtiss of the first loan money, both principal and interest, as per the Treasurer's receipt appears ; praying the lands in said mortgage may be released to him as assignee to said Curtiss, late of said town, deceased : Resolved by this Assembly, that the lands in said mortgage shall be released to said Parsons as assignee to said Benjamin Curtiss, and that the committee for said purpose shall execute a release thereof to said Parsons as assignee to said Benjamin Curtiss accordingly.

Upon the memorial of Obadiah Beardlee, of the south society of New Fairfield, agent for said society, praying for a tax to be laid on the divided unimproved lands in said parish, &c.: Resolved by this Assembly, that a tax of six pence old tenour per acre be laid on all the divided unimproved lands lying and situate within said society for and during the space of four years, to commence on the first day of June next, to be at the discretion of said society applied partly towards the finishing their meeting-house, (as yet unfinished,) and in part to the support of their minister there.

Upon the memorial of John Dixon, Elnathan Palmeter, William Carr, Benjamin Lothrop, Solomon Wickwire, John Holmes, Thomas Gustin, George Dolbeare, William Dixon, Ebenezer Palmeter, William Chapman, Clement Daniels, Elijah Staples, Thomas Gustin, junr, Thomas Tozer, Robert Staples, Simon Tubbs, Thomas Collett, Jonas Hamilton, George Holmes, William Dodge, Jonathan Hungerford, and Samuel Dodge, being members of the church in, and inhabitants of the society || or parish of New Salem, lying partly in Colchester in the county of Hartford and partly in Lyme in the county of New London, representing they have been destitute of a minister about the space of four years and have had the publick worship attended but seldom in said time, and that by reason of different sentiments in religious matters the inhabitants are not agreed to settle a minister among them, and that the memorialists with some others are greatly desirous to call and settle an orthodox minister there but cannot obtain a vote or votes for that purpose: people of different persuasions, being so numerous in said society, opposing the same; and under these distressing circumstances praying for the aid of this Assembly: Resolved and enacted by this Assembly and the authority thereof, that the said memorialists, and such other inhabitants of the said society of New Salem as shall hereafter enter their names with the clerk of said society, be, and they are hereby, impowered by their major vote in any of their meetings, to call and settle an orthodox minister among them, and to grant rates and taxes on themselves, and annually to choose a committee and clerk as other societies do, and to pass all other needful votes and acts relating to the calling, settlement and maintenance of a minister; which doings of the memorialists and such as joyn with them, by entering their names as aforesaid, shall be good and valid in the law: provided no tax be laid by the persons impowered to act as abovesaid upon any person but the memorialists and such as enter their names as aforesaid.

And it is further resolved and ordained, that there shall be a tax, and this Assembly do hereby grant a tax of one pence per acre in new tenour bills of credit annually, to be levied and collected for the space of four years next coming, upon all the unimproved lands in said society, to be improved for the support of such minister as shall be improved there as abovesaid. And it is further resolved, that the memorialists, and such others as shall joyn with them by entering their names as aforesaid, shall be, and they are hereby, exempted from paying any publick tax to this government for the space of four years next coming: provided they call and continue a minister among them as aforesaid; which exemption shall continue no longer than they continue to support such minister.

Upon the memorial of Lydia Bishop, of Guilford, widow, shewing to this Assembly that Ebenezer Bishop is deceased, who was appointed by this Assembly at New Haven in October, A.D. 1742, with Samuel Hill of Guilford, to sell the lands of her daughter Lydia Bishop, for her support, who still continues deprived of her reason and uncapable of providing for herself; and praying that Mr. Nathaniel Stone of Guilford may be appointed in the room of Ebenezer Bishop, deceased, to be joyned with said Hill from time to time as there may be occasion, to sell the lands of the said Lydia the 2d, according to former order, for her support when it shall be needful: Accordingly this Assembly appoints said Nathaniel Stone to be joyned with said Hill in the room of said Ebenezer Bishop, deceased, for the purpose aforesaid.

Upon the memorial of Alpheus Gustin, administrator on the estate of Amos Gustin, late of Glassenbury, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable or personal estate of the said deceased the sum of £60 6s. 3d. of the old currency, praying liberty of this Assembly to sell so much of the real estate of the said deceased as will answer said debts: Resolved by this Assembly, that the memorialist have liberty to sell so much of the real estate of the said Amos Gustin, deceased, as may be sufficient to answer the debts due from the said estate of £60 6s. 3d. old currency; and the memorialist is hereby substituted and impowered to sell so much of the real estate of the said deceased as will answer the sum aforesaid with the necessary charges arising thereon, taking the direction of the court of probate in the district of Hartford therein.

Upon the memorial of Stephen Halley, of New Milford, shewing this Assembly that he and his family are situate ten



miles distant from the parade of the military company to which they belong in New Milford, and praying to be annexed [455] to the company || or trainband under the command of Capt. John Glover of Newtown, and praying liberty for one male person to tarry at home on training days, &c.: Resolved by this Assembly, that the said Stephen Halley, with the male persons belonging to his family, be hereby dismissed from the company to which he now belongs in said New Milford, and are annexed unto the company under the command of Capt. John Glover, and have liberty of one of his male persons tarrying at home each training day, but not exempted from the view of arms and ammunition.

On the memorial of Lydia Lee, administratrix on the estate of John Lee, late of Farmington in the county of Hartford, deceased, shewing to this Assembly that the debts and charges due from said estate, together with the moveables set out by the court of probate to the widow and relict of said deceased, do surmount the moveable part of said estate the sum of £145 4s. 0d., and thereupon praying liberty to sell so much of the real estate of the said deceased as will procure the said sum of £145 4s. 0d. with the necessary charges arising on said sale: Resolved by this Assembly, that Mr. William Porter, of Farmington, be appointed, and he is hereby impowered, to make sale of so much of the real estate of the said deceased as will procure the said sum of £145 4s. 0d. with the necessary charges arising thereon, and to make and pass deed or deeds accordingly; taking the direction of the court of probate for the district of Hartford therein.

On the memorial of Jonathan Atwater junr, of New Haven, guardian to Samuel Atwater, an idiot, shewing that he hath subsisted said Samuel at his expence for above five years, and no allowance hath been granted to him therefor; praying for liberty to sell some of said Samuel Atwater's land for that purpose, and for his future support: Resolved by this Assembly, that the memorialist and John Prout, Esqr, of New Haven, be, and are hereby, authorized to make sale of so much of the real estate of said Samuel Atwater as shall be sufficient to answer the charge already incurred therefor, and from time to time as shall be needful for the support of said Samuel Atwater; always taking the direction of the court of probates in the district of New Haven.

Upon the memorial of Mary Chapman, administratrix on the estate of Samuel Chapman, late of Saybrook, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate the sum of £100 15s. 11d., and

thereupon praying to this Assembly for liberty to sell so much of the lands of the said deceased as will pay the said sum of £100 15s. 11*d.* with the necessary charges arising on the sale thereof: Resolved by this Assembly, that Capt. Jedadiah Chapman be appointed and impowered to sell so much of the lands of said deceased as shall pay the said sum together with the necessary charges arising on the sale thereof; taking the advice of the court of probate in the district of Guilford.

Upon the memorial of the inhabitants of the parish of Newington, representing that the Reverend Mr. Backus, their late minister, having been called by publick authority to serve as a chaplain at Louisbourg, after having been there some considerable time died in said service, to their great and unhappy loss, and praying relief, &c. : Resolved by this Assembly, that the sum of one hundred and fifty pounds in bills of credit of the old tenour be paid and delivered to the memorialists out of the publick treasury of this Colony.

Upon the memorial of Joseph Kingsberry and others, inhabitants of the second or west society in Norwich, representing the broken and divided state of said society, and praying for a committee to enquire into the circumstances, &c. : Resolved by this Assembly, that the Hon<sup>ble</sup> Roger Wolcott, Deputy Governor, Samuel Lynde, William Pitkin, Esq<sup>rs</sup>, the Rev<sup>d</sup>. Mr. William Russell and the Rev<sup>d</sup>. Mr. Ashbel Woodbridge, be, and they are hereby, appointed a committee to repair to said second society in Norwich and, first notifying all parties, they are to enquire into the circumstances of said society, and to report the same with their opinion thereon to this Assembly in October next; all at the cost of the memorialists.

Upon the memorial of Temperance Stone and Josiah Stone, executors of the last will of Josiah Stone late of Litchfield, deceased, representing that the debts due from the estate of the said deceased surmount the account of debts exhibited to this Assembly in October last and the personal estate of the said deceased the sum of £220 13s. 1*d.*, and praying for liberty to sell lands, &c. : Resolved by this Assembly, that the said executors have liberty, and liberty and power is hereby granted unto them, to sell so much of the lands of the said deceased Josiah as will procure the said sum of £220 13s. 1*d.* and defray the charges of said sale; taking the advice and direction of the court of probate in the district of Litchfield therein.

[456] Upon the memorial of the parish of West Haven, by their agents Deliverance Panter and Ebenezer Towbridge of said parish, shewing this Assembly that said parish had lent

Samuel Weed of Derby (who now stands convicted of forgery and counterfeiting, &c. by which he hath forfeited all his estate into the hands of this Colony) the sum of £142 18s. 10d. principal and interest, of the publick moneys in said parish improved for maintaining the gospel in said parish, and shewing the great need said parish had of said moneys for the purpose aforesaid, and praying that they might receive the same out of the Colony treasury : Resolved by this Assembly, that the Treasurer of this Colony pay out of the Colony treasury the sum aforesaid, for the purpose before mentioned, taking receipt for the same.

Upon the memorial of the President and Fellows of Yale College in New Haven : Ordered, that the sum of one hundred and seven pounds three shillings in bills of credit on this Colony of the new tenour be allowed and paid out of the Colony treasury to the said president and fellows for the last half year, in lieu of what was granted by this Assembly in May, 1745.

Upon the memorial of the inhabitants of the first society in Hebron, by their agents Benjamin Skinner and Joseph Phelps, setting forth that by an information lodged with the clerk of said society, by proper authority the Rev<sup>d</sup>. Mr. Benjamin Pumroy was deprived of the benefit of the laws of this Colony made for the support of the gospel ministry ; the said agents now informing this Assembly that the said Mr. Pumroy hath of late conformed to the laws of this Colony, and performed his ministerial office to the great satisfaction of said inhabitants, and praying that the said Mr. Pumroy may for the future have the benefit of said laws : Resolved by this Assembly, that the information aforesaid shall be given up to the committee of said society, and all rates that hereafter shall be granted shall be collected in the method by law prescribed, as though no such information had ever been given.

Upon the memorial of the inhabitants of Wellington, where in said inhabitants by their agent have moved to this Assembly to tax or assess all the lands lying in Wellington for the support of the gospel : It is resolved, that all the land lying in Wellington be taxed at one penny per acre annually for the space of four years, new tenour, and that the selectmen of Wellington be empowered annually to tax or assess the same for the space of four years next after the date hereof. And it is further resolved, that the money be improved for the support of the gospel in said town, and the collectors chosen within said town collect the same.

Upon the memorial of the inhabitants of the first society in

Norwich, by their agent Ebenezer Backus, praying for a committee to affix and ascertain a place for the building a meeting-house &c.: Resolved by this Assembly, that Major Samuel Coit, Messrs. Jeremiah Chapman junr, and Mr. Luke Perkins, be, and they are hereby appointed, a committee to repair to the first society in said Norwich and, first notifying all parties, they are to view the circumstances of said society and affix a place for the building a meeting-house for publick worship in said society where they shall judge most suitable and convenient for said inhabitants, and make their report to this Assembly.

Upon the memorial of John Finch, administrator on the estate of John Finch, late of Standford, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable or personal estate of the said deceased the sum of £675 3s. 0d. of the old currency, praying liberty of this Assembly to sell so much of the real estate of the said deceased as will answer said debts: Resolved by this Assembly, that the memorialists have liberty to sell so much of the real estate of the said John Finch, deceased, as may be sufficient to answer the debts due from the said estate of £675 3s. 0d. old currency; and the said memorialist is hereby substituted and impowered to sell so much of the real estate of the said deceased as will answer the sum aforesaid with the necessary charges arising thereon, taking the direction of the court of probate for the district of Standford therein.

On the memorial of John Bulkley, Esqr, (appointed by this Assembly to recover certain fire-arms belonging to this government, formerly delivered to James Harriss of New London,) representing that said Harriss proposes to make payment for so many of said arms as he is not able to return, and moving for direction how much to receive of said Harriss for each of said arms that shall not be returned as aforesaid: This Assembly do direct the said John Bulkley to accept of and receive of the said James Harriss the sum of eleven pounds old tenour for each of the said fire-arms put into his hands as aforesaid that he shall not return to the said John Bulkley, Esqr, or his order.

[457] Upon the memorial of Stephen Todd and Merriman Munson, both of Wallingford, shewing that on the 31st of August, 1743. they purchased of Joseph Dolittle about forty-eight acres of land situate in Wallingford aforesaid, bounded westerly on Muddy River, southerly on said Munson's land in part and in part on said Todd's land, and northerly on highway, and that said land was then under mortgage to the



Governor and Company for this Colony for the sum of £50 0s. 0d. new tenour bills of credit, and that the time of redemption limited in said mortgage is now expired; shewing also that they were to pay the redemption of said mortgage, and thereupon praying for a release of the said mortgaged premises to the memorialists, assignees of the said Dolittle: Resolved by this Assembly, that on condition the said memorialists, within two months from the rising of this Assembly, do pay into the publick treasury the principal sum for which said lands were mortgaged, with the interest thereof to the time of payment, together with the sum of five pounds more in new tenour bills of credit for all other costs, the said mortgaged premises shall be released to the memorialists in usual form by the committee appointed for such purpose.

*Ordered by this Assembly,* That the Treasurer of this Colony pay out of the publick treasury unto Agur Tomlinson of Derby, one of the constables of Derby, for his service in taking and keeping the persons concerned in counterfeiting bills of credit of this Colony, the sum of thirty pounds in old tenour bills of credit; and to Samuel Plumb, another constable of said Derby, for the like service, the sum of thirteen pounds three shillings in bills of the old tenour; and to Samuel Riggs, Esqr, for assisting in the affair, &c., the sum of four pounds and one shilling.

Upon the memorial of the inhabitants of the parish of Marlborough in the county of Hartford, shewing to this Assembly that they belong some to the 6th and some to the 12th regiments in this Colony, and that they are under great difficulties in attending military exercises in the companies to which they belong, and praying to be formed into an entire military company, &c.: Resolved by this Assembly, that the inhabitants in said parish of Marlborough shall be included within the limits of the 12th regiment in this Colony, and that by the chief officer of said regiment they may be formed into one intire military company, and by him, or such person as he shall appoint, be led to the choice of a captain, lieutenant and ensign, at such time and place in said parish as he shall think proper; and make return of the said choice to the General Assembly to be holden at New Haven in October next.

Upon the report of Messrs. James Church, Thomas Pitkin and Jonathan Hills, who were appointed a committee by this Assembly in October last to view the circumstances of the first society in Hebron, in order to the setting off a new society on the northwest part of the town of Hebron, representing that in pursuance of such appointment they did, on the 9th and 10th

days of November last, (having first notified all parties concerned,) proceed to view the circumstances of said first society, and reporting their opinion thereon that it may be for the general benefit of the inhabitants of said first society that a distinct ecclesiastical society be set off therefrom on the said northwest part of said town, (*viz.*) the west bounds thereof to be the west bounds of the said township of Hebron from the northwest corner of said town till it come southward to the parish of Marlborough, and thence extending southward by said parish till it comes to the highway which leads from the house where Mr. William Buel now dwells to the place where the old meeting-house lately stood, and from thence extending eastward to the place where said highway or road turns northeasterly, and from the turn of that road to the west of Joseph Allen's house, so as to include it or leave it within the said first society, and from said Allen's house to the north side of Mr. John Phelps's house and homelot in the said first society, thence extending eastward across the country road to Mr. Samuel Gilbert's house, including said house in the said new society, and from said Gilbert's house to the house where Wm. Peters then dwelt, now the house of Caleb Chappel, including the said Chappel's house and farm in said new society, and from the east side of the said Chappel his house northward to the bounds of the parish called Andover, and from thence extending westward and then northward by the bounds of the said parish of Andover to Bolton bounds, and from thence by Bolton bounds till it extend to Glassenbury bounds: Resolved by this Assembly, that the aforesaid report of the said committee be accepted and approved; and all the inhabitants living within the aforesaid bounds on the northwest part of said Hebron are hereby made and declared to be for the future one distinct ecclesiastical society or parish, by the name of Gilead, invested with powers and privileges as other such societies in this Colony are.

[458] Upon the memorial of Thomas Chipman, agent for the inhabitants of Salisbury, representing that the place ascertained for the building a meeting-house in said town, by a committee by this Assembly appointed for that purpose, is not so convenient as another place where the said committee set up another stake at or near the corner of Mr. Joseph Lee's homelot, and praying that the said place at or near the corner of said Mr. Lee's homelot may be affixed and ascertained for the place to build a meeting-house, and that the doings of said committee may be set aside, &c.: Resolved by this Assembly, that the doings of said committee be set aside, and

they are hereby set aside and made void; and the aforesaid place where the said committee did set up a stake at or near the corner of Mr. Joseph Lee's homelot shall be the place for building a meeting-house for publick worship in said town, and the sills of said meeting-house shall inclose the said stake.

Upon the memorial of Benjamin Lee, representing that he was appointed one of the captains of the regiment raised for the expedition to Canada, and that he has been exposed to pay the billeting of his souldiers from the 4th to the 15th of November, 1746, for which he has had no pay, and praying for allowance, &c.: Resolved by this Assembly, that the committee of the pay table be, and they are hereby, directed to allow and draw an order upon the Treasurer to pay to the memorialist for the billeting of said souldiers from the 4th to the 15th of November aforesaid, being ten days.

Upon the memorial of Ebenezer Leach, agent for the inhabitants of the parish of Andover, representing that some part of said parish lieth within the limits of the fifth and some parts of it within the limits of the 12th regiment in this Colony, praying to be annexed to some one of the said regiments: Resolved by this Assembly, that all the inhabitants obliged by law to bear arms living within the aforesaid parish of Andover be annexed, and they are hereby annexed, to the 12th regiment in this Colony.

Upon the memorial of Philip Pond and Abigail Pond, administrators of the estate of Josiah Pond, late of Branford, deceased, shewing to this Assembly that the debts due from said estate and charges of administration surmount the personal estate of said deceased the sum of £231 7s. 8d., including £134 18s. 2d. for the payment of which the said administrators obtained liberty to sell land at the Assembly in October last, and for which no land has yet been sold, and now praying for liberty to sell so much of the lands of said deceased as may enable the said administrators to pay the said sum of £231 7s. 8d.: This Assembly grants liberty and full power to the said administrators to sell so much of the lands of the said deceased as may enable them to pay the said sum of £231 7s. 8d, with the necessary charges arising about the same; taking the advice of the court of probate for the district of Guilford therein.

Upon the memorial of Joshua Brainerd, Joshua Luther and Moses Rowley, all of the parish of Midlehaddam, representing that they live on a tract of land in the east corner of said society or parish, at a great distance from the place of publick worship in said parish, and praying that they and their

families may be annexed to the parish of East Haddam, where they may better attend the publick worship, &c.: Resolved by this Assembly, that the memorialists and their families be, and they are hereby, annexed to the parish of East Haddam aforesaid, and they are excused and exempted from all charges and taxes in the said parish of Middlehaddam for the future.

Upon the memorial of the inhabitants of Cornwell, by their agent George Holloway, Esqr, praying for a patent of the said township of Cornwall, &c.: Resolved by this Assembly, that his Honour the Governor and the Secretary of this Colony be impowered, and they are hereby impowered and desired, to execute a patent of said township to said inhabitants as prayed for, according to a draft now presented to this Assembly.

Upon the memorial of Jabez Hide, and others of the west society in Norwich, representing sundry differences, disorders and much contention, to have been and still to be there subsisting, respecting their minister, &c., and that they, the said society, have, at their meeting holden on the 13th of October last, by a very small majority voted and declared, among other things, that they will no longer have the Reverend Mr. Wills to be their minister, &c., and praying relief in the premises, and especially that the said votes of said society on said 13th of October be set aside, &c.: Resolved by this Assembly, that all the votes of the said society on said 13th of October made and passed be set aside, and the same are hereby set aside and declared to be null and void; and that Colo. Jonathan Trumble, Esqr, do, in some convenient time, issue forth a suitable precept, directed to some meet person in said society, him directing to warn all the inhabitants of said society, on a day in and by said precept to be mentioned, to convene in said society, then and there to choose all needful society officers, and also to act and do what may then be thought necessary touching the said Mr. Wills's past or future salary and support; also that said Colo. Trumble also repair to said society on the day appointed for such meeting, and attend the same in the quality of a moderator; and all at the proper cost of said society.

Upon the memorial of Cornelius Brown, of Norfolk, praying to this Assembly that he might have two hundred acres of land set out to him in said town in severalty, being part of a purchase of land made originally by Timothy Horsford, lately of Litchfield in said county, of a certain committee appointed by this Assembly to sell the lands in the aforesaid town of Norfolk: It is considered and granted, that the memorialist may have two fifty acre lots laid out in said town,



not exceeding half a mile in length, one including his present improvements and buildings, the other fifty acres to be in some convenient place as he shall choose, and that the same be, at his cost, by one of the surveyors of the county of Hartford measured and bounded out to him, and return thereof made to this Assembly at their sessions in October next.

Upon the memorial of George Holloway, agent for the inhabitants of Cornwall, representing their difficulties in regard to the charges for finishing their meeting-house, which yet remains to be done, and praying for a land tax, &c.: Resolved by this Assembly, that a tax of four pence per acre old tenour bills be laid, and it is hereby laid and assessed, on three hundred acres first laid out on each private right in said town, for the space of three years annually, to commence next after the rising of this Assembly, to be collected and improved for the finishing of the meeting-house in said town of Cornwall.

Upon the memorial of Joseph Sanford, of the parish of Reading, agent for the Presbyterian society in said parish, praying for a committee to ascertain and fix a place for the building a meeting-house for divine worship in said society, &c.: Resolved by this Assembly, that Capt. Thomas Tousey of Newtown, Mr. Tho<sup>s</sup> Benedict and Capt. Josiah Starr, of Danbury, be a committee to repair to said society, notify and hear the parties, view their circumstances, and affix the place whereon said meeting-house shall be built, and make report to this Assembly at New Haven in October next.

Upon the report of Joseph Strong, John Phelps and Zephaniah Swift, a committee appointed to affix a place for a meeting-house for the second society in Lebanon, who have reported that they have fixed a stake at a certain place on a small knoll about ten rods near south from their old meeting-house, which they have set for a place for said society to build a meeting-house, the sills of said house to compass the said stake: Resolved by this Assembly, that said place be the place whereon to build said meeting-house.

Upon the report of Messrs. Luke Perkins, Samuel Coit and Jeremiah Chapman, jun<sup>r</sup>, shewing that pursuant to the appointment of this Assembly they have proceeded to view the circumstances of the first society in Norwich, and having first notified all parties they have affixed a place for the building a meeting-house in said society where the old meeting-house now stands, &c.: Resolved by this Assembly, that the aforesaid report be accepted and approved, and the said place where the said old meeting-house now stands shall be, and the same is hereby, affixed and ascertained to be the place for the build-

ing said meeting-house, the centre of the same to be where the centre of the said old meeting-house now is.

Upon the memorial of Nathaniel Wales, of Middletown, shewing to this Assembly that about a month since he had the house wherein he dwelt consumed by fire, and all his books and accounts consumed thereby; praying some proper person may be appointed to take cognizance of the matters of his accounts, and act so as to secure said memorialist in his just dues which belonged to him thereby: This Assembly do appoint and empower Jabez Hamlin, Elihu Chauncey and Giles Hall, Esq<sup>r</sup>, to be commissioners to take cognizance of [460] all matters respecting said book accounts, || and enquire of the parties upon oath, and other witnesses and evidences as they shall think proper, as a court of chancery might do, and accordingly judge for the said Wales what shall appear to be due upon said accounts consumed as aforesaid, and also to award either party cost, as is allowed by law in other processes in county courts, and to grant out execution on their said judgments, directing the same to some proper officer or officers to levy and serve, as any other executive courts in this Colony by law may do; and that executions signed by any one of said commissioners shall be authentick for the purpose aforesaid. And the said commissioners are hereby authorized and empowered to call before them, in the business and matters aforesaid, by summons or attachment, as any of the county or superior courts by law may do, and to command and retain any sheriff, deputy-sheriff or constable, to attend and execute as the said county or superior courts may or can order and command; and all sheriffs, deputy-sheriffs and constables are to yield their obedience accordingly.

This Assembly grants to the Honourable Jonathan Law, Esq<sup>r</sup>, Governor, the sum of one hundred and thirty pounds in new tenour bills of publick credit, for his first half year's salary the current year.

This Assembly grants Eliakim Palmer, Esq<sup>r</sup>, our Agent at Great Britain, the sum of four hundred pounds in old tenour bills of publick credit, for his salary the current year.

*Resolved*, That the several petitions, memorials, reports of committees, now lying on the files of this Assembly and not acted upon and determined, be continued, and the same are hereby continued to the sessions of this Assembly to be holden at New Haven in October next.

Whereas this Assembly is drawn out to such a length that all the members cannot conveniently attend to hear the rec-

ords read: This Assembly appoints Nathaniel Stanley, Wm. Pitkin, John Chester, Esq<sup>rs</sup>, Colo. Thomas Welles, Colo. Joseph Pitkin and Mr. Joseph Buckingham, to hear the records of the doings of this Assembly read off, and see them signed by the Secretary as perfect and compleat.

The several Acts, Grants and Orders of this Assembly, as they stand entered and recorded in the pages of this book next preceding, were read off in the presence of the committee abovenamed, (except Wm. Pitkin, Esq<sup>r</sup>.) and signed as compleat.

GEORGE WYLLYS, Secret'y.

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[461] *Anno Regni Regis Georgii secundi vigesimo-seculo.*  
 AT A GENERAL ASSEMBLY HOLDEN AT NEW HAVEN IN HIS  
 MAJESTY'S COLONY OF CONNECTICUT IN NEW ENGLAND IN  
 AMERICA, ON THE SECOND THURSDAY OF OCTOBER, (BEING  
 THE 13TH DAY OF SAID MONTH,) ANNOQUE DOMINI 1748,  
 AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE 28TH  
 DAY OF THE SAME MONTH.

*Present :*

The Honourable Jonathan Law, Esquire, Governor.

The Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, Deputy Governor.

James Wadsworth,	Ebenezer Silliman,	} Esq <sup>rs</sup> , Assistants.
Nath <sup>l</sup> Stanly,	Jonathan Trumble,	
Samuel Lynde,	Hezekiah Huntington,	
William Pitkin,	John Bulkley,	
Thomas Fitch,	Andrew Burr,	
Roger Newton,	John Chester,	

*Representatives or Deputies that attended at the Assembly are  
 as follow, viz :*

Colo. Joseph Pitkin, Mr. Joseph Buckingham, for Hartford.  
 Mr. Jeremiah Chapman, Mr. Jeremiah Miller, for New London.  
 Colo. Jabez Huntington, Capt. Eleazer Carey, for Windham.  
 Colo. William Preston, Mr. Noah Hinman, for Woodbury.  
 Capt. Joseph Phelps, Capt. William Buel, for Hebron.  
 Mr. Nathan Baldwin, Capt. Joseph Treat, for Milford.  
 Colo. Thomas Wells, Capt. Jonathan Hale, for Glassenbury.  
 Colo. Elisha Williams, Capt. Jonathan Robbins, for Weathersfield.

Mr. Phinehas Strong, Mr. Silas Long, for Coventry.

Capt. Timothy Hopkins, Capt. Daniel Southmaid, for Waterbury.

Mr. John Humphrey, Capt. James Case, for Symbury.

Mr. Solomon Tracey, Mr. Stephen Frost, for Canterbury.  
 Mr. John Crarey, Mr. Ezekiel Pierce, for Plainfield.  
 Mr. Ebenezer West, Capt. James Fitch, for Lebanon.  
 Capt. Isaac Dickerman, Capt. Samuel Sherman, for New Haven.  
 Capt. John Read, Capt. Samuel Burr, for Fairfield.  
 Mr. Ebenezer Backus, Mr. Isaac Tracey, for Norwich.  
 Colo. Jonathan Hoit, Mr. Abraham Davenport, for Standford.  
 Capt. James Beebe, Mr. Thomas Benedict, for Danbury.  
 Mr. Mathew Rockwell, Capt. Samuel Enno, for Windsor.  
 Mr. Joseph Hooker, Mr. Timothy Porter, for Farmington.  
 Capt. Elnathan Stephens, Capt. Isaac Kelsey, for Killingsworth.  
 Mr. Joseph Denison, Mr. Nehemiah Palmer, for Stoningtown.  
 Mr. Samuel Morgan, Mr. Elijah Belcher, for Preston.  
 Mr. James Hind, Mr. Paul Welch, for New Milford.  
 Mr. Ambrose Whittelsey, Capt. Jedadiah Chapman, for Saybrook.  
 Colo. Shubael Conant, Capt. William Williams, for Mansfield.  
 Capt. Robert Dixon, Mr. John Smith, for Voluntown.  
 [462] Mr. Ebenezer Holbrook, Mr. John Williams, for Pomfrett.  
 Colo. Hez<sup>h</sup> Sabin, Mr. Boaz Stearns, for Killingly.  
 Capt. Nath. Harrison, Mr. Jonath. Russell, for Brandford.  
 Colo. Samuel Hill, Capt. Timothy Stone, for Guilford.  
 Major Jabez Hamlin, Mr. Seth Wetmore, for Middletown.  
 Mr. James Bicknal, Mr. Benjamin Walker, for Ashford.  
 Colo. Benja. Hall, Mr. Gideon Ives, for Wallingford.  
 Capt. John Mead, for Greenwich.  
 Major Elihu Chauncey, Mr. James Wadsworth jun<sup>r</sup>, for Durham.  
 Capt. Joseph Bird, Major Ebenezer Marsh, for Litchfield.  
 Capt. Charles Bulkley, Mr. John Day, for Colchester.  
 Major James Lockwood, Mr. Joseph Platt, for Norwalk.  
 Capt. Moses Hawkins, Mr. Abel Gun, for Derby.  
 Colo. Christopher Avery, Mr. Ebenezer Avery jun<sup>r</sup>, for Groton.  
 Mr. Zebulon West, Mr. John Lothrop, for Tolland.  
 Capt. Elisha Sheldon, Capt. Mathew Griswold, for Lyme.  
 Mr. James Cone, for East Haddam.  
 Mr. Hez<sup>h</sup>. Brainerd, for Haddam.  
 Mr. Theophilus Nickols, Mr. Samuel Addams, for Stratford.  
 Mr. James Benedict, Mr. Samuel Olmstead, for Ridgfield.  
 Mr. Henry Glover, Mr. Heth Peck, for Newtown.  
 Colo. Thomas Wells, Speaker, } of the House of  
 Mr. Jeremiah Chapman jun<sup>r</sup>, Clerk, } Representatives.  
 The several members of this Assembly who had not taken



the oaths provided by act of Parliament instead of the oaths of allegiance and supremacy, now took the said oaths and likewise the oath of abjuration, and made the declaration against popery.

*Resolved by this Assembly, That they will now proceed to the choice of a Deputy Governor, as an Assembly.\**

This Assembly do appoint the Hon<sup>ble</sup> Roger Wolcott, Esqr, to be Deputy Governor until the election in May next, and was sworn according to law by his Honour the Governor in the presence of the Assembly.

This Assembly do establish and confirm Mr. Samuel Stur-giss to be Captain of the 2d company or trainband in the town of Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Smedley to be Lieutenant of the 2d company or trainband in the town of Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Burr junr to be Ensign of the 2d company or trainband in the town of Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Clark to be Captain of the 17th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Al-verd to be Lieutenant of the 17th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James John-son to be Ensign of the 17th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elias Betts to be Lieutenant of the company or trainband in the parish of Wilton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Stew-

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\* There having been no choice of a Deputy Governor by the freemen, in May, the Lower House resolved that application be made to his Honor the Governor for the assembling of both houses together in order to an election. This was dissented to in the Upper House, which insisted that the election should be by concurrence, and that house elected Roger Wolcott Deputy Governor. As the two houses could not agree upon the mode of election by the Assembly, the Upper House passed a bill for a special election to be held by the freemen on the third Tuesday of June then next, with which the Lower House non-concurred. In October, the resolve to proceed to the choice of a Deputy Governor as an Assembly originated in the Lower House, and the election was first made there. *Civil Officers &c.*, III. 140-148, 166, 167.

art junr, to be Ensign of the company or trainband in the parish of Wilton, and order that he be commissioned accordingly.

[463] An Act appointing a Court of Probate in the County of New London, and for limiting the District thereof.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the towns of Norwich and Preston, both in the county of New London, be one entire district for holding a court of probate, and shall be known by the name of the District of Norwich; and said court shall be held by one judge and clerk, with powers and privileges that the other courts of probate in this Colony have; and in all cases where the law allows of appeals they shall be made to the superior courts holden in the county of New London; and that all the business that is now entered in the court of probate in New London shall be finished in said court.

His Honour the Governor of this Colony having laid before this Assembly a letter from his Grace the Duke of Bedford, one of his Majesties principal Secretaries of State, dated Whitehall, 9th August, 1748, directed to the Governor and Company of this Colony, and therewith a proclamation of their Excellencies the Lords Justices declaring a cessation of hostilities against his Catholick Majesty and the Republick of Genoa and their subjects as well by sea as land, given at Whitehall the fourth day of August, 1748, with directions to cause the same to be published in all proper places in this government: Resolved by this Assembly, that the said proclamation be forthwith published in the respective counties of Hartford, New Haven, New London, Fairfield, and Windham; and in order thereto, the Secretary of this Colony is hereby directed to send attested copies of the said proclamation and of this resolve to the several sheriffs of the respective counties aforesaid, who are hereby ordered and required, on receipt thereof, forthwith to publish the said proclamation in their respective counties, to the end that all his Majesties subjects therein may pay due obedience and strictly conform themselves thereto.

On the memorial of the President and Fellows of Yale College in New Haven: Ordered, that the sum of one hundred and seven pounds three shillings in bills of credit on this Colony of the new tenour be allowed and paid out of the publick treasury to the said president and fellows, for the first half of the current year, in lieu of what was granted them by this Assembly in May, 1745.

Whereas there is an addition of the sum of £1293 17s. 3d. to the list of Milford, directed to the Assembly in May, 1748,

now laid before this Assembly, as also an information that it was through an omission in a person to whom the listers gave it to carry to said Assembly: Whereupon it is received, and the Secretary is hereby directed to give an account thereof unto the Treasurer of this Colony, that he may require the rate arising thereupon of the constable of said town with the rate for the year 1747.

This Assembly do establish and confirm Mr. Bazaleel Brainerd to be Captain of the south company or trainband in the town of East Haddam, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Charles Dewey to be Lieutenant of the south company or trainband in the town of Hebron, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Filer to be Ensign of the south company or trainband in the town of Hebron, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elisha Andrews to be Captain of the 12th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Hubbard junr, to be Lieutenant of the 12th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Watkins to be Captain of the 12th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Edward Mercy to be Lieutenant of the 12th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

[464] This Assembly do establish and confirm Mr. John Parry to be Ensign of the 12th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Rust to be Captain of the 9th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Eliphalet Carpenter to be Lieutenant of the 9th company or trainband in

the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Buckingham to be Captain of the 1st company or trainband in the town of Milford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Clark to be Lieutenant of the 1st company or trainband in the town of Milford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Woodruff to be Ensign of the 1st company or trainband in the town of Milford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Silas Whipple to be Ensign of the 5th company or trainband in the 3d regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Brewster to be Lieutenant of the troop of horse in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Lazell to be Cornet of the troop of horse in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Howard to be Quarter-Master of the troop of horse in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Buel to be Captain of the company or trainband in the parish of Marlborough, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Dickenson to be Lieutenant of the company or trainband in the parish of Marlborough, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Buel to be Ensign of the company or trainband in the parish of Marlborough, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jared Lee to be Captain of the 2d company or trainband in the parish of Southington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Eldad Lewiss to be Lieutenant of the 2d company or trainband in the parish of Southington, and order that he be commissioned accordingly.



This Assembly do establish and confirm Mr. Howkins Hart to be Ensign of the 2d company or trainband in the parish of Southington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Robert Wells to be Captain of the 10th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Wright to be Lieutenant of the 10th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Eliphalet Whittelsey to be Ensign of the 10th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Avery to be Lieutenant of the 1st company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jabez Smith to [be] Ensign of the 1st company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Caleb Loomiss to be Ensign of the company or trainband in the parish of West Chester, and order that he be commissioned accordingly.

[465] This Assembly do establish and confirm Mr. Joseph Kingsbury junr, to be Captain of the 7th company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benajah Sabin to be Lieutenant of the 7th company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Hoadly, junr, to be Captain of the 1st company or trainband in the town of Brandford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Russell junr, to be Lieutenant of the 1st company or trainband in the town of Brandford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph St. John to be Captain of the 1st company or trainband in the town of Norwalk, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Abraham Clark to be Ensign of the first company or trainband in the parish of Southington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Hale to be Captain of the 5th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Peck to be Lieutenant of the 5th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

The Gentlemen nominated by the Votes of the Freemen (sent in to this Assembly) to stand for Election in May next are as follow, (viz:)

The Hon<sup>ble</sup> Jonathan Law, Esq<sup>r</sup>.

The Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>.

James Wadsworth, Esq<sup>r</sup>. John Bulkley, Esq<sup>r</sup>.

Nath<sup>l</sup> Stanly, Esq<sup>r</sup>. Andrew Burr, Esq<sup>r</sup>.

Samuel Lynde, Esq<sup>r</sup>. John Chester, Esq<sup>r</sup>.

William Pitkin, Esq<sup>r</sup>. Colo. Gurdon Saltonstall.

Thos<sup>s</sup> Fitch, Esq<sup>r</sup>. Colo. Benjamin Hall.

Roger Newton, Esq<sup>r</sup>. Capt. Roger Wolcott.

Ebenezer Silliman, Esq<sup>r</sup>. Mr. John Griswold.

Jonath. Trumble, Esq<sup>r</sup>. Colo. Elisha Williams.

Hez<sup>h</sup> Huntington, Esq<sup>r</sup>. Colo. Joseph Pitkin.

This Assembly do appoint Hezekiah Huntington, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Norwich till the first of June next.

On the petition of Joseph Wright, of Colchester, *vs.* John Bulkley, Esq<sup>r</sup>, of Colchester, and Benjamin Taylor, of Hebron, as on file (continued from the General Assembly in May last:) The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allow'd respondents £3 12s. 3d. new tenour bills of Connecticut Colony. Ex. granted Oct. 27th, 1748.*

On the petition of Zachariah Frink, of Voluntown in the county of Windham, *vs.* John Dixson of Killingly, agent for and one of the proprietors of the common and undivided land in said Voluntown, and the rest of the proprietors of the said common and undivided land, as on file, (by continuance from the General Assembly in May last:) The question was put, whether the pleas offered by the respondents in abatement of the said petition are sufficient: Resolved by this Assembly in the affirmative.

Upon the memorial of Edward Nash and John Nash, ad-

ministrators on the estate of Samuel Nash, late of Norwalk in Fairfield county, deceased, shewing to this Assembly that the debt due from the estate of the said deceas'd, together with what was by the judge of the probate allowed to the widow of the said deceas'd as necessaries for keeping of house, surmount the moveable estate of said deceased the sum of £168 13s. 7*d.* old tenour bills of credit; praying for liberty to sell so much of the real estate of the said deceas'd as shall enable them to pay the sum aforesaid together with the incident charges arising thereon: Resolved by this Assembly, that the memorialists be impowered, and they are hereby impowered, taking the direction of the court of probate for the district of Fairfield, to sell so much of the lands of the said deceas'd Samuel Nash as shall amount to the sum of £168 13s. 7*d.* in old tenour bills of credit, together with the necessary charges arising on the sale aforesaid.

[466] Upon the memorial of the commission officers of the two military companies in the first society in Killingsworth, being the fourth and seventh companies in the seventh regiment, shewing to this Assembly that, by removing, the number of souldiers in said companies are so decreased that there is not a sufficient number for two companies, and praying to be united into one company: This Assembly do order that said two companies be united in one military company, by the name of the fourth company in said regiment, and shall be furnished with proper officers accordingly.

Upon the memorial of the selectmen of Fairfield, shewing to this Assembly that Joseph Bennet, son of Joseph Bennet of said Fairfield, deceas'd, is, and hath been for several years past, so distracted as to render him incapable to provide for himself, and having no relations that are by law to provide for him, nor any estate except lands, and that said selectmen have expended, since October 11th, 1739, the sum of £276 0s. 0*d.* for the support of said Bennet, and praying for liberty to sell so much land of the said Bennet as will make said sum with twenty pounds more for his present necessity, with the necessary charges arising on the sale of said lands: Resolved by this Assembly, that Capt. Samuel Burr, of said Fairfield, be authorized and impowered to make sale of so much of the said Joseph Bennet's land as will amount to the sum of £296 0s. 0*d.* in bills of credit old tenour, with the necessary charges thereon, taking the advice of the selectmen of said Fairfield therein.

Upon the memorial of Daniel Rowley, of Colchester in the county of Hartford, administrator on the estate of Reuben

Rowley, of East Haddam, deccas'd, shewing to this Assembly that the debts due from the estate of the deceased Reuben Rowley surmount the moveables £297 19s. 4d. in old tenour bills, and praying to this Assembly for liberty to sell so much of the lands of the deceased as shall amount to the sum of £297 19s. 4d. with the necessary charges arising thereon: Resolved by this Assembly, that the said Daniel Rowley have liberty to sell so much of the lands of the deceased Reuben Rowley as shall amount to the sum abovesaid with the charge arising thereon; taking the direction of the judge of the court of probate for the district of East Haddam therein.

Upon the memorial of Shubael Conant and Nathaniel Hall, executors of the last will and testament of Theophilus Hall, late of Mansfield in the county of Windham, deceased, preferred to this Assembly in May last, continued unto this Assembly, shewing unto this Assembly that the said Theophilus, deceased, did in his life time, by his bond under his hand and seal by him lawfully executed, and dated the 24th day of March, A. D. 174<sup>6</sup>/<sub>7</sub>, bind himself, his heirs &c., in the penal sum of one thousand pounds in current bills of publick credit, conditioned that the said Theophilus, deceased, his heirs &c., should make and execute unto Joshua Agard and Benjamin Agard, their heirs &c., a good quit-claim of one certain tract or parcel of land lying and being in the township of Mansfield aforesaid, containing by estimation about one hundred and twenty-six acres of land described and bounded as in said memorial and bond is expressed, if the said Joshua Agard and Benjamin Agard, they or either of them, their heirs &c., should pay to the said Hall, his heirs, executors &c., the sum of four hundred and sixty-five pounds in bills of credit old tenour at or before the 25th day of December, A. D. 1748; and further shewing that the said Theophilus died and never executed the said deed of quit-claim unto the said Joshua Agard and Benjamin Agard, nor did he devise the same to be made and executed after his decease, and that the children and heirs of the said Theophilus, deceased, are minors, and so uncapable to make and execute the deed of quit-claim as aforesaid; praying that this Assembly would by their special decree fully impower the memorialists, or some other meet person, to make and execute unto the said Joshua Agard and Benjamin Agard, their heirs and assigns, a deed of release or quit-claim of the right and title of the said Theophilus Hall, deceased, his heirs &c., unto the land aforesaid: Resolved by this Assembly, that the said memorialists be, and they hereby are, appointed and authorized to make and execute unto the



said Joshua Agard and Benjamin Agard, their heirs and assigns, a deed of release and quit-claim of all the right and title of the heirs of said deceased Theophilus, who are minors, &c., unto the land aforesaid, upon the said Joshua Agard and Benjamin Agard their paying unto the said Shubael Conant and Nathaniel Hall, the executors of said last will and testament of the || said Theophilus, deceased, the sum of four hundred and sixty five pounds in current bills of publick credit old tenour, at or before the 25th day of December A. D. 1748, as aforesaid; and that said deed, so executed as aforesaid, shall or may be pleaded as a lawful bar to all and every action of right, title, inheritance, claim or demand, which is or may be made by any of the heirs of the said Theophilus, deceased, who are minors, or any other person by, from or under them, or any of them, said minors.

An Act for the Alteration of and in Addition to an Act made and passed at the Sessions of this Assembly held in May, 1747, entituled An Act for the Regulating and Encouragement of Trade in this Colony.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That there shall not be demanded, collected or received, by any collector or collectors appointed or that shall be appointed in pursuance of said act to collect the duties laid by the same, any duties for any goods, wares and merchandizes, that shall by any person or persons be imported into this Colony from any of the neighbouring governments, mentioned in said act, after the thirteenth day of this instant October: but the said act, so far as it concerns the laying of duties on the importation of goods from the neighbouring governments, from that time shall be, and the same is hereby, suspended.

That the several collectors of such duties, who have been appointed in pursuance of said act, shall and they are hereby required to deliver unto the Treasurer of this Colony the several sums of money or bills of publick credit, and also such bonds or securities, as they have respectively taken for duties on goods imported as aforesaid, at or before the sessions of this Assembly in May next. And the said collectors are hereby required to collect of all such persons as have imported any goods, wares and merchandizes, into this Colony before the said thirteenth of October instant, since the first day of January last, for which the said duties ought to have been paid or secured to be paid as aforesaid, and hath not as yet been paid or secured to be paid.

And, that such collectors may be the better enabled to execute the trust reposed in them, and effectually collect the du-

ties not yet collected according to said act, and to prosecute such as refuse a compliance therewith,

*Be it further enacted by the authority aforesaid,* That if such persons who have imported such goods, wares and merchandizes, for which the said duties ought to have been paid or secured as aforesaid, shall not, within three days after demand shall be made of such duties by any such collector or collectors, either pay the said duties or give security therefor according to the directions in said act, such collector or collectors may proceed against such person or persons according to the direction given in said act. And in case there shall arise any dispute about the quantity or value of the goods imported, the quantity or value thereof shall be deemed, accounted and judged to be, what the informer or prosecutor in his information shall alledge and declare the same to be, unless the importer thereof will shew and produce in evidence an account of the true and real quantity or value, under oath (if thereto required,) which being done may be accepted as evidence of such quantity or value. And such collectors shall deliver such further duties and securities unto the Colony Treasurer, with a fair account of their whole proceedings in their said office, as soon as may be, out of which shall be deducted and allowed to such collectors the five *per centum* allowed by said act for their service.

That if any such collector shall neglect or refuse to perform his trust in the office aforesaid, such collector shall and may be sued, in the name of the Governor and Company of this Colony, to render his reasonable account of his doings in such office; and being found in arrears, shall pay the same and forfeit the whole of the said five *per centum* allowed by said act for his service, which shall be accounted as part of his arrears.

And whereas divers persons have not only imported goods into this Colony from Great Britain or Ireland, but also have [468] on the encouragement given in said act actually engaged and adventured for the importation of goods, wares and merchandizes, into this government, for which they are or may be entituled to the premium of five *per centum* granted by said act for the importation of goods from said kingdoms: And whereas the not paying the same according to the tenour of said act would be doing injustice to those persons, as well as be a breach of the publick faith, which ought to be preserved, as far as possible, inviolate:

*Be it therefore enacted by the authority aforesaid,* That all such inhabitants of this Colony as have, since the date of said act, imported into this Colony, on their own proper risque and

account, any goods, wares or merchandizes, from Great Britain or Ireland, for which the said premium is justly due, or shall so import any goods, wares or merchandizes, before the first day of January next, shall receive the said premium of five *per cent.* therefor, according as is provided in said act, out of the duties mentioned in said act as a fund for the payment of the said premium, so far as they will answer the same, on their producing orders on the Treasurer, as in said act is provided.

Upon the memorial of Ebenezer Clark and Ezra Andruss, a committee for the parish of East Hampton in Middletown, representing to this Assembly that the inhabitants of said parish being now about to settle the Reverend Mr. Norton in the work of the ministry among them, asking liberty of this Assembly to imbody into church estate, &c.: Resolved by this Assembly, that they have liberty, and they are hereby granted liberty to imbody into church estate, with the approbation of the neighbouring churches.

Upon the memorial of Jacob Hart, administrator on the estate of Robert Arnold, late of Standford, deceased, shewing to this Assembly that the debts due from the estate of the said deceased surmount the moveable estate of the said Robert Arnold, late of said Standford, deceased, the sum of £401 4s. 10*d.* money, praying to this Assembly for liberty to sell so much of the real estate of said deceased as will answer the sum of £401 4s. 10*d.* with the necessary charges arising thereon: Resolved by this Assembly, that the memorialist have liberty to sell so much of the real estate of said Robert Arnold, late of Standford, deceased, as will satisfy for the sum aforesaid; and the memorialist is hereby authorized and impowered to sell so much of the real estate of the said deceased as will answer and satisfy the sum of £401 4s. 10*d.* money, with the necessary charges arising thereon, taking the direction of the court of probate in the district of Standford therein.

Upon the memorial of Mary Griswold, of Weathersfield, shewing to this Assembly that her daughter Keziah Griswold has been utterly deprived of the use of her reason for several years past, and still continues so, which has occasioned great charge and cost for her support unto the said Mary Griswold, and that she is unable to provide for her support as heretofore, and thereupon praying this Assembly to impower some meet person to sell a piece of land belonging to said Keziah Griswold, lying in Newington in said Weathersfield: It is resolved by this Assembly, that Colo. Elizur Goodrich, of

Weathersfield, be impowered to sell the abovesaid piece of land, and to improve the money it shall be sold for to the benefit and relief of the said Keziah Griswold from time to time, as he shall judge needful.

Upon the memorial of Thomas Stoughton, agent for the town of Torrington, representing to this Assembly that the place already set up for building a meeting-house on in said town is not convenient for that purpose nor accommodable for the inhabitants; praying this Assembly for a new committee to view their circumstances and affix a new place to set a meeting-house on: This Assembly appoints Colo. Joseph Pitkin, Mr. Jos. Buckingham, Mr. Jonathan Hale, a committee to view the circumstances of said town in respect to a place for the setting a meeting-house upon, and report their opinion thereupon to the Assembly in May next.

On the petition of Timothy Parsons, of Durham, *vs.* Hope Halley, of Middletown, on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent £11 8s. 6d. old tenour. Ex. granted March 15th, 1747.*

[469] This Assembly do order and direct Colo. John Whiting, Treasurer of this Colony, to attend the Assembly on Thursday the 27th day of October instant, and bring with him a sufficiency of bills of credit in his hands to defray the charges of the Assembly.

An Act providing for defraying the Charges of prosecuting Criminals and Delinquents in the Superior Courts in this Colony.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That when any charges arise upon the prosecution of any criminal or delinquent in the superior court, and such criminal or delinquent hath no estate for paying the same and is unable to answer the same by service, as the law provides, such charges shall be paid out of the treasury of this Colony; any law, usage or custom to the contrary notwithstanding.

This Assembly being informed that Jonath. Trumble, Esqr, being in Boston when one Isaac Jones, who was suspected to have been counterfeiting the seven shilling bills of credit on this Colony, was seized by a person who was exposed to great danger in doing the same, did as a gratuity bestow on him the sum of eight pounds old tenour, supposing it proper to be done for the honour of this government: In consideration whereof, the Treasurer of this Colony is hereby ordered and directed to pay out of the publick treasury the aforesaid sum of eight pounds old tenour to the said Jonathan Trumble, Esqr.



On the petition of Nathaniel Washborn, of Coventry, *vs.* Benjamin Baldwin, of Coventry, as on file: The question was put, whether the prayer of the said petition should be granted: Resolved by this Assembly in the negative.

On the petition of Sarah Prentiss, of New London, &c., *vs.* Daniel Coit, Esqr, Stephen Lee and George Richards, junr, all of New London, as on file: The question was put, whether anything prayed for in the said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondents £5 18s. 8d. new tenour bills. Ex. granted March 9th, 1748<sup>e</sup>.*

Upon the memorial of Samuel Averel and others, living in the south-east part of the town of Kent, and Edward Cogswell and others, living in the north-east part of the town of New Milford, shewing this Assembly that they are situate at a great distance from the publick worship in the towns to which they respectively belong, and praying liberty of this Assembly to hire an orthodox minister to preach among themselves six months in the year for such term of years as this Assembly shall think fit, with exemption from taxes, &c.: Resolved by this Assembly, that the said memorialists have liberty to hire an orthodox minister amongst themselves six months in a year for the space of four years next coming, with exemption from any ministerial charges in the towns to which they respectively belong for such term of time only as they shall hire among themselves.

Upon the memorial of Mr. Henry Wills, of the west society in Norwich, shewing that he hath been for many years past, and still is, the minister of said society, and that on account of difficulties subsisting therein he, by a committee from this Assembly, is advised to resign his charge over that people; and thereupon praying this Assembly to order the said society to pay him the arrears of his salary and a just compensation for his resigning as aforesaid, in case the report of said committee be approved, which now by this Court is accepted and approved: Resolved by this Assembly, that it be recommended, and it is hereby recommended to the said Mr. Henry Wills and the inhabitants of said society, to endeavour as much as possible amicably to settle and conclude those matters by agreement among themselves, at or before the first day of January next. And it is further resolved, that the Hon<sup>ble</sup> Roger Wolcott, Esqr, Samuel Lynde and William Pitkin, Esqrs, be appointed, and they are hereby appointed, a committee to hear the parties in the matters aforesaid, in case a settlement thereof be not made as aforesaid by the time afore-

said; and on the request of the parties, or either of them, after the time aforesaid, the said committee are directed to repair [470] to the said society and determine what they judge || the said Mr. Wills ought to receive more than he has received on account of his salary since the 20th day of December, 1745, and therein to take an account of what has been paid, and by whom, that such persons may have the credit thereof in the tax to be raised for the payment of such arrears; also the said committee are directed to determine what compensation the said society shall make to the said Mr. Wills, in case he resigns as aforesaid, for the temporal loss he shall sustain thereby, and make report of their doings to this Assembly in May next.

Upon the petition of John Ingersole, of Windham, shewing to this Assembly that before the county court held at Windham in June last, one Thomas Wheeler, of Plainfield in said county, obtained final judgment against him on a note for £400 0s. 0d., and making evident that altho the matters by him in answer to said demand were in fact true, and also sufficient, if well pleaded, to bar said action, yet on failure therein in point of form, lost his case, &c., praying relief, &c.: Resolved by this Assembly, that the petitioner have liberty of a new tryal of said case at the county court to be held at Windham in December next; and that he also on good and sufficient bond with surety being given, conditioned for his appearance at said court and abiding final judgment that may be rendered in said cause, be by the sheriff of said county suffered to go at large from said goal; and that the whole cost also follow the final tryal.

On the petition of Joseph Holland, late of Mortlake now of Pomfrett in the county of Windham, *vs.* Daniel Kimbal, Richard Kimbal, Samuel Kimbal, and Richard Peabody, guardian to said Samuel, and Sarah Kimbal and Mary Kimbal, all of said Pomfrett, and Ezekiel Spaulding and Martha his wife, both of Canterbury, and Solomon Millington and Melitabel his wife, both of Mansfield in said Windham county, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

An Act directing how to proceed when it shall be necessary to build a Meeting House for Divine Worship.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That when any parish or religious society, allowed to be such by this Assembly, or established and approved by the laws of this Colony, (those only tolerated by the laws of this Colony and dissenting from us excepted,) shall by their vote (wherein

two-third parts of the inhabitants qualified by the law to vote and present in the meeting of such parish or religious society,) declare it to be necessary to build a meeting-house, every such parish or society shall apply themselves to the county court in the county where such parish or society is situate, to appoint and affix the place whereon their meeting-house shall be erected and built; and the county courts in the respective counties are hereby authorized and empowered to hear all concerned and take proper measures for the affixing such place, and to appoint, order and affix the place whereon their meeting-house shall be erected and built; which being done, concluded and ascertained, by the judgment of the county court in the county where such parish or society is situate, the committee of such parish or society shall forthwith give due notice to the parishioners to meet at some suitable time and place, to authorize and appoint some meet persons to be a committee for setting up, building and finishing, an house proper and suitable for such an improvement, on the place appointed as aforesaid; at which meeting the said society shall proceed to grant and levy a tax on the inhabitants of such parish, to be collected and paid to the said committee to enable them to go forward with the said building; and the clerk of the parish or society shall keep the accompt of their disbursements; and it shall be the duty of every such clerk to certify the county court which gave such order the doings of the society, at their next sessions after the fixing the place as aforesaid, as also the progress of the committee in building such house, to each county court in the county at their stated [471] sessions till the || house be finished, and for every neglect of his duty therein shall incur the penalty of ten pounds to the county treasury in such county, to be recovered of such clerk before the county court in the county where the society is situate, by action, bill, plaint or otherways, as the law will allow, in which case no review shall be admitted.

*And it is hereby further provided,* That if the county court in such county do find by the clerk's certificate that the inhabitants of such society do not proceed to set up and finish a meeting-house at the place appointed as aforesaid, and certify the same to this Assembly, this Assembly will assess and levy upon such society from time to time such sum and sums of money as may be needful to set up and finish such meeting-house, which shall be by order of this Assembly accordingly improved; and every such sum of money shall be by the Treasurer of the Colony added to the publick tax of the society, and gathered as a part of the publick tax by the constable who gathers the country rate, and paid into the publick treasury, to

be reimbursed for the use aforesaid, who shall by order of this Assembly deliver the same to such person or persons as by this Assembly shall be appointed.

*And it is hereby further enacted,* That for the future it shall not be lawful for any of the societies aforesaid, or any part of such society, to build or set up any meeting-house for religious worship without procuring the county court in the county where such society is situate first to ascertain the place for it, as in this act is limited and provided ; and whosoever shall transgress this order shall incur the penalty of one hundred pounds to the treasury of such county, to be recovered by action, bill or plaint, before any of the county courts in the county where the transgression shall be committed.

*And it is hereby further enacted,* That the proceeding in settling and affixing such meeting-house place shall be at the charge of the parish or society where such house is needed, and such county court shall be allowed fees for their judgment thereon as in the tryal of other causes.

*And it is hereby further enacted,* That the law entituled An Act how to proceed when it shall be necessary to build a meeting-house for divine worship, made and passed by this Assembly in May, 1731, be repealed, and the same is hereby repealed.

Upon the memorial of Alpheus Gustin, of Glassenbury in the county of Hartford, administrator on the estate of Henry Goslee late of Glassenbury, deceased, representing that there is in debts due from said estate the sum of £55 14s. 6d. more than the moveable estate, and what real estate of said deceased hath been heretofore granted and ordered to be sold for the payment of the debts of said deceased, &c. : Resolved by this Assembly, that the said administrator have liberty further to sell so much more of the lands or real estate of said deceased as will pay the aforesaid sum of £55 14s. 6d. and incident charges arising on said sale ; and full power is hereby granted unto him for that purpose, he taking the direction of the court of probate for the district of Hartford therein.

Upon the memorial of the inhabitants of Marlborough, brought by their agent William Buel of said society, shewing to this Assembly that they are building a meeting-house and settling a minister among them, which is a very great charge and burthen to them under their low circumstances, and praying this Assembly to lay a tax of twelve pence on the acre yearly on all the unrated lands in said society for the space of four years next coming, to be improved towards the building a meeting-house and settling a minister : Resolved by this



Assembly, that there shall be a tax laid on all the unrated lands in said society of four pence on the acre for the space of four years, to be improved for the purposes aforesaid, to be collected by the collector chosen by said society to collect the society rate for the time being.

Upon the memorial of James McCall, Gideon Hunt and Abigail Hunt his wife, all of Lebanon, executors of the last will and testament of Edward Culver, late of Lebanon, deceased; praying for liberty to sell so much of the real estate of said testator as shall make the sum of £205 12s. 8d. old tenour, to pay the debts due from said testator's estate more than the personal estate amounts to: Resolved by this Assembly, that the said James McCall, Gideon Hunt and Abigail Hunt his wife, executors as aforesaid, have liberty to sell, and liberty is hereby granted them to sell, so much of said testator's real estate as shall make the said sum of £205 12s. 8d. old tenour with the incident charges arising thereon, to pay the debts due from said estate, taking the direction of the court of probate in the district of Windham therein.

[472] On the memorial of Nathaniel Stow, of Middletown, administrator on the estate of Ebenezer Stow, late of Middletown, deceased, shewing to this Assembly the debts due from the estate of the said deceased surmount the moveable estate the sum of £322 0s. 0d. bills of credit old tenour; praying for liberty to sell so much of the real estate of said deceased as to make said sum with the charges arising on said sale: Resolved by this Assembly, that the said administrator have liberty, and it is hereby granted to said administrator liberty to sell so much of the real estate of said deceased as to make said sum, and the charges thereon arising, taking the direction of the court of probate in Hartford.

Upon the memorial of John Norton, of Farmington in the county of Hartford, shewing that he, some time past, mortgaged eighteen acres of land to the Governor and Company of this Colony for the sum of £50 old tenour &c., and that on failure to pay the money by the time limited the said Governor and Company obtained final judgment for recovery of the said land and damage and cost, and that he has now since the first session of this Assembly lodged the principal sum and interest to this time and cost in the hands of Mr. Edwards, agent &c., for the use of the treasury, and praying liberty to redeem his said land &c.: Resolved by this Assembly, that on payment into the treasury of this Colony of the principal sum by said Norton borrowed with the interest thereof, and on payment also of ten pounds old tenour more for all other

costs, Nathaniel Stanly and George Wylls, Esq<sup>rs</sup>, (the committee to such end appointed,) do execute to the memorialist in due form of law a quit-claim of said mortgaged lands.

Upon the memorial of John Dodge, of Colchester, shewing that on the 8th day of October, A. D. 1739, for the sum of £92 0s. 0d. money, he conveyed a certain tract of land to Mr. Samuel Brown, of Salem in the Province of the Massachusetts Bay, by a deed well executed on said day, as of record appears. and that said Brown made a bond to said Dodge to reconvey said tract of land situate in the township of Colchester, containing thirty-four acres and one hundred and ten rods, beginning at a white oak tree on the west side of the road from Colchester to New Salem parish in Lyme, being Joshua Hempstead's corner, thence westerly by said Hempstead's land to the northwest corner thereof about 117 rods to a white oak tree and stones about it, thence northerly 24 rods to an heap of stones, thence easterly by undivided land and Hempstead's land 125 rods to Hempstead's southeast bounds a heap of stones by said road, thence southerly by said road 65 rods to the first boundary, as described in said deed, upon said Dodge's paying said Brown said ninety-two pounds at or before the 8th day of October, 1742, and that before said time said Brown departed this life, and said Dodge tendered said sum to said Brown's attorney before the said 8th of October, 1742; praying some meet person may be authorized to execute an ample deed of sale to said Dodge on payment of said sum with interest &c., as per his memorial on file: Resolved, that Mr. Epes Sergeant and Mrs. Katharine Sergeant be, and they are hereby, authorized to make and execute a deed of sale of said thirty-four acres and one hundred and ten rods of land abovementioned, to said John Dodge in due form of law, on said Dodge's paying the sum of one hundred and sixty-five pounds twelve shillings, within two months.

On the memorial of John Munson, Isaac Dickerman and John Hitchcock, all of New Haven, &c., citing Amos Sperry of New Haven &c., as on file: The question was put, whether the pleas offered by the respondent in abatement &c. are sufficient: Resolved by this Assembly in the affirmative. *Cost allow'd respondent £2 14s. 2d. new tenour bills of this Colony. Ex. granted October 29th, 1748.*

Upon the petition of Josiah Smith and John Smith jun<sup>r</sup>, both of New London, shewing to this Assembly that on the 29th day of September last past they, the petitioners, obtained a judgment for each of said petitioners, before a court of commissioners held in said New London by special act of As-

sembly, against the estate of Capt. John Prentiss late of said New London, deceased, which said estate is in the hands of Sarah Prentiss, executrix on the last will of the said John Prentiss, for the sum of £116 3s. 0d. old tenour bills of credit in the whole, and also took out executions on said judgments, directed to the sheriff of the county of said New London, or to either of the constables of the town of said New London, requiring them to levy said executions on the estate aforesaid in the hands of said executrix, which said execution has since been returned and endorsed by the sheriff of said [473] New London with a (*non est inventus*,) || praying for relief in the premises: Resolved by this Assembly, that in case said executions shall not be fully paid and satisfied, within two months from the date of said executions, that then the said court of commissioners shall, and they are hereby authorized, impowered and directed, at the instance and request of the said petitioners, or either of them, to issue out a writ of *scire facias* against the said Sarah Prentiss, to shew reason wherefore said judgment should not be affirmed against her in her single capacity; and the said court are hereby impowered and directed to proceed therein as other courts in this Colony are by law enabled to do on such writs. *Cost allowed petitioners* £7 14s. 11d. *new tenour bills. Ex. granted March 9th, 1748<sup>o</sup>.*

Upon the memorial of Thomas Stephens, of Plainfield, administrator on the estate of James Gerrild, of Plainfield, deceased, shewing to this Assembly that the debts due from the estate of said deceased amount to the sum of £404 19s. 6d. more than the personal estate of said deceased, and praying that some suitable person might be appointed to sell so much of the lands belonging to the estate of said deceased as will amount to that sum with the incident charges: Resolved by this Assembly, that the said Thomas Stephens be, and is hereby, appointed and impowered to sell so much of the lands belonging to the estate of said deceased as will amount to the sum of £404 19s. 6d. with the incident charges thereon arising, to pay said debts; taking the direction of the court of probate in the district of Plainfield therein.

Upon the memorial of Israel Dayton and Dinah Dayton his wife, of New Haven, administrators on the estate of Moses Clark, late of New Haven, deceased, representing that the debts due from said estate do exceed the moveables of said estate the sum of £44 12s. 10d., and praying liberty to sell so much of the real estate of said deceased as shall enable them to pay said sum with charges of sale &c.: Resolved by

this Assembly, that said administrators have liberty to sell so much of the real estate of said deceased as shall enable said administrators to pay said sum with contingent charges of sale, taking the advice and direction of the court of probate for the district of New Haven therein.

Upon the memorial of the inhabitants of the society of Gilead in Hebron, representing to this Assembly that they have occasion to build a meeting-house in said society, and that they had unanimously agreed by a vote of said society upon the place for setting a meeting-house for the worship of God in said society: Resolved by this Assembly, that the place for setting a meeting-house in said society shall be at the place by them so agreed upon, (*viz:*) at a place encompassing a stake and heap of stones standing about four or five feet off the line of Eliphalet Young's land, in the highway at the southwest corner of his house-lot.

Upon the memorial of Timothy Alling, of New Haven, praying that the land mortgaged by him for the first loan-money of the old tenour, as per his memorial on file: Resolved by this Assembly, that said Alling shall have a deed of release of the land by him mortgaged as aforesaid, on his paying into the publick treasury the principal sum borrowed and the interest thereupon arising till payment be made, and all cost and charges of suit, and twenty pounds more old tenour for other charges.

Upon the memorial of the committee of the first society in Norwich, representing to this Assembly that they are wholly destitute of a collector to collect part of their society rate, by reason of several persons who were by said society chosen to that office refusing to serve in that office: Resolved by this Assembly, that some proper person be appointed by this Assembly to collect that part of said society rate that Abiel Marshall was by said society chosen to collect. And this Assembly do hereby appoint Gideon Fitch, of said society, to collect that part of said society rate abovementioned, and that it shall be lawful for said Gideon Fitch to take out of the money by him collected the sum of two and a half *per cent.* as a reward for his trouble therein, and that said Gideon Fitch is hereby fully impowered to collect said rate, and shall be accountable for the sums by him collected as by law he would have been if chosen by said society according to law.

Upon the petition of Joseph Wilcox and Stephen Wilcox, of Killingsworth, executors of the last will and testament of Joseph Wilcox, late of Killingsworth, deceased, representing to this Assembly that Elizabeth Wilcox, of Killingsworth,



widow, obtained judgment against them at the superior court held at Norwich on the 4th Tuesday of March last, within and for the county of New London, and that thro' a mere mistake or forgetfulness in their attorney's not giving bond [474] for a review, || or the clerk of said superior court not entering that bond was given to prosecute a review in said cause; praying that this Assembly would grant to them the liberty of another tryal of said cause and of entering said action in the next superior court to be held at Norwich aforesaid on the 4th Tuesday of March next, as though the same came there by review &c.: Resolved by this Assembly, that the said Joseph Wilcox and Stephen Wilcox are hereby granted liberty of entering said action at the next superior court to be holden at said Norwich on the 4th Tuesday of March next, and to proceed in said case as though the same came there by review; they giving sufficient bond for the prosecution thereof in due form of law.

Upon the petition of Daniel Hovey, of Mansfield in the county of Windham, representing to this Assembly that on the 28th day of January, A.D. 174 $\frac{1}{2}$ , he borrowed of one Mary Stutson, of the same town of Mansfield, sixty pounds money old tenour, and in security of the payment of the said sum, with seven pounds ten shillings more interest for one year after the same 28th of January, he gave the said Mary a deed of his house and lot in said Mansfield, bounded and described as in the deed thereof may appear, dated the same 28th day of January, and the said Mary gave him, the petitioner, her bond of £1000 0s. 0d. to oblige her to reconvey said house and land upon the petitioner's paying the sum of sixty-seven pounds ten shillings, which bond bears even date with said deed; and that by necessity he was unable to pay the said £67 10s. 0d. by the time set, but tendered the sum of £73 11s. 3d. which was the full sum due to her in equity in the month of July, 1746, which she refused and bro't her action against the petitioner for a surrendry of said house and land, upon which she recovered a final judgment at the superior court held in Windham in March last past, for the surrendry of said house and land with £29 4s. 10d. cost; praying relief, as per his petition on file appears: Whereupon it is resolved by this Assembly, that upon the said Daniel Hovey's or his heirs paying or tendering unto the said Mary Stutson or her heirs the sum of one hundred and thirty pounds at or before the first of January next, the said Mary Stutson or her heirs shall give unto the said Daniel Hovey or his heirs a release of all the house and lands and estate

contained in said deed of all the right and title therein, and that she shall take no benefit of the cost contained in the said judgment of the superior court aforesaid. And in case the said Mary or her heirs shall refuse so to give a release as aforesaid, within one month after the payment or tendry of the said sum of one hundred and thirty pounds, that then the said Mary, her heirs, executors or administrators, shall render and pay unto the said Daniel Hovey, his heirs, executors or administrators, the sum of one thousand pounds money as aforesaid.

Upon the petition of the Reverend Mr. Samuel Dorrance, of Voluntown, shewing to this Assembly that he settled in the ministry in said town in the year 1723, where he has officiated in that service ever since; that the town of Voluntown granted him the sum of one hundred pounds for his yearly salary; that the paper currency is greatly discounted since the making said grant; that the inhabitants of said Voluntown have hitherto refused to pay the petitioner any more than the sum of one hundred pounds in bills of credit old tenour for his yearly salary, which sum is altogether insufficient for his support; praying to this Assembly for relief, as per petition on file appears: Resolved by this Assembly, that the town of Voluntown shall pay to the Reverend Mr. Samuel Dorrance the sum of three hundred pounds old tenour bills to make up his salary to the 25th day of December next, for two years last, besides the one hundred pounds already paid him for the year 1747; and that Joseph Eaton of Voluntown be, and is hereby, appointed and impowered a collector to collect a rate to be made on the polls and rateable estate of said inhabitants for that purpose, with the same power as other collectors in this Colony have.

Upon the memorial of Isaac Pinto, of Stratford, representing to this Assembly that in his way of trade he received a counterfeit bill made in imitation of a bill of publick credit of forty shillings of the Province of the Massachusetts Bay of the new tenour, and two other counterfeit bills made in imitation of twenty shilling bills of publick credit of this Colony of the new tenour, supposing them to be true bills, but upon comparing them with the false plates produced in the tryal [475] of Samuel Weed before the special superior court held at New Haven, the said bills were found to be counterfeit and were accordingly lodged with said court; praying this Assembly to grant him leave to draw the amount of said bills out of the publick treasury of this Colony, being fifteen pounds old tenour: Resolved by this Assembly, that the

said Isaac Pinto have the privilege of taking fifteen pounds money old tenour out of the publick treasury of this Colony, in lien of the aforesaid counterfeit bills, and the Treasurer of this Colony is hereby ordered to deliver the same fifteen pounds accordingly.

Upon the memorial of Mathew St. John, agent for the town and proprietors of Sharon, praying that a rate of six pence old tenour per acre may be laid on all the lands in said town laid out or granted to be laid out, and to continue for and during the space of four years &c.: Resolved by this Assembly, that there be a rate of three pence old tenour per acre laid upon all the lands in said town of Sharon either laid out or granted to be laid out, to be levied of the estate of the owners thereof, and that the same be collected by the collector of the rates of the said town for the time being, and to be and continue during the term of four years commencing from the rising of this Assembly, to be improved for and towards the settlement and maintenance of a regular orthodox gospel minister in said town.

Upon the memorial of Thomas Harrison and others, inhabitants living in the south part of the town of Litchfield, within the bounds following, (*viz*:) Beginning at Waterbury bounds by a white oak crotched tree at a place called the Branch, thence northward three miles by the branch to Paul Peck's sixty acres, thence west five miles, thence south three miles to Woodberry bounds, thence by said Woodberry and Waterbury to said oak tree; representing to this Assembly the great distance of said inhabitants from the place of publick worship where they respectively belong, &c.: Resolved by this Assembly, that all those inhabitants that do or shall live within the bounds aforesaid shall and may have a meeting amongst themselves for publick worship three months in every year in the winter season, and that during the time they shall hire and improve an orthodox minister to preach among them, within the season aforesaid, they shall be exempted from paying any ministerial charges or taxes to those societies where they respectively belong.

Upon the memorial of Joseph Parkhirst, of Plainfield, shewing to this Assembly that he brought his petition to the General Assembly of this Colony at their sessions in May, 1747, praying for the reversion of a judgment of the superior court at Windham on the 3d Tuesday of September, 1746; that he paid the full of the Assembly's fees for the hearing the same; that he withdrew the same before hearing; praying that this Assembly would order the same to be returned

to him, exclusive of that part which belongs to the Secretary: Resolved by this Assembly, that the Treasurer of this Colony pay to the said memorialist the sum of one pound fifteen shillings new tenour, taking a receipt for the same.

Upon the memorial of Mr. Isaac Chalker, of the parish of Eastberry in the town of Glassenbury, shewing that having many years past been a settled minister in the town of Bethlehem in the Province of New York, he, by occasion of great and extreme differences and disorders in said place arising in religious matters, obtained an orderly dismissal from the pastoral care of that people, and hath now some years since been regularly ordained and settled in the work of the ministry in the said parish of Eastberry, and that he by being so broken up at said Bethlehem, put to great expence in his removal, and by a series of adverse providences deeply involved in debt, insomuch that neither he himself nor his poor and needy parish are able in any wise to extricate him, &c. ; thereupon prays to be relieved &c., as per his memorial on file: Resolved by this Assembly, that the memorialist be allowed to have and receive (on good security) out of the publick treasury of this Colony the sum of six hundred and fifty pounds in bills of the old tenour, interest free, for and during the space of one full year; and that Nath<sup>l</sup> Stanly and Joseph Buckingham, of Hartford, Esq<sup>rs</sup>, be a committee of the memorialists to take and receive such security, for and on the behalf of the Governour and Company of this Colony.

Upon the memorial of Jacob Blakely, a constable of Waterbury, exhibiting an account unto this Assembly to the amount of £16 12s. 0d. old tenour, for service done in taking Samuel Weed and sundry times carrying him to the goal &c., and praying that he might have said sum out of the publick treasury: Resolved by this Assembly, that the said memorialist have said sum out of the publick treasury accordingly.

[476] This Assembly do establish and confirm Mr. Daniel Lawrence, jun<sup>r</sup>, to be Captain of the north company or trainband in the town of Canaan, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Uriah Stephens to be Lieutenant of the north company or trainband in the town of Canaan, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Isaac Lawrence to be Ensign of the north company or trainband in the town of Canaan, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Beebe to



be Captain of the south company or trainband in the town of Canaan, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Cowles, to be Lieutenant of the south company or trainband in the town of Canaan, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Josiah Dean, junr, to be Ensign of the south company or trainband in the town of Canaan, and order that he be commissioned accordingly.

The Sums total of the Lists of Estate of the several Towns in this Colony hereafter mentioned, sent in to this Assembly and accepted, are as follow, (viz:)

	£	s.	d.		£	s.	d.
Hartford,	36964	6	5	New Haven,	52612	16	10½
New London,	30937	9	6	Fairfield,	47566	12	5
Windham,	23588	3	1	Norwich,	50945	8	0
Woodberry,	23705	12	0	Standford,	27184	10	3
Hebron,	15462	9	0	Danbury,	15087	16	7
Milford,	27610	5	7	Windsor,	36453	16	11
Glassenbury,	12021	13	0	Farmington,	36518	13	0
Weathersfield,	25198	14	6	Killingsworth,	14261	0	0
Coventry,	14286	5	0	Stonington,	29490	13	10
Waterbury,	15277	1	6	Preston,	17827	16	6
Symsbury,	16534	7	0	New Milford,	11865	0	9
Canterbury,	12972	13	6	Saybrook,	19643	10	2
Plainfield,	11242	12	0	Mansfield,	13880	7	6
Lebanon,	35570	10	0	Voluntown,	8785	5	0
Pomfrett,	14533	0	0	Colchester,	19657	14	0
East Haddam,	17813	12	0	Killingly,	19670	0	0
Norwalk,	32743	14	0	Newtown,	12284	11	6
Brandford,	22207	17	9	Derby,	10290	5	9
Guilford,	32274	14	4	Greenwich,	20267	14	0
Groton,	20918	8	0	Midletown,	44155	16	0
Tolland,	7536	9	0	Ashford,	10293	6	0
Lyme,	22564	4	6	Wallingford,	38885	7	0
Haddam,	10318	6	7	Durham,	11060	8	11
Stratford,	35563	5	3	Litchfield,	9783	15	6
Ridgefield,	8986	1	10				

An Act in Addition to an Act entituled An Act to prevent Nuisances by Hedges, Wears &c. in Rivers.

*Be it enacted by the Governor, Council and Representatives in General Court assembled, and by the authority of the same,* That for and during the term of two full years, to commence from the rising of this Assembly, no seine at any place in Windsor Little River, (so called,) within one mile from the mouth thereof, shall be used or drawn, nor in Connecticut River on

the west side thereof within one quarter of a mile below the mouth of said Little River, save only in the day time between the rising and setting of the sun, nor any trammel net put down or set for the catching of fish within said distances up said Little River or below the mouth thereof, at any time, by night or by day, within said two years, on the penalty of twenty shillings new tenour bills for every transgression of this act, to be recovered by bill, plaint or information, the one half thereof to be to and for the complainant, and the other half to and for the use of said town of Windsor.

[477] An Act for preventing a Multiplicity of Petitions to the General Assembly.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That for the future no petition shall be preferred to this Assembly wherein the value of the debt, damage, or other matter about which the controversy did arise, does not exceed the sum of fifteen pounds in bills of credit new tenour.

This Assembly grants a rate of two pence on the pound new tenour, on all the polls and rateable estate in this government, to be paid into the treasury of this Colony in new tenour or in bills of credit of this Colony of the old tenour equivalent, (*viz:*) three shillings and six pence in old tenour for one shilling new tenour.

Whereas the listers of the town of Brandford endeavouring to send their additions to the list of said town to this Assembly in May last, and the same failing by accident, and the same being now sent to this Court to the amount of £1872 3s. 3d. of single additions and fourfold assessments blended together: Resolved by this Assembly, that the aforesaid sum be added unto the list of said town as though the same had been sent in May last, and the same all in addition. And the Secretary of this Colony is directed to send to the Treasurer of said Colony a copy of this act, who is likewise hereby ordered to take the tax of said town accordingly.

*Resolved by this Assembly,* That his Honour the Governor be desired, and he is hereby desired, to write to Eliakim Palmer, Esqr, our Agent at Great Britain, and give him directions that if the money granted this Colony on account of the taking Cape Breton be paid to him without any restrictions as to the application of it, that he give this Colony notice of it as soon as may be, and in the mean time that he put it into some bank or banks in England, where the same may be safe and draw an interest on it while it lies there, it being our design to draw the same again out of the bank with all possible

speed, to appropriate it, so far as it will go, to draw in and discharge our bills of credit.

His Honour the Governor having laid before this Assembly a copy of a proclamation by their Excellencies the Lords Justices, for the taking off the prohibitions and restrictions created by an act of Parliament made in the 13th year of his Majesty's reign, intituled An Act for prohibiting commerce with Spain, wherein all commerce between his Majesties subjects and those of Spain in Europe was prohibited and restrained in manner in said act mentioned, given at Whitehall the 25th day of August, 1748, with their Lordships' directions signified to the Governor and Company of this Colony to cause the same to be published in all proper places in this government: Whereupon it is resolved by this Assembly, that the said proclamation be published in the respective counties of Hartford, New Haven, New London, Fairfield and Windham; and in order thereto, the Secretary of this Colony is hereby directed to send attested copies of the said proclamation and of this resolve to the several sheriffs of the respective counties aforesaid, who are hereby ordered, on receipt thereof, forthwith to publish the same in their respective counties, that his Majesty's subjects therein may be sufficiently informed thereof.

*Resolved by this Assembly,* That Messrs. Jeremiah Miller, Jeremiah Chapman junr, and Colo. Gurdon Saltonstall, or any two of them, be a committee, and they are hereby authorized and impowered, to make sale of the Colony sloop Defence, now lying in New London harbour, with her boat, tackling, cables, anchors and apparel, to the best advantage. And said committee is fully authorized to give an authentick bill of sale of said sloop. And said committee are directed to take bonds with surety, in the name of the Governor and Company of this Colony, payable within one year from the sale of said sloop, which said bonds said committee shall put into the hands of the Treasurer of this Colony, taking his receipt for the same, which receipt shall be lodged with the Secretary. And said committee are directed to take care of the guns and warlike stores of said sloop, and secure them for the use of this Colony, and make report of their doings thereon to this Assembly in May next.

[478] This Assembly grants to the Honourable Jonathan Law, Esqr, the sum of one hundred and thirty pounds in new tenour bills of publick credit, for the last half year's salary the current year.

This Assembly grants to the Hon<sup>ble</sup> Roger Wolcott, Esqr,

the sum of sixty-five pounds in new tenour bills of publick credit, for his half year's salary until May next.

This Assembly grants to George Wyllys, Esqr, Secretary, twenty pounds in bills of the new tenour, for his salary the past and current year.

This Assembly grants to Mr. Green, the printer, the sum of thirty-six pounds in bills of credit of the new tenour, for one year's salary.

*Resolved*, That the hearing of petitions, memorials and other private matters that shall be depending at the sessions of this Assembly in May next, shall be suspended till the second Tuesday after the beginning of said session,\* and that no non-suit or default shall be entered against any person for not appearing before that time.

*Resolved*, That the several petitions and memorials and reports of committees now lying on the files of this Assembly and not acted upon, be continued, and the same are hereby continued to the sessions of this Assembly to be holden at Hartford in May next.

Whereas this Assembly is drawn out to such a length that all the members thereof cannot conveniently attend to hear the records read off: This Assembly appoint Nath<sup>l</sup>. Stanly, William Pitkin, John Chester, Esq<sup>rs</sup>, Colo. Thomas Welles, Colo. Joseph Pitkin, and Mr. Jos. Buckingham, a committee to attend his Honour the Deputy Governor, to hear the records of the acts and doings of this Assembly read off, and see them signed by the Secretary as perfect and compleat.

The whole record of the several Acts, Grants and Orders of this Assembly, as they stand entered on the pages of this book next preceeding, was read off in the presence of his Honour the Deputy Governor and the major part of the committee abovenamed, and signed as compleat.

GEORGE WYLLYS, Secretary.

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[479] *Anno Regni Regis Georgii secundi vigesimo-secundo.*

AT A GENERAL ASSEMBLY HOLDEN AT HARTFORD IN HIS MAJESTY'S COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, ON THE SECOND THURSDAY OF MAY, (BEING THE 11TH DAY OF SAID MONTH,) ANNOQUE DOMINI 1749, AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE THIRD DAY OF JUNE NEXT FOLLOWING.

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\* To afford time for considering the new Revision of the Laws, made by Mr. Fitch. *Civil Officers &c.* III. 175.



*Present :*

The Honourable Jonathan Law, Esq<sup>r</sup>, Governor.

The Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, Deputy Governor.

James Wadsworth,	Ebenezer Silliman,	} Esq <sup>rs</sup> , <i>Assistants</i> .
Nathaniel Stanly,	Jonathan Trumble,	
Samuel Lynde,	Hezekiah Huntington,	
William Pitkin,	John Bulkley,	
Thomas Fitch,	Andrew Burr,	
Roger Newton,	John Chester,	

*Representatives or Deputies that attended at the Assembly are as follow, (viz:)*

Colo. Joseph Pitkin, Mr. Thomas Seymour, for Hartford.

Mr. Jeremiah Miller, Mr. Jeremiah Chapman. jun<sup>r</sup>, for New London.

Colo. Jabez Huntington, Mr. Jonathan Huntington, for Windham.

Colo. Elisha Williams, Capt. Jonathan Belden, for Weathersfield.

Capt. Asahel Strong, Mr. Joseph Hooker, for Farmington.

Colo. Jonathan Hoit, Mr. Abraham Davenport, for Stamford.

Mr. Penuel Child, Mr. Joseph Leavinze, for Killingly.

Mr. Stephen Hopkins, Mr. Timothy Judd, for Waterbury.

Colo. William Preston, Mr. Noah Hinman, for Woodberry.

Capt. Robert Walker, Capt. Joseph Blackleach, for Stratford.

Colo. Benjamin Hall, Mr. Gideon Ives, for Wallingford.

Major Ebenezer Marsh, Capt. Joseph Bird, for Litchfield.

Mr. Zebulon West, Mr. John Lothrop, for Tolland.

Mr. Hezekiah Brainerd, for Haddam.

Mr. James Benedict, Mr. Samuel Olmstead, for Ridgfield.

Capt. Jonathan Lane, Mr. Benjamin Gale, for Killingsworth.

Mr. John Northrop, Mr. Henry Glover, for Newtown.

Capt. Joseph Phelps, Capt. William Buel, for Hebron.

Capt. Isaac Dickerman, Capt. Samuel Sherman, for New Haven.

Capt. John Read, Mr. David Rowland, for Fairfield.

Mr. Ebenezer Backus, Mr. Isaac Tracey, for Norwich.

Mr. James Bicknal, Mr. Benjamin Walker, for Ashford.

Colo. Shubael Conant, Mr. William Johnson, for Mansfield.

Capt. John Fowler, Mr. Robert Treat, for Milford.

Capt. James Bebee, Capt. John Benedict, for Danbury.

Mr. Joseph Strong, Mr. Phinehas Strong, for Coventry.

Mr. John Humphrey, Capt. Nath<sup>l</sup>. Holcomb, for Symsbury.

Major John Russell, Mr. Jonathan Russell, for Brandford.

Capt. Charles Bulkley, Mr. John Day, for Colchester.

Colo. Thomas Welles, Capt. Jonathan Hale, for Glassenbury.

Capt. Moses Hawkins, Capt. Abel Gun, for Derby.

Capt. John Mead, for Greenwich.

Colo. Christopher Avery, Mr. John Ledyard, for Groton.

Mr. Joseph Platt, Mr. Nehemiah Mead, for Norwalk.

Mr. Paul Welch, Mr. John Warner, for New Milford.

Mr. James Cone, for East Haddam.

[480] Capt. Jabez Fitch, Mr. Solomon Tracey, for Canterbury.

Major Elihu Chauncey, Mr. James Wadsworth, for Durham.

Capt. Jedadiah Chapman, Mr. Ambrose Whittelsey, for Saybrook.

Mr. John Crery, Mr. Benjamin Wheeler, for Plainfield.

Mr. Ebenezer West, Capt. James Fitch, for Lebanon.

Capt. Samuel Enno, Mr. Mathew Rockwell, for Windsor.

Mr. Joseph Palmer, Capt. Robert Dixson, for Voluntown.

Mr. Ebenezer Holbrook, Major Joseph Holland, for Pomfrett.

Capt. Timothy Stone, Capt. William Ward, for Guilford.

Mr. William Wittar, Major Samuel Coit, for Preston.

Major Jabez Hamlin, Mr. Seth Wetmore, for Middletown.

Mr. John Griswold, Capt. Elisha Shelden, for Lyme.

Mr. Simeon Minor, Capt. Joseph Denison, for Stonington.

Colo. Thomas Welles, Speaker, } of the House of Rep-

Capt. John Fowler, Clerk, } representatives.

This day being appointed by the royal charter and the laws of this Colony for the Election of the publick officers of the Colony, *viz*: Governor, Deputy Governor, Assistants, Treasurer and Secretary, proclamation was made, and then the votes of the freemen were given in. to persons appointed by the Governor, Council and Representatives, to receive, sort and count them, and to declare the choice of the said officers; which persons so appointed were, Nath<sup>l</sup>. Stanly, Samuel Lynde, William Pitkin, Thomas Fitch, Roger Newton, Ebenezer Silliman, Jonath. Trumble, Hezekiah Huntington, John Bulkley, Andrew Burr, John Chester, Esq<sup>rs</sup>, Mr. Thomas Seymour, Major Jabez Hamlin, Major John Russell, Mr. Robert Treat, Capt. Elisha Shelden, Mr. Benjamin Gale, Capt. Joseph Blackleach, Colo. Jonathan Hoit, Mr. Jonathan Huntington, and Colo. Shubael Conant, who were all sworn to a faithful discharge of that trust. And the said persons, appointed and sworn as aforesaid, caused it to be proclaimed and declared before the Assembly, that

The Honourable Jonathan Law, Esq<sup>r</sup>, is chosen Governor of this Colony for the year ensuing. And accordingly the Governor's oath prescribed by law of this Colony, and the oath required by act of Parliament relating to trade and nav-

igation, were administred to him by his Honour the Deputy Governor, in the presence of the Assembly.

The Honourable Roger Wolcott, Esq<sup>r</sup>, is chosen Deputy Governor of this Colony for the year ensuing, who was sworn according to law by his Honour the Governor in the presence of the Assembly.

James Wadsworth,	Jonathan Trumble,	} Esq <sup>rs</sup> .
Samuel Lynde,	Hezekiah Huntington,	
William Pitkin,	John Bulkley,	
Thomas Fitch,	Andrew Burr,	
Roger Newton,	John Chester,	
Ebenezer Silliman,	Gurdon Saltonstall,	

were chosen Assistants for the year ensuing, and the Assistant's oath provided by law administred to them by his Honour the Governor.

John Whiting, Esq<sup>r</sup>, is chosen Treasurer of this Colony for the year ensuing. And

George Wyllys is chosen Secretary of this Colony for the year ensuing, and had the Secretary's oath, provided by law, administred to him by his Honour the Governor in the presence of the Assembly.

[481] The several members of this Assembly who had not taken the oaths provided by act of Parliament instead of the oaths of allegiance and supremacy, now took the said oaths, and likewise the oath of abjuration, and made the declaration against popery.

*Ordered*, That Samuel Lynde, Esq<sup>r</sup>, and Mr. Benjamin Gale return the thanks of this Assembly to the Reverend Mr. Jonathan Todd, for his sermon delivered on the 11th day of May instant before the Assembly, and desire a copy thereof that it may be printed.

This Assembly do appoint the Honourable Roger Wolcott, Esq<sup>r</sup>, to be Chief Judge of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint James Wadsworth, Esq<sup>r</sup>, William Pitkin, Esq<sup>r</sup>, Ebenezer Silliman, Esq<sup>r</sup>, and John Bulkley, Esq<sup>r</sup>, to be Judges of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint William Pitkin, Esq<sup>r</sup>, to be Judge of the County Courts for the county of Hartford for the year ensuing.

This Assembly do appoint Thomas Welles. Jabez Hamlin, Joseph Buckingham and Elisha Williams, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Hartford the year ensuing.

This Assembly do appoint Joseph Buckingham, Esqr, to be Judge of the Court of Probate in the district of Hartford the year ensuing.

This Assembly do appoint John Bulkley, Esqr, to be Judge of the Court of Probate for the district of East Haddam the year ensuing.

This Assembly do appoint Ebenezer Marsh, Esqr, to be Judge of the Court of Probate for the district of Litchfield the year ensuing.

This Assembly do appoint Nathaniel Stanly, Joseph Pitkin, Joseph Talcott, George Wyllys, Daniel Edwards, Elizur Goodrich, Roger Wolcott junr, Daniel Bissell, William Wolcott, Thomas Hart, Asahel Strong, Capt. Thomas Hart, Joseph Hooker, Giles Hall, Joseph White, Thomas Johnson, Seth Wetmore, Benjamin Stilman, John Humphrey, Joseph Wilcoxson, Daniel Alden, Jonathan Hale, David Hubbard, Hezekiah Brainerd, Thomas Addams, Nathaniel Foot, Epaphras Lord, Charles Bulkley, Joseph Phelps, Thomas Pitkin, Zebulon West, Samuel Dimmock, Ebenezer Marsh, Joseph Bird, Timothy Hatch, George Holloway, David Whitney, Cyprian Webster, Ebenezer Lyman, Isaac Kellogg, and John Phelps, Esqrs, to be Justices of the Peace in and for the county of Hartford the year ensuing.

This Assembly do appoint Samuel Lynde, Esqr, to be Judge of the County Courts for the county of New London the year ensuing.

This Assembly do appoint John Griswold, Christopher Avery, Isaac Huntington, Richard Lord and Jeremiah Miller, Esqrs, to be Justices of the Peace and Quorum in and for the county of New London the year ensuing.

This Assembly do appoint Jeremiah Miller, Esqr, to be Judge of the Court of Probate in the district of New London the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esqr, to be Judge of the Court of Probate in the district of Norwich the year ensuing.

This Assembly do appoint John Whiting, Simeon Minor, Joseph Denison, Nathan Cheesbrough, Samuel Prentiss, Luke Perkins, John Ledyard, Nathan Smith, Humphrey Avery, Nathaniel Brown, Samuel Coit, Jabez Hide, Samuel Lothrop, Ebenezer Backus, Daniel Huntington, Joshua Hempstead, Daniel Coit, Joshua Raymond, Daniel Ely, Elisha Sheldon, Nathaniel Clark, Jedadiah Chapman, John Tully, Ambrose Whittelsey, Benjamin Gale, Isaac Kelsey, Elnathan



Stephens, Samuel Ely, Jonathan Lane, Samuel Morgan, Benjamin Lee, and William Williams, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of New London the year ensuing.

This Assembly do appoint Andrew Burr, Esq<sup>r</sup>, to be Judge of the County Court in the county of Fairfield the year ensuing.

This Assembly to appoint Edmund Lewiss, John Thompson, Jonathan Hoit and William Preston, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Fairfield the ensuing year.

[482] This Assembly do appoint Andrew Burr, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Fairfield the year ensuing.

This Assembly do appoint Joseph Minor, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Woodberry the year ensuing.

This Assembly do appoint Jonathan Hoit, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Standford the year ensuing.

This Assembly do appoint Thomas Benedict, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Danbury the year ensuing.

This Assembly do appoint Joseph Blackleach, Robert Walker, Theophilus Nickols, Samuel Addams, William Burr, Thaddeus Burr, Samuel Sherwood, Moses Dimon, John Read, Samuel Handford, James Lockwood, Samuel Fitch, Samuel Betts, Jonathan Maltbie, Nathaniel Peck, Ebenezer Mead, Israel Knapp, James Benedict, Samuel Olmstead, James Beebe, Thomas Benedict, Samuel Grigory, Thomas Tousey, Job Sherman, Joseph Minor, Noah Hinman, Hezekiah Hooker, Ephraim Hubbell, Increase Mosely, David Rowland, Abraham Davenport, and Joseph Platt, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Fairfield the year ensuing.

Colo. John Whiting, elected Treasurer of this Colony for the year ensuing by the votes of the freemen, having signified to the Assembly that he does decline serving any longer in that office: This Assembly do appoint Nathaniel Stanly, Esq<sup>r</sup>, of Hartford, to be Treasurer of this Colony the year ensuing;\* and had the Treasurer's oath provided by law administred to him by his Honour the Governor.

Whereas Colo. John Whiting, who hath sustained the office of Treasurer for many years past, doth refuse to serve

\* The appointment of Mr. Stanly was first made in the Upper House. The Lower House dissented, and appointed Daniel Edwards, but after a committee of conference concurred with the Upper House. *Finance & Currency*, III, 348.

any longer in that office: and that the accounts with him may be settled and he enabled to settle with all persons the accounts begun by him and not compleated, and to send out his warrants with respect to the unsettled accounts with the several constables: Resolved by this Assembly, that William Pitkin, Jonathan Trumble, John Chester and Thomas Welles, Esq<sup>rs</sup>, be, and they are hereby, appointed Auditors of the publick accounts with the said Colo. John Whiting; and they are further directed to settle and adjust all the Colony accounts with him, and to receive of him the respective sums of money and bills of publick credit of this Colony lodged in his hands, and such bonds and other instruments and papers lodged in his office belonging to the Colony, and deliver the same into the hands of Nathaniel Stanly, Esq<sup>r</sup>, Treasurer, taking his receipt therefor, and lodge the same with the Secretary, and make their report to this Assembly in October next. And further, the said Colo. John Whiting is hereby fully authorized and impowered to settle with all persons the accounts begun by him and not compleated, and to send out his warrants against the several constables who have not settled and discharged their accompts with him, in the like manner as the Treasurer by law is impowered to do. And further, this Assembly grants unto Colo. John Whiting the sum of twelve hundred pounds in bills of publick credit old tenour, out of the treasury of this Colony, in full discharge of his four last years service in the office of Treasurer.

*Resolved and enacted by this Assembly*, That Eliakim Palmer, Esq<sup>r</sup>, of London, merchant, be authorized and appointed Agent and Attorney for the Governor and Company of this Colony, to supplicate for and receive all such sum and sums of money as have been or may be granted or ordered by the Parliament of Great Britain for the reimbursement of the charges and expences this Colony hath been at in the reduction and garrisoning Louisbourg. And this Assembly do hereby authorize, impower and desire, the Governor and Secretary of this Colony to make and execute an instrument, in the name of the Governor and Company of this Colony, signed by the said Governor and Secretary, sealed with the Colony seal, fully empowering the said Eliakim Palmer, Esq<sup>r</sup>, for the purpose aforesaid.

*Resolved by this Assembly*, That the listers of the town of Bolton be ordered to bring in to this Assembly at their sessions in October next the sum total of the list of the polls and other rateable estate which shall be made this present year in said town.

[483] Whereas his Grace the Duke of Bedford hath signified to the Governor and Company of this Colony that a definitive treaty of peace and friendship hath been concluded at Aix-la-Chapelle, the seventh day of October last, by the plenipotentiaries of his Majesty the Most Christian King and the States General of the United Provinces, to which the Empress Queen of Hungary, the Kings of Spain and Sardinia, the Duke of Modena, and the Republick of Genoa, have acceded, and the ratifications thereof have been since exchanged, and hath accordingly transmitted the proclamation which his Majesty has thought fit to issue on that occasion, and signified his Majesty's pleasure that the same be published in all proper places in this government; and the same being laid before the Assembly by his Honour the Governor: Resolved by this Assembly, that the sheriff of the county of Hartford be directed, and he is hereby directed, to publish the said royal proclamation on the usual place of military parade before the State House in Hartford, on Tuesday the 16th day of this instant May, at three of the clock in the afternoon, to the end that all his Majesties subjects do take notice of his royal will and pleasure therein, and conform themselves thereto accordingly.

This Assembly do establish and confirm Mr. Nathan Kelsey to be Captain of the 12th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elnathan Stephens to be Captain of the 4th company or trainband in the seventh regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Aaron Eliott to be Lieutenant of the 4th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Stephens junr to be Ensign of the 4th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Morgan to be Captain of the second company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Theophilus Avery to be Lieutenant of the 2d company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Allen to be Ensign of the 2d company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Johnson to be Lieutenant of the 5th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Solomon Clark to be Lieutenant of the company or trainband in the parish of Wintonbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Sharp to be Ensign of the 2d company or trainband in the town of Pomfrett, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Stephen Fuller to be Captain of the 3d company or trainband in the town of Windham, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joshua Holt to be Lieutenant of the 3d company or trainband in the town of Windham, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Josiah Hammond to be Ensign of the 3d company or trainband in the town of Windham, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Obadiah Newcomb to be Captain of the company or trainband in the parish of Andover, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Leach to be Lieutenant of the company or trainband in the parish of Andover, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Symms to be Ensign of the company or trainband in the parish of Andover, and order that he be commissioned accordingly.

[484] This Assembly do establish and confirm Mr. Phineas Royce to be Ensign of the 3d company or trainband in the town of Waterbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nehemiah Mead to be Lieutenant of the 2d company or trainband in the



town of Norwalk, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Ketchum to be Ensign of the second company or trainband in the town of Norwalk, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Abel Gun to be Captain of the 2d company or trainband in the town of Derby, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Barker to be Ensign of the first company or trainband in the town of Brandford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jason Bradley to be Lieutenant of the second company or trainband in the parish of North Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Heaton to be Ensign of the second company or trainband in the town of North Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Josiah Hull to be Lieutenant of the 12th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Warner to be Captain of the 16th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Bartlett to be Lieutenant of the 16th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Miller to be Ensign of the 16th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Collins to be Captain of the 9th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Oliver Dudley to be Ensign of the 9th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Wilcoxson to be Lieutenant of the south company or trainband in the town of Symsbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. George Denison to be Captain of the 5th company or trainband in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Denison to be Lieutenant of the 5th company or trainband in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Williams jun<sup>r</sup>, to be Ensign of the 5th company or trainband in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonah Smith to be Lieutenant of the company or trainband in the town of Ridgefield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Vivus Dauchy to be Ensign of the company or trainband in the town of Ridgefield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Burroughs jun<sup>r</sup>, to be Captain of the 3d company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonas Belton to be Lieutenant of the 3d company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Fish to be Ensign of the 3d company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Porter to be Captain of the 7th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

[485] This Assembly do establish and confirm Mr. Ebenezer Hart to be Lieutenant of the 7th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Isaac Norton to be Ensign of the 7th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elias Betts to be Captain of the company or trainband in the parish of Wilton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Olmstead to be Lieutenant of the company or trainband in the parish of Wilton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Camp 2d, to be Ensign of the south company or trainband in the town of Durham, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Wheeler to be lieutenant of the 2d company or trainband in the town of Plainfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Shepard to be Ensign of the 2d company or trainband in the town of Plainfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Theophilus Goodyear to be Captain of the 8th company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Bradley to be Lieutenant of the 8th company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Solomon Doolittle to be Ensign of the 8th company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Riverius Carington to be Lieutenant of the troop of horse in the 13th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Roots to be Cornet of the troop of horse in the 13th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Weller to be Quarter-Master of the troop of horse in the 13th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Marsh to be Captain of the 2d company or trainband in the town of Litchfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Grant to be Lieutenant of the 2d company or trainband in the town of Litchfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Catlin to be Ensign of the 2d company or trainband in the town of Litchfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Aaron Skinner to be Captain of the north company or trainband in the town of Colchester, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Gershom Bulkley to be Ensign of the north company or trainband in the town of Colchester, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Stiles Curtiss to be Lieutenant of the 2d company or trainband in the town of Stratford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Israel Curtiss to be Ensign of the 2d company or trainband in the town of Stratford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Avery to be Captain of the first company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jabez Smith to be Lieutenant of the first company or trainband in the town of Groton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Woodmansie to be Ensign of the first company or trainband in the town of Groton, and order that he be commissioned accordingly.

[486] This Assembly do appoint Roger Newton, Esqr, to be Judge of the County Court in and for the county of New Haven the year ensuing.

This Assembly do appoint John Hubbard, Esqr, to be Judge of the Court of Probate in the district of New Haven the year ensuing.

This Assembly do appoint Samuel Hill, Esqr, to be Judge of the Court of Probate in the district of Guilford the year ensuing.

This Assembly do appoint Samuel Hill, Benjamin Hall, John Fowler and John Hubbard, Esqrs, to be Justices of the Peace and Quorum in and for the county of New Haven the year ensuing.



This Assembly do appoint Andrew Ward, John Riggs, John Russell, Isaac Dickerman, John Southmaid, John Prout, John Hitchcock, Samuel Sherman, Deodate Davenport, Samuel Sackett, Robert Treat, Nathan Baldwin, Jonathan Russell, Nath<sup>l</sup>. Harrison, Thomas Hodgskins, Timothy Stone, Elihu Chauncey, Theophilus Yale, Samuel Hall, Elihu Hall, Ezekiel Royce, Samuel Bassett, Samuel Riggs, Timothy Russell, Thomas Clark, Thomas Mathews, Samuel Canfield, Nath<sup>l</sup>. Bostwick, Paul Welch, Samuel Hutchinson, John Williams, Theophilus Rosseter, Thomas Chipman, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of New Haven the year ensuing.

This Assembly do appoint Jonathan Trumble, Esq<sup>r</sup>, to be Judge of the County Court in and for the county of Windham the year ensuing.

This Assembly do appoint Jonathan Trumble, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Windham the year ensuing.

This Assembly do appoint John Crary, Esq<sup>r</sup>, to be Judge of the Court of Probate in the district of Plainfield the year ensuing.

This Assembly do appoint Ebenezer West, Jonathan Huntington, Shubael Conant and John Dyer, Esq<sup>rs</sup>, to be Justices of the Peace and Quorum in and for the county of Windham the year ensuing.

This Assembly do appoint Joseph Leavinze, Thomas Storrs, John Crary, Nath<sup>l</sup>. Huntington, Thomas Tiffany, Ebenezer Wales, Joseph Fowler, Ebenezer Holbrook, Nath<sup>l</sup>. Wales, James Bicknal, Samuel Danielson, Eliphalet Dyer, Phinehas Strong, John Smith jun<sup>r</sup>, Joseph Clark, Joseph Holland, William Marsh, William Metcalf, Joseph Strong, jun<sup>r</sup>, Jabez Fitch, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Windham the year ensuing.

This Assembly do establish and confirm Mr. Amos Porter to be Captain of the 15th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Sage to be Lieutenant of the 15th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Hinsdell to be Ensign of the 15th company or trainband in the 6th

regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Abel Buell to be Ensign of the south company or trainband in the first society in Lebanon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Swift to be Lieutenant of the easternmost company or trainband in the town of Kent, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Beaman to be Ensign of the easternmost company or trainband in the town of Kent, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Woodruff to be Cornet of the troop of horse in the 2d regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Sandford to be Quarter-Master of the troop of horse in the 2d regiment in this Colony, and order that he be commissioned accordingly.

[487] This Assembly do establish and confirm Mr. John Kirtland to be Captain of the troop of horse in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elisha White to be Lieutenant of the troop of horse in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Timothy White to be Cornet of the troop of horse in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Charles Dewey to be Captain of the company or trainband in the first society in Hebron, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Filer to be Lieutenant of the company or trainband in the first society in Hebron, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Phelps to be Ensign of the company or trainband in the first society in Hebron, and order that he be commissioned accordingly.

*Resolved by this Assembly,* That the lines of the second society in Lebanon be, and they hereby are, made the limits of one military company only.

This Assembly do establish and confirm Mr. Nathaniel Cushman to be Captain of the company or trainband in the second society in Lebanon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Loomiss to be Lieutenant of the company or trainband in the second society in Lebanon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Israel Woodward to be Ensign of the company or trainband in the second society in Lebanon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jacob Hinsdell to be Captain of the company or trainband in the town of Harwinton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jabez Dean to be Captain of the ninth company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Read junr, to be Lieutenant of the ninth company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Huntington to be Ensign of the ninth company or trainband in the town of Norwich, and order that he be commissioned accordingly.

Additions to the Lists of Estate of the several Towns in this Government hereafter mentioned, sent in to this Assembly, are as follow, (viz:)

Assembly, are as follow, (viz.)										
	Single Additions.			Fourfold Assessments.						
	£	s.	d.				£	s.	d.	
To Norwich,	93	18	3	-	-		1278	14	8	
To Canterbury,	1179	11	0	-	-	-				
To Killingworth,	421	0	0	-	-		104	0	0	
To Saybrook,	400	0	0	-	-	-				
To Windsor,	518	14	0	-	-					
To Plainfield,	108	4	0	-	-	-	562	10	0	
To Litchfield,	125	16	0	-	-	-	12	0	0	
To Lebanon,	218	14	0	-	-	-	84	0	0	
To Ridgefield,	593	9	6	-	-					
To Farmington,	470	6	0	-	-	-	192	2	0	

	<i>Single Additions.</i>			<i>Fourfold Assessments.</i>		
	£	s.	d.	£	s.	d.
To Lyme,	1008	7	0	-	-	-
To Derby,	615	3	6	-	-	-
To Symsbury,	703	12	0	-	-	-
To Groton,	969	12	0	-	-	- 677 18 0
To New Haven,	589	16	6	-	-	- 1967 19 0
To Pomfrett,	955	0	0	-	-	-
To Waterbury,	102	0	0	-	-	- 40 0 0
To Preston,	215	7	6	-	-	- 302 2 0
[488] To Wallingford,	559	9	0	-	-	-
To Danbury,	342	19	0	-	-	-
To Windham,				-	-	- 406 2 0
To Woodbury,	692	9	6	-	-	-
To New London,				-	-	- 1542 8 0
To Tolland,	591	6	0	-	-	- 64 12 0
To Stonington,	486	0	0	-	-	- 1667 4 0
To Hebron,	186	1	0	-	-	-
To East Haddam,	126	2	0	-	-	-
To Coventry,	435	9	6	-	-	- 54 0 0
To Brandford,	456	12	6	-	-	- 233 0 0
To Guilford,	2412	12	7	-	-	- 417 0 0
To Ashford,	21	0	0	-	-	-
To Fairfield,	555	18	6	-	-	- 1251 15 0
To Standford,	481	5	10	-	-	- 509 4 0
To Mansfield,	209	19	0	-	-	- 920 11 8
To Colchester,	2311	13	0	-	-	-
To New Milford,	45	2	0	-	-	-
To Norwalk,	479	16	9	-	-	-
To Milford,	97	2	7	-	-	- 36 0 0
To Middletown,	2031	16	0	-	-	- 42 16 0
To Weathersfield,	869	5	0	-	-	- 228 5 0
To Hartford,	1882	15	4	-	-	- 163 12 0

Upon the memorial of Joseph Craft, Richard Peabody and John Ingals, inhabitants of the west part of the first society of Pomfrett in Windham county, with the rest of the memorialists of the west part of said society, moving to this Assembly that there be a society set off in the west part of said first society, and that this Assembly would appoint a committee to view the circumstances of said society and make their report, &c.: Resolved by this Assembly, that William Pitkin, Esqr, Jonathan Trumble, Esqr, and John Crary, Esqr, be a committee to hear the agent of the first society of said Pomfrett and the attorneys for the memorialists of the west part of said society respecting their being set off a society as aforesaid,



and whether any additions may be rightfully made to either part; and that said committee, after having heard the parties thereon and viewed the plan of said town, consider whether it is best to set off a society as aforesaid or not; and if they, said committee, do conclude that it is best to have a society so set off, and any additions may be made, then to draw a dividing line to determine the bounds and limits thereof; and that said committee make their report of their opinion of what they shall judge best thereon to this Assembly.

On the memorial of Daniel Prindle, administrator on the estate of Gideon Benedict, late of New Milford, deceased, shewing to this Assembly that the debts due from the estate of the said deceas'd surmount the moveable estate the sum of sixty-nine pounds one shilling and six pence, praying that he may be impowered to sell so much of the lands of said deceased as to pay the same: This Assembly do hereby impower the said administrator to sell so much of the land of said deceased as will procure the aforesaid sum of £69 1s. 6d. with the additional cost, and to execute a deed of conveyance for the same; taking the direction of the court of probate in the district of Woodbury therein.

Upon the memorial of Edward Collins, shewing that in May, 1747, the General Assembly did order a deed of release of a parcel of land by him mortgaged to the Governor and Company to be executed to him on his paying the principal sum contained in said mortgage &c. within two months then next coming, and that by reason of his distempered and languishing state of body he failed of performance within said time; praying for relief, &c.: Resolved by this Assembly, that in case said Edward Collins shall, before the rising of this Assembly, pay into the publick treasury seventy-five pounds (old tenour) in bills of credit of this Colony, the principal sum contained in said mortgage, and interest thereon, and also the sum of five pounds money old tenour, for other costs, thereupon Nathaniel Stanly and George Wyllys, Esqrs, shall execute a deed of release of said mortgaged premises accordingly.

[489] This Assembly do establish and confirm Mr. Daniel Skinner to be Captain of the troop of horse in the 1st regiment in this colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Allyn to be Quarter-Master of the troop of horse in the first regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Todd to be Lieutenant of the first company or trainband in the parish of North Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Alexander Fairechild to be Ensign of the south company or trainband in the town of New Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Kent to be Lieutenant of the second company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Gaylord to be Ensign of the 2d company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Richard Wait to be Lieutenant of the south company or trainband in the town of Lyme, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Griswold to be Ensign of the south company or trainband in the town of Lyme, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Josiah Robinson to be Captain of the company or trainband in the parish of Merriden, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Merriam to be Lieutenant of the company or trainband in the parish of Merriden, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Webb to be Ensign of the company or trainband in the parish of Merriden, and order that he be commissioned accordingly.

Upon the memorial of Eleazer Hubbell, agent for the north society of the town of New Fairfield, praying for a tax on all the lands laid out in said society, for the support and settlement of an orthodox minister among them: Resolved by this Assembly, that there be a tax of eight pence per acre, in old tenour bills of credit, upon all the lands laid out in said north society, exclusive of the addition made to each division to proportion the quality, and that for the term of four years, to be paid in the month of November annually and improved for the settlement and support of an orthodox minister in said society, according to the establishment of this Colony; and

that Mr. William Barns, of said New Fairfield, be a collector to collect said tax and deliver the same to the committee of said society annually, to be improved for the purposes aforesaid.

Upon the memorial of Clement Leach, of New London, praying to this Assembly to have his head released from the general list of this Colony for time to come: Resolved by this Assembly, that the said Leach shall have his head exempted from the general list for the future.

This Assembly do appoint Capt. Timothy Stone to be Major of the seventh regiment in this Colony.

Upon the memorial of Deliverance Daten, of New London, administratrix on the estate of Ephraim Daten, late of New London, deceased, shewing to this Assembly that the debts due from the estate of the said deceased surmount the moveable estate of said deceased the sum of £42 0s. 0d., praying this Assembly to enable her, or some other meet person, to sell so much of the real estate of the said deceased as will satisfy the said sum of £42 0s. 0d. and the incident charges arising on the sale thereof: Resolved by this Assembly, that the memorialist be enabled, and she is hereby enabled, to make sale of so much of the said deceased's real estate as will satisfy the said sum of £42 0s. 0d. and the incident charges arising on the sale thereof; taking the direction of the court of probate for the district of New London therein.

This Assembly do establish and confirm Mr. Josiah Phelps to be Captain of the company or trainband in the 3d society in Windsor, and order that he be commissioned accordingly.

This Assembly do appoint Major Henry Allyn, Capt. Thomas Griswold and Capt. Samuel Enno, to be Justices of the Peace in and for the county of Hartford the year ensuing.

On the petition of Joseph Parkhirst, of Plainfield in the county of Windham, *vs.* John Wadsworth, late of Canterbury in Windham county now of Milton, &c., as on file, by continuance from the General Court in October last: The question was put, whether the petitioner should have a new trial as prayed for: Resolved by this Assembly in the negative.

[490] Whereas the inhabitants of the towns or plantations of Woodstock, Suffield, Endfield and Summers, by their agents having preferred their memorial to this Assembly at their sessions in May, A. Dom. 1747, representing and alledging that the said towns are situate within the bounds of the royal charter granted to this Colony, and complaining that in the settlement of the dividing line between the Province of the

Massachusetts Bay and this Colony by commissioners from each government in the year 1713, it was agreed by said commissioners that although by the running of the line then agreed upon, the said towns fell within the bounds of this Colony, yet that the said towns should be and remain within the jurisdiction of the said Province, the running of the said line notwithstanding; further complaining, that by means of the said towns being set off and put into the jurisdiction of the said Province, the inhabitants of said towns have been deprived of their just rights and privileges belonging to them under the royal charter granted to this Colony; and therefore they are aggrieved, and petition for relief in the premises, for reasons in their memorial set forth: And whereas the consideration of the matters aforesaid were referred to this Court, and the said agents having now moved therein and urged that the said agreement was made through mistake, and that this government received no equivalent for the jurisdiction over those towns, and that as the same was partly executory it was never fully compleated and carried into execution, nor was it ever established by the royal confirmation, and therefore, although it was approved by the respective General Assemblies of both governments, yet as to jurisdiction, (more especially,) it must be looked upon as null and void: Whereupon this Assembly, having considered the said memorial, are of opinion, that as it doth not appear that ever the said agreement hath, so it never ought to receive the royal confirmation; and that as the governments could not give up, exchange or alter their jurisdictions, so the said agreement, so far as it respects jurisdiction, is void. And thereupon this Assembly do declare, that all the said inhabitants which live south of the line fixed by the Massachusetts charter are within and have right to the privileges of this government, the aforesaid agreement notwithstanding. And forasmuch as there may be some uncertainty both with respect to the beginning and running of the said line, it is necessary that measures be taken to ascertain the same according to the royal charters to both the said governments: Therefore, this Assembly do appoint Jonathan Trumble, John Bulkley, Elisha Williams and Joseph Fowler, Esq<sup>rs</sup>, or any three of them, to joyn with commissioners that may be appointed by the government of the Massachusetts, to ascertain and affix the said line according to the said charters, and the same being approved by the governments, that joynt application be made for the royal confirmation thereof. And his Honour the Governor of this Colony is desired to commission the persons hereby appointed for the purpose aforesaid, and to acquaint



the government of the Massachusetts of this conclusion, and request their joyning with us in the matters aforesaid. And it is further resolved, that his Honour the Governor be, and he is hereby, desired, in case the Massachusetts refuse to joyn as aforesaid, or in case the commissioners do not agree in the matters aforesaid, to prepare and state the case and send it to our Agent in Great Britain, and direct him to petition his Majesty to appoint Commissioners to run and ascertain the divisional line between the said Province and this Colony, according to the royal charters to the respective governments, as soon as may be. And his Honour is impowered to draw money out of the treasury sufficient for that purpose.

Upon the petition of Samuel Morriss, of Thompson parish in the county of Windham, representing that Samuel Perrin, of Pomfrett in said county of Windham, and Dorothy his wife, and Benjamin Morriss of Killingly in said county, and divers others of the children and heirs of Mr. Samuel Morriss late of said Thompson parish, deceased, by their writ dated June 11th, 1746, brought their action against the petitioner, demanding partition of sundry tracts or parcels of land situate in said parish, in which the then plaintiffs demanded partition of the premises in such sort as that there should be set out to the petitioner two eighths, and to the said Benjamin Morris who was the only child and heir of Benjamin Morris deceased, which last named Benjamin was the youngest son of the said Samuel deceased, one eighth, and to the rest of the plaintiffs to each of them one eighth of the said tracts and parcels of land; and that the said action came to a final tryal at the superior court held at Windham in September, A. Dom. 1747, upon the general issue, and that there verdict [491] was found || and judgment rendered for the plaintiffs that partition should be made as demanded, which said judgment had been since carried into execution and partition made and affirmed accordingly; also complaining that he, the petitioner, at the time of said final tryal was sick and not able to attend said court, nor to inform his attorneys of the matters proper to be considered and given in evidence in said tryal for his defence; complaining also that manifest injustice had been done, and especially for that the said Samuel Morriss, deceased, in his life time did give to his said son Benjamin, deceased, father to the said Benjamin one of the plaintiffs, by way of advancement and portion, five hundred acres of land, and that therefore the said Benjamin, one of the plaintiffs, ought not to have set out to him any part of the demanded premises, the petitioner being the eldest son of

the said Samuel deceased, and the said plaintiffs being the rest of the heirs or legal representatives of the said heirs of said deceased; and praying that the aforesaid judgment, execution and partition should be reversed, and that the petitioner might have a new tryal, &c.: Resolved by this Assembly, that the aforesaid judgment of the said superior court, the said execution, partition and all the doings thereon, be, and the same is hereby, reversed and made utterly void and of none effect; and the petitioner shall have liberty to re-enter the said action at the superior court to be held at Windham in and for the county of Windham on the third Tuesday of September next, and have another tryal therein; and the whole cost shall follow the final judgment that shall be given in said action.

Upon the memorial of Capt. Chicken, an Indian, *alias* Sam-Mohawk, of Reading in Fairfield county, shewing to this Assembly that in his deed formerly made to Capt. Samuel Couch late of Fairfield, deceased, of his land lying between the townships of said Fairfield and Danbury, Ridgefield and Newtown, he had reserved to himself so much of said land as a committee appointed by this Assembly should judge should be sufficient for himself, his children and posterity, for their personal improvement, which said reserve has since been set out, by proper meets and bounds, in two pieces containing in the whole about one hundred acres, as per the surveys thereof may appear, reference thereunto being had; and shewing also that John Read, Esqr, late of Boston, deceased, had surveyed and laid out to him two hundred acres of land by the appointment of this Assembly, at a place called Scattacook, bounded as in the survey thereof on record; and also shewing that the land aforesaid laid out to the said John Read, Esqr, is much more convenient and advantageous for him, the said Chicken, being well situated for fishing and hunting, and that he had made and executed a deed of exchange of his aforesaid hundred acres lying in two pieces as aforesaid in the parish of Reading, to the said John Read, Esqr, and to his heirs, which said deed bears date October 11th, A. D. 1748, and in consideration thereof did receive of the said John Read, Esqr, a deed bearing date the day aforesaid, well executed to him, the said Chicken, and to his heirs, by his attorney John Read, Esqr, of said Reading, being fully authorized thereunto, of the aforesaid two hundred acres; praying this Assembly that said deeds, executed as aforesaid, may be allowed of, ratified and confirmed, and be admitted as good evidence in the law for conveying and fixing the title to the

several pieces of land aforesaid: Resolved by this Assembly, that the aforesaid deeds of exchange, dated as aforesaid, be approved of, and they are hereby approved of, ratified and confirmed, and allowed to be good and sufficient evidence in the law for the conveying and fixing the title to the several pieces and parcels of land in them mentioned and described, and shall and may forever hereafter be used and improved for the purposes aforesaid, to all intents and purposes, as other deeds of land by law are or may be.

Upon the petition of Thomas Seymour, of Hartford, and Bevil Seymour, of Weathersfield, and others, representing that Capt. Thomas Seymour late of said Hartford, deceased, dyed seized of a large estate in chattels and lands, having first made his last will and testament, dated May the 4th, 1738; that his said last will (having been by Thomas Seymour, the said petitioner, therein named as sole executor,) soon after the death of said Capt. Thomas Seymour put into the hands of the Honourable Joseph Talcott, Esq<sup>r</sup>, then judge of the probate, in order to the probate thereof, &c., the same was by some means unknown either destroyed or lost; that having obtained a true and exact copy of said will before the destruction or loss thereof carefully transcribed, and that said copy was truly and exactly also transcribed into and recited in their said petition; and shewing that such recital does accordingly also contain and shew the full and entire contents of said last will and testament; and now also before this Assembly exhibiting one certain writing of the form and purport of a copy of a last will and testament made by said Thomas Seymour, deceased, to which are subscribed these [492] words, (*viz.*) || "A true copy taken out of the original will compared by me Isaac Norton," and thereupon praying relief, as at large, on file: Resolved by this Assembly, that it is sufficiently proved that the said deceased Capt. Thomas Seymour did so make his last will and testament, and that the said exhibited writing of the abovesaid form and purport and subscribed as abovesaid, as also the recital thereof in said petition, all now before this Assembly on file, do respectively contain and are fully and sufficiently proved so to contain and make manifest the full, intire and sole contents of said original last will and testament destroyed or lost as abovesaid; and that George Wylls, Secretary of this Colony, do accordingly carefully transmit said described writing and recital to the court of probate for the district of Hartford, to be recorded in the records of said court; and that the same being so truly recorded, such record, or true and legally at-

tested copies thereof, shall, to all intents and purposes, be and be accounted, taken and accepted to be as good and sufficient evidence for the sure holding or recovering of any estate therein expressed to be devised, as the said original last will and testament having been duly proved, approved and recorded, or attested copies of such record, would or might have been.

Upon the memorial of Gideon Draper, of Killingly, representing that this Assembly at their sessions in May, 1675, did grant to Capt. Thomas Prentiss, of Newtown in the Province of the Massachusetts Bay, three hundred acres of land, and that John Chandler, surveyour, on the 30th day of April, 1709, being appointed thereunto, did survey and lay out to the said Thomas Prentiss two hundred and fifty acres of said land, and bounded the same northwardly on Five Mile River, and then drew a plan of said land, which is now exhibited under the hand of the said Chandler, and which land, surveyed as aforesaid, now lyes in the said township of Killingly, and that the said Thomas Prentiss was mentioned in the patent afterwards given to him and the rest of the proprietors of said Killingly under the seal of this Colony, on account of his right in the said two hundred and fifty acres surveyed as aforesaid, and that the said proprietors always, from the first settling of said town, have acknowledged the right and property of the said Prentiss and his assigns in the premises, and that the said Thomas Prentiss by his deed of sale well executed, dated November 1st, A. D. 1728, did sell and convey the said two hundred and fifty acres to one Ebenezer Heley, of Stonington, and that the said Heley by his deed well executed, dated the 26th day of the same November, 1728, did sell and convey the premises to the memorialist, and that he hath held and enjoyed the same under the title derived from said Prentiss as aforesaid without molestation, until lately it appears that the aforesaid survey made by the said John Chandler in the year 1709, cannot be found on the publick records, but the same, by some means to the memorialist unknown, is destroyed and lost; and praying that a proper remedy may be provided in this case, &c : Resolved by this Assembly, that Mr. Edmund Freeman, junr, surveyor of land for the county of Windham, be, and he is hereby, appointed, at the cost of the memorialist, to resurvey and lay out the said two hundred and fifty acres of land according to the plan thereof under the hand of the said John Chandler; and that such survey shall be entered on the publick records of this Colony; and that a survey thereof, made under the hand



of said surveyor and entered on the said records, shall be as effectual in the law for the said Gideon Draper and his heirs their holding said lands as assignees to the said Prentiss, as if the same had been surveyed and recorded under the hand of the said John Chandler upon the 30th day of April, 1709.

Upon the petition of Samuel Stanly, Abraham Stanly and Elizabeth Stanly, executors of the last will and testament of Samnel Stanly late of Wallingford, deceased, representing that Paul Richards, Esqr, of the City and Province of New York, brought his action against the petitioners in their said capacity, on a bond dated the 7th day of July, A. D. 1744, said to be executed to the said Richards by the said Samuel Stanly, deceased, and one Josiah Stanly, wherein they bound themselves, joyntly and severally, to pay to the said Paul Richards one hundred pounds New York money, and that the parties were at final issue in said action on a plea, whether or no [493] the said bond was ever || the act and deed of the said Samuel Stanly, deceased, and the said Josiah Stanly; and that the said issue was found against the petitioners by the jury, and judgment accordingly rendered at the county court held at Hartford in and for the county of Hartford on the 2d Tuesday of April, A. D. 1748; and that the petitioners thereby are greatly aggrieved; representing also, that they had found new evidence in the case, and praying for the reversal of said judgment, &c.: Resolved by this Assembly, that the aforesaid judgment of the county court in April, A. D. 1748, be, and the same is hereby, set aside and made void; and it is hereby decreed that the petitioners shall have the liberty of another tryal in said action at the adjourned county court to be held at Hartford in and for said county on the 3d Tuesday of June next; and the whole cost shall follow the final judgment that shall be rendered in said action.

Upon memorial of Francis Hawley, of Stratford in the county of Fairfield, shewing to this Assembly that he, the memorialist, with one Obadiah Hawley of said Stratford, being owners and seized in their own right of certain lands in Woodbury (South Purchase, so called,) in said Fairfield county, being the three first lots in the tenth tier in said purchase, agreed and bargained with one Daniel Wakely, late of said Woodbury, now deceased, to make over and convey their said lands to the said Daniel Wakely; in consideration whereof the said Daniel was to give one hundred and ninety pounds in money, old tenour, and make over and convey unto the said Francis Hawley one other lot of land in said south purchase, being the twenty-fourth lot in the 8th tier in said purchase,

and that the said Francis and Obadiah, on the 2d day of December, 1747, made, executed and compleated, their deed of conveyance of their said three lots to the said Daniel, dated the same second day, which the said Daniel took the benefit of in his life time. and that he, the said Daniel, paid the said one hundred and ninety pounds, and afterwards, (*viz.*) on the 6th day of January, 174<sup>7</sup>, made, signed, sealed and delivered to the said Francis, a deed in proper form for conveying his said 24th lot, bearing date the same 6th day of January, but, there being no opportunity to acknowledge the same before authority as the law directs, did not acknowledge the same then, and soon after dyed without having acknowledged the same; praying this Assembly to enact and declare the title and property in said twenty-fourth lot to be well vested in the memorialist, and that the said deed, made and executed to him by the said Daniel, as aforesaid, be a good evidence in the law of such title to all intents and purposes, and be used accordingly: This Assembly do enact and declare the title and property of said twenty-fourth lot in said south purchase to be by said bargain well vested in the said Francis Hawley, and that the same deed made by the said Daniel Wakely to him be good evidence of the conveyance of the said twenty-fourth lot to the said Francis, and that the same be allowed accordingly, any law, usage or custom to the contrary notwithstanding.

Upon the memorial of Phinehas Drake and the rest of the inhabitants of the first ecclesiastical society in the town of Windsor, to this Assembly, shewing that their meeting-house now erected for divine worship is gone much to decay, and that the memorialists are so divided among themselves that they cannot agree either in repairing the old meeting-house or in building a new house, &c.; and thereupon praying for a committee to repair to said society, view the circumstances of the memorialists, and to report, &c.: Resolved by this Assembly, that Messrs. Jabez Hamlin, Shubael Conant and Zebulon West, be a committee, and they are hereby appointed a committee, to repair to said society, view the circumstances of the memorialists and hear all parties concerned, and to report their opinion thereon to this Assembly at this present session; all at the cost of the memorialists.

On the memorial of Timothy Wright, of Colchester, and John Patterson, of Farmington, setting forth to this Assembly that whereas they with sundry others, a committee in behalf of the late New London Society, have had judgment and execution awarded against them for considerable sums for in-

terest on interest, and on principal debt after the same was paid by the particular borrowers; and praying for relief in the premises: This Assembly have appointed Nathl Stanly and Wm. Pitkin, Esq<sup>rs</sup>, a committee, and they are hereby appointed a committee, to take into consideration the matters referred to in said memorial, and make an adjustment of the same, and report thereon to this Assembly in their present sessions or in their sessions at New Haven in October next.

[494] On the memorial of Joseph Craft, and others inhabiting in the west part of the town of Pomfrett, praying that an ecclesiastical society may be erected and formed in the west part of said town: Resolved by this Assembly, that an ecclesiastical society be and is hereby erected in the west part of said township, and that the bounds thereof be as followeth, (*viz*.) Bounded north on Woodstock, westwardly on the line dividing between said town of Pomfrett and Ashford, and southerly and westerly on the line dividing between the towns of Pomfrett and Windham so far south as to the parish already made partly out of said Pomfrett and partly out of Canterbury and partly out of Mortlake, thence by said parish easterly to Mortlake west side, thence by Mortlake to the southwesterly corner of the Rev<sup>d</sup> Mr. Ebenezer Williams's farm, (saving also all the lands and persons that are west of said Mortlake to said parish that hath been made as aforesaid that already are granted to said parish,) and from the said Williams's said corner the line to run northerly to the southwest corner of Jonathan Dresser's land, from thence to run between the said Dresser's land and the land of Benjamin Allen to Masshamuggett Brook, from thence to run northerly so as to include the dwelling house of Ebenezer Holbrook jun<sup>r</sup>, on the west, from thence to run northwesterly until it comes to the road which crosses the Mill Brook at one hundred and fifty-five rods distance as the road runs easterly from said brook, from thence to run north nine degrees easterly to Woodstock line, including the families that live within said town of Pomfrett which were heretofore allowed by act of this Assembly to take parish privileges in the second society in Windham; and that the limits abovesaid be the limits of one ecclesiastical society, with all the powers and privileges of other ecclesiastical societies in this Colony, and that the said parish be called and known by the name of Abington. And it is further resolved by this Assembly, that there be and hereby is annexed to the remaining part of the said town of Pomfrett the northerly part of that tract of land called Mortlake, which is not included in the said parish made partly out of Pomfrett, Canterbury and

Mortlake: and that the said easterly part of said town of Pomfrett with the said northerly part of said Mortlake be and remain to be the first ecclesiastical society in said Pomfrett, with all the powers and privileges of other ecclesiastical societies in this Colony.

Upon the memorial of Samuel Brown, Simeon Dewolf, Robert Hendy, and Zephaniah Hatch, all of Guilford, representing that since they have become inhabitants of Guilford they have joyned themselves to the fourth society in said town and still desire to continue members thereof, and that the first society in said Guilford, notwithstanding, have rated the memorialists and distrained taxes from them for the support of the ministry in said first society; and praying for relief in the premises, &c.: Resolved by this Assembly, that the memorialists shall be, and they are hereby, for the future exempted and discharged from paying rates or contributing anything towards the ministerial charges in said first society, and shall be deemed to belong to the fourth society in said town.

On the memorial of Mary Yale, administratrix on the estate of Moses Yale late of Wallingford, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate the sum of £34 15s. 2d., praying that some meet person or persons may be impowered to make sale of so much of the lands of said deceased as to procure the aforesaid sum: This Assembly do appoint Asa Yale and Nash Yale, of said Wallingford, to make sale of so much of the lands of said deceased as will procure the aforesaid sum of £34 15s. 2d. with the incident charges arising thereon, and to execute deeds of conveyance according to law; taking the direction of the court of probates in the district of New Haven therein.

Upon the memorial of the inhabitants of the parish of Andover, praying that this Assembly would grant a tax of twelve pence upon the acre upon all the lands within the said parish, &c.: Resolved by this Assembly, that a tax of twelve pence per acre be laid and assessed upon all the lands within the said parish of Andover, annually for the term of four years next, commencing from the rising of this Assembly; and that Ebenezer Leach and Denison Kingsberry be collectors, and they are hereby impowered and authorized to gather and collect the tax; and that the said Leach gather and collect the tax arising on the east side of Hartford road that runs through said parish, and the said Kingsberry the said tax that arises on the west side of said road, to be improved for the support of the ministry and building a meeting-house.

Upon the memorial of Timothy Pearl, of Willington in



Hartford county, and Abiel Abbott, of Windham in Windham county, shewing to this Assembly that Mr. Philip Abbott late of said Windham, deceased, did in his life time, for the consideration of £1000 0s. 0d. money, sell unto the said Timothy Pearl one hundred acres of land in the town of Wellington aforesaid, and accordingly give unto the said Pearl one deed of conveyance, which said deed is signed and sealed by the said Philip Abbott and witnessed, dated the 2d day of November, A. D. 1748, in which deed said hundred acres is described to be in that part of Wellington taken from Ashford and annexed to Wellington, the 7th lot in the first draught, &c., and that the said Philip Abbott soon after his so signing said deed was by the providence of God removed by death, not having opportunity to acknowledge said deed as intended; praying that this Assembly would enact and order that said deed shall be a lawful deed of conveyance, and that the same shall be recorded, &c.: Resolved by this Assembly, that the said deed so signed and sealed by the said Philip Abbott, dated the 2d day of November, A. D. 1748, shall be a good and lawful deed of conveyance, and that it be recorded; and it is hereby enacted and ordained, that being so recorded the said deed, or copy of such record, shall be lawful evidence of title, and as good to the said Timothy Pearl and his heirs, to all intents and purposes, as though the same had been acknowledged by the said Philip Abbott, the grantor, in his life time before any assistant or justice of the peace.

Upon the memorial of the proprietors of Mortlake, praying this Assembly that said Mortlake, together with the society made out of Mortlake partly, and partly out of the town of Pomfrett and Canterbury, may be made one entire township, with all the powers and privileges that other towns in this Colony have, for the reasons assigned: Resolved by this Assembly, that Hez<sup>h</sup>. Huntington, John Crarey and Nathaniel Huntington, Esq<sup>rs</sup>, be a committee to hear and enquire into the circumstances of the said Mortlake and its former grants, as also that part of Pomfrett and Canterbury with all concerned, and make report of the facts as they find them, and report the same with their opinion thereon to this Assembly in October next.

Upon the memorial of Joseph Dwight, Esq<sup>r</sup>, representing to this Assembly that he had his house burnt and in it ninety-one pounds in old tenour bills of this Colony consumed in his house, and praying this Assembly that he may receive the same sum out of the Treasury of this Colony in lieu thereof: Resolved by this Assembly, that the said Joseph Dwight, Esq<sup>r</sup>,

shall receive out of the treasury of this Colony the sum of ninety-one pounds in old tenour bills of credit of some of the neighbouring governments, and the Treasurer of this Colony is hereby ordered to pay the same out of the Colony treasury to the said Joseph Dwight, or his order, accordingly.

Upon the information of John Humphrey, Esq<sup>r</sup>, one of his Majesty's justices of the peace for the county of Hartford, representing that, some time in December last, Samuel Weed, lately of Derby in the county of New Haven, who had made his escape from the goal in the county of New Haven, was seized in Symsbury in the said county of Hartford by a writ issued by said informer and committed to the common goal, and that with him was found a quantity of goods and chattels belonging to said Weed and by the sentence of the superior court were forfeited to this government, and which the informer by the direction of said court had also seized for the use of this Colony and received the same into his custody, and that very considerable charges and costs had arisen in the premises: Resolved by this Assembly, that the said John Humphrey, Esq<sup>r</sup>, be, and he is hereby, directed and empowered to make sale of all such goods and chattels seized as aforesaid, by publick vendue, and to deliver and pay into the publick treasury of this Colony all such sum or sums of money as by such sale shall be procured, (excepting only what shall be sufficient to pay and satisfy such costs and charges arisen as aforesaid or that shall arise by such sale as the same shall be taxed and allowed by the county court in the county of Hartford,) taking the Treasurer's receipt therefor and lodging the same in the Secretary's office.

Upon the memorial of Daniel Rowley, administrator on the estate of Rueben Rowley late of East Haddam, deceased, shewing to this Assembly that the debts due from the estate of the said deceased Rueben Rowley surmount the moveables £150 [496] 6s. 0d. in old tenour, and praying to this Assembly || for liberty to sell so much of the real estate of the deceased as shall satisfy the aforesaid sum of £150 6s. 0d. with the necessary charges arising thereon: Resolved by this Assembly, that the said Daniel Rowley have liberty to sell so much of the real estate of the deceased Rueben Rowley as shall satisfy the abovesaid sum with the necessary charges arising thereon; taking the direction of the court of probate for the district of East Haddam therein.

Upon the memorial of Philip Turner and Mary Carew, of Norwich, executors to the last will and testament of Joseph Carew late of said Norwich, deceased, shewing to this Assem-

bly that the debts due from the estate of the said\* deceased surmount the personal estate the sum of eleven hundred pounds, praying this Assembly would order and enact that so much of the real estate of the said deceased may be disposed of and sold as will satisfy the said sum of £1100 0s. 0*d.* with the incident charges arising on the sale thereof: Resolved by this Assembly, that the memorialists have liberty, and they are hereby authorized and impowered, to make sale of so much of the real estate of the said deceased as will satisfy the aforesaid sum of £1100 0s. 0*d.* with the incident charges arising on the sale thereof; taking the direction of the court of probate for the district of New London.

Upon the memorial of Moses Thrall, Charles King and others, inhabitants of Bolton living north of a due east line drawn from a ditch, commonly called T ditch, cross said town, representing that they lived at a great distance from the place of publick worship in said town, by reason of which it is exceeding difficult for said inhabitants to attend the publick worship in said town, especially in the winter seasons, and praying for relief in the premises, &c.: Resolved by this Assembly, that the aforesaid inhabitants living north of the said line shall have liberty, and liberty is hereby granted unto them, to hire an orthodox, approved minister or candidate for the ministry, to preach among themselves from the last of October to the first of May annually, and that during that time or such part thereof, and no longer, if they shall procure preaching of the gospel among them, they shall be exempted from payment of ministerial charges in the parish to which they belong.

Upon the memorial of the inhabitants of the parish of Ripton in the township of Stratford in the county of Fairfield, shewing to this Assembly that the Rev<sup>d</sup> Jedadiah Mills, minister of the said parish, did enter into the parish of Stratfield sometime in June, A.D. 1742, and exhort the people contrary to law, and Colo. John Burr, one [of] his Majesty's justices of the peace for said county, lodged a complaint in the clerk's office in the said parish against the said Jedadiah Mills according to law, whereby the said parish hath been disenabled to gather any rate since granted by said parish for the support of the said Jedadiah Mills; and praying to this Assembly that the aforesaid complaint, lodged as aforesaid, may be declared null and void for the future, and enable the said society to gather the rate for the support of the Rev<sup>d</sup> Jedadiah Mills, with the powers and privileges that other societies in this Colony have for that purpose: Resolved by this Assembly,

that the said society have full power and authority to gather all rates for the support of the said Rev<sup>d</sup> Jedadiah Mills, from year to year, that shall be granted for the future, as other ecclesiastical societies in this Colony by law have, the said bill filed as aforesaid notwithstanding.

Upon the memorial of Benjamin Bunnel, administrator on the estate of William Charles late of Milford, deceased, shewing to this Assembly that the debts due from said estate do surmount the moveables the sum of £41 12s. 10d., and praying for liberty to sell so much land of the said deceased as will pay said debts together with necessary charges arising thereon: Resolved by this Assembly, that the memorialist have liberty, and he is hereby impowered, to sell so much of the land of the said William Charles, deceased, as will make the sum of £41 12s. 10d. together with the incident charges arising thereon; taking the direction of the court of probates for the district of New Haven therein.

Upon the memorial of the inhabitants of the parish of Judea in the county of Fairfield, praying this Assembly to grant a tax of two pence new tenour bills per acre, for the space of four years next ensuing, to be laid on all the unimproved land in said society, to be improved for the building and finishing their meeting-house within said society: Resolved by this Assembly, that a tax of two pence new tenour be and is hereby laid on all the unimproved lands within the limits of said parish, for the space of four years next, for the use abovesaid; [497] and Lemuel Baker, of said || parish of Judea, is hereby appointed collector, with full power to collect and gather the same; the first year's tax to be collected by said collector by the first day of October next, and so from year to year till said four years be ended; and from year to year said collector, having so gathered said tax granted as aforesaid, shall pay the same to the committee of said parish.

On the memorial of Mindwell Row, of Wallingford, administratrix on the estate of Ebenezer Row late of said Wallingford, deceased, shewing to this Assembly that the debts due from the estate of the said deceased surmount the moveables the sum of £116 17s. 4d., praying this Assembly that some meet person may be impowered to sell so much of the lands of said deceased as to procure the aforesaid sum: This Assembly appoint and impower Ebenezer Bunnel, of Wallingford aforesaid, to sell so much of the lands of the said deceased as will procure the aforesaid sum of £116 17s. 4d. with the incident charges arising thereon, and to execute deeds of conveyance; taking the direction of the judge of probate in the district of New Haven therein.



Upon the memorial of Solomon Coit, of New London, shewing that he was chosen and appointed the first committee-man in the late New London Society for Trade, &c., and that in the service of said society he expended and disbursed of his own estate more than £1100 0s. 0d. money, and that for relief therein having heretofore applied to the court of commissioners appointed to adjust the accounts and differences between the members of said society, said commissioners did wholly reject and disallow all his accounts before them then exhibited, to his grievous wrong and damage; and thereupon praying appointment of a committee to enquire, &c.: Resolved by this Assembly, that Gurdon Saltonstall, Esqr, and Luke Perkins and Stephen Lee, Esqrs, and Messrs. Thomas Forsdike and Jeremiah Chapman junr., all, save said Perkins, of said New London, or any three of them agreeing, be, and they hereby are, appointed and empowered, at the proper cost and charge of the said Solomon Coit, to inspect and examine all such his accounts with or against any of the members of said society as he shall lay before them, and to that end, by all legal ways, to have in before them all such persons either interested in said society or not, and them under oath or otherwise to examine, and thereby as well as by inspecting any and all accounts, writings and papers to be exhibited before them relating to the premises, and by these and any or all other lawful means to discover what is just and right between said Coit and the members of said New London Society, or any of them; and of what they find, with their opinion thereon, to make their report to the General Assembly at their sessions at New Haven in October next.

Upon the memorial of Joseph White and John Fisk, of the 3d society in Middletown, and the rest of said inhabitants, shewing that the place pointed out and ascertained by the committee heretofore appointed to build a meeting-house is on many accounts incommodious and to general dissatisfaction, and thereupon praying relief, &c.: Resolved by this Assembly, that Jonath. Trumble, Esqr, John Bulkley, Esqr, and Nathl Foot, Esqr, be, and they are hereby, appointed a committee to repair to said parish, and there (having first duly noticed the inhabitants of said society of such their business) to view the circumstances of said society, and take and receive all evidence, so far forth as may best enable them to find out and ascertain some place which to them may appear most convenient to erect a meeting-house on in said parish, and thereof to make report to this Assembly at their sessions at New Haven in October next.

Upon the memorial of Mary Momohoe, Simon Sokient and others, Indian natives, of the tribe of Momohoe, late sachem of the Pequots, representing that on the 24th of May, 1683, Isaac Wheeler of Stonington sold and made over to James Avery and Thomas Leffingwell, a committee to that purpose appointed, all his right and interest in and unto two hundred and eighty acres of land in and by his deed of that date, as feoffees in trust, for the use of said Momohoe and the Indians under him, and that sundry persons had of late greatly disturbed and molested in their occupancy and improvement thereof, and thereupon praying for a committee, &c.: Resolved by this Assembly, that Jonathan Trumble, of Lebanon, Esqr, John Dyer, of Canterbury, Esqr, and Jonathan Huntington, of Windham, Esqr, (or any two of them agreeing,) be, and they are hereby, appointed a committee with full power to repair [498] to said Stonington, and there by all proper ways || and means to examine and enquire of the matters in said memorial set forth and complained of, by inspecting all records or writings to be produced before them thereto relating, and by summoning in before them and examining all evidences or persons whatsoever suspected to be any ways knowing to or concerned therein; and of what they find, together with their opinion thereon, as also how or by whom the cost and charge of such enquiry ought to be borne, to make report to this Assembly in their sessions at New Haven in October next.

Upon the memorial of Edward Lewiss, of Ashford in the county of Windham, shewing to this Assembly that he, said Edward, was bound jointly and severally with one Robert Mason to the Governor and Company of the Colony of Connecticut, for the payment of about £52 10s. 0d. old tenour bills, said Mason principal and Lewis surety, per one bond dated January, A. D. 1740-41, and said Mason died insolvent, &c.; praying that this Assembly would lengthen out the time and wait yet longer upon said memorialist, &c.: Resolved by this Assembly, that the said Edward Lewiss have one year's time for the payment of said sum, provided he give sufficient bond with surety for the payment of said sum with lawful interest.

On the petition of William Wolcott, Gideon Wolcott, and Roger Wolcott junr., all of the town of Windsor, *vs.* Samuel Tudor and Abigail Tudor, both of said Windsor, as on file: The question was put, whether anything should be granted on the prayer thereof: Resolved by this Assembly in the negative. *Cost allowed respondents, £6 4s. 8d. new tenour bills. Ex. granted July 8th, 1749.*

An Act to call in, exchange and discharge, the Bills of Credit which have been issued by this Colony and are still outstanding.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That all such allowances of sterling money that are made by the Parliament of Great Britain towards reimbursing the expences of this Colony in the late expedition to Cape Breton, and such as may be made for the expences of this Colony in the late intended expedition against Canada, are hereby fully appropriated and shall be improved for the calling in, exchanging, sinking and discharging, the now outstanding bills of publick credit made and issued by this Colony.

*Be it further enacted,* That his Honour the Governor for the time being be, and hereby is, impowered to draw bills of exchange on our Agent at Great Britain for the sterling money that is or shall be paid into his hands for the allowances made for the reimbursements aforementioned, as soon as information shall be given that the same is paid at Great Britain, or for such part thereof as shall be paid. And are hereby authorized and impowered to make sale of the bills of exchange so drawn, and receive therefor one half the value thereof in bills of publick credit of this Colony and the other half in coined silver sterling alloy, which bills of credit and money the said committee are hereby directed to pay into the hands of the Treasurer of this Colony, taking his receipt therefor, and lodge the same in the hands of the Secretary. And are hereby appointed and impowered a committee, who shall be put upon oath, to receive of the Treasurer the bills of publick credit issued by this Colony and brought in by the sales of the said bills of exchange, and count, burn and consume the same to ashes, and report the sum or sums so burnt and discharged by them to this Assembly. And further, when the coined silver procured for the sales of said bills of exchange shall be fully paid and lodged in the hands of the Treasurer, he is hereby directed and ordered to pay the same out in exchange for the bills of credit of this Colony, at the same rate that the said silver money is received and accounted for in the sale of said bills of exchange; and such bills of credit brought in and redeemed by such exchange the aforementioned committee shall receive of the Treasurer and count, burn and consume the same to ashes, and report to this Assembly the sum or sums as they are before directed.

[499] And, forasmuch as the reimbursements aforesaid will not be sufficient to sink and fully discharge the whole outstanding bills of credit of this Colony, this Assembly has granted three taxes on all the polls and rateable estate in this government, to be paid at three several periods, (*viz* :) one in

the year 1751, one in the year 1752, and one in the year 1753: Therefore,

*Be it further enacted by the authority aforesaid,* That out of each of the said taxes the sum of nine thousand pounds new tenour, in each respective year as aforesaid, by the committee appointed and sworn as aforesaid, shall be received, counted, burnt and consumed to ashes, and the account thereof reported to this Assembly. as they are before in this act directed.

This Assembly grants a rate or tax of three pence on the pound on all the polls and rateable estate in this Colony, according to the list which shall be bro't in to this Assembly in October, 1749, to be paid into the treasury of this Colony in new tenour bills of this Colony, or in bills of the old tenour of this Colony equivalent, (*viz:*) three shillings and six pence in the old tenour for one shilling of the new; or in Spanish mill'd dollars or pieces of eight, at thirteen shillings and nine pence new tenour each, or other silver coin or gold equivalent, at or before the first day of May, *anno Dom.* 1751.

This Assembly grants a rate or tax of three pence on the pound on all the polls and rateable estate in this Colony, according to the list which shall be brought in to this Assembly in October, 1750, to be paid into the treasury in new tenour bills of this Colony, or in bills of the old tenour of this Colony equivalent, (*viz:*) three shillings and six pence in old tenour for one shilling of the new; or in Spanish milled dollars or pieces of eight, at thirteen shillings and nine pence new tenour each, or other silver coin or gold equivalent, at or before the first day of May, 1752, including the grant of five thousand pounds new tenour made payable at that time by act of Assembly made and passed in March, 174 $\frac{1}{2}$ .

This Assembly grants a rate or tax of three pence on the pound on all the polls and rateable estate in this Colony, according to the list which shall be brought in to this Assembly in October, 1751, to be paid into the treasury in new tenour bills of this Colony, or in bills of the old tenour of this Colony equivalent, (*viz:*) three shillings and six pence in old tenour for one shilling of the new; or in Spanish milled dollars or pieces of eight, at thirteen shillings and nine pence new tenour each, or other silver coin or gold equivalent, at or before the first day of May, 1753, including the grant of five thousand pounds new tenour made payable at that time by act of Assembly made and passed in March, 174 $\frac{3}{4}$ . And the Treasurer is hereby directed to send forth his warrants for collecting the same accordingly. Which respective taxes are to be improved for the payment of the current charges of the



government each year, and nine thousand pounds each year to be sunk, burnt and discharged, according to an act made and passed at this Assembly to call in, exchange and discharge the bills of credit which have been issued by this Colony and are still outstanding.

An Act for regulating Fees.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the establishment of the fees belonging to the several officers in this Colony be as followeth:

Assistants Fees.

	£	s.	d.
For attending the General Assembly, <i>per diem</i> ,	0	6	0
Travel per mile out, - - -	0	0	4

Representatives Fees.

For attending the General Assembly, <i>per diem</i> ,	0	4	0
Travel per mile out, - - -	0	0	4

Superior Courts Fees.

Chief Judge, <i>per diem</i> , - - -	0	12	0
Assistant Judges, <i>per diem</i> , - - -	0	9	0
Trying each action, - - -	0	12	0
Each default or confession, - - -	0	6	0
To the jury, - - -	0	16	0

[500] Clerk of the Superior Courts Fees.

Entering each action and judgment, -	0	2	6
Filing each individual testimony, - -	0	0	2
Each execution, - - -	0	1	6
Entering judgment acknowledged, - -	0	1	0
Copy of each testimony, - - -	0	0	4

County Courts Fees.

Chief Judge, <i>per diem</i> , - - -	0	7	0
Justices of the quorum, <i>per diem</i> , - -	0	5	0
Trying of each action, - - -	0	7	0
To the jury, - - -	0	16	0
Each judgment on default or confession, -	0	3	6
For a lycence to each tavern-keeper, (whereof to the clerk 1s.) - - -	0	3	0

Clerk of County Courts Fees.

Entering each action, - - -	0	0	3
Entering each judgment, - - -	0	1	0
For attachment, summons and execution, and other things proper to him, as in the Assistants and Justices fees.			

Court of Probates Fees.

Granting administration, to the judge, - -	0	1	6
Receiving and probate of every will and the in-			

	£	s.	d.
Inventory of fifty pounds or under, (whereof to the clerk, 9 <i>d.</i> ) - - - -	0	2	0
Receiving and probate of every will and inventory of above fifty pounds, (whereof to the clerk 1 <i>s.</i> ) - - - -	0	3	0
Each quietus, (whereof to the clerk 6 <i>d.</i> ) - - - -	0	1	0
Recording every will and inventory of above fifty pounds and not exceeding one hundred pounds, - - - -	0	3	0
Recording every will and inventory of fifty pounds or under, - - - -	0	2	6
Also three pence per hundred for every hundred pounds after the first hundred, and half so much for copy of the same; such wills and inventories always to be computed by proclamation money.			
Each bond for administration, and each letter of administration, - - - -	0	1	0
Every citation, - - - -	0	0	4
Making out a commission, receiving and examining the claims of creditors to insolvent estates, and registering the same, - - - -	0	1	0
Registering the commissioners report per page, for each page of twenty-eight lines ten words in a line, - - - -	0	0	6
Entering an order upon the administrator to pay out the estate in proportion unto the several creditors returned by the commissioners, - - - -	0	0	6
Allowing of accompts, settling and dividing of intestate estates, - - - -	0	1	6
Appointing guardians and taking bond, - - - -	0	1	0
Assistants and Justices Fees.			
Attachment or summons for action, - - - -	0	0	6
When bond is given, - - - -	0	0	9
A warrant for witnesses, - - - -	0	0	4
Entry and tryal of an action, - - - -	0	2	0
Every execution, - - - -	0	1	0
Every warrant for criminals, - - - -	0	1	0
Bond for appeal, - - - -	0	0	6
Copy of evidences, the least, - - - -	0	0	4
Copy of judgment, - - - -	0	0	6
Every recognizance, - - - -	0	0	6
[501] Judgment on confession or default, - - - -	0	1	0
Affidavits taken out of court, each, - - - -	0	0	6

	£	s.	d.
Acknowledging a deed, mortgage, or other instrument, - - -	0	0	6
Secretary's Fees.			
Recording laws and orders of publick concernment in the Colony records, each, - -	0	1	0
Affixing the Colony seal, each time, - -	0	1	0
Each military commission, - - -	0	1	0
Each commission for the justices in each county,	0	5	0
Commissions for the judges of the superior court,	0	3	0
Commissions for the judges of the county court and courts of probate, each, - -	0	1	6
Each petition or memorial to the General Assembly, - - -	0	1	6
To the General Assembly for every petition, Sheriffs and Constables Fees.	1	0	0
Serving every summons, - - -	0	0	4
If by the copy, - - -	0	0	6
Serving every attachment, - - -	0	0	6
Bail bond, - - -	0	0	8
Levying every execution not exceeding five pounds, - - -	0	2	0
Levying every execution more than five pounds and not exceeding ten pounds, - -	0	3	0
Levying every execution more than ten pounds and not exceeding twenty pounds, -	0	5	0
Levying every execution more than twenty pounds and not exceeding forty pounds, -	0	7	6
For any greater sums than forty pounds shall be allowed after the rate of two shillings more advance on every twenty pounds, above the sum of forty pounds, which shall be levied by the same execution, and the abovesaid fees on executions shall be taken in the same currency that is to be levied by each respective execution.			
Attending at a justices court, (when obliged to attend,) for each action tryed, - - -	0	1	0
Each mile travel out, - - -	0	0	3
Sheriff attending the General Assembly, superior court or county court, <i>per diem</i> , -	0	4	0
Constable for the like service, - -	0	3	0
Fees for Plaintiff and Defendant attending any court, <i>per diem</i> , - -	0	1	6
Witnesses attending any court, <i>per diem</i> ,	0	2	0

	£	s.	d.
Travel for plaintiff, defendant or evidence in any court, per mile, - - -	0	0	2
Fees for a jury employed in laying out high- ways, shall be for every juror <i>per diem</i> ,	0	3	0
And the sheriff attending on said jury, <i>per diem</i> , - - - -	0	4	0
Town Clerks Fees.			
For recording a deed, - - - -	0	1	0
For copy of deed, - - - -	0	1	0
To survey bill, - - - -	0	0	6
To recording a marriage, - - - -	0	0	3
To recording a birth or death, - - - -	0	0	2
Attorney Fees.			
In taxing bills of cost, (the party that recovers,)			
For attorneys fee at county court, -	0	4	0
In the superior court, - - - -	0	8	0
[502] Post Wages.			
For man, horse and expences, each mile out,	0	0	4
Recorder of Horses Fees.			
For branding and recording every horse-kind, -	0	0	6
For recording each sale or exchange, - -	0	0	3
For each copy of record, - - - -	0	0	3
Goalers Fees.			
For commitment of a prisoner and discharge,	0	2	0
For dieting each prisoner, per week, - -	0	2	6
County Surveyors Fees.			
For himself and horse <i>per diem</i> , besides ex- pences, - - - -	0	4	0

*Resolved by this Assembly*, That the act for regulating fees made and passed by this Assembly and computed in proclamation money take effect from the sitting of this Assembly, and for one shilling of the proclamation money may be taken and received eight shillings of the old tenour bills of credit; and that the printer be directed to print the same as soon as may be, and send the same out to the persons in this Colony as usual.

*Resolved by this Assembly*, That his Honour the Governor be, and he is hereby, desired to write to Eliakim Palmer, Esqr, the Agent for this Colony at the Court of Great Britain, and inform him of and send to him the act of this Assembly to call in, exchange and discharge, the bills of credit which have been issued by this Colony and are still outstanding, and that the money allowed by the Parliament for reimbursing the expences of this Colony in the late expedition to Cape Breton, together with what money may be allowed for the expences of



this Colony in the late intended expedition against Canada, is appropriated and ordered to be applied for that purpose; which money, with the taxes granted by this Assembly, will be sufficient to sink and discharge all our outstanding bills of credit; and that this government have never made any large emissions of bills of credit at any time which are now outstanding, saving those emissions which have been lately made and were necessary for his Majesty's special service in carrying on the late expedition against Cape Breton, and in obedience to his Majesty's command in raising and providing a regiment for his Majesty's service in the late intended expedition against Canada, and making the necessary provision therefor, which could not at that juncture be done without such emission of bills of credit; and that which is enacted will intirely sink and discharge all our outstanding bills of credit.

*And it is further resolved,* That his Honour the Governor be desired to write to our said agent, and in the name of this Assembly signify unto him the very grateful sense the government hath of his vigilance and care in all their concerns, and especially in giving a vigorous opposition to the bill depending before the Parliament relating to paper currencies, which seems to have a very threatening aspect on our liberties and privileges granted to us in the royal charter, especially as it would, when passed into a law, invest the Governor of the Colony for the time being with a power to negative all acts that should be passed in our Assembly; with desires that he continue his endeavours by all proper methods to prevent the same being past into an act, and that he endeavour a speedy payment of the money granted to us by the Parliament for the reimbursing the expences of this Colony in the late expedition against Cape Breton, and that he press forward the liquidating, settling and obtaining payment for the accounts of the expences of this Colony in the late intended expedition against Canada, and the pay of the troops of this Colony; and that what money shall be necessary to be advanced for council and other needful occasions in transacting our affairs, shall be allowed to him on his account, and shall be duly discharged accordingly. And further, when Governor Law shall receive an answer from Governor Shirley on his letter respecting his || reasons for the great abatements he hath intimated at Great Britain ought to be made in the accounts of this Colony for our expences in the late intended expedition against Canada, it is desired that his Honour give our Agent the account of the reasons which Governor Shirley shall offer for such abatements; and if he give no answer to Governor

Law in convenient time, that then the Agent be informed of that.

*Resolved by this Assembly,* That his Honour the Governor be desired, and he is hereby desired, to write to Governor Shirley and inform him that good intelligence hath been given this Assembly that he hath sent information to Great Britain that great abatements ought to be made in the accounts of this Colony in regard to the affair of our expences in the proposed expedition against Canada, and the pay of our regiment, and desire his Excellency to give us some information of the reasons why any such abatements ought, in his opinion, to be made; and his Honour is desired to send this letter by an express, as soon as may be, and direct him to wait for an answer from his Excellency so long a time as his Honour shall think needful to direct.

*Resolved by this Assembly,* That Mr. Daniel Edwards, of Hartford, be impowered, and he is hereby fully authorized and impowered, to sue out all the bonds given for the payment of the last half of the principal sum borrowed in new tenour bills and loaned by order of this Assembly in the county of Hartford and remain unpaid, and proceed to final judgment and execution according to the common rules and course of the law, and the money when recovered and received to pay into the hands of the Treasurer of this Colony, taking his receipt therefor, and to lodge the same with the Secretary. And Capt. Elihu Hall, of Wallingford, is in the like manner fully authorized and impowered to sue out the bonds given in the county of New Haven for the said last half of the new tenour bills loaned as aforesaid, and to proceed and do therein according to the above directions. And Mr. Ebenezer Backus, of Norwich, is in like manner fully authorized and impowered to sue out the bonds given in the county of New London for the said last half of the new tenour bills loaned as aforesaid, and to proceed and do therein according to the above directions. And Capt. Robert Walker, of Stratford, is in like manner fully authorized and impowered to sue out the bonds given in the county of Fairfield for the last half of the new tenour bills loaned as aforesaid, and to proceed and do therein according to the above directions. And Jonathan Trumble, Esqr, of Lebanon, is in like manner fully authorized and impowered to sue out the bonds given in the county of Windham for the last half of the new tenour bills loaned as aforesaid, and to proceed and do therein according to the above directions. And the Treasurer is hereby directed to deliver out to the several persons abovenamed the respective bonds belonging

to each of the aforesaid counties which remain unpaid, taking their receipts for the bonds given into their hands. And the aforementioned agents are hereby directed to sue out the same with all convenient speed, that the accounts of the loans may be settled and our bills of credit, so far as relates thereto, may be sunk and discharged.

*Resolved by this Assembly,* That the mortgages given for the security and payment of the last loaned moneys, being of the new tenour, payable in the year 1744 and in the year 1748, be committed into the hands of the several agents for the government, respectively, in each county, who are appointed to receive and collect the moneys of said loaned new tenour upon bonds payable in the years abovesaid. And the said agents are hereby impowered to receive said mortgages, and to act and do in all respects as the said agents were impowered to do in and about the former mortgages made for the payment of the old tenour loan moneys payable before the year 1744.

This Assembly do appoint Nathaniel Stanly, William Pitkin, Esqrs, and Mr. Jos. Buckingham, to be a committee to receive, examine and settle the accounts of the commissaries improved in providing for the late intended expedition against Canada, with relation to their proceedings in the whole of that affair, and to settle any other accounts in behalf of the government as they shall find needful.

[504] Whereas this Assembly has been informed that there is a large tract of land contained in the patent that has been made to the proprietors of the town of Kent and lying on the south side of the land contained in said patent, which tract of land was never granted nor intended to be granted by this Assembly, and this Assembly was deceived in ordering said patent to be executed: Resolved, that the King's Attorney in the county of Hartford shall enquire into the matters aforesaid, and if it shall appear to him that this Assembly was deceived in ordering said patent to be executed, he is ordered and directed to summons the patentees in said patent to appear before this Assembly to be holden at New Haven in October next, to shew by what right they hold the lands contained in said patent, and to shew cause, if any they have, why their patent should not be declared void and the said proprietors take out another patent according to their grant.

*Resolved by this Assembly,* That Jeremiah Miller, Esqr, be, and he is hereby, appointed to receive from the Secretary the new revised acts which have been past by this Assembly, and the Secretary is hereby directed to prepare and deliver the same to the said Jeremiah Miller, Esqr, who is directed to

carry the same to the printer that it may be printed, and take care of and correct the press, and see the same to be well and truly done, and return the original to the Secretary. And the printer is hereby directed to print to the number of twenty-two hundred books. And Jonathan Trumble, Esqr, is appointed to buy three hundred and sixty-six ream of proper paper for the use aforesaid; and the Treasurer is directed to pay to the said Trumble the sum of twenty-two hundred pounds old tenour, taking his receipt; and the said Trumble is directed to bring in his account thereon accordingly.

*Resolved*, That the several petitions, memorials and reports of committees, now lying on the files of this Assembly and not acted upon, be continued, and the same are hereby continued, to the sessions of this Assembly to be holden at New Haven in October next.

This Assembly do establish and confirm Mr. Abner Johnson to be Captain of the first company or trainband in the town of Wallingford, and order that he be commissioned accordingly.

This Assembly do appoint John Richards, Esqr, to be a Justice of the Peace in and for the county of New London the year ensuing.

Jeremiah Miller, Esqr, appointed Judge of the Probate for the district of New London, appeared before the Assembly and declined taking that office: Therefore, this Assembly do appoint John Richards, Esqr, of New London, to be Judge of the Court of Probate for the district of New London the year ensuing.

*Resolved and enacted by this Assembly*, That Eliakim Palmer, Esqr, of London, merchant, be authorized and appointed Agent and Attorney for the Governor and Company of this Colony, to supplicate for and receive all such sum and sums of money as may be granted or ordered for the re-imbursement of the charges and expences this Colony hath been at in providing arms, cloathing, victualling, transports, &c., for the regiment raised in this Colony to be improved in an expedition proposed against Canada, which was done in obedience to his Majesty's command signified by his Grace the Duke of Newcastle, by his letter dated April 9th, A. Dom. 1746.

This Assembly do hereby authorize, empower and desire, the Governor and Secretary of this Colony to make and execute an instrument in the name of the Governor and Company of this Colony, signed by the said Governor and Secretary and sealed with the Colony seal, fully empowering the said Eliakim Palmer, Esqr, for the purpose aforesaid.



*Resolved by this Assembly*, That the chief judge of the superior court, for the time he has spent and been out upon the service of judge since the month of October last, have six shillings new tenour *per diem* for every day, in addition to what was stated by law during said time; and that each assistant judge of said court have in addition, as aforesaid, four shillings and six pence *per diem* for every day they or each of them have spent as aforesaid.

*Ordered by this Assembly*, That a bond taken from Gurdon Saltonstall, Esqr, to the Governor and Company for the payment of five thousand ninety-six pounds seven shillings and nine pence old tenour, payable the 15th of August next, now in the hands of Thomas Fitch, Esqr, be delivered to the Treasurer of this Colony, taking his receipt therefor, and that the same be lodged with the Secretary.

[505] This Assembly do appoint Mr. William Wells, of Glassenbury, to be Surveyor of Lands in the county of Hartford.

This Assembly do appoint Mr. Benjamin Stiles, of Woodberry, to be Surveyor of Land for the county of Fairfield.

This Assembly do direct Samuel Lynde and John Richards, Esqrs, to deliver the bond they took of Mr. Robert Sloan for three thousand pounds old tenour, payable in 1749-50, with interest, into the hands of the Treasurer of this Colony, taking his receipt therefor, and lodge the same with the Secretary.

This Assembly grants to Samuel Lynde and John Richards, Esqrs, for leasing, looking after and selling the Colony's house at New London, the sum of thirty pounds old tenour, and that the Treasurer pay the same accordingly.

This Assembly do appoint Charles Webb, of Standford, to be Surveyor of Lands for the county of Fairfield.

This Assembly grants to the Honourable Jonathan Law, Esqr, Governor, for his first half year's salary, the current year, the sum of one hundred and thirty pounds in new tenour bills of credit.

This Assembly grants unto the Hon<sup>ble</sup> Roger Wolcott, Esqr, Deputy Governor, for his first half year's salary this current year, the sum of sixty-five pounds, to be paid in new tenour bills of credit.

This Assembly grants to Eliakim Palmer, Esqr, our Agent at Great Britain, the sum of four hundred pounds in bills of credit old tenour, for his salary the current year.

This Assembly grants unto Thomas Fitch, Esqr, for his

service done for the Colony in revising the laws, transcribing the same, and entertaining the committee, the sum of one hundred and ninety-five pounds eleven shillings new tenour, besides the hundred pounds old tenour already received by the said Thomas Fitch, Esq<sup>r</sup>, and that an order be drawn thereon to Nathaniel Stanly, Esq<sup>r</sup>, Treasurer of the Colony aforesaid, to deliver the said sum out of the treasury to him, the said Thomas Fitch, Esq<sup>r</sup>.

This Assembly grants unto Ebenezer Silliman, Esq<sup>r</sup>, for his service in assisting Colo. Fitch in revising the laws, the sum of eighty-one pounds old tenour, and that an order be drawn on Nath<sup>l</sup> Stanly, Esq<sup>r</sup>, Treasurer of this Colony, to pay said sum out of the Treasury.

This Assembly grants to Andrew Burr, Esq<sup>r</sup>, for his service as committee in assisting Thos. Fitch, Esq<sup>r</sup>, in revising the laws, the sum of eighty-one pounds old tenour, and that an order be drawn to the Treasurer to pay the same out of the treasury.

This Assembly grants unto Capt. Robert Walker, for his service in assisting of Thomas Fitch, Esq<sup>r</sup>, in revising the laws, the sum of eighty-one pounds old tenour, and that an order be drawn thereon to Nath<sup>l</sup> Stanly, Esq<sup>r</sup>, Treasurer of this Colony, to pay the same out of the treasury.

This Assembly grants to the Honourable Jonathan Law, Esq<sup>r</sup>, Governor, the sum of twenty pounds new tenour bills of credit, in addition to the hundred and thirty pounds new tenour, &c., granted by this Assembly for his first half year's salary the current year.

This Assembly grants to the Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, Deputy Governor, the sum of ten pounds in bills of credit of the new tenour, in addition to the sixty-five pounds granted to him by this Assembly for his first half year's salary this current year.

Whereas this Assembly is drawn out to such a length that all the members thereof cannot conveniently attend to hear the records read off: This Assembly appoint William Pitkin and John Chester, Esq<sup>rs</sup>, Colo. Thomas Wells, Colo. Joseph Pitkin and Mr. Thomas Seymour, a committee to attend his Honour the Deputy Governor, to hear the records of the acts and doings of this Assembly read off, and see them signed by the Secretary as perfect and compleat.

The whole record of the several Acts, Grants, Orders and Resolves of this Assembly, as it stands entered on the pages of this book next preceding, were read off in the presence of

his Honour the Deputy Governor and the committee above-named, and signed as compleat.

GEORGE WYLLYS, Secret'y.

[506] *Anno Regni Regis Georgii secundi Magnæ Britannicæ &c., vigesimo-tertio.*

AT A GENERAL ASSEMBLY HOLDEN AT NEW HAVEN IN HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND, IN AMERICA, ON THE 2D THURSDAY OF OCTOBER, (BEING THE 12TH DAY OF SAID MONTH,) ANNOQUE DOMINI 1749, AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE THIRD DAY OF NOVEMBER NEXT FOLLOWING.

*Present:*

The Honourable Jonathan Law, Esq<sup>r</sup>, Governor.

The Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, Deputy Governor.

James Wadsworth,	Ebenezer Silliman,	} Esq <sup>rs</sup> , Assistants.
Samuel Lynde,	Jonathan Trumble,	
William Pitkin,	Hezekiah Huntington,	
Thomas Fitch,	Andrew Burr,	
Roger Newton,	John Chester,	
	Gurdon Saltonstall,	

*Representatives or Deputies that attended at the Assembly are as follow, (viz:)*

Colo. Joseph Pitkin, Mr. Joseph Talcott, for Hartford.

Mr. Jeremiah Miller, Mr. Jeremiah Chapman jun<sup>r</sup>, for New London.

Capt. Eleazer Carey, Capt. Eliphalet Dyer, for Windham.

Mr. John Hooker, Capt. Hezekiah Lee, for Farmington.

Colo. Jonathan Hoit, Mr. Abraham Davenport, for Standford.

Colo. Elisha Williams, Colo. Elizur Goodrich, for Weathersfield.

Mr. Elnathan Wheeler, Mr. Ephraim Judson, for Stratford.

Major Daniel Ely, for Lyme.

Mr. James Bicknal, Mr. Robert Knowlton, for Ashford.

Mr. Ebenezer Holbrook, Major Joseph Holland, for Pomfrett.

Major Ebenezer Marsh, Capt. Thos. Harrison, for Litchfield.

Capt. Nathan Smith, Capt. William Williams, for Groton.

Major John Russell, Mr. Jonath. Russell, for Brandford.

Mr. Samuel Prentiss, Mr. Nehemiah Palmer, for Stonington.

Capt. Moses Hawkins, Capt. Abel Gun, for Derby.

Capt. Isaac Dickerman, Capt. Samuel Sherman, for New Haven.

Mr. Thaddeus Burr, Mr. David Rowland, for Fairfield.

Mr. Ebenezer Backus, Mr. Isaac Tracey, for Norwich.

Major Elihu Chauncey, Mr. James Wadsworth jr., for Durham.

Mr. John Leavinsworth, Capt. John Glover, for Newtown.  
 Colo. Thomas Welles, Capt. Jonathan Hale, for Glassenbury.  
 Mr. Silas Long, Capt. Samuel Rust, for Coventry.  
 Capt. John Mead, Mr. Gershom Lockwood, for Greenwich.  
 Capt. Elnathan Stephens, Capt. Isaac Kelsey, for Killingworth.  
 Colo. Shubael Conant, Mr. Joseph Storrs, for Mansfield.  
 Capt. William Buel, Capt. Joseph Phelps, for Hebron.  
 Mr. Ambrose Whittelsey, Capt. Jedadiah Chapman, for Saybrook.

Mr. Pennel Child, Mr. Boaz Stearns, for Killingly.  
 Mr. Ebenezer West, Major Joseph Fowler, for Lebanon.  
 Mr. Samuel Morgan, Mr. Roger Billings, for Preston.  
 [507] Mr. Hezekiah Brainerd, for Haddam.  
 Capt. Charles Bulkley, Mr. John Day, for Colchester.  
 Mr. Zebulon West, Mr. Joshua Wills, for Tolland.  
 Mr. James Bebee, Mr. Joseph Peck, for Danbury.  
 Capt. John Fowler, Mr. Robert Treat, for Milford.  
 Major Henry Allyn, Mr. Mathew Rockwell, for Windsor.  
 Colo. Benjamin Hall, Mr. Gideon Ives, for Wallingford.  
 Major Jabez Hamlin, Mr. Seth Wetmore, for Middletown.  
 Capt. Dan<sup>l</sup> Southmaid, Mr. Timothy Judd, for Waterbury.  
 Mr. Henry Bowen, Colo. Thos. Chandler, for Woodstock.  
 Mr. James Conc, for East Haddam.  
 Mr. James Benedict, Mr. Samuel Olmstead, for Ridgefield.  
 Mr. John Hitchcock, Mr. John Warner, for New Milford.  
 Colo. John Dyer, Mr. Solomon Tracey, for Canterbury.  
 Mr. John Humphrey, Mr. Andrew Robey, for Symsbury.  
 Mr. Samuel Minor, Mr. Eleazer Hinman, for Woodberry.  
 Capt. Robert Dixon, Mr. Joseph Park, for Voluntown.  
 Colo. Samuel Hill, Major Timothy Stone, for Guilford.  
 Major James Lockwood, Mr. Joseph Platt, for Norwalk.

Colo. Thomas Welles, Speaker, { of the House of Repre-  
 Capt. John Fowler, Clerk, { sentatives.

The several members of this Assembly who had not taken the oaths provided by act of Parliament, instead of the oaths of allegiance or supremacy, now took the said oaths, and likewise the oath of abjuration, and made the declaration against popery.

This Assembly do establish and confirm Mr. John Murdock to be Captain of the 10th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Abraham Post to be Lieutenant of the 10th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.



This Assembly do establish and confirm Mr. Samuel Denison to be Ensign of the 10th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Stephen Olmstead to be Lieutenant of the 3d company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Stanly to be Ensign of the 3d company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Goodwin to [be] Captain of the first company or trainband in the first regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Richard Goodman to be Lieutenant of the first company or trainband in the first regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Goodwin to be Ensign of the first company or trainband in the first regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do appoint Jonathan Trumble and George Wyllys, Esq<sup>rs</sup>, a committee to prepare the accounts of the tenour and amount of the bills of credit of this Colony, with the times fixed for the sinking and discharging them and the funds laid therefor, to be sent in answer to his Grace the Duke of Bedford's letter of July 19th, 1749.

[508] The Gentlemen nominated by the Votes of the Freemen of this Colony, (as sent in to this Assembly) to stand for Election in May next, are as follow, (viz:)

The Hon<sup>ble</sup> Jonathan Law, Esq<sup>r</sup>.

The Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>.

James Wadsworth, Esq <sup>r</sup> .	Andrew Burr, Esq <sup>r</sup> .
Samuel Lynde, Esq <sup>r</sup> .	John Chester, Esq <sup>r</sup> .
William Pitkin, Esq <sup>r</sup> .	Gurdon Saltonstall, Esq <sup>r</sup> .
Thomas Fitch, Esq <sup>r</sup> .	Colo. Joseph Pitkin.
Roger Newton, Esq <sup>r</sup> .	Capt. Roger Wolcott.
Ebenezer Silliman, Esq <sup>r</sup> .	Colo. Elisha Williams.
Jonathan Trumble, Esq <sup>r</sup> .	Mr. John Griswold.
Hezekiah Huntington, Esq <sup>r</sup> .	Colo. Benjamin Hall.
John Bulkley, Esq <sup>r</sup> .	Colo. Thomas Welles.

Whereas upon the memorial of Daniel Alden of Stafford,

agent for said town, to this Assembly in their sessions in May, 1748, representing that James Wadsworth, John Hall and Hezekiah Brainerd, Esq<sup>rs</sup>, being three of a certain committee by the General Assembly of this Colony in May, 1718, appointed to procure said town to be laid out, settled, &c., soon after, with the assistance of Mr. Surveyor Kimberly, proceeded to lay out a number of house lots, and other lots and parcels of land for pious uses and highways, and to admission of settlers under certain restrictions and regulations by said committee agreed on, and to assign to each person so admitted their particular allotments, and thereof, and of other their proceedings, having made a rough and unformal draught, it so happened that they had been prevented perfecting said undertaking, and that the minutes of their said proceedings remained unfinished and incomplete and in part concealed in private hands, insomuch as that the said settlers and inhabitants of said town still remained destitute of any proper and legal records of their titles, &c., and thereupon praying relief, James Wadsworth, Jonathan Trumble and Joseph Pitkin, Esq<sup>rs</sup>, or any two of them agreeing, were by the Assembly in May, 1748, appointed a committee to enquire of the premises and such draught, form or description of the said township, surveys and divisions, either for publick or private uses or particular persons, as by said former committee had been proceeded to or concluded on, or as they should find further necessary for the good and safety of said town, to exhibit to the General Assembly in October then next, with their opinion thereon, &c.: And whereas, pursuant to such appointment, James Wadsworth and Joseph Pitkin, Esq<sup>rs</sup>, two of said last committee, accordingly made their report in the premises to this Assembly in said October sessions, the particular consideration whereof was by continuances referred to this present sessions and is now lying in the files of this Assembly, dated June 16th, 1748, with the said original draught of the proceedings and conclusions of said first committee thereto annexed: On consideration whereof had,

*Resolved by this Assembly,* That the said report of said James Wadsworth and Joseph Pitkin, Esq<sup>rs</sup>, be accepted, and this Assembly doth accept and approve of the same, and order that the same, together with the original draughts therein referred to and thereunto annexed, be exactly recorded in the book of the records of the said town of Stafford, and that at all times forever hereafter legally attested copies of such record, or of such paragraph or paragraphs thereof as describe and ascertain the bounds and limits of any particular parcel or parcels of land to any person or persons or uses, may and

shall be allowed to be given in evidence in all and every [509] court and courts, and shall be accepted and taken to be as good evidence of the titles to the lands therein mentioned as the original surveys would have been if they had been signed by the committee or the persons appointed to lay out and assign said lands to the several proprietors thereof, and had thereupon been duly recorded in the records of the said town of Stafford; and that said James Wadsworth and Joseph Pitkin, Esq<sup>rs</sup>, together with George Wylls, Esq<sup>r</sup>, of Hartford, be a committee to see and take care that such entry and recording be truly and exactly done, at the proper cost and charge of said town of Stafford.

Whereas the General Assembly of this Colony, at the sessions in May last, appointed William Pitkin, Jonathan Trumble, John Chester and Thomas Welles, Esq<sup>rs</sup>, Auditors of the publick accounts with Colo. John Whiting, late Treasurer, and to settle all accounts of the Colony with him and make their report to this present Assembly: And whereas the said auditors have not been able to accomplish the said work and make report accordingly: Therefore,

*Resolved by this Assembly*, That the said William Pitkin, Jonathan Trumble, John Chester and Thomas Welles, Esq<sup>rs</sup>, are hereby authorized and impowered to accomplish the said work, as mentioned in said act, and make report to this Assembly in May next.

Whereas the General Assembly, held at Hartford in May last, on the memorial of the proprietors of Mortlake, appointed Hezekiah Huntington, John Crerey and Nathaniel Huntington, Esq<sup>rs</sup>, a committee to hear and enquire into the circumstances of the said Mortlake and its former grants, as also that part of Pomfrett and Canterbury with all concerned, and make report of the facts as they find them, and to report the same with their opinion thereon to this present Assembly: And whereas it is represented to this Assembly that the above committee have not prepared a report on the said act: Resolved by this Assembly, that the said Hezekiah Huntington, John Crerey, and Nathaniel Huntington, Esq<sup>rs</sup>, the committee abovenamed, be a committee with the like powers and authorities of hearing and enquiring as mentioned in said act, and that they report the facts they find with their opinion thereon to this Assembly in May next.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and it is enacted by the authority of the same*, That the lands east of Woodstock, south of the line of the Province of the Massachusetts Bay, west of Quinnabaug

and north of the town of Pomfrett, be annexed, and the same is hereby annexed, to the town of Killingly, and that the inhabitants thereon have all town privileges with the said town of Killingly.

On the memorial of the President and Fellows of Yale College in New Haven: Ordered by this Assembly, that the sum of two hundred and thirty-three pounds seven shillings in bills of credit on this Colony of the new tenour, be allowed and paid out of the publick treasury to the said president and fellows, for the last half of the last year, which was omitted to be ordered in May last, and for the first half of the current year; to be in lieu of what was granted them by this Assembly at their sessions in May A. Dom. 1745.

On the petition of John Merriman, of Wallingford, *vs.* Joel Canfield, of Saybrook, as on file: The question was put, whether a committee should be appointed, &c., as prayed for in said petition: Resolved by this Assembly in the negative. *Cost allowed respondent £14 10s. 8d. old tenour. Ex. granted Nov. 3d, 1749.*

[510] *Ordered by this Assembly,* That the inhabitants on the westerly side of Willimantick River in the township of Stafford be erected into a distinct military company or trainband, and that they be led to the choice of proper officers, taking the direction of the colonel of the 5th regiment in this Colony.

On the petition of Timothy Parsons, of Durham, *vs.* Hope Hally, of Middletown, respondent, as on file: The question was put, whether anything on the prayer thereof should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent £13 17s. 6d. old tenour. Ex. granted Nov. 14th, 1749.*

On the petition of James Miles and Jehiel Tuttle, both of Wallingford, *vs.* John West, of Hartford, as on file: The question was put, whether the pleas offered by the respondent in abatement of said petition are sufficient: Resolved by this Assembly in the affirmative. *Cost allowed respondent £12 5s. 1d. old tenour.*

Upon the memorial of Hannah Perkins, administratrix on the estate of Samuel Perkins late of New Haven, deceased, praying liberty to sell so much of the real estate of said deceased as shall enable her to pay the sum of £78 18s. 5d.: Resolved by this Assembly, that said administratrix have liberty to sell so much of the real estate of said deceased as shall enable her to pay said sum of £78 18s. 5d. money old



tenour with charges of sale; taking the direction of the court of probate in the district of New Haven therein.

Upon the memorial of the inhabitants of the town of Salisbury, by their agent Mr. Thomas Chipman of said Salisbury, praying for a land tax, to be improved to finish the meeting-house in said town, with the assistance of said town: Resolved by this Assembly, that there shall be a tax of fifteen pounds old tenour levied on each proprietor's right in said town, excepting the publick rights, to be paid by the owners of such rights in proportion to what they own in those lands that are laid out thereon, without allowing any thing for sizing; and that there shall be a tax of twelve pence per acre old tenour levied on all the unimproved lands lying within the said town contained within those country grants surveyed and laid out before the said town was sold, except grants for publick or charitable uses: which tax shall be for one year only. And this Assembly do appoint John Chipman, of said Salisbury, to be the collector of said tax, who is hereby impowered to collect the same, and is hereby directed to deliver the money collected for said tax to the committee appointed by said town for carrying on and finishing the building said meeting-house, who are directed to improve the same for that purpose.

Upon the memorial of Paul Welch, of New Milford, shewing this Assembly that he had at great hazard and expence taken one Joseph Bills, a vagrant person who was suspiciously guilty of counterfeiting bills of publick credit, and praying for some reward for his service therein: Resolved by this Assembly, that the said Paul Welch have paid unto him for his service aforesaid the sum of twenty pounds money old tenour out of the publick treasury of this Colony.

Upon the memorial of the selectmen of New Milford, shewing this Assembly that they had expended the sum of £57 15s. 0d. money old tenour upon one Thomas Welch of said New Milford, a distracted person who hath no estate but lands to defray said expence, and, praying for liberty to sell of said Welch's land &c. to defray the expences aforesaid: Resolved by this Assembly, that Samuel Canfield, Esqr, of said town, be impowered, and he is hereby impowered, to sell to the best advantage so much of the lands of the said Thomas Welch as will procure the aforesaid sum with the necessary charges arising on the sale of said land, and the said money to put into the hands of the said selectmen for the purpose aforesaid.

[511] On the petition of Elijah Hammond, of Coventry, *vs.* Joseph Noyes and Abigail his wife, of New Haven, as on file: The question was put, whether the pleas offered by the respondents in abatement of said petition are sufficient: Resolved by this Assembly in the affirmative. *Cost allowed respondent, £12 5s. 2d. old tenour.*

James Penniman, of Medfield in the county of Suffolk in the Province of the Massachusetts Bay, representing to this Assembly that, on the 24th day of April last past, his dwelling house and a great part of his household goods were consumed by fire, and that he had in his chest at that time two three-pound bills of the new tenour of this Colony that were consumed in the same flames, and moving to this Assembly by his attorney, Ebenezer Holbrook, Esqr, that he may have so much drawn out of the publick treasury of this Colony as will make up his loss in the said bills consumed as abovesaid: Resolved by this Assembly, that the said James Penniman have the sum of twenty-one pounds old tenour in bills of credit of the Province of the Massachusetts Bay out of the publick treasury of this Colony, the said Ebenezer Holbrook giving his receipt for the same.

Upon the memorial of the selectmen of the town of Danbury, shewing this Assembly that they had expended upwards of £160 0s. 0d. money upon one Ebenezer Barnum, an impotent person, and shewing this Assembly that the moveable estate of the said Barnum had been already expended upon him and his family, and that he is still under necessitous circumstances, and also that he had a considerable estate in lands; and praying for liberty to sell land of the said Ebenezer for defraying said expence and for making further provision for him, the said Barnum: Resolved by this Assembly, that the said selectmen have liberty to sell so much of the lands of the said Ebenezer Barnum to the best advantage as will procure the sum of £240 0s. 0d. money old tenour, to be improved for the purpose aforesaid.

Upon the memorial of Jonas Smith and Thomas Smith, of Ridgfield, praying that their two brothers, Isaac Smith and David Smith, of said Ridgfield, who are deaf and dumb, might be enabled to pass away their estate by deeds, as occasion shall be, with the assistance of the said Jonas and Thomas, who understand the minds of said deaf and dumb by signs and motions: Resolved by this Assembly, that all deeds made for the passing and conveying any real estate belonging to said Isaac and David, or either of them, being under their hand and seal, shall be good and effectual to all intents and purposes, according to the true intent and meaning of the parties to

such deeds as therein expressed: provided the said Jonas Smith and Thomas Smith, and Mary the wife of said David, do appear with such of the said deaf and dumb who shall so execute any such deed before some person having authority to take acknowledgment of deeds, and declare under oath to such person in authority that said deaf and dumb, so executing any such deed or deeds, have been fully informed of the contents thereof, and that he or they so executing such deed or deeds do fully approve of the same taking effect; the same being certified by such person in authority on such deed or deeds, and the said deeds recorded according to law.

Upon the memorial of Elizabeth Barstow, executrix to the last will and testament of Jonathan Barstow late of Norwich, deceased, praying this Assembly for liberty to sell so much of the lands of the said deceased as to raise the sum of £638 12s. 4d. to pay debts, &c.: Resolved by this Assembly, that the memorialist be, and she is hereby, authorized and fully empowered to sell so much of the land of the said deceased as to raise the sum of £638 12s. 4d. old tenour, with the incident charges arising on such sale; taking the direction of the court of probate in the district of New London therein.

[512] Upon the memorial of the inhabitants of the third parish in the town of Middletown in the county of Hartford, by their agent Capt. John Fisk, shewing to this Assembly that in May last, Colo. John Bulkley, Colo. Jonathan Trumble and Nathaniel Foot, Esq<sup>rs</sup>, were appointed a committee to repair to said parish, view their circumstances and fix a place for them to build a meeting-house on, and to report to this Assembly: but, by means of sickness in the family of Colo. Bulkley, the said committee have not been able to attend on that business, so that their difficulty still remains; and praying that the same committee may be appointed to repair to their parish, view, and report their opinion in the premises: Resolved by this Assembly, that the same gentlemen abovenamed repair to said parish, view their circumstances and affix a place for them to build a meeting-house on, and report their opinion thereon to this Assembly in their sessions in May next.

On the memorial of Benjamin Pain, Joseph Jennings, jun<sup>r</sup>., and Sarah Pain, administrators on the estate of the late James Pain, of Windham in the district of Windham, (deceased,) praying liberty to make sale of lands of said deceased for the payment of debts due from said estate to the amount of £75 0s. 5d. old tenour, which is the ballance due from said estate more than the moveable estate amounts to: Resolved by this Assembly, that liberty be and is hereby granted to the memo-

rialists to make sale of so much of the lands of said deceased as will make the said sum of £75 0s. 5d. old tenour with the incident charges arising thereon, taking the advice and direction of the court of probate in said district.

On the petition of Jacob Phelps, of Windsor, *vs.* John Palmer jun<sup>r</sup>, of Windsor, respondent, as on file: The question was put, whether the pleas offered in abatement of said petition by the respondent are sufficient: Resolved by this Assembly in the affirmative. *Cost allow'd respondent is £22 3s. 7d. old tenour. Ex. granted Nov. 27th, 1749.*

This Assembly do establish and confirm Mr. Samuel Gilbert jun<sup>r</sup>, to be Captain of the company or trainband in the parish of Gilead, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Post to be Lieutenant of the company or trainband in the parish of Gilead, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ichabod Phelps to be Ensign of the company or trainband in the parish of Gilead, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Christopher Holmes to be Lieutenant of the company or trainband in the parish of Hadlime, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ephraim Fuller to be Ensign of the company or trainband in the parish of Hadlime, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Henry Glover to be Captain of the first company or trainband in the town of Newtown, and order that he be commissioned accordingly.

This Assembly do establish and confirm Nathaniel Brisco to be Lieutenant of the first company or trainband in the town of Newtown, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Bellows to be Captain of the company or trainband in the town of Salisbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Moore to be Lieutenant of the company or trainband in the town of Salisbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Austin to be Ensign of the company or trainband in the town of Salisbury, and order that he be commissioned accordingly.

[513] This Assembly do establish and confirm Mr. John Warner to be Ensign of the 5th company or trainband in



the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Benton to be Lieutenant of the 9th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ezra Smith to be Lieutenant of the 5th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ephraim Kyes to be Ensign of the 5th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Palmer to be Lieutenant of the 3d company in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Reuben Green to be Lieutenant of the westernmost company or trainband in the town of Greenwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Francis Fenton to be Lieutenant of the 8th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Abner Barker to be Ensign of the 8th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Zebadiah Holt to be Ensign of the 6th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Talcott to be Ensign of the 4th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ephraim Kingsbury to be Captain of the 3d company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Peck to be Lieutenant of the 3d company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Mathew Hide to be Ensign of the 3d company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Smith to be Captain of the south company or trainband in the town of Colchester, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Kilbourn to be Lieutenant of the south company or trainband in the town of Colchester, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Jones to be Ensign of the south company or trainband in the town of Colchester, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Humphrey Davenport to be Captain of the 4th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Silas Long to be Lieutenant of the 4th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Abner Fitch to be Ensign of the 4th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Gideon Leet to be Quarter-Master of the troop of horse in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Stephens to be Ensign of the 12th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

[514] This Assembly do establish and confirm Mr. Thomas Grant to be Captain of the 3d company or trainband in the town of Windsor, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Gideon Wolcott to be Lieutenant of the 3d company or trainband in the town of Windsor, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Diggins to be Ensign of the 3d company or trainband in the town of Windsor, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Philip Turner to be Captain of the troop of horse in the 3d regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Richard Bushnell to be Cornet of the troop of horse in the 3d regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Hezekiah Edgerton to be Quarter-Master of the troop of horse in the 3d regiment in this Colony, and order that he be commissioned accordingly.

On the petition of Sarah Prentiss, of New London, the only acting executrix of the last will and testament of Capt. John Prentiss late of New London, deceased, *vs.* Thomas Andrus, James Packer, &c., named in said petition on file, dated April 27th, 1749: The question was put, whether anything should be granted on the prayer of said petition: Resolved by this Assembly in the negative. *Cost allowed respondents is £23 19s. 10d. old tenour. Execution granted January 18th, 1749-50.*

Upon the memorial of James Macknall, of the town of Union in Windham county, shewing to this Assembly that by the providence of God he is become lame and rendered incapable of performing such labour for the support of himself and family which otherwise he might; praying this Assembly to enact and order that for the future he may be freed from paying any rate or tax to the country, town or parish, where he dwells, for his poll, and from any obligation to put the same into any general list for the purpose aforesaid: Resolved by this Assembly, that the said James Macknall be and he accordingly is freed from paying any rate or tax for his poll and obligation to put the same into any list for the aforesaid purpose.

The Governor and Company of his Majesty's English Colony of Connecticut in New England in America, in this present General Court assembled, do nominate, constitute and appoint, Benjamin Avery, of London, Doctor of Law, to be Agent at the Court of Great Britain for and in behalf, and in the name of the said Governor and Company, to appear before his Majesty, or any of his courts, ministers or judges in Great Britain, there to manage, act and defend, in all and every matter, cause or thing, wherein the said Governor and Company are or may be interested or concerned. And the said Governor and Company, in General Court assembled as aforesaid, do order and enact that a proper instrument of procuration, or letter of agency or attorney, be accordingly made out, in the name of the said Governor and Company, under the publick seal of this Colony, to the said Benjamin Avery

accordingly, signed by the Governor and Secretary of this Colony, which with a copy of this act shall be sent to the said Agent as soon as may be.

Whereas this Assembly is informed of the death of Eliakim Palmer, Esq<sup>r</sup>, our Agent, by a letter to the Honourable Jonathan Law, Esq<sup>r</sup>, our Governor, dated May 28th, 1749, from the executors of said Mr. Palmer, and thereupon have made choice of Doctor Benjamin Avery to be our Agent in his room: The Governor, Council and Representatives, in this present General Court assembled, do hereby desire and order the executors of Eliakim Palmer, Esq<sup>r</sup>, deceased, to deliver all letters, acts of the Governor and Company directing said Mr. Palmer in his agency, accounts of the expences in the expeditions against Cape Breton and Canada, and all other papers belonging to this Colony lodged with them, into the hands of the said Doctor Benjamin Avery, who is also desired to receive and improve them for us, and pursue such instructions as were directed to Mr. Palmer as our Agent, as though they were directed to him, said Doctor Avery.

[515] This Assembly do establish and confirm Mr. Hezekiah Whittelsey to be Lieutenant of the 1st company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ammi Trumble jun<sup>r</sup>, to be Lieutenant of the north company or trainband on the east side of Connecticut River in the township of Windsor, and order that he be commissioned accordingly.

The Governor, Council and Representatives, in this present General Court assembled, do nominate and appoint Benjamin Avery, of the City of London, Doctor of Laws, Agent and Attorney for the Governor and Company of this Colony, to supplicate for and to receive all such sum and sums of money as have been or may be granted or ordered by the Parliament of Great Britain for a reimbursement of the charges and expences of the said Colony, in the reduction of Cape Breton and garrisoning the city and fortresses of Louisbourg, and to give proper receipts therefor in behalf of said Colony. And it is hereby ordered and enacted, that a proper instrument of procuration, or letter of attorney, be accordingly made out in the name of the said Governor and Company, under the publick seal and signed by the Governor and Secretary of this Colony, fully empowering the said Doctor Benjamin Avery for the purpose aforesaid.

The Governor, Council and Representatives, in this present General Court assembled, do nominate and appoint Benjamin



Avery, of the City of London, Doctor of Laws, Agent and Attorney for the Governor and Company of this Colony, to supplicate for and receive all such sum and sums of money as may be granted or ordered for a reimbursement of the charges and expences the said Colony hath been at in providing arms, cloathing, victualling, transports &c., for the regiment raised in this Colony to be improved in the expedition against Canada, which was done in obedience to his Majesty's command, signified by his Grace the Duke of Newcastle, by his letter dated April 9th, *anno Dom*, 1746, and to give proper receipts therefor in behalf of the said Colony. And it is hereby ordered and enacted, that a proper instrument of procuration, or letter of attorney, be accordingly made out, in the name of the said Governor and Company, under the publick seal and signed by the Governor and Secretary of this Colony, fully empowering the said Doctor Benjamin Avery for the purpose aforesaid.

This Assembly do establish and confirm Mr. Joseph Barnerd to be Lieutenant of the company or trainband in the 3d society in Windsor, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. George Griswold to be Ensign of the company or trainband in the 3d society in Windsor, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Josiah Griswold to be Captain of the troop of horse in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elizur Talcott to be Cornet of the troop of horse in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Boardman to be Quarter-Master of the troop of horse in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly being informed that there is some cask of gunpowder belonging to this Colony lodged in the storehouse of Mr. Punderson late of New Haven, deceased, which powder is in danger of being lost: Resolved by this Assembly, that Isaac Dickerman and John Hubbard, Esq<sup>rs</sup>, be a committee to make sale of said powder to best advantage, and the money arising thereby to deliver to the Treasurer of this Colony, taking his receipt for the same, and said receipt lodge with the Secretary of this Colony, and make report of their doings thereon to this Assembly in May or October next.

[516] An Act in Addition to an Act made and passed by this Assembly in May last, entituled An Act to call in, exchange and discharge, the Bills of Credit which have been issued by this Colony and are still outstanding.

Whereas no persons are nominated and appointed in said act to be a committee to sell the bills of exchange for the sterling money, as mentioned in the third paragraph of said act, neither are any persons nominated in said act to be a committee to count, burn and consume to ashes, the bills of credit of this Colony in manner and form as is therein provided,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That William Pitkin, John Chester and George Wyllys, Esq<sup>rs</sup>, or any two of them, be, and they are hereby, appointed a committee to make sale of the bills of exchange drawn in manner and form as in said act is provided.

And Jonathan Trumble, Thomas Welles and Joseph Pitkin, Esq<sup>rs</sup>, be, and they are hereby, appointed a committee to receive of the Treasurer, count, burn and consume to ashes, the bills of credit of this Colony that shall be bro't in as by said act is provided.

*Be it further enacted,* That the last named committee, before their entrance on the said service, shall take the following oath, (*viz:*) You A. B. and C. being by the Assembly of this Colony appointed a committee to receive, count, burn and consume to ashes, the bills of credit of this Colony, according to an act to call in, exchange and discharge, the bills of credit which have been issued by this Colony and are still outstanding, do swear by the name of the Ever-living God, that you will from time to time truly and faithfully receive the said bills of credit of the Treasurer, count, burn and consume the same to ashes, and render a true account to this Assembly of the sum consumed by you, with all your proceedings thereon, according to said act: So help you God.

Whereas this Assembly, at their sessions in May last, did enact that all such allowances of sterling money that are made by the Parliament of Great Britain towards reimbursing the expences of this Colony in the late expedition to Cape Breton, and such as may be made for the expences of this Colony in the late intended expedition against Canada, should be appropriated and improved for calling in and exchanging, sinking and discharging, the outstanding bills of publick credit made and issued by this Colony; and by said act the Governor of this Colony for the time was empowered to draw bills of exchange on our Agent at Great Britain for the sterling money that is or shall be paid into his hands for the allowances made for the reimbursements aforementioned, as soon as

information shall be given that the same is paid at Great Britain, or for such part thereof as shall be paid: And whereas it is convenient that the Governor should be wholly saved harmless, and indemnified from all hazards, damages and cost therein: Therefore,

*It is resolved by this Assembly,* That the Governor of this Colony, for the time being, who shall draw any bill or bills of exchange according to and in pursuance of said act, and according to the form in this resolve prescribed, shall be wholly and fully saved harmless, and altogether indemnified; and this Assembly do hereby declare, that they will wholly and fully save harmless and indemnify the Governor aforesaid, from, and acquit and discharge him of all and all manner of damages and costs that may happen or accrue to him on account or by virtue of his drawing any such bill or bills of exchange, or on account of their being protested or not answered according to the tenour thereof.

*And it is further Resolved,* That the tenour of such bills be as followeth, viz:

Exchange for £100 Sterling.

At thirty days sight of this my first bill of exchange, my second and third not being paid, pay to—of—, or his order, the sum of one hundred pounds sterling in part, on account of the sterling money allowed the Colony of Connecticut for reimbursing the expences of said Colony in the expedition against Cape Breton, (value received,) and charge the account of the said Colony, as per advice from

Your humble servant,

For Doctor Benjamin Avery,  
London.

[517] And in like manner for greater or lesser sums, and for the allowances that may be made this Colony for the expences in the late intended expedition against Canada; *mutatis mutandis*.

This Assembly being informed that the small arms &c. belonging to this Colony, now in the store-house at the fort in New London, lately taken from on board the sloop Defence, belonging to said Colony, are in danger of being much hurt or damaged by rust or otherways, if speedy care be not taken of them: Whereupon this Assembly appoints Messrs. Jeremiah Miller and Jeremiah Chapman junr, a committee to take care of, cleanse, or otherwise put in the best posture for the better security of said arms &c. for the use of said Colony, and report their doings thereon to this Assembly in May next.

This Assembly do order and direct Nathaniel Stanly, Esq<sup>r</sup>, Treasurer, to attend the General Assembly on Thursday the 2d day of November next, and bring with him a sufficiency of bills of credit of this Colony to defray the charges of this Assembly.

*Resolved by this Assembly*, That the line dividing between the Province of the Massachusetts Bay and this Colony shall be the north bounds or limits of the county of Hartford the whole breadth thereof.

*Resolved by this Assembly*, That the line dividing between the Province of the Massachusetts Bay and this Colony shall be the north bounds or limits of the county of Windham the whole breadth thereof.

On the petition of John West, of Hartford, *vs.* James Miles and Jehiel Tuttle, both of Wallingford, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allow'd respondents £16 11s. 1d. old tenour. Ex. granted Nov. 3d, 1749.*

On the petition of Stephen Howel jun<sup>r</sup>, of New Haven, *vs.* John Elliott, James Peck jun<sup>r</sup>, and Jonathon Atwater jun<sup>r</sup>, all of New Haven, as on file: The question was put, whether the petitioner should have a new tryal of his cause as prayed for: Resolved by this Assembly in the negative. *Cost allowed respondents £18 11s. 8d. old tenour. Ex. granted Nov. 3d, 1749.*

On the petition of James Rogers, of New London town and county, living in the Great Neck in said New London, son of James Rogers late of said New London, deceased, who was the son of Joseph Rogers late deceas'd, *vs.* Philip Tabor of said New London: The question was put, whether the petitioner should be allowed the liberty of another tryal in his said cause &c., as prayed for in his said petition, as on file: Resolved by this Assembly in the negative. *Cost allowed respondent £20 3s. 6d. old tenour.*

On the petition of Daniel Coit, of New London &c., *vs.* Sarah Prentiss, of New London, as she is the only acting executrix of the last will and testament of John Prentiss late of New London, deceased, respondent, as on file: The question was put, whether the petitioner should have a writ of *scire facias* granted against the said executrix &c., as prayed for: Resolved by this Assembly in the negative. *Cost allowed respondent £20 0s. 6d. old tenour. Ex. granted January 31st, 1749-50.*

Upon the petition of Moses Bidwell, of the town of Middletown,



shewing to this Assembly that upon the 12th day of August, A. D. 1746, he borrowed of one Elisha Sayer, of said Midletown, the sum of ninety pounds in old tenour bills of publick credit, which sum, with the lawful interest thereof, the said Bidwell was to pay to the said Elisha Sayer on or before the first day of October, A. D. 1747, and in order to secure the payment of the same by that time, the said Moses Bidwell gave and executed to the said Sayer a good deed of conveyance of six acres of his home lot in said Midletown, which deed bears date the aforesaid 12th day of August, and the same deed was then, by the express agreement of the said Bidwell and Sayer, delivered into the hands of William Rockwell, the town clerk of Midletown, with order not to record said deed, but to hold the same, and if the said Bidwell [518] did pay to the said Sayer the said || sum of ninety pounds in said bills, with the lawful interest, on or before the said first day of October, then the said Rockwell should deliver said deed to said Bidwell, and not record the same; and further shewing that he, the said Bidwell, before the said first day of October, did tender to the said Sayer the sum of ninety pounds and the lawful interest of the same, and that said Sayer, contrary to his agreement aforesaid, procured said Rockwell to record said deed; and thereupon praying for relief: And thereupon it is resolved, and this Assembly do resolve, order and decree, that upon the said Moses Bidwell's delivering into the hands of the Secretary of this Colony, for the said Sayer, the sum of ninety-six pounds six shillings, on or before the fifteenth day of November next, and then if the said Elisha Sayer shall not, within six days after, make and execute to the said Bidwell a good and authentick deed of conveyance of the said six acres of land with the appurtenances thereof, that then the said Sayer shall pay to the said Bidwell the sum of six hundred pounds in said bills; and that the Secretary issue out execution accordingly for the levying and collecting the same. *Cost allowed the petitioner £30 14s. 6d. old tenour. Ex. granted for the said cost, Nov. 2d, 1749.*

*Resolved by this Assembly, That Nathaniel Stanly, Esqr, Treasurer of this Colony, pay out of the publick treasury to Asahel Phelps, Benjamin Bissell and William Sumner, the sum of eighteen pounds in bills of credit of the old tenour.*

On the petition of Nathaniel Butt, of Canterbury in the county of Windham, *vs.* James Campbell, of Voluntown in said county of Windham, as on file: The question was put, whether the petitioner should have the liberty of another tryal of his said cause as prayed for: Resolved by this Assembly in

the negative. *Cost allow'd respondent is £25 12s. 0d. old tenour. Ex. granted Nov. 2d, 1749.*

This Assembly being informed there is a small tract of land lying near the northeasterly corner of this government, between the towns of Stafford, Union and Ashford, called the Content, not annexed to any of the said towns, said land lying most convenient to be annexed to the towns of Union and Ashford: Resolved by this Assembly, that the line dividing the towns of Ashford and Union be extended westerly according to the present course of said line until it intersect the easterly line of the town of Stafford; and that such part of the said tract of land as shall be northerly of the said dividing line between the towns of Ashford and Union so extended as aforesaid, be annexed to the town of Union; and such part of said tract as shall be southerly of the said dividing line extended as aforesaid, be annexed to the town of Ashford; and the same is hereby annexed to the towns of Union and Ashford as aforesaid.

This Assembly do appoint Mr. Charles Whittelsey Surveyor of Lands for the county of New Haven.

This Assembly do establish and confirm Mr. Ephraim Preston to be Lieutenant of the first company or trainband in the town of Wallingford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Caleb Merriman to be Ensign of the first company or trainband in the town of Wallingford, and order that he be commissioned accordingly.

Upon the memorial of the inhabitants of the town of Waterbury, shewing to this Assembly that the said inhabitants, by the providence of God, in the summer past have been greatly distressed on the account of sickness, and praying for the abatement of their country tax arising on their list in the year 1748: Resolved by this Assembly, to grant to the inhabitants of said Waterbury their tax or rate made and raised on their list computed and made in the year one thousand seven hundred and forty-eight; said inhabitants not to have the liberty of drawing school-money out of the treasury for the year aforesaid.

Upon the memorial of Thomas Manwaring, of Lyme, representing to this Assembly that his brother, Capt. Peter Manwaring, dyed about twenty-six years since, and left a widow and three daughters; that some time since one of the daughters [519] dyed leaving children; || that about three years since the widow dyed and left one of the daughters of said

Peter, deceased, named Mary, and a child of hers had by fornication; since which said Mary had another child by fornication; that said Mary is so much wanting in her reason and understanding she is not capable to render any reasonable account who are the fathers of said children, whereby the mother and children are now the care and charge of the town of New London for support and maintenance; that said Peter dyed intestate, and left a mansion house and some lands in said New London to his said children, which house is likely to fall down and come to ruin unless speedy care be taken thereof; that the other children have disposed of their interests in said house and lands, and that said Mary is not of capacity to dispose of her interest therein; whereupon the memorialist prays this Assembly would grant liberty to the selectmen of said New London to dispose of said Mary's part in said house and all the lands left her by her said father, and improve the money raised by the sale thereof to the support of said Mary and her said children: Resolved by this Assembly, that the selectmen of the said town of New London have liberty, and they are hereby fully authorized and impowered, to make sale of the house and all the lands of the said Mary left her by her said father, Peter Manwaring, deceased, and to improve the money raised by the sale thereof to the support and maintenance of the said Mary and her said children.

Upon the report of Colo. Joseph Pitkin, Mr. Joseph Buckingham and Mr. Jonathan Hale, a committee appointed by this Assembly to view the circumstances of the town of Torrington &c., and affix and ascertain the place where the inhabitants of said town shall build a meeting-house for divine worship, and report to this Assembly, &c.: Resolved by this Assembly, that the place affixed by the said committee, (*viz.*) a stake set up with stones laid about it within the south line of a lot of land belonging to John Whiting, between sixty and seventy rods northward of the place which was heretofore affixed for a meeting-house, so as to include the said stake within the sills of the said house, shall be the place where the inhabitants of said town shall build their meeting-house for divine worship; and they are hereby ordered to build their said meeting-house at said place affixed as aforesaid.

Upon the memorial of sundry inhabitants of Guilford, living part in the bounds of the first society and part in the bounds of the second society in said Guilford, shewing to this Assembly that they live far from the place of publick worship in either of said societies, and within the bounds in which the said first and second societies have set for a winter parish:

This Assembly grants to the memorialists liberty to hire an orthodox minister to preach to them the three winter months and March, yearly; and they shall be freed from a part of their minister's rate in the respective parishes to which they belong, in proportion to the time they shall so hire preaching among themselves. And the said inhabitants, hiring preaching as aforesaid, are fully impowered by their major vote to lay a tax on all the inhabitants living within the bounds of said winter parish, for the support of such winter preaching, and to chuse a suitable person to collect the same, who shall have the like power as other collectors of rates are vested with.

Upon the memorial of Daniel Tuttle, administrator on the estate of Ebenezer Mansfield late of New Haven, deceased, praying liberty to sell so much of the real estate of said deceased as shall enable him to pay the sum of £34 4s. 9d. old tenour, due from said estate: Resolved by this Assembly, that said administrator have liberty to make sale of so much of the real estate of said deceased as shall enable him to pay said sum of £34 4s. 9d. old tenour money with charges of the sale; taking the advice and direction of the court of probate in the district of New Haven therein.

Upon the report of the committee appointed to enquire into the matters of difficulty subsisting in the second society in Norwich: Resolved by this Assembly, that the inhabitants of said society shall pay unto the Reverend Mr. Henry Wills, [520] their minister, || for the whole of his salary from the 20th of December, *A. Dom.* 1745, to the 20th of December, *anno Dom.* 1748, the sum of two hundred fifty and five pounds in bills of credit on this Colony of the new tenour, deducting out of the same the sum of three hundred forty and seven pounds eleven shillings and four pence old tenour, which shall be allowed as credit to those persons, inhabitants of said society, who have paid the same, in proportion to what each one has paid, appearing by an account given in by the said Mr. Wills to the said committee and now lying in the Secretary's office, a copy of which attested by the Secretary shall be sufficient evidence of such payments. It is also further resolved by this Assembly, that upon the said Mr. Wills's resigning, at or before the first of February next, his pastoral charge over the church and people of that society, the inhabitants of said society shall pay to the said Mr. Henry Wills the sum of eight hundred pounds in old tenour bills of credit, for a compensation of his temporal loss in resigning as aforesaid. And this Assembly do recommend it to the said Mr. Wills, and to the



said society, mutually to call an ecclesiastical council for their advice and direction in the said Mr. Wills's resigning as aforesaid, and for their approbation thereof if they judge it proper. And this Assembly do order and direct the said society to grant and collect a tax on themselves sufficient to pay the aforesaid salaries and compensations in two equal payments, the one in one year and the other in two years from this time; and that in case they neglect to do the same, this Assembly, being informed thereof, will take the matter into consideration and tax the said society for the purpose aforesaid, unless sufficient reasons be then shewn to the contrary. Always provided, that in case the said Wills shall refuse or decline to resign as aforesaid, on the terms aforesaid, he shall take no benefit by this resolve or any part thereof, but the matters aforesaid are and shall be left to be determined, if need be, by the rules of the common law; any thing in this resolve contained notwithstanding.

This Assembly do establish and confirm Mr. Isaac Hubbard to be Captain of the 7th company or trainband in the town of Windsor, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Pinney to be Lieutenant of the 7th company or trainband in the town of Windsor, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Russell to be Ensign of the 7th company or trainband in the town of Windsor, and order that he be commissioned accordingly.

*Resolved by this Assembly,* That the draught of a letter dated the 30th of October, 1749, prepared and laid before this Assembly, in answer to two letters received from and signed by Mr. Secretary Willard, by order and in the name of the Great and General Court of the Province of the Massachusetts Bay, respecting the towns of Woodstock, Suffield, Endfield, and Summers, be signed by the Secretary of this Colony, in the name of this Assembly, and be sent to Mr. Secretary Willard aforesaid, to be communicated to the General Assembly of the said Province.

This Assembly do establish and confirm Mr. Barnabas Baldwin to be Captain of the company or trainband in the parish of Amity, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Stephen Sandford to be Lieutenant of the company or trainband in the

parish of Amity, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Sperry to be Ensign of the company or trainband in the parish of Amity, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Read to be Lieutenant of the company or trainband in Lyme new erected on the north side the line drawn between the 3d military company in Lyme and said new erected company, and order that he be commissioned accordingly.

[521] This Assembly do establish and confirm Mr. Elisha Merwin to be Ensign of the company or trainband in Lyme new erected on the north side the line drawn between the 3d military company in said Lyme and said new erected company, and order that he be commissioned accordingly.

Upon the memorial of the inhabitants of the town of Goshen, shewing to this Assembly that the purchasers of the township of Goshen, their heirs &c., have settled their respective rights therein and fulfilled all the conditions on which the same was granted to them, and praying that they may have a patent of the said township, according to a draught now lying before this Assembly: Resolved by this Assembly, that the memorialists have a patent as prayed for, and that his Honour the Governor and the Secretary sign and execute the same unto the seal of this Colony.

On the petition of Joseph Chamberlain, of Coventry, *vs.* Thomas Dyer, of Windham, respondent: The question was put, whether any thing should be granted on the prayer thereof: Resolved by this Assembly in the negative. *Cost allow'd respondent £22 18s. 0d. old tenour. Ex. granted Nov. 2d, 1749.*

On the petition of John Dyer and Robert Green, of Canterbury, proprietors of the common and undivided land of the town of Canterbury, and the rest of the proprietors of said common and undivided land, *vs.* Charles Mudge, of Windham, respondent: The question was put, whether the petitioner shall have a new tryal of his case as prayed for, &c.: Resolved by this Assembly in the negative. *Cost allowed respondent is £18 16s. 3d. old tenour. Ex. granted December 12th, 1749.*

On the petition of John Fitch, of Windham, *vs.* Deodate Davenport, of New Haven, respondent: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent £14 16d. 0d. old tenour. Ex. granted March 9th, 1749-50.*

Upon the petition of Judah Hays, of the City and Province of New York, against Benjamin King, of Woodberry in the county of Fairfield, setting forth that the said Hays brought his action by writ of attachment, dated the 24th day of April, A. D. 1747, upon bond, against the said King, to the county court held in Fairfield on the 3d Tuesday of November, 1747, at which court the said Hays withdrew his action and the said court taxed costs the sum of twenty-six pounds nineteen shillings and ten pence new tenour, and give judgment accordingly, and that twenty-five pounds six shillings and four pence in an article of the confinement of the said King was allowed in said bill and in said judgment, when he was not under confinement at all; praying that the said judgment of the county court might be set aside, as by the petition on file appears: Resolved by this Assembly, that the allowing the article of twenty-five pounds six shillings and four pence for the confinement of said King in said costs is illegal, and the said judgment be set aside, and the same is hereby set aside, reversed and made null and void, and the said King have liberty, at his own cost, to enter and get the remainder of said cost, (*viz:*) thirty-three shillings and six pence new tenour bills of credit of this Colony, allowed at the county court to be held at Fairfield in and for the county of Fairfield on the third Tuesday of November next.

*Resolved by this Assembly,* That the fare of the great bridge over Shoutuckett River at Norwich Landing Place shall be, for each man, horse and load, one penny half-penny; for each person, three farthings, and for each horse, three farthings; for each ox, cow or other neat cattle, one half-penny; for each score of sheep, three pence, and for each score of swine, three pence; all in proclamation money, or an equivalent in bills of credit.

Upon the petition of Deacon Isaac Dickerman &c., of New Haven, *vs.* Amos Sperry, of New Haven aforesaid, shewing that in an action on the case brought by them against said Sperry, demanding one hundred pounds money damages, for forcibly destroying a bond &c., judgment was rendered against them in favour of the said Sperry to recover his cost, at the superior court held in New Haven on the last Tuesday of August last, and complaining of the said judgment, and praying for another tryal of the said case, for reasons in their [522] petition set forth: || Resolved by this Assembly, that the petitioners shall have the liberty of another tryal of said case at the superior court to be held in New Haven on the last Tuesday of February next, and the same is hereby

granted unto them ; and the whole of the cost shall follow the judgment that shall be rendered in such other tryal.

Whereas upon the petition of James Rogers, of New London in the county of New London, mariner, *vs.* Richard Durfey, of said New London, this Assembly at their sessions in October, *A. Dom.* 1747, did appoint Colo. Hezekiah Huntington, Colo. Gurdon Saltonstall, and Mr. Nathaniel Shaw, a committee to hear and examine the accounts between the said parties, as well respecting mariners' wages as other articles, and to make report to this Assembly in May then next, what they should find the just ballance of their accounts in favour of either party : And whereas the said committee made their report in the premises to the said Assembly in May then next, and therein reported they found the just ballance of the aforesaid accounts to be in favour of said Durfey the sum of nine pounds sixteen shillings and ten pence old tenour, which report by continuance comes to the sessions of this Assembly ; and the parties having been fully heard for and against the acceptance thereof : This Assembly do now accept and approve of the said report ; and thereupon it is resolved by this Assembly, that the said Richard Durfey shall recover of the said James Rogers the said sum of nine pounds sixteen shillings and ten pence old tenour and his cost, allowed to be £67 5s. 11*d.*, money old tenour, and that the Secretary grant execution for the same accordingly. *Ex. granted November 21st, 1749.*

Upon the petition of John Hart, Gideon Yeomans, Thomas Andruss, Benjamin Fox, Joseph Benjamin, Nehemiah Stephens, Solomon Hakes, Samuel Toad, Nathan Palmer, and Daniel Collins as administrator on the estate of Daniel Polly, Roger Billings as administrator on the estate of Jonathan Gibbins deceased, James Packer, Michal Williams, and Samuel Carter as administrator of the estate of Samuel Carter deceased, setting forth that they obtained each one his several judgment against Sarah Prentiss, executrix of the will of Capt. John Prentiss, deceased, for the sum of forty-five pounds sixteen shillings and one half-penny, before Samuel Lynde, Jeremiah Miller, Christopher Avery and John Ledyard, commissioners for that purpose appointed by this Assembly, and that they having taken out executions thereon the same were returned endorsed that the sheriff could find none of the estate of the said John Prentiss, deceased, in the hands of the executrix, nor would she shew him any estate whereon to levy the executions ; praying this Assembly to authorize and empower the said commissioners to grant to the petitioners writs of *scire facias* upon said judgments against the said executrix : Re-



solved by this Assembly, that the petitioners may have each his writ of *scire facias* upon his judgment as aforesaid, against the said Sarah Prentiss, to shew reason, if any she hath, why the said judgments should not be affirmed against her in her proper single capacity. And this Assembly do hereby authorize and empower the said commissioners to grant and issue out such writs of *scire facias*, returnable before them, and to take cognizance of and judge and determine concerning the same. And the like power is hereby given to the said commissioners concerning all the decrees and judgments that the said commissioners shall or may give concerning the suit or suits of any of the sailors and souldiers on board the Colony sloop Defence in the expedition against Cape Breton, which suits by their commission they ought to take cognizance of.

Upon the petition of Samuel Tyler, of Wallingford, against Charles Dixon, of East Haddam, shewing that said Dixon obtained a final judgment at the superior court held in Hartford in September last, against him, in an action bro't by said Dixon for enticing and improving Humphrey Negro in his service about eight months, claimed by Dixon as his servant, and that by some indirect and unfair measures of said Dixon [523] he was defeated of a fair tryal, and also he || had discovered and obtained further evidences of said Humphrey's circumstances during that time; praying for a reversal of said final judgment and all the proceedings thereon, and a new tryal of said cause at the superior court to be held at Hartford, first Tuesday of March next, and that all cost follow the final judgment, as per his petition on file: Resolved by this Assembly, that the said final judgment shall be and hereby is reversed with all proceedings thereon, and that the petitioner hereby hath liberty granted him of another tryal of said case at the superior court to be held in Hartford on the first Tuesday of March next, and that all cost shall follow the final judgment therein; and if the said Tyler shall obtain judgment in his favour, the said superior court shall award for him what he hath paid to said Dixon on the former judgment.

On the petition of Thomas Hurlburt, of Weathersfield, and the rest named in said petition, *vs.* Samuel Hall, Esq<sup>r</sup>, of Wallingford, as per petition on file, dated October 4th, 1749: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent is £16 6s. 8d. Ex. granted Nov. 3d, 1749.*

On the petition of Josiah Frost, late of Willington now of Windsor in the county of Hartford, *vs.* Thomas Dyer, of Wind-

ham in the county of Windham, on file, dated October 3d, 1749: The question was put, whether anything should be granted on the prayer of said petition: Resolved by this Assembly in the negative.

Upon the petition of Jacob Drake junr, of Windsor in the county of Hartford, representing that he brought his action against Nathaniel Mather, of said Windsor, to the county court held at Hartford in November, 1746, demanding damages £35 0s. 0d. money, for entering into the plaintiff's possession and carrying away two loads of wheat, &c., which action had its final tryal at the superior court held at said Hartford in September, A. D. 1747, and that the defendant there obtained judgment in said action, and that the petitioner has since the said final tryal found other and new evidence and records that might have been serviceable to him in the said cause, and praying for liberty of another tryal in said action, &c.: Resolved by this Assembly, that the aforesaid judgment of the superior court in September, A. D. 1747, be and the same is hereby reversed and wholly set aside; and liberty is hereby granted to the petitioner to bring forward, enter and have another tryal in said action at the superior court to be held at Hartford in and for the county of Hartford on the first Tuesday of March next; and the whole cost shall follow the final judgment that shall be given in said cause; and if the petitioner shall prevail in said tryal, the said superior court are also directed to give judgment that the petitioner shall recover all such damages as he had sustained by the aforesaid judgment of the said superior court in September, A. D. 1747, and the execution that hath issued thereon.

Upon the memorial of Major Jabez Hamlin, of Middletown, shewing that in the year 1745, he was appointed one of the committee to procure transports for the transportation of his Majesty's troops raised in this Colony to Louisbourg: that, in pursuance of such trust, he hired a certain sloop called the Diamond, owned by Messrs. Thomas Goodwin, Ephraim Doane, George Phillips and Ebenezer Sage, all of said Middletown, and with them on the 30th of September, 1745, entered into charter-party to that purpose, therein with said owners covenanting and contracting to pay for and return said sloop, &c., as in and by said instrument of charter-party, before this Assembly, doth appear; that sometime in November then next, said sloop, with his Majesty's said troops &c, sailed for Louisbourg, and there soon after safely arrived and delivered said [524] souldiers and stores: || that being so arrived, said sloop was, by special order and command of the chief officers of his

Majesty's squadron, there detained and imployed in the service of said squadron until the 9th of February then next, when being from said service dismissed, said sloop immediately sailed for the port of New London, and in her passage thither, the season being generally hazardous, and the weather soon after tempestuous, she hath unquestionably foundered in the sea, having never since returned or been heard of; that he, said Hamlin, already hath been and still remains liable to much trouble, cost and damage, and especially by suits at law, as well past as at present depending; and thereupon praying the interposal of this Assembly for his safe-guard and indemnification in the premises: Resolved by this Assembly, that the said Jabez Hamlin shall be refunded, and by the Governor and Company of this Colony to all intents and purposes secured, indemnified and saved harmless, touching his said charter-party, and all and all manner of trouble, cost and damage, which he hath already been necessarily exposed to, or by occasion or in consequence of any suit or suits at law thereon prosecuted or to be prosecuted, or otherwise he may suffer or be liable to hereafter.

Upon the petition of Seth Wetmore, Mathew Talcott and Philip Mortimer, all of and selectmen of the town of Middletown in the county of Hartford, shewing to this Assembly that Nathaniel Bacon the 3d of said Middletown brought his action of trespass against the petitioners, by his writ dated May the 26th, A. D. 1748, demanding of the petitioners the sum of forty pounds damages for pulling down fence &c. ; which action came to a final tryal before the superior court held at Hartford in March last past, at which court the said Bacon recovered judgment for the sum of ten shillings money damages with £23 16s. 4d. new tenour bills for cost, and that execution on said judgment hath since been granted out, and the same paid and satisfied by the petitioners; and thereupon praying for a reversal of the said judgment and all the doings thereon, for the reasons assigned in said petition, &c: And this Assembly do thereupon resolve, that the aforesaid judgment of the superior court be set aside, with all the doings thereon, and that the petitioner be allowed another tryal of said cause before the superior court to be held at Hartford in March next, and that the future cost only follow the final judgment.

Upon the petition of James Douglass, of Cornwall, against Thomas Norton, of Saybrook, representing that said Thomas Norton had, sometime in January, 174 $\frac{1}{2}$ , given and executed to the said Douglass a bond for the sum of sixty-two pounds ten shillings lawful money, or equivalent in bills of credit, by

which lawful money was intended coined silver at 6s 8d per ounce, which bond was afterwards, *viz.* sometime in November, 1748, delivered up to said Norton and cancelled by said Douglass's attorney for the sum of three hundred pounds old tenour, which was done by mistake, through misinformation of the said Norton, said sum of three hundred pounds old tenour not being the equivalent of said sum of £62 10s. 0d. lawful money as aforesaid; praying that said Norton might be ordered to pay to him, the petitioner, the sum of £225 0s. 0d. old tenour, or so much as should be thought just and right, on account of said bond: Resolved by this Assembly, that there was justly due on account of said bond when delivered up as aforesaid, the sum of seventy-eight pounds old tenour: Whereupon this Assembly enact, order and decree, that said Thomas Norton do pay to the said James Douglass the said sum of seventy-eight pounds old tenour on account of said bond, in full thereof, and that execution go forth accordingly. *Ex. granted Nov. 3d, 1749.*

[525] Upon the memorial of Stephen Jaron, shewing that this Assembly, at their sessions in New Haven in October, 1746, granted to the memorialist and John Jaron the sole privilege of making salt in this Colony for the space of fourteen years then next ensuing, and that thereupon he speedily erected and set up salt-works in the town of Lyme for that purpose at his very great expence; and representing that he finds by experience said affair is capable of great improvements, had he money sufficient to carry on that business; and thereupon praying this Assembly further to encourage him, the said Stephen Jaron, in the business aforesaid, by granting him the sum of one thousand pounds old tenour on interest for the space of two or three years, &c.: Resolved by this Assembly, that the memorialist shall have the sum of one thousand pounds in old tenour bills of credit on the Colony of Rhode Island out of the treasury of this Colony, or in want of such the sum to be made up with the bills of the neighbouring governments, upon his giving bond with sufficient sureties to the acceptance of Samuel Lynde, Esqr, and Capt. Jedediah Chapman, to the Governor and Company of this Colony, for the repayment of the sum of one thousand pounds in bills of credit on this Colony of the old tenour, or equivalent thereto in new tenour bills of this Colony or in proclamation money, with the lawful interest thereof, at or before the 1st day of October, *anno Dom.* 1751; and the said Samuel Lynde and Jedediah Chapman, on their having taken such bond, are empowered and directed to draw an order on the Treasurer for the pay-



ment of the said thousand pounds, and shall lodge said bond with the Secretary of this Colony.

Upon the memorial of Samuel Weed, of Derby, now in the common goal in Hartford, praying to be released therefrom, &c. : Resolved by this Assembly, that in case he, said Samuel Weed, do and shall find sureties, (to the acceptance of the sheriff of Hartford County,) who shall become bound to the Governor and Company of this Colony in the penal sum of fifty pounds proclamation money, defeazible only by his, said Weed's, being and remaining of peaceable and good behaviour towards all his Majesty's subjects during life, and his peaceable surrendering himself up to the care and custody of said sheriff whensoever thereunto required by this Assembly, and submit himself to such orders as by this act shall be directed, such bond to be taken by said sheriff and by him also committed to the Secretary of this Colony, then in such case, he, said Samuel Weed, may by the sheriff of the county of Hartford be taken out of said goal, and by said sheriff be put to work under the care of a master in the town of Hartford, to be employed in such labour as he is capable of, to the best advantage for the support of said Weed; and what said Weed shall earn more than is necessary for his support shall inure to said Weed's own profit, and by him be disposed of. And it is further ordered and enacted, that if any person shall find said Samuel Weed wandering out of the township of Hartford aforesaid, it shall be the duty of any person or persons so finding said Weed, and they are hereby impowered, to apprehend said Weed and cause him forthwith to appear before any assistant or justice of the peace, who are also impowered and ordered to give sentence against said Weed to be whipt ten stripes on the naked body and then be conveyed to the common goal in said Hartford. And the person or persons so apprehending said Weed and causing him to appear before such authority shall have ten pounds old tenour for a re-[526] ward || to be paid out of the publick treasury of this Colony by an order signed by the authority before whom said Weed is so brought. And if said Weed's earnings shall not be sufficient for his support, the residue shall be paid out of the Colony treasury by order of Hartford county court.

Upon the memorial of Amos Fuller, of Lebanon in the county of Windham, praying to be released from the common goal in said county, where he is now confined, &c. : Resolved by this Assembly, that if the said Amos Fuller do and shall well and truly pay into the publick treasury of this Colony the full amount of the cost of his prosecution taxed against

him on the records of the superior court, and also pay the cost of the goaler, and do also find sureties, to the acceptance of the sheriff of said county, who shall become bound to the Governor and Company of this Colony in a penal sum of five hundred pounds old tenour, conditioned that he, the said Amos, be and remain of peaceable and good behaviour towards all his Majesty's subjects during life, and that he shall peaceably surrender himself up to the care and custody of said sheriff whensoever thereto required by this Assembly, that then he, said Amos Fuller, shall have liberty to depart from said goal unto the said town of Lebanon, there to remain within the limits of said town until this Assembly shall remand him back to said goal, or otherwise order concerning him said Amos; the said bond to be by the sheriff lodged with the Secretary of this Colony.

Upon the memorial of Aaron Wilcox, of Hebron in the county of Hartford, now in the common goal in said county, praying to be released from said goal, &c.: Resolved by this Assembly, that if he, the said Wilcox, do and shall well and truly pay unto the Treasurer of this Colony the full amount of the cost of his prosecution taxed by the superior court, and also the cost of the goaler, and do also find sureties, to the acceptance of the sheriff of said county, who shall become bound to the Governor and Company of this Colony in a penal sum of five hundred pounds in bills of credit old tenour or in lawful silver money thereto equivalent, in a bond defeazible only by his, said Wilcox's, being and remaining of peaceable and good behaviour towards all his Majesty's subjects during life, and his peaceable surrendering himself up to the care and custody of said sheriff whensoever thereto required by this Assembly, (such bond being to be by said sheriff taken and delivered to the hands and care of the Secretary of this Colony,) then and in such case, he, the said Aaron Wilcox, shall be at liberty to depart from said goal unto the said town of Hebron, there quietly to remain within the limits of said town in the free prosecution and discharge of all the lawful business and occasions of life, until this Assembly shall order otherwise, or remand him back to said goal.

Upon the memorial of Solomon Coit, of New London, representing to this Assembly that in May last a committee was appointed by the General Assembly to inspect said Coit's accompts with the New London Society &c., and that said committee have not had time thoroughly to inspect said accompts; praying that their power may be continued till May next: Resolved by this Assembly, that the power of the

aforementioned committee be, and it is hereby, continued until the sessions of the General Assembly in May next.

[527] The Sums Total of the Lists of the Polls and rateable Estate of the several Towns in this Colony hereafter mentioned, sent in to this Assembly, are as follow, (viz:)

	£	s.	d.		£	s.	d.
Hartford,	39088	7	9	New Haven,	52880	9	7
Fairfield,	47018	14	10	New London,	31182	18	0
Norwich,	51375	4	2	Windham,	22656	17	11
Stonington,	31583	18	0	Guilford,	33415	9	3
Woodberry,	23561	1	3	Newtown,	12078	4	0
Mansfield,	14797	0	0	Canterbury,	13115	9	2
Lyme,	24087	4	6	Groton,	22074	1	0
Danbury,	15789	1	3	Symsbury,	18023	6	0
Litchfield,	10665	19	0	East Haddam,	18874	8	0
Killingworth,	16697	18	8	Preston,	16602	6	0
Ridgefield,	10069	0	9	Lebanon,	34827	18	0
Haddam,	11000	4	6	Stratford,	34813	10	0
Glassenbury,	12745	18	6	Norwalk,	32561	19	8
Pomfrett,	15346	6	6	Wallingford,	38241	1	3
Waterbury,	15674	2	5	Durham,	11178	6	3
New Milford,	12268	0	9	Ashford,	10304	4	8
Tolland,	8888	17	0	Hebron,	12128	10	0
Windsor,	37418	2	6	Killingly,	19287	0	0
Bolton,	7219	14	0	Coventry,	15367	14	9
Brandford,	21825	6	8	Voluntown,	9184	2	0
Farmington,	37597	19	0	Milford,	27667	3	3
Colchester,	21761	18	0	Greenwich,	18611	1	7½
Standford,	28296	5	11	Saybrook,	20892	11	9
Woodstock,	13878	2	2	Weathersfield,	27641	3	3
Derby,	10987	6	8	Midletown,	46068	12	0
				Plainfield,	13000	0	0

Whereas the listers of the town of Stratford have sent in to this Court an account of the single additions made to the list of said town in the year 1748, which additions amount to the sum of £3127 10s. 0d. and were omitted to be added in the proper season: and the listers of the town of Glassenbury have in like manner sent an account of such additions made to the list of the same year, which additions amount to the sum of £424 13s. 0d. which were omitted as aforesaid: Resolved by this Assembly, that the aforesaid sums be respectively added unto the lists of said towns as though sent in to this Court in May last, as additions. And the Secretary is directed to send to the Treasurer of this Colony a copy of this resolve, who is hereby directed to demand and collect the tax of said towns accordingly.

Upon the humble request of Lieutenant-Colonel Samuel Talcott: Resolved by this Assembly, that he shall be allowed to have four hundred pounds sterling money of Great Britain out of the money allowed to this government for the expences in the expedition to Cape Breton and for the expences in the expedition designed against Canada: provided the said Samuel Talcott, with a sufficient surety to the acceptance of William Pitkin, John Chester and George Wyllys, Esqrs, give bond for the payment of eight hundred pounds sterling [528] money aforesaid to the Governor and Company of this Colony, conditioned for the payment of four hundred pounds like money at or before the first day of October, 1751, with lawful interest thereof, or to pay equivalent thereto at the time of payment (*viz:*) the one half in bills of credit on this Colony and the other half in good silver money *in specie*, and also a bond of the like sum conditioned that if such bill as shall be drawn in his favour for said sum shall be protested or not paid, that he, his heirs, executors nor assigns, shall make no demand of any person nor of this Colony for damage or cost but shall return such bill and take up his bond again, which being returned unpaid as aforesaid shall be accepted for and in exchange of said bonds. And the said William Pitkin, John Chester, and George Wyllys, Esqrs, on their having taken bonds as aforesaid, are directed to certify the same to his Honour the Governor, who thereupon is impowered and desired to draw a bill of exchange on our Agent at Great Britain in favour of the said Samuel Talcott for the payment of the said sum of four hundred pounds sterling aforesaid, out of the money aforesaid.

Whereas this Assembly have impowered and desired his Honour the Governor of this Colony to draw a bill of exchange on our Agent at Great Britain, in favour of Lt. Colo. Samuel Talcott, for the payment of four hundred pounds sterling out of the money allowed to this government for the expences in the expedition to Cape Breton and for the expences in the expedition designed against Canada: Thereupon it is resolved by this Assembly, that his Honour the Governor shall be altogether saved harmless and indemnified; and this Assembly do hereby declare, that they will wholly save harmless and indemnify his Honour the Governor of this Colony from all and all manner of damages, costs and expence, that may any way come, accrue, arise or happen, on account of his drawing said bill or the non-payment or protesting the same.

Upon the memorial of the President and Fellows of Yale College in New Haven, representing that the money already



raised for the building a college house is not sufficient for that purpose, and praying for a grant from this Assembly of a sum of money to enable them to carry on and finish the said building: Ordered by this Assembly, that Gurdon Saltonstall, Esq<sup>r</sup>, pay unto the said president and fellows, or their order, the sum of four thousand pounds in bills of credit old tenour, being part of what is due from him to the Governor and Company of this Colony on a bond of five thousand and ninety-six pounds seven shillings and nine pence, and their receipt shall be his discharge for such part; which said sum when received by the said president and fellows shall be by them improved for the carrying on and finishing the building aforesaid.

Whereas this Assembly in October, 1747, directed Colo. Samuel Talcott to deliver to Nathaniel Stanly, Esq<sup>r</sup>, the arms and accoutrements belonging to his company raised for the intended expedition against Canada; and whereas many of said arms and accoutrements are lodged at New Haven, and cannot be carried to Hartford without great charge and inconveniency: Therefore, it is resolved by this Assembly, that the said Colo. Talcott may deliver such of the said arms and accoutrements as are at New Haven to Mr. Aaron Day of New Haven, taking his receipt therefor, and the same shall be accepted as if delivered to the said Nath<sup>l</sup>. Stanly, Esq<sup>r</sup>: and the said receipt to be lodged with the Secretary of this Colony.

[529] Upon the memorial of Simon Tracy, Daniel Lothrop, Jabez Huntington, and others, inhabitants of the first society in Norwich, shewing that this Assembly at their sessions in May, A. D. 1748, upon the request of said society, appointed a committee to state a place for a meeting-house in said society; and complaining that said committee were not fully informed of nor acquainted with the true state of said society, and therefore were led to affix a place that is in no measure just and reasonable for said society to proceed to build upon, it not being in the center of the inhabitants' travel, interest, &c., and on a bad spot, inconvenient to travel to and from, &c.; and praying for a new committee &c.: Resolved by this Assembly, that Colo. Elizur Goodrich and Mr. Hezekiah May, of Weathersfield, and Mr. Nathaniel Holbrook, of Lebanon, be and they are hereby appointed a committee to repair to the first society in said Norwich, view the circumstances of said society, hear all parties, and thereon to affix a place for said society to build a meeting-house for publick worship in said society upon, and make report to this Assembly at their sessions in May next.

Upon the report of Jonathan Trumble, Esqr, Mr. Jonathan Huntington and Colo. John Dyer, a committee appointed by the General Assembly of this Colony at their sessions at Hartford in May last, to repair to Stoningtown to examine and enquire of the matters set forth and complained of in a memorial of Mary Momohor, Simon Sokiet and others, Indian natives, of the tribe of Momohor late sachem of the Pequots, &c.: Resolved by this Assembly, that Messrs. Isaac Huntington and Ebenezer Backus, of Norwich, be a committee, and they are hereby authorized and impowered, to inspect the affairs of said Indians, and see that they have the liberty of such improvements on the lands in said Stoningtown secured to them by Isaac Wheeler of said Stoningtown in a deed bearing date the 24th day of May, 1683, according to the true intent and meaning thereof; and if at any time said Indians shall be trespassed upon, or disturbed and hindered in their improvements, that then said committee are hereby directed to lay the true state of the matter before this General Assembly.

Upon the memorial of Daniel Williams, Jonah Williams, William Williams, Abraham Williams, and James Lawhead, praying to have the sole liberty of fishing where they have erected a stage for that purpose on the west side of Connecticut River, about eighty rods above a point of land that runs down in the said river in Hartford in the long meadow, from the place where said stage is built, &c.: Resolved by this Assembly, that the memorialists, and such other their associates as they shall admit with them, shall have the sole liberty of fishing in the said river on the western side thereof, at the aforesaid place and along by the said point of land, for the space of five years next coming: provided that they agree with the owners of the lands upon which they shall draw their nets, and do not trespass on any man's property by such their fishing; and if any other person or persons shall presume to fish or draw any net or seine for that purpose, to the hindrance and disturbance of the memorialists or any of them, at any place within one hundred rods below or forty rods above the place where said stage is built, within the term aforesaid, they shall be liable to pay to the memorialists all such damages as they or either of them shall sustain thereby, to be recovered by action of trespass.

Upon the memorial of Mary Kilbourn, administratrix on the estate of Samuel Kilbourn late of Litchfield, deceased, [530] representing to this Assembly that the debts due || from the estate of said deceased surmount the moveable estate the sum of £774 19s. 9d., praying this Assembly would grant the

memorialist liberty to sell so much of the real estate of the deceased as will satisfy the said sum of £774 19s. 9d. old tenour with the incident charges arising on the sale thereof: Resolved by this Assembly, that the said memorialist have liberty, and she is hereby fully authorized and impowered, to sell so much of the real estate of the said deceased as will amount to the sum of, £774 19s. 9d. old tenour with the incident charges arising on the sale thereof; taking the direction of the court of probate in the district of Litchfield therein.

Upon the memorial of Colo. John Bulkley, &c., praying a ferry to be stated at the ware-houses in East Haddam, across Connecticut River, and that Joseph Bate and Richard Mather should be allowed to attend the ferry there: Resolved by this Assembly, that the said Joseph Bate and Richard Mather have liberty to keep a ferry across said river at said place, until this Assembly order otherwise; and that the fare for man and horse be three pence proclamation money; one penny half-penny for a single person; for a single horse one penny half-penny; and two pence for an ox or cow; and for a score of sheep or swine, six pence, and so *pro rato* for a greater or less number.

Upon the memorial of Ezekiel Thompson, administrator on the estate of Joseph Hickeox late of Windsor, deceased, representing that the debts due from said estate amount to the sum of £127 10s. 3d. more than the personal or moveable estate of said deceased in his hands, and that he hath no assets to pay the same; praying for liberty to make sale of real estate, &c.: Resolved by this Assembly, that the said administrator have liberty, and he is hereby enabled and directed, to make sale of so much of the real estate of said deceased as shall be sufficient to pay the aforesaid sum of £127 10s. 3d. in money of the old tenour, with the incident charges of said sale; taking the advice of the court of probates for the district of Hartford therein.

Upon the memorial of Deliverance Daten, administratrix on the estate of Ephraim Daten late of New London, deceased, representing to this Assembly that the debts due from the estate of said deceased surmount the moveable estate the sum of £102; praying this Assembly would grant to the memorialist, or some other meet person, liberty to sell so much of the real estate of said deceased as will satisfy the sum of £102 0s. 0d: Resolved by this Assembly, that the memorialist and Jeremiah Chapman jun<sup>r</sup>, of said New London, have liberty, and they are hereby fully authorized and impowered; to sell so much of the real estate of the said deceased as will

amount to the sum of £102 0s. 0d. old tenour, with the incident charges arising on the sale thereof; taking the direction of the court of probate for the district of New London in the sale thereof.

Upon the memorial of Benjamin Pardee and Noah Pardee, ferrymen of the ferry over the East River in New Haven, praying to have the fare of said ferry raised,

*Resolved by this Assembly*, That the fare of said ferry for the future shall be, for man, horse and load, one shilling; each single horse, ten pence; each foot man, eight pence; all old tenour. Always provided, that this act extended not to interrupt any agreement between the town of New Haven and the ferry-men of said ferry.

Cost allowed John Dixon, late of Voluntown now of Killingly, one of the proprietors of the common and undivided lands of Voluntown and agent for said proprietors, and Ebenezer Dow of Voluntown, one of said proprietors and clerk of said proprietors, and the rest of said proprietors, *vs.* Zachariah Frink of said Voluntown, for attendance &c., to answer his petition which was withdrawn at this Court, is £21 16s. 9d. money old tenour. *Ex. granted March 12th, 1749-50.*

[531] Upon the memorial of James Mumford, of Fisher's Island in the Province of New York, administrator on the estate of Joseph Christophers, late of New London in the county of New London and Colony of Connecticut, deceased, representing that the debts due from said estate surmount the personal estate the sum of £357 8s. 8d., and praying that this Assembly would enable him, or some other meet person, to sell so much of the real estate of the deceased as to pay and discharge the debts aforesaid with the incident charges arising on the sale thereof: Resolved by this Assembly, that James Mumford, of Fishers Island aforesaid, be, and he is hereby, authorized to sell so much of the real estate of said Joseph Christophers, deceased, as to enable him to pay the sum aforesaid of £357 8s. 8d. with the necessary charges arising on the sale of said lands; taking the direction of the court of probate in the district of New London.

Upon the memorial of Edward Allen, of Milford, praying this Assembly to grant him liberty to have the use of six swivel-guns (that are now in the custody of Capt. Titus Hurlburt, at New London,) to arm a vessel that he is about to send to the Bay of Honduras, &c.: Resolved by this Assembly, that the said Edward Allen may have the use of said guns for the voyage aforesaid, upon his giving security to the Governor and Company for the return of said guns



in a reasonable time, in as good order as he receives them. And this Assembly appoints Jeremiah Miller, Esqr, to deliver said guns and take security as aforesaid; and all to be done at the charge of the memorialist, and said security to be lodged with the Secretary of this Colony.

Information being made to this Assembly that Jedadiah Dudley of Saybrook, one of the collectors appointed by his Honour the Governor for collecting the duties laid on lumber exported to the neighbouring Colonies, by an act of Assembly in May, 1747, and also on goods imported into this Colony from the neighbouring governments, that said Dudley hath been unfaithful in collecting said duties, and hath imbezzelled the moneys in part so collected: Resolved by this Assembly, that Samuel Lynde, Jedadiah Chapman and Ambrose Whitelsey, Esq<sup>rs</sup>, all of said Saybrook, or any two of them, be a committee to demand an account of said Dudley, what sums he hath received and what securities he hath taken for such duties, and to receive the same of him to be deposited with the Treasurer according to the directions of said acts, and to make report of what they find respecting his doings in said office; and that said Dudley be and hereby is inhibited, and required to act no further in said office until the first of June next, and that he be notified hereof by said committee forthwith, and that he conform thereunto accordingly.

Whereas Samuel Scott jun<sup>r</sup> and Jacob Blakesley, constables of Waterbury, exhibited to this Assembly three several accounts, shewing that service hath been done by them for the government in pursuing Samuel Weed and seizing Benjamin Barns that was suspected to counterfeit the bills of credit of this Colony: Resolved by this Assembly, that the Treasurer of this Colony pay, and he is hereby ordered to pay the said Samuel Scott the sum of £26 10s. 0d., and to the said Jacob Blaksley the sum of £6 0s. 0d. old tenour bills.

*Resolved by this Assembly*, That all the petitions and memorials wherein there are parties concerned, lying on file before this Court, that have not yet been heard and determined, shall be referred to the sessions of this Assembly in May next.

[532] *Resolved by this Assembly*, That an act passed by this Assembly in the seventh year of Queen Anne, entitled *An Act in approbation of the agreement of the reverend elders and messengers of all the churches in this government, made and concluded at Saybrook, 1708*, also an act passed in the thirteenth year of the reign of King George the first, entitled

*An Act for providing how tares levied on professors of the church of England for the support of the gospel shall be disposed of, and for exempting said professors from paying any tares for the building meeting-houses for the present established churches of this government, also an act passed in the second year of King George the second, entituled An Act in addition to and for the alteration of an act made in the seventh year of the reign of Queen Anne, entituled An Act for the ease of such as soberly dissent from the way of worship and ministry established by the laws of this government, and also an act passed in the third year of the reign of King George the second, entituled An Act concerning the people called Baptists, be all, with their several titles and dates, printed with the new revised laws of this Colony.*

This Assembly grants to the Honourable Jonathan Law, Esqr, Governor, for his half-year's salary the current year, the sum of one hundred and thirty pounds in new tenour bills.

This Assembly grants to the Honourable Roger Wolcott, Esqr, Deputy Governor, for his half-year's salary the current year, the sum of sixty-five pounds in new tenour bills.

This Assembly grants unto the Hon<sup>ble</sup>. Jonathan Law, Esqr, Governor, in addition to his half-year's salary, the sum of fifteen pounds new tenour bills of publick credit.

This Assembly grants unto the Hon<sup>ble</sup>. Jonathan Law, Esqr, Governor, the sum of ten pounds old tenour, for what he hath paid for the use of the government.

This Assembly grants unto George Wyllys, Esqr, Secretary, the sum of ten pounds new tenour bills, for his last year's salary.

This Assembly grants unto Mr. Timothy Green, printer, the sum of two hundred pounds old tenour, in part of pay towards his printing the laws, &c., and that an order be drawn to pay the same out of the Colony treasury.

This Assembly grants unto Mr. Timothy Green, printer, the sum of thirty-five pounds new tenour bills of credit, for his salary the last year.

This Assembly do appoint William Pitkin, Esqr, John Clester, Esqr, Colo. Thomas Welles, Colo. Joseph Pitkin, and Mr. Joseph Talcott, a committee to attend his Honour the Deputy Governour, to hear the records of the acts and doings of this Assembly read off, and see them signed by the Secretary as perfect and compleat.

[The record of the resolve concerning the fare of the bridge over Shetucket River, printed on page 483, is here repeated *iisdem verbis*.]

The whole record of the Acts, Grants and Orders of this Assembly, as it stands entered on the pages of this book next preceding, was read off in the presence of the major part of the committee abovenamed, and signed as compleat.

GEORGE WYLLYS, Secret'y.

[END OF VOLUME VII.]

[VOLUME VIII, PAGE 1.]

*Anno Regni Regis Georgii secundi vigesimo-tertio.*

AT A GENERAL ASSEMBLY HOLDEN AT HARTFORD IN HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, ON THE SECOND THURSDAY OF MAY, (BEING THE 10TH DAY OF SAID MONTH,) AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE 31ST DAY OF THE SAME MONTH, ANNOQUE DOMINI 1750.

*Present:*

The Honourable Jonathan Law, Esqr, Governor.

The Hon<sup>ble</sup> Roger Wolcott, Esqr, Deputy Governor.

James Wadsworth,	Jonathan Trumble,	} Esqrs, Assistants.
Samuel Lynde,	Hezekiah Huntington,	
William Pitkin,	John Bulkley,	
Thomas Fitch,	Andrew Burr,	
Roger Newton,	John Chester,	
Ebenezer Silliman,	Gurdon Saltonstall,	

*Representatives or Deputies that attended at this Assembly are as follow, (viz:)*

Colo. Joseph Pitkin, Mr. Joseph Buckingham, for Hartford.

Capt. Stephen Lee, Mr. William Manwaring, for New London.

Mr. Jonathan Huntington, Colo. Jabez Huntington, for Windham.

Capt. John Fowler, Capt. Joseph Treat, for Milford.

Capt. John Mead, Mr. Gershom Lockwood, for Greenwich.

Mr. Stephen Hopkins, Capt. Samuel Heacock, for Waterbury.

Colo. Elizur Goodrich, Capt. Jonathan Belden, for Weathersfield.

Capt. Andrew Ward, Mr. Sam<sup>l</sup>. Robinson, for Guilford.

Capt. Charles Bulkley, Mr. Jon<sup>th</sup> Kilborn, for Colchester.

Mr. Thomas Jones, for Endfield.

Major John Russell, Mr. Jon<sup>th</sup>. Russell, for Brandford.

Capt. William Buel, Capt. Samuel Gilbert, for Hebron.

Mr. Zebulon West, Mr. John Lothrop, for Tolland.

Capt. Isaac Dickerman, Capt. Samuel Sherman, for New Haven.

Capt. John Read, Mr. David Rowland, for Fairfield.

Mr. Ebenezer Backus, Mr. Jabez Huntington, for Norwich.

Capt. John Glover, Mr. Caleb Baldwin, for Newtown.

Capt. Theophilus Nickols, Mr. Elnathan Wheeler, for Stratford.

Mr. Silas Long, Mr. Samuel Rust, for Coventry.

Mr. Peter Aspinwall, Mr. William Johnson, for Mansfield.

Colo. Thomas Welles, Capt. Jonathan Hale, for Glassenbury.

Mr. Jacob Dresser, Mr. Joseph Leavinze, for Killingly.

Major Phinehas Lyman, Mr. Asaph Leavit, for Suffield.

Major Ebenezer Marsh, Capt. Thos. Harrison, for Litchfield.

Colo. Benjamin Hall, Capt. Samuel Hall, for Wallingford.

Mr. Thomas Benedict, Capt. John Benedict, for Danbury.

[2] Mr. Noah Hinman, Mr. Samuel Minor, for Woodberry.

Capt. Elnathan Stephens, Capt. Isaac Kelsey, for Killingworth.

Mr. Henry Bowen, Colo. Thomas Chandler, for Woodstock.

Mr. Joseph Denison, Capt. Amos Cheesbrough, for Stonington.

Mr. James Bicknal, Mr. Benjamin Walker, for Ashford.

Colo. John Dyer, Mr. Solomon Tracy, for Canterbury.

Mr. John Creary, Mr. Benjamin Wheeler, for Plainfield.

Colo. Christopher Avery, Mr. Luke Perkins, for Groton.

Mr. Samuel Fitch, Mr. Joseph Platt, for Norwalk.

Mr. John Warner, Mr. Bushnel Bostwick, for New Milford.

Capt. John Lumm, Mr. Isaac Thomlinson, for Derby.

Mr. John Humphrey, Mr. Andrew Robey, for Symsbury.

Mr. Ambrose Whittelsey, Capt. Jedadiah Chapman, for Saybrook.

Mr. Hezekiah Brainerd, for Haddam.

Mr. Samuel Morgan, Major Samuel Coit, for Preston.

Colo. Jonathan Hoit, Mr. Abraham Davenport, for Stanford.

Mr. John Hooker, Mr. William Wadsworth jr., for Farmington.

Mr. Mathew Rockwell, Major Henry Allyn, for Windsor.

Mr. Ebenezer Holbrook, Major Joseph Holland, for Pomfrett.

Mr. Ebenezer West, Major Joseph Fowler, for Lebanon.

Mr. Samuel Olmstead, Mr. Stephen Smith, for Ridgfield.

Capt. Thomas Gates, for East Haddam.

Capt. Robert Dixon, Mr. John Smith, for Voluntown.

Mr. Daniel Ely, Mr. John Lay, for Lyme.

Major Elihu Chauncey; Mr. James Wadsworth, jr., for Durham.



Major Jabez Hamlin, Mr. Seth Wetmore, for Middletown.

Colo. Thomas Welles, Speaker,	} of the House of Rep-
Capt. John Fowler, Clerk,	
	resentatives.

This day being appointed by the royal charter and the laws of this Colony for the election of the publick officers of the Colony, *viz*: Governor, Deputy Governor, Assistants, Treasurer, and Secretary,—proclamation was made, and the votes of the freemen were given in to persons appointed by the Governor, Council and Representatives, to receive, sort and count them, and to declare the choice of said officers; which persons so appointed were, Samuel Lynde, Esqr, William Pitkin, Esqr, Thomas Fitch, Esqr, Hezekiah Huntington, Esqr, John Bulkley, Esqr, Andrew Burr, Esqr, John Chester, Esqr, Gurdon Saltonstall, Esqr, Colo. Elizur Goodrich, Mr. Joseph Buckingham, Major John Russell, Capt. Samuel Sherman, Mr. Ebenezer Backus, Colo. Christopher Avery, Colo. Jonathan Hoit, Mr. David Rowland, Colo. Jabez Huntington, and Major Joseph Fowler, (who were all sworn to a faithful discharge of that trust.) And the votes of the freemen being sorted and counted, the said persons, appointed and sworn as aforesaid, declared, and caused it to be proclaimed before the Assembly. that

[3] The Honourable Jonathan Law, Esqr, is chosen Governor of this Colony for the year ensuing, and accordingly the Governor's oath prescribed by the law of this Colony, and the oath required by act of Parliament relating to trade and navigation, were administred to him by his Honour the Deputy Governor, in the presence of the Assembly.

The Hon<sup>ble</sup>. Roger Wolcott, Esqr, is chosen Deputy Governor of this Colony for the year ensuing, who was sworn according to law, by his Honour the Governor in the presence of the Assembly.

James Wadsworth, Esqr,	Jonathan Trumble, Esqr,
Samuel Lynde, Esqr,	Hezekiah Huntington, Esqr,
William Pitkin, Esqr,	John Bulkley, Esqr,
Thomas Fitch, Esqr,	Andrew Burr, Esq,
Roger Newton, Esqr,	John Chester, Esqr,
Ebenezer Silliman, Esqr,	Gurdon Saltonstall, Esqr,

were chosen Assistants for the year ensuing, and the Assistant's oath, provided by law, was administred to them by his Honour the Governor.

George Wyllys is chosen Secretary of this Colony for the year ensuing, and had the Secretary's oath, provided by law, administred to him by his Honour the Governor in the presence of the Assembly.

The several members of this Assembly who had not taken the oaths provided by act of Parliament instead of the oaths of allegiance and supremacy now took the said oaths and likewise the oath of abjuration, and made the declaration against popery.

This Assembly do appoint Nathaniel Stanly, Esqr, to be Treasurer of this Colony for the year ensuing, who was sworn according to law.

*Ordered*, That Andrew Burr, Esqr, and Mr. David Rowland return the thanks of this Assembly to the Reverend Mr. Noah Hobart, for his sermon delivered (on the 10th day of May instant,) before the Assembly, and desire a copy thereof, that it may be printed.

This Assembly do appoint the Honourable Roger Wolcott, Esqr, to be Chief Judge of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint James Wadsworth, Esqr, William Pitkin, Esqr, Ebenezer Silliman, Esqr, and John Bulkley, Esqr, to be Judges of the Superior Courts in this Colony the year ensuing.

This Assembly do appoint William Pitkin, Esqr, to be Judge of the County Courts in and for the county of Hartford the year ensuing.

This Assembly do appoint Roger Newton, Esqr, to be Judge of the County Courts in and for the county of New Haven the year ensuing.

This Assembly do appoint Samuel Lynde, Esqr, to be Judge of the County Courts in and for the county of New London the year ensuing.

This Assembly do appoint Andrew Burr, Esqr, to be Judge of the County Courts in and for the county of Fairfield the year ensuing.

This Assembly do appoint Jonathan Trumble, Esqr, to be Judge of the County Courts in and for the county of Windham the year ensuing.

This Assembly do appoint Joseph Buckingham, Esqr, to be Judge of the Court of Probate for the district of Hartford the year ensuing.

This Assembly do appoint John Bulkley, Esqr, to be Judge of the Court of Probate for the district of East Haddam the year ensuing.

This Assembly do appoint Ebenezer Marsh, Esqr, to be Judge of the Court of Probate for the district of Litchfield the year ensuing.

[4] This Assembly do appoint Thomas Welles, Henry Allyn, Jabez Hamlin, Joseph Buckingham and Elisha Williams, Esq<sup>rs</sup>, to be Justices of the Peace *et Quorum* in and for the county of Hartford the year ensuing.

This Assembly do appoint Nathaniel Stanly, George Wyllys, Joseph Pitkin, Joseph Talcott, Daniel Edwards, Elizur Goodrich, Roger Wolcott jun<sup>r</sup>., Daniel Bissell, William Wolcott, Thomas Griswold, Joseph White, Thomas Johnson, Seth Wetmore, Benjamin Stilman, Thomas Hart, Thomas Hart 2d, Asahel Strong, Joseph Hooker, John Humphrey, Joseph Wilcoxson 2d, Hezekiah Brainerd, Thomas Addams, Nathaniel Foot, Epaphras Lord, Charles Bulkley, Joseph Phelps, John Phelps, Jonathan Hale, David Hubbard, Thomas Pitkin, Zebulon West, Samuel Dimock, Daniel Alden, Isaac Kellogg, Cyprian Webster, Ebenezer Lyman, Ebenezer Marsh, David Whitney, George Holloway, Timothy Hatch, Phineas Lyman, Elijah Williams, Samuel Dwight, and Thos. Harrison, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Hartford the year ensuing.

This Assembly do appoint Samuel Hill, Benjamin Hall, John Fowler and John Hubbard, Esq<sup>rs</sup>, to be Justices of the Peace *et Quorum* in and for the county of New Haven the year ensuing.

This Assembly do appoint John Hubbard, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of New Haven the year ensuing.

This Assembly do appoint Samuel Hill, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Guilford the year ensuing.

This Assembly do appoint Isaac Dickerman, John Prout, John Hitchcock, Deodate Davenport, Samuel Sherman, Robert Treat, Nathan Baldwin, John Russell, Jonathan Russell, Nathaniel Harrison, Andrew Ward, Timothy Stone, Thomas Hodgkins, Theophilus Rossiter, Elihu Chauncey, Theophilus Yale, Samuel Hall, Elihu Hall, Ezekiel Boyce, John Riggs, Samuel Bassett, Samuel Riggs, Timothy Russell, John Southmaid, Thomas Clark, Thomas Mathews, Samuel Canfield, Nathaniel Bostwick, Paul Welch, John Williams, Samuel Hutchinson, Thomas Chipman, Isaiah Tuttle, and James Wadsworth jr., Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of New Haven the year ensuing.

This Assembly do appoint John Griswold, Christopher Avery jr., Isaac Huntington, Richard Lord and Jeremiah Miller, Esq<sup>rs</sup>, to be Justices of the Peace *et Quorum* in and for the county of New London the year ensuing.

This Assembly do appoint John Richards, Esqr, to be Judge of the Court of Probate in the district of New London the year ensuing.

This Assembly do appoint Hezekiah Huntington, Esqr, to be Judge of the Court of Probate in the district of Norwich the year ensuing.

This Assembly do appoint John Whiting, Joseph Denison, Simeon Minor, Nathan Cheesbrough, Samuel Prentiss, Humphrey Avery, Samuel Morgan, Nathaniel Brown, Samuel Coit, Luke Perkins, Nathan Smith, William Williams, Jabez Hide, Samuel Lothrop, Daniel Huntington, Ebenezer Backus, Joshua Hempstead, John Richards, Daniel Coit, Joshua Raymond, Daniel Ely, Elisha Sheldon, Benjamin Lee, Samuel Ely, Nathaniel Clark, Jedadiah Chapman, John Tulley, Ambrose Whitelsey, Isaac Kelsey, Benjamin Gale, Elnathan Stephens, Jonathan Lane, Nehemiah Palmer, Dudley Woodbridge, and Jabez Huntington, Esqrs, to be Justices of the Peace in and for the county of New London the year ensuing.

This Assembly do appoint Edmond Lewiss, John Thomson, Jonathan Hoit, and William Preston, Esqrs, to be Justices of the Peace *et Quorum* in and for the county of Fairfield the year ensuing.

This Assembly do appoint Andrew Burr, Esqr, to be Judge of the court of Probate in the district of Fairfield the year ensuing.

This Assembly do appoint Joseph Minor, Esqr, to be Judge of the Court of Probate in the district of Woodbury the year ensuing.

[5] This Assembly do appoint Jonathan Hoit, Esqr, to be Judge of the Court of Probate in the district of Stanford the year ensuing.

This Assembly do appoint Thomas Benedict, Esqr, to be Judge of the Court of Probate in the district of Danbury the year ensuing.

This Assembly do appoint Joseph Blackleach, Samuel Addams, Theophilus Nickols, Robert Walker, Joseph Minor, Noah Hinman, Hezekiah Hooker, Increase Mosely, William Burr, Thaddeus Burr, John Read, Moses Dimon, Samuel Sherwood, David Rowland, Samuel Hanford, James Lockwood, Samuel Fitch, Joseph Platt, Thomas Tousey, Job Sherman, Thomas Benedict, Samuel Grigory, James Benedict, Samuel Olmstead, Jonathan Maltbie, Abraham Davenport, Nathaniel Peck, Ebenezer Mead, Ephraim Hubbel, and Samuel Smith, 3d, Esqrs, to be Justices of the Peace in and for the county of Fairfield the year ensuing.



This Assembly do appoint Ebenezer West, Jonathan Huntington, Shubael Conant and John Dyer, Esq<sup>rs</sup>, to be Justices of the Peace *et Quorum* in and for the county of Windham the year ensuing.

This Assembly do appoint Jonathan Trumble, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Windham, the year ensuing.

This Assembly do appoint John Crerey, Esq<sup>r</sup>, to be Judge of the Court of Probate for the district of Plainfield the year ensuing.

This Assembly do appoint Joseph Leavinze, John Crerey, Thomas Storrs, Joseph Fowler, Ebenezer Holbrook, Joseph Clark, Thomas Tiffany, James Bicknell, Samuel Danielson, Ebenezer Wales, Nathaniel Huntington, Nathaniel Wales, Eliphalet Dyer, John Smith jun<sup>r</sup>, William Marsh, Joseph Holland, Phinehas Strong, William Metcalf, Joseph Strong jun<sup>r</sup>, Jabez Fitch, Silas Long, Joshua West, Joseph Cadey, Hezekiah Sabin, Stephen Fuller, Jeremiah Kinne, Samuel Chandler, Henry Bowen, and Thomas Chandler, Esq<sup>rs</sup>, to be Justices of the Peace in and for the county of Windham the year ensuing.

This Assembly do appoint Capt. Samuel Kent jun<sup>r</sup>, and Capt. Ephraim Terry, Justices of the Peace for the county of Hartford the year ensuing.

This Assembly do appoint Mr. Daniel Castle to be a Justice of the Peace in and for the county of Fairfield the year ensuing.

This Assembly do appoint Capt. Joseph Southmaid, of Middletown, to be a Justice of the Peace in and for the county of Hartford the year ensuing.

This Assembly do establish and confirm Mr. John Holmes to be Captain of the 4th company or trainband in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Swan to be Lieutenant of the 4th company or trainband in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Wheeler jun<sup>r</sup> to be Ensign of the 4th company or trainband in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Amos Cheesbrough to be Captain of the 1st company or trainband in the

town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Palmer to be Lieutenant of the 1st company or trainband in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Stanton 2d to be Ensign of the 1st company or trainband in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Coe to be Captain of the 1st or south military company or trainband in the town of Stratford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Beach to be Lieutenant of the 1st company or trainband in the town of Stratford, and order that he be commissioned accordingly.

[6] This Assembly do establish and confirm Mr. Isaiah Brown to be Ensign of the 1st company or trainband in the town of Stratford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Clark to be Captain of the first company or trainband in the town of Milford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Woodruff to be Lieutenant of the 1st company or trainband in the town of Milford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Fowler junr to be Ensign of the 1st company or trainband in the town of Milford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Wittar to be Captain of the 1st company or trainband in the town of Preston, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Morgan to be Lieutenant of the first company or trainband in the town of Preston, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Stanton to be Ensign of the first company or trainband in the town of Preston, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Theophilus

Miles to be Lieutenant of the westernmost company or trainband in the town of Milford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Gun to be Ensign of the westernmost company or trainband in the town of Milford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Buckingham of Saybrook to be Ensign of the 1st company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Palmer junr, to be Captain of the 1st company or trainband in the town of Windsor, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Phelps to be Ensign of the 1st company or trainband in the town of Windsor, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Israel Munson to be Captain of the 2d company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Bradley to be Lieutenant of the 2d company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Woodin to be Ensign of the 2d company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Timothy Hollister to be Captain of the 12th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Hill to be Lieutenant of the 12th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathan Jewet to be Captain of the new erected military company in Lyme, on the north side of the line dividing between the 3d military company in Lyme and said new erected company, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Fitch

to be Lieutenant of the 3d company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Bradford to be Ensign of the 3d company or trainband in the town of New London, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ezekiel Pierce to be Lieutenant of the 1st company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Isaac Coit to be Ensign of the 1st company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly:

[7] Whereas the General Assembly, at their sessions at New Haven, October, 1737, ordered and enacted that all the townships in the western lands on both sides Ousatunuck River should be disposed of and settled, and the whole of said townships being sold and settled accordingly except the township of Norfolk, in which one right only hath been sold, the remainder of said township is yet unsold: It is now resolved and enacted by this Assembly, that the remainder of said township shall be sold at a publick vendue, at the court house in Hartford, to the highest bidders being persons qualified according to said act, (except those rights and grants already excepted in the act aforesaid,) on the third Wednesday of December next: the vendue to begin at one of the clock afternoon and to continue by adjournment from time to time till the whole be sold; and that the same be set up at two hundred pounds per right, and that the Hon<sup>ble</sup> Roger Wolcott, Esqr, William Pitkin, and George Wyllys, Esqrs, or any two of them, be a committee to sell and assign and give deeds for the rights in the aforesaid township, and take bonds with sureties of the purchasers for the money and for performance of the conditions of settlement, according to said act.

*Resolved by this Assembly,* That the north bounds of the district of the court of probates called the district of Hartford, and the north bounds of the district of the court of probates called the district of Plainfield, shall be the line dividing between this Colony and the Province of the Massachusetts Bay.

*Resolved by this Assembly,* That the north bounds of the first and of the eleventh regiments in this Colony shall be the



line dividing between said Colony and the Province of the Massachusetts Bay.

Whereas this Assembly, at their sessions in May, 1745, did constitute an ecclesiastical society in the northwest part of the town of Brandford: Resolved by this Assembly, that the said society be called Northford.

*Resolved by this Assembly,* That each constable in this Colony that shall collect any country rate granted by this Assembly, shall for the future be allowed three pence on the pound, in the currency mentioned in such grant, for collecting the same, and three pence per mile, proclamation money, for his travel out to make up accounts with the Treasurer.

The Governor and Company of his Majesty's English Colony of Connecticut in New England in America, in this present General Court assembled, do nominate, constitute and appoint Richard Partridge, Esqr, of London, to be Agent at the Court of Great Britain, for and in behalf and in the name of the said Governor and Company to appear before his Majesty, or any of his courts, ministers or judges in Great Britain, there to manage, act and defend in all and every matter, cause or thing, wherein the said Governor and Company are or may be interested or concerned. And the said Governor and Company, in General Court assembled as aforesaid, do order and enact that a proper instrument of procuration, or letter of agency or attorney, be accordingly made out in the name of the said Governor and Company, under the publick seal of this Colony, to the said Richard Partridge, Esqr, accordingly, signed by the Governor and Secretary of this Colony, which with a copy of this act shall be sent to the said Agent as soon as may be.

The Governor, Council and Representatives, in this present General Court assembled, do nominate and appoint Richard Partridge, Esqr, of the city of London, Agent and Attorney for the Governor and Company of this Colony, to supplicate for and receive all such sum and sums of money as may be granted or ordered for a reimbursement of the charges and expences the said Colony hath been at in providing arms, cloathing, victualling, transports, &c., for the regiment raised in this Colony to be improved in the expedition against Canada, which was done in obedience to his Majesty's command signified by his Grace the Duke of Newcastle, by his [8] letter dated || April 9th, A. D. 1746, and to give proper receipts therefor in behalf of said Colony. And it is hereby ordered and enacted, that a proper instrument of procuration, or letter of attorney, be accordingly made out in the name of

said Governor and Company, under the publick seal and signed by the Governor and Secretary of this Colony, fully empowering the said Richard Partridge, Esq<sup>r</sup>, for the purpose aforesaid.

An Act in Addition to an Act entituled An Act to call in, exchange and discharge the Bills of Credit which have been issued by this Colony and are still outstanding, made and passed in May, 1749.

Whereas by said act it is provided, among other things, that the sterling money granted by the Parliament of Great Britain to this Colony for reimbursing their expences in taking and securing Cape Breton, and what may be granted for their expences in the late intended expedition against Canada, be sold and bills of exchange drawn therefor, and it being now apprehended that in case the said sterling money be disposed of to such persons only as are now settled inhabitants within this Colony, and the bills of exchange drawn accordingly, the trade from this Colony to Great Britain may be encouraged and advanced, and thereby the good ends proposed in said act more effectually promoted : Therefore,

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That no part or sum of the sterling money aforesaid shall be sold to, nor any bill of exchange drawn therefor in favour of, any person who is not now a settled inhabitant within this Colony.

*And be it further enacted,* That the committee appointed by this Assembly in October last to make sale of the sterling money aforesaid, be, and they are hereby, fully authorized and empowered to require, and they shall require of every person that shall apply to them for any of said money and a bill of exchange therefor, to declare under solemn oath that he is not impowered or improved, directly or indirectly, to purchase said money and obtain a bill of exchange therefor, or any part thereof, for the use and benefit of any person who is not now a settled inhabitant within this Colony as aforesaid. And every person that shall desire any such bill or bills of exchange as aforesaid shall further declare under oath that he will truly apply all the money he shall receive for said bill or bills of exchange in purchasing merchandize, (on his own proper account or on the proper account of some of the now settled inhabitants of this Colony,) in Europe, and *bona fide* import and land the same in this Colony, which oath the said committee are hereby empowered to administer ; and whosoever shall refuse to declare under oath and answer to all proper interrogatories on the foregoing matters, or shall fail giving satisfaction therein before the said committee under oath as

aforesaid, he shall not have any of said sterling money or the benefit of any bill of exchange in his favour.

*And it is further enacted*, That the committee aforesaid make sale of the sum of ten thousand pounds sterling of said bills of exchange, to be drawn in favour of such of the now inhabitants of this Colony as shall appear to take the same and make and execute proper obligatory bonds, with two good and sufficient sureties, payable || to the Governor and Company of this Colony, conditioned for the payment of the sum drawn for in favour of such person, to be paid the one half in coined silver sterling alloy, at the rate of five shillings and four pence per ounce Troy weight, or in standard gold equivalent, and the other half in the now outstanding bills of credit of this Colony equivalent thereto, at or before the first day of May, 1754, with interest at three pounds *per centum per annum* therefor in like silver or gold, which interest shall be secured by several distinct bonds to be paid the first day of May annually. And the said committee are to certify his Honour the Governor the sum sold, and to whom, and that the same is secured, that his Honour the Governor may draw the bill therefor accordingly; and that the committee appointed by this Assembly in October last make sale of no more of the bills of exchange only the ten thousand pounds aforesaid, until the sessions of the General Assembly in October next.

*Resolved by this Assembly*, That his Honour the Governor shall be altogether saved harmless and indemnified, and this Assembly do declare that they will save harmless and indemnify his Honour the Governor of this Colony from all and all manner of costs, damages and expence, that may any ways come, accrue or arise, on account of his drawing any bill or bills of exchange ordered and desired by this Assembly, or the non-payment or protesting the same.

*Resolved by this Assembly*, That his Honour the Governor be and he is hereby desired to draw a set of three bills of exchange for the sum of three hundred pounds sterling, on Doctor Benjamin Avery, payable to Mr. Richard Partridge, in the following form, *viz*:

Exchange for £300 Sterling.

Hartford, &c.

Sir: At thirty days sight of this my first bill of exchange, (my second and third not paid,) pay Richard Partridge, Esqr, of London, or his order, the sum of three hundred pounds sterling for accompt of the Colony of Connecticut, and charge the accompt of said Colony as per advice from

To Doctor Benjamin Avery,

Your humble servant.

London.

And that his Honour the Governor advise Doctor Avery of the said set of bills of exchange drawn on him payable to Mr. Partridge, to enable him to discharge his obligation in our behalf with the executors of our late worthy Agent, Mr. Palmer, and to transact the affairs of this Colony at the Court of Great Britain, and desire Doctor Avery to charge said bill to the account of this Colony for the sterling money in his hands allowed for reimbursing the expences of said Colony for the taking and securing Cape Breton, and inform him that the silver is lodged in our treasury for sinking and discharging so many of our bills of credit as amount to that sum. And that his Honour the Governor signifie to Doctor Avery the grateful sense the government hath of his willingness to advance our interest, and the care he hath taken of it, although his stated business lays him under a necessity of refusing the agency of this Colony, yet the Colony earnestly desire his kind offices and favour in our behalf, both in our religious and civil interests.

*Resolved by this Assembly,* That his Honour the Governor be and he is hereby desired to write to Richard Partridge, Esqr, of London. and signifie to him the very grateful sense the government hath of his readiness to advise and assist Colo. Williams, and undertake in the behalf of the Colony, and exert himself with so great care and vigilance in their interest and affairs, with hearty desires that he would accept the agency of this Colony at the Court of Great Britain, and continue his care and concern for the future necessary affairs of this Colony, and inform him that the sum of three hundred pounds sterling is drawn by bill on Doctor Avery in his favour, [10] to enable him || to discharge his obligation in our behalf to the executors of our late worthy agent, Mr. Palmer, which he will settle and adjust with them, observing what information his Honour will give him relating thereto, and the residue of said sum may furnish him to satisfy what he may have advanced in the affairs of the Colony wherein he hath been concerned for us, and further inform him that the money needful for council and other occasions in transacting our affairs shall be allowed him in his account, and shall be duly discharged accordingly.

*Resolved by this Assembly,* That his Honour the Governor be and he is hereby desired to draw a set of three bills of exchange for the sum of twenty-five pounds sterling on Doctor Benjamin Avery, payable to Colo. Elisha Williams, in the following form, viz:



Exchange for £25 sterling.

At thirty days sight of this my first bill of exchange, my second and third not paid, pay Colo. Elisha Williams, now resident in the city of London, or his order, the sum of twenty-five pounds sterling, value received, and charge the account of the Colony of Connecticut, as per advice from

To Doctor Benjamin Avery,      Your humble servant.  
London.

And that his Honour the Governor advise Doctor Avery of the said set of bills of exchange, and desire the doctor to charge said bill to the account of this Colony, for sterling money in his hands allowed for reimbursing the expences of said Colony for the taking and securing Cape Breton, and inform him that the silver is lodged in our treasury for sinking and discharging so many of our bills of credit as amount to that sum.

*Resolved by this Assembly,* That his Honour the Governor write to Colo. Elisha Williams and signify to him the grateful sense the government hath of his good service for this Colony in our affairs in Great Britain, and that this Assembly have accordingly ordered a bill of exchange on Doct. Avery for the sum of £25 0s. 0d. sterling, which is accordingly drawn and ordered to him therefor.

*Resolved by this Assembly,* That his Honour the Governor be desired, and Thomas Fitch, Esqr, be appointed, and they are hereby desired and appointed, forthwith to state the case and prepare the evidence relating to the settlement of the divisional line between the Province of the Massachusetts Bay and this Colony, that in pursuance of the act of this Assembly in May last the same may be sent to our Agent in Great Britain with the directions given in said act.

On the report of the committee appointed by this Assembly in October last to demand of Jedadiah Dudley of Saybrook, one of the collectors of the duties on goods imported into and lumber exported from this government, an accompt what sums he had received and what securities he had taken for such duties, and to receive the same of him, &c., that they have not received a satisfactory account: It is resolved by this Assembly, that said committee deliver to the Treasurer of this Colony the money and securities they received of said Dudley, taking the Treasurer's receipt therefor, which they are hereby directed to lodge with the Secretary. And it appearing by said report, that he hath not rendered a full accompt of the money by him received: It is therefore resolved by this Assembly, that Mr. Ambrose Whittelsey be and he is hereby appointed an agent in behalf of the Governor and Company

of this Colony, to ask, demand, receive, sue for and recover in the law, of said Jedadiah Dudley, all such sums of money as he is in arrears to said Governor and Company on accompt of the duties on goods imported into and lumber exported from this Colony, which he hath not accounted for, and when recovered to deliver the same to the Treasurer of this Colony, taking his receipt therefor, which he is to lodge with the Secretary of this Colony.

[11] Whereas this Assembly, in their sessions in October last, was informed that Jedadiah Dudley of Saybrook, one of the collectors appointed by his Honour the Governor to collect the duties laid on importing goods, wares and merchandize, into this Colony from any of the neighbouring governments, and also on exporting lumber of the growth of this Colony out of the same to any of the neighbouring governments, by the acts of the General Assembly of this Colony held at Hartford on the second Thursday of May, 1747, was unfaithful in said office, and that he had in part imbezzeled the moneys by him received on accompt of such duties; at which Assembly in October last, by an act of the same, said Dudley was inhibited acting anything further in said office until the first of June next; and his unfaithfulness in said office still further appearing to this Assembly: It is resolved by this Assembly, that said Jedadiah Dudley be, and he is hereby, inhibited further acting in said office for the future, and that his commission empowering him to collect such duties be and is hereby made null and void, and that Mr. Ambrose Whittelsey be hereby appointed and desired to notify the said Dudley hereof, that he may conform himself thereto accordingly.

Upon the representation of Colonel Christopher Avery and Major Samuel Coit, colonel and major of the 8th regiment in this Colony, representing to this Assembly that there is a difficulty now subsisting in the town of Stonington in said regiment, which happened by a mistake in the commissions of the captain and ensign of the sixth company in said Stonington, who were commissioned captain and ensign of the fifth company, but were chosen by and ought to have been commissioned over the sixth company in said town: Resolved by this Assembly, that Capt. Daniel Brown and Ensign Samuel Hobart Burdick be commissioned over the sixth company in the town of Stonington, and his Honour the Governor is desired to grant commissions for them accordingly.

This Assembly do establish and confirm Mr. Joshua Hull to be Ensign of the company or trainband at the parish of Reading, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Cone to be Captain of the south company or trainband in the town of East Haddam, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Henry Champin to be Lieutenant of the south company or trainband in the town of East Haddam, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Josiah Arnold to be Ensign of the south company or trainband in the town of East Haddam, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Hulls to be Captain of the first company or trainband in the town of Derby, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Johnson to be Lieutenant of the first company or trainband in the town of Derby, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Lumm to be Ensign of the first company or trainband in the town of Derby, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Isaac Hide to be Captain of the 9th company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Deliverance Cleaveland to be Lieutenant of the 9th company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Fitch to be Ensign of the 9th company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Babcock to be Captain of the 13th company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Amos Kinne to be Lieutenant of the 13th of company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Fish to be Ensign of the 13th company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

[12] Upon the petition of John Loomis of Windsor, representing to this Assembly that Isaac Skinner and Daniel Mills of Windsor were about ten years past bound together with him, the petitioner, to the Governor and Company of this Colony, in two several bonds for about twenty-five pounds money of the new tenour by the petitioner of said Governor and Company borrowed and to his own use received, and that, to secure and save harmless said Skinner and Mills touching said bonds, he had on their request executed to them one certain deed of three several parcels of land, one of which parcels in and by said deed dated January 10th, 174 $\frac{1}{2}$ , is said to lie in the parish of Wintonbury, and to contain about fifteen acres, and to be abutted west on Edward Griswold's land in part and partly on land of David Griswold, north on land of Daniel Phelps, south on land of Abel Loomiss, and east upon an highway; that said deed was so made and delivered with this agreement, that on the petitioner's saving them harmless as abovesaid the said land should be by them reconveyed to him; that without having been in any wise damnified they, said Mills and Skinner, by their deed dated the 15th of October, 1746, sold said fifteen acres to Edward Griswold of said Windsor, said Griswold also being privy to said agreement, taking the whole consideration thereof to themselves and the same to their own use converting; that he, the petitioner, has since paid the whole of said money as aforesaid borrowed of the Colony, and taken up said bond &c.; and thereupon praying relief, as per said petition on file: Resolved by this Assembly, that the said deed, by the said John Loomiss as abovesaid given to said Skinner and Mills, shall never hereafter be given or admitted to be given in evidence in the tryal of any cause or action now depending or hereafter to be commenced and depending before any court whatsoever, touching the land therein mentioned, or any part or parcel thereof; and that all persons now or hereafter claiming or to claim any right, title or interest, in or unto said lands, or any parcel thereof, by force or virtue of said deed by said Loomiss executed as abovesaid, be, and by virtue of this resolve forever hereafter shall be, utterly disenabled and debarred in any wise to exhibit the same in any tryal whatsoever to the purpose aforesaid.

Upon the memorial of Benjamin Fenn, George Clark junr,



Jeremiah Peck, Henry Peck, Samuel Eells, George Clark, Noah Baldwin, and Ephraim Strong, inhabitants in Milford, in behalf of themselves and their brethren in said town who declared they have soberly dissented from the established church in said Milford, praying to be freed from paying ecclesiastical taxes in said town, &c.: Granted, that the said Benjamin Fenn, George Clark jun<sup>r</sup>, Jeremiah Peck, and the rest of the subscribers to the said memorial, they and such others as shall in three months after the rising of this Assembly enter their names with the town clerk of the said town as dissenting from the established church and congregation there, and attend upon the worship of God in the congregation in said town who have laterly dissented and worship in a separate church and congregation there, be and are hereby freed, they and their descendants adhering to the dissenters aforesaid in said Milford, from paying any rates or taxes for the future towards the support or maintenance of any minister, or for building or repairing any meeting-house, or towards any other ecclesiastical taxes in said town of Milford, during the time they shall regularly attend the worship of God in said separate congregation.

Upon the petition of William Williams, of Mansfield, *vs.* Jonathan Terry, of Endfield, shewing that at an adjourned superior court held at Windham in January, 174<sup>g</sup>, said Terry obtained a judgment against said Williams for the sum of £49 6s. 0*d*. lawful money for damages and cost, and that said sum so adjudged against him was exorbitant and excessive, and that he had been compelled to pay said whole sum, &c.; and thereupon praying relief, &c.: Resolved by this Assembly, that said sum in damages, found and adjudged as abovesaid, is apparently exorbitant and excessive, and that the same be, and the said damages hereby are, mitigated and reduced down to the sum of fifty shillings lawful money, and that the petitioner shall recover and have restored to him of and from the petitionee the whole residue of said sum as abovesaid adjudged and paid, amounting to the sum of £46 16s. 0*d*. lawful money as aforesaid; and that execution therefor go forth, signed by the Secretary of this Colony accordingly.

This Assembly do establish and confirm Mr. Edward Allen to be Captain of the Troop of horse in the 2*d* regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Woodruff to be Lieutenant of the Troop of horse in the 2*d* regiment in this Colony, and order that he be commissioned accordingly.

[13] This Assembly do establish and confirm Mr. David

Sandford to be Cornet of the Troop of horse in the 2d regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Roswell Woodward to be Quartermaster of the Troop of horse in the 2d regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ebenezer Thomson to be Lieutenant of the company or trainband in the parish of Bethlehem, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Strong to be Ensign of the company or trainband in the parish of Bethlehem, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Filmore to be Captain of the 7th company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joun<sup>th</sup>. Pitcher to be Ensign of the 7th company or trainband in the town of Norwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Timothy Dimmock to be Lieutenant of the 10th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Daviss to be Ensign of the 10th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Banks to be Captain of the west or 2d company or trainband in the town of Greenwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jabez Sherwood to be Ensign of the west or 2d company or trainband in the town of Greenwich, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Zachariah Spaulding to be Captain of the 5th company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Henry Hewett to be Lieutenant of the 5th company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Peirce to be Ensign of the 5th company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elijah Dyer to be Quartermaster of the Troop of horse in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Josiah Converse to be Lieutenant of the 7th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Converse to be Ensign of the 7th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Richard Bushnell to be Lieutenant of the Troop of horse in the 3d regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Hezekiah Edgerton to be Cornet of the Troop of horse in the 3d regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Hildhouse to be Quartermaster of the Troop of horse in the 3d regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Miles to be Captain of the Troop of horse in the 10th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Eliakim Hall to be Lieutenant of the Troop of horse in the 10th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Caleb Johnson to be Cornet of the Troop of horse in the 10th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Parsons to be Quarter[man] of the Troop of horse in the 10th regiment in this Colony, and order that he be commissioned accordingly.

[14] This Assembly do establish and confirm Mr. Cornelius Daviss, to be Lieutenant of the company or trainband on the west side of Willamantick River in the town of Stafford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Pasco to be Ensign of the company or trainband on the west side of Willamantick River in the town of Stafford, and order that he be commissioned accordingly.

Upon the petition of Prosper Wetmore, shewing to this Assembly that Jonathan Huntington brought his action against him by his writ dated May the 27th, A. D. 1749, demanding damages for converting to his own use a negro girl, which action came to its final tryal at the superior court at Norwich in March last; praying for a reversal of the judgment of said superior court in said case, and that the petitioner have another tryal of said cause at the superior court at New London in September next, for the reason assigned: Resolved by this Assembly, that the said judgment of the superior court be reversed, and the same is hereby reversed and made void, and that the petitioner have the liberty of another tryal of the said case at the superior court in New London in September next, and that the whole cost follow the final tryal.

Upon the memorial of Isaac Parmele, one of the members of the fourth ecclesiastical society in Guilford, and the rest of the members of the said fourth society, representing that the parochial bounds and limits of the said fourth society and of the first society in said Guilford are the same and of equal extent, and that said two societies are equally endowed with privileges, &c.; that notwithstanding, whenever any stranger or strangers have come to inhabit within said limits and joyned themselves with the said fourth society and also paid their part of the charges with them, the said first society have likewise compelled such strangers to pay rates and taxes to them, by reason of which practice great uneasiness doth arise; praying for relief in the premises, &c.: Resolved by this Assembly, that all such strangers as have or shall come to inhabit within the limits of said societies and shall joyn themselves to the said fourth society by entering their names with the clerk of that society to which he shall so joyn himself within three months after they shall become inhabitants as aforesaid, such person or persons shall be deemed to belong to them, and shall pay his rates and taxes only to that society with whom he shall so joyn himself as aforesaid.

Upon the memorial of Joseph Bradley, John Parmele junr, Joseph Parmele junr, Noah Hotchkiss, Jordan Leet, Paul Dudley, Samuel Bristol, Joseph Chittendon junr, and Simeon Norton, all of Guilford in the county of New Haven, shewing that during the time of their minority and while under their parents they used to attend the publick worship of God with



the first society in said Guilford, but never acted in the settling of the minister there; that since they had arrived to full age they had removed to and attended the publick worship of God with the fourth society in said Guilford, (the parochial limits whereof are the same with the first society;) that it was most agreeable and most for their edification to continue with said fourth society, and that they had constantly contributed towards the charges of that society since they had attended with them as aforesaid, and praying to be exempted from paying taxes to the said first society, &c.: Resolved by this Assembly, that the said memorialists be and they are hereby exempted from paying taxes to the said first society, and for the future they shall be deemed to belong to the said fourth society in said Guilford.

Upon the memorial of Ebenezer Finch, of Greenwich in Fairfield county, shewing that he by a mistake gave bond to the Governor and Company of this Colony for twenty-five pounds in bills of credit of the new tenour, when in fact he received but twelve pounds ten shillings in such bills out of the Colony treasury; praying for relief in the premises: Resolved by this Assembly, that the said Ebenezer Finch upon his paying into the treasury of this Colony the sum of twelve pounds ten shillings in bills of credit new tenour, with the interest thereof till this time and the cost that has arisen thereon, he shall have delivered up to him the bond aforesaid given for the sum of twenty-five pounds in bills of credit of the new tenour.

[15] Upon the memorial of William Clark and Rebecca Lee, administrators on the estate of Ezra Lee, late of Woodbury, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate the sum of £340 12s. 4½d. old tenour, praying this Assembly to empower them to sell so much of the said deceased's lands as shall be sufficient to pay the said sum and incident charges: Resolved by this Assembly, that the said William Clark and Rebecca Lee be empowered, and they are hereby empowered, to sell so much of the land of the said Ezra Lee, deceased, as shall be sufficient to pay the said sum of £340 12s. 4½d. old tenour, and the incident charges arising thereon, taking the directions of the court of probates in the district of Woodbury.

Upon the petition of Nathaniel Gilbert, of Middletown in Hartford county, shewing to this Assembly that John Lane of Middletown, at the superior court held at Hartford in March last, obtained a final judgment against him for the surrendry of about two acres of land in Middletown aforesaid, with five

pounds damages and £75 3s. 4d. costs of suit, and that execution has been levied and paid; praying for another tryal in said cause, for that upon the misrepresentation of the facts by some of the evidences about the possession of said land the jury bro't in their verdict for the said Lane, as in said petition set forth: Resolved by this Assembly, that the judgment of said superior court of March last past, with all the doings thereon, be and is hereby set aside, made null and void, and that the petitioner have another tryal of said cause at the adjourned superior court to be holden at Hartford the first Tuesday of June next; and that all the cost follow the final judgment.

Upon the memorial of Phinehas Drake and Pelatiah Mills and Phebe Moore, administrators on the estate of John Soper, late of Windsor, deceased, shewing to this Assembly that the debts due from the said estate surmount the moveables the sum of £1343 12s. 0d., they praying that some suitable persons may be appointed to sell so much of the real estate of the said deceased as will pay the sum aforesaid with the incident charges arising on said sale, &c.: Resolved by this Assembly, that Mr. Phinehas Drake and Pelatiah Mills, two of said administrators, be and they are hereby impowered to make sale of so much of the real estate of the said deceased as will be sufficient to pay the aforesaid sum of £1343 12s. 0d. with the incident charges arising thereon, taking the direction of the court of probates in the district of Hartford therein.

Upon the memorial of Isaac Solomons, of Middletown, shewing to this Assembly that in the year 1748, he imported from London into this Colony the value of £144 10s. 0d. sterling in goods, and that he imported likewise from New York £25 0s. 0d. sterling, and exhibited a manifest of said goods to Mr. Mathew Talcott of Middletown, one of the collectors appointed to receive the duties for importation of goods from the neighbouring governments, and that he demanded  $7\frac{1}{2}$  per cent. on the whole, and that he gave his bond to the Governor and Company for the duties of all said goods to the sum of £127 2s. 6d. old tenour, and that said bond now lies in the Treasurer's office not paid; praying for a release from said bond, except so much thereof as should arise on the duty of £25 0s. 0d. sterling, imported from New York as aforesaid: Resolved by this Assembly, that on the said Isaac Solomons paying the duty of said £25 0s. at seven and a half per cent. to the Treasurer of this Colony, with the interest thereof since the bond became due, that the Treasurer be and hereby is ordered to give up said bond conditioned for the payment of £127 2s. 6d.

Upon the memorial of Samuel Wells, John Rizley and others, inhabitants of the town of Hartford, complaining of the doings of a jury appointed by the county court in the county of Hartford in laying out of a highway on the east side of the great river in said Hartford from the country road leading from Hartford to Glassenbury, eastward to the end of the three mile lots, which doings and return of said jury were accepted and established by the said county court held at Hartford in April, 1747; praying to have a committee to view the circumstances, &c.: Resolved by this Assembly, that William Wolcott, Esqr, Mr. Mathew Rockwell and Mr. Abiel Abbot, all of Windsor, be, and they are hereby appointed to be, a committee to view the circumstances and consider the matters referred to in said memorial, and make their report and give their opinion on the premises to this Assembly in October next; all at the cost of the memorialists.

Upon the memorial of John Starkweather junr, of Stonington, shewing to this Assembly that sometime in October last, by a fall, he had his right arm put out of joynt, and thereby in a measure disenabled from labour; and praying that his head may be freed from paying of publick taxes for the future: Resolved by this Assembly, that the said John Starkweather shall be freed from payment of publick taxes for his head for the future.

[16] Upon the memorial of Joseph Wyouke, Pequot Indian, and the rest of the Pequot Indians that live at Massantuxet in the township of Groton, representing that there is a considerable tract of land in said Groton, known by the name of Massantuxet, reserved for the use of the memorialists, and that the proprietors of said Groton, in the year 1732, by liberty then obtained from this Assembly, have laid out one half of the said reserved lands into fifty acre lots and have fenced the same, which liberty was only during the pleasure of the said Assembly; and also shewing that the said proprietors, under colour of said liberty granted them as aforesaid, had defeated the said Indians of their improvements, had destroyed their crops, cut down their timber and firewood, contrary to the meaning and intention of said Assembly in the liberty granted them as aforesaid, &c.; praying that a committee might be appointed to enquire into the premises and matters in said memorial alledged, in order to the removal of said English people from the said reserved lands, and that for the future they may not have any improvements thereon, &c.: Resolved by this Assembly, that Jonathan Trumble and John Bulkley, Esqrs, be and they are hereby appointed to be a committee to

repair to said Groton, to enquire into the matters referred to in said memorial, and to make their report and give their opinion in the premises to this Assembly at their sessions in October next.

Upon the memorial of the inhabitants of the second society of the town of Windsor, praying to this Assembly that said society may be divided into two distinct ecclesiastical societies, and that a committee may be appointed to repair to said society and fix a place for a division, and to make their report therein: Thereupon it is resolved, and this Assembly do hereby appoint Jabez Hamlin, Esq<sup>r</sup>, of Middletown, Joseph Buckingham, Esq<sup>r</sup>, and Capt. James Church, of the town of Hartford, a committee to repair to said society, notify and hear all persons concerned, view the circumstances of said society, and if they shall judge it proper that said society be divided into two distinct ecclesiastical societies, that then they fix the place for said division, and make report of their opinion and doings thereon to this Assembly in October next.

Upon the memorial of Daniel Hawley, of Stratford, administrator on the estate of Joseph Gorham late of Stratford, deceased, *cum testamento annexo*, representing that the debts of said estate surmount the moveable estate the sum of £295 3s. 2d. money old currency, and praying that so much of the real estate of the said deceased Joseph Gorham might be sold as will answer the said sum of £295 3s. 2d. and incident charges, as by the memorial on file: It is hereby granted, enacted and ordered, that so much of the lands and real estate of the said Joseph Gorham, deceased, shall be sold as shall be sufficient to answer and satisfy the said sum of £295 3s. 2d. with the incident charges; and that Robert Walker of said Stratford be appointed, and the said Robert Walker is hereby appointed and empowered, to sell so much of said lands and real estate as abovesaid, and make and execute deed or deeds thereof to the purchaser or purchasers, according to such sale.

Upon the memorial of John Jeffery, of Stanford, administrator on the estate of John Jeffery late of Stanford, deceased, with the will annexed, shewing to this Assembly that the debts due from the estate of the said deceased surmount the personal estate of said deceased the sum of £274 15s. 4d. money old tenour; and praying for liberty to sell lands of the said deceased sufficient to enable said administrator to pay said debts: Resolved by this Assembly, that said administrator hath hereby liberty to sell so much of the real estate of the said deceased, under the direction of the court of probate in the district of Stanford therein, as to enable said administrator to pay said



debts with the necessary charges arising on the sale of said lands.

Upon the memorial of Benjamin Stoughton and others, of Windsor, praying to be a distinct ecclesiastical society with certain limits as referred to in said memorial, and upon the memorial of Isaac Jones, Moses Thrall and others, of Bolton, praying to be a distinct ecclesiastical society also with certain other limits as set forth in their said memorial, &c.; praying for a committee, &c.: Resolved by this Assembly, that Major Jabez Hamlin of Middletown, Joseph Buckingham, Esq<sup>r</sup>, and Capt. James Church, of Hartford, be and they are hereby appointed to be a committee to repair to said Windsor and Bolton, to view the circumstances of all the memorialists, and to make their report to this Assembly at their sessions in October next, and to give their opinion upon the whole.

[17] This Assembly do establish and confirm Mr. Stephen Horsmer of Hartford to be Captain of the 4th company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jacob Kellogg to be Lieutenant of the 4th company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Timothy Goodman to be Ensign of the 4th company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Kilbourn to be Captain of the first company or trainband in the town of Litchfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Moses Stoddard to be Lieutenant of the first company or trainband in the town of Litchfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Day to be Captain of the 3d company or trainband in the town of Colchester, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Caleb Loomiss to be Lieutenant of the 3d company or trainband in the town of Colchester, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. George Sexton jun<sup>r</sup> to be Ensign of the 3d company or trainband in the town of Colchester, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Solomon Clark to be Captain of the company or trainband at the parish of Wintonbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Porter

to be Lieutenant of the company or trainband at the parish of Wintonbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Sherwood to be Lieutenant of the troop of horse in the 4th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Burret to be Cornet of the troop of horse in the 4th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ezra Hawley to be Quarter-Master of the Troop of horse in the 4th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Phelps to be Lieutenant of the company or trainband in the town of Harwinton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Abijah Catlin to be Ensign of the company or trainband in the town of Harwinton, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Josiah Bartlett to be Captain of the company or trainband at the parish of Goshen in the town of Lebanon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joshua West to be Lieutenant of the company or trainband at the parish of Goshen in the town of Lebanon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Israel Loomiss to be Lieutenant of the company or trainband in the town of New Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ephraim Andrus to be Ensign of the company or trainband in the town of New Hartford, and order that he be commissioned accordingly.

Upon the memorial of John Daviss, of New London in the county of New London, shewing to this Assembly that his son, George Daviss, shipped a mariner on board the sloop Mary in the month of March, A. D. 174 $\frac{7}{8}$ , in a voyage intended to the island of St. Christophers, James Rogers, mariner, of said New London, master; said sloop owned by Mr. John Colefox of said New London, John Wiggins and Samuel Conklin of Southold in the Province of New York; and that said sloop company and cargo in proceeding said voyage fell a lawful prize into the hands of the French enemy; and that said Capt. Rogers delivered said George Daviss a hostage into the hands of the enemy, to ransom said vessel and cargo at the price of £250

[18] 0s. 0d. sterling; and that said George Daviss || was carried into France and there still kept and detained in prison, and so likely to remain during life; and that said Rogers nor owners took any care to redeem said hostage; and that said John Daviss nor his son George Daviss were able to redeem said hostage; praying this Assembly to take the case aforesaid into their wise and judicious consideration, &c., as by his memorial at large on file appears: Resolved by this Assembly, that Gurdon Saltounstall, Esqr, Messrs. Jeremiah Miller and Joseph Fowler, be appointed and they are hereby appointed with full power and authority to enquire into the circumstances of the whole affair, and upon their being satisfied of the truth of the memorial aforesaid, that then they shall as soon as may be make report to his Honour the Governor and such of the Council as his Honour shall see cause to call in to his assistance; and in case his Honour the Governor and the said Council shall be of the opinion that damages by law are recoverable, either against the aforesaid owners or against the said James Rogers late master of said sloop, then his Honour the Governor is desired to direct the said Fowler to assist the said George Daviss to bring an action or actions against either the said Rogers or the said owners, or both, as may be thought most proper, and the same to prosecute to final judgment, that so the said George Daviss may be redeemed out of his captivity; and that the charges arising in such prosecution more than the bill of cost will satisfy shall be paid out of the Colony treasury.

Upon the petition of Christopher Palmer, of Stonington in the county of New London, shewing to this Assembly that he bro't his bill before the court of commissioners (*viz* :) Samuel Lynde, Esqr, Messrs. Jeremiah Miller, Christopher Avery 2d, and John Ledyard, who were specially authorized to hear and determine a certain controversy subsisting between the executors of the last will of Capt. John Prentiss late of New London, deceased, of the one part, and company belonging to the sloop Defence in the expedition to Cape Breton of the other party, demanding of Sarah Prentiss, the only acting executrix to said deceased, a certain sum of prize money &c.; and that the said Palmer had expended a large sum to settle a rule to end said controversey; and that said commissioners had not allowed him, said Palmer, any cost therein, but that said commissioners through some mistake of their commission allowed said cost to be taxed in favour of Daniel Coit, the clerk of said court, and gave judgment for £296 9s. 9d. cost, and ordered execution thereon, &c., which could not be collected

by law, &c. ; and that while said judgment remained he, said Palmer, could have no cost in the premises ; praying also that said judgment might be reversed and set aside : Resolved by this Assembly, that the judgment aforesaid, given in favour of said Coit having the cost aforesaid taxed and allowed in his name, be reversed and set aside, and the same is hereby set aside, made null and void, and shall be of no force in the law.

Upon the memorial of Aaron Wilcox, of Hebron, praying liberty to remove from Hebron and dwell or reside at the town of Harwinton in the county of Hartford, &c. : Resolved by this Assembly, that if he, the said Aaron Wilcox, do and shall find sureties, to the acceptance of the sheriff of the county of Hartford, which shall become bound to the Governor and Company of this Colony in the penal sum of £500 0s. 0d. in bills of credit of the old tenour or lawful money equivalent, in a bond defeazible only by his, said Wilcox's, being and remaining of good behaviour towards all his Majesty's subjects during life, and his peaceable surrendry of his body to the care and custody of said sheriff whensoever thereto required by this Assembly, (such bond being so taken to be delivered into the care of the Secretary of this Colony,) then and in such case said Aaron Wilcox shall be at liberty to depart from said Hebron, where he now is, unto the said town of Harwinton, there quietly to remain within the limits of said town in the free prosecution and discharge of all the lawful business of life, until this Assembly shall order otherwise.

Upon the memorial of Nathaniel Swift, Benjamin Brunson, Thomas Beaman and others, inhabitants of the eastern part of the township of Kent, praying that they may be set off and made a distinct ecclesiastical society according to certain limits in said memorial set forth, as by the same on file appears : This Assembly do grant and enact, that the memorialists be a distinct ecclesiastical society, with all the privileges and immunities of such societies according to the laws of this [19] Colony, and that the bounds of said society shall be as follow, (*viz.*) beginning at the west end of the west pond, commonly called Pains Pond ; then running a straight line to the southwest corner of the lot that Benjamin Brunson now lives on ; then running in the line of said Brunson's lot to the northwest corner of said Brunson's north lot ; thence a straight line to the northwest corner of John Ransom's lot, being a mile west of Nathaniel Swift's house, being in the north line of the township of Kent ; then beginning at the northeast corner of Merryal, so called ; thence a straight line to the



crotch of Shippaug River, and bounded north on Cornwall and Goshen, and east on Litchfield; and that the said society be called East Greenwich.

Upon the memorial of Abraham Clark, of Farmington, administrator on the estate of Joseph Clark of Waterbury in the county of New Haven, deceased, representing that the debts due from the estate of said deceased surmounted the moveable part thereof the sum of £137 16s. 11*d.* old tenour, and praying for liberty to sell land, &c.: Resolved by this Assembly, that said administrator have liberty, and he is hereby fully authorized and impowered, to make sale of so much of the real estate of said deceased as shall be sufficient to pay the aforesaid sum of £137 16s. 11*d.* old tenour with the incident charges arising thereon, taking the advice of the court of probate for the district of Woodbury therein.

Upon the memorial of Ebenezer West, Joseph Fowler, Samuel Hide, Samuel Huntington and Joseph Clark, selectmen of the town of Lebanon, shewing that one Anna White of said Lebanon, an idiot, hath for more than a year past been cast on the said town for support, and that for the support of said idiot it hath cost the said town the sum of £100 0*s.* 0*d.* for the year past, and there is no relation that will take the care and charge of her support on them, and that there is no relation that stands in such degree as that by law they can be obliged to maintain her; shewing also that she hath fallen to her by the death of her father, Nathaniel White late of said Lebanon, deceased, twenty-seven acres of land, and that it will much disadvantage the sale of the whole if any part thereof be sold for the payment of the sum already expended; praying that the whole of said lands be sold to the best advantage and the money that may be obtained may be used for the support of said idiot, and the overplus, if any be, be returned to the heirs of said Anna: Whereupon it is resolved by this Assembly, that the said selectmen sell the same land to the best advantage that they can, and keep the money that may be obtained thereby for the support of said idiot, and if any overplus shall happen, to return the same to the heirs of said Anna.

Upon the memorial of Joseph Coit, of Plainfield, late minister of the gospel there, shewing that he hath been for a long time the minister in said Plainfield, and is far advanced in age, and on account of the infirmities he is under hath resigned his pastoral care of that church and people, and that the listers have assessed him fourfold for all his rateable estate in the list given in August, A. D. 1749, and praying for some

proper relief: Whereupon it is resolved by this Assembly, that the said Coit have his whole list released to him, and all rates and taxes thereon, and that for the future his estate be released from taxes during his life, and the same is hereby released to him.

Upon the memorial of Joseph Wilcoxson, Samuel Humphrey, and the rest of the inhabitants living in that part of the town of Symsbury in the county of Hartford that lies west of the easternmost ledge of the West Mountains, (so called,) praying to be made a distinct ecclesiastical society: Resolved by this Assembly, that all the inhabitants that now do or hereafter shall live west of the aforesaid east ledge of the west mountains in said Symsbury, within the limits following, *viz*: bounding east on the aforesaid ledge, south on Farmington bounds, and from the southwest corner bounds of the said town of Symsbury to run northerly on the line dividing between the town of Symsbury and New Hartford seven miles, and then turns east-south-east and runs to the aforesaid east ledge of the west mountains, he and they are hereby made to be a distinct ecclesiastical society, with powers and privileges as other ecclesiastical societies in this Colony do enjoy; and that said society shall be called and known by the name West Symsbury.\*

On the petition of Samuel Beamond, of Symsbury, *vs.* Mary Thrall, of Windsor, executrix of the last will and testament of John Thrall late of Windsor, deceased, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

[20] Upon the petition of John Bate, shewing that Samuel Roberts had an action depending against him at the adjourned county court holden at New Haven in January last past, by writ dated the 30th day of November, A. D. 1749, in which court judgment was rendered against him, from which judgment he moved for an appeal to the superior court held in New Haven in February last, but by mere mistake bond for the prosecution of said appeal was not given; praying that he might have liberty to enter the same action in the superior court to be holden at New Haven in August next, and proceed to tryal as he might have done if the same appeal had been entered in the superior court in February last: Whereupon it is resolved by this Assembly, that the said John Bate have liberty to enter the said cause in the superior court to be holden at New Haven in August next, and that on his giv-

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\* Now Canton.

ing sufficient bond in said court to prosecute said appeal that he have liberty to have said cause tried by said court, and that thereon the same cause shall proceed to final tryal by review or otherwise, as it might have done if an appeal had been entered in the superior court in said February; and the whole cost shall follow the final tryal.

Upon the petition of William Burr, of the society of Stratfield in the county of Fairfield, executor of the last will and testament of the Rev<sup>d</sup> Mr. Samuel Cook late of said society, now deceased, against Richard Hubbel and John Wheeler, both of said society, and the rest of the inhabitants of said society, setting forth that the petitioner bro't his action against the said inhabitants of said society of £3000 0s. 0d., money, by his writ dated the 20th day of December, 1748, which action came to a final tryal before the superior court held in Fairfield on the last Tuesday save one of February last, in which tryal the jury gave in their verdict that the defendants were not guilty, and judgment was rendered accordingly, and costs taxed for the defendants; complaining that the jury missed the law in making their verdict aforesaid; praying that the said judgment may be set aside, and that he might have liberty of another tryal in said case, as per the petition on file appears: Resolved by this Assembly, that the said judgment be set aside, and the same is hereby set aside and made null and void, and the petitioner shall have liberty of another tryal in said case before the superior court to be held in Fairfield in and for the county of Fairfield on the last Tuesday save one of August next; and that the whole cost shall follow the final judgment.

Upon the memorial of Joseph Hooker, William Porter and William Wadsworth, selectmen of Farmington, shewing that one John Chevers, who had some time lived in said town, did, in the year 1747, abscond and run away with a certain lewd woman to some parts unknown to the memorialists, and that said Chevers did then leave Mary his wife, an aged, infirm woman, and had never taken any care of her; and that, to prevent her perishing, the selectmen of said Farmington with the advice of the civil authority apprized all the estate that the said John had left, and took the same with the said Mary into their care, and that said town had been and still was at great charge to maintain said Mary, who could do nothing to support herself; and that all the moveable estate left by the said Chevers was spent therein, and that said town now owed a large sum to the person that took the care of her; and the said selectmen further shewed, that there was eight acres of

land with a small house and barn thereon, being in said Farmington, that belonged to said Chevers; and thereupon praying for liberty to sell the same, and the money so raised to be improved to pay the debt now owing for the support of the said Mary, and for her future maintenance: Whereupon this Assembly do direct and empower Mr. Samuel Thomson, of said Farmington, to sell the said eight acres of land and the buildings thereon to the highest bidder; and the said selectmen are hereby ordered and directed to improve the money that shall be raised by the sale of the premises to pay the said debt now owing, and the remainder to be for the further support of said Mary; and the said selectmen shall keep upon record what sum the premises shall sell for, so that if the said Mary do not live to spend the same, if any proper claimer shall appear, that what is left (if any there be) may be restored to such person making out his right to the same.

Upon the memorial of Nathaniel Johnson, Leicester Grosvenor, and others, partly in the first society in Pomfret, and partly of the parish of Abington in said town, complaining of sundry things respecting the setting off and bounds and limits [21] of said parish, &c., and praying for a committee, &c.: || Resolved by this Assembly, that Luke Perkins, Esqr, of Groton, Jedadiah Chapman of Saybrook, Esqr, and Humphrey Avery, Esqr, of Preston, be and they are hereby appointed a committee to repair to said town of Pomfret, (first duly noticing all parties or persons concerned,) on some time to [be] by them appointed, and after having there sufficiently viewed the said town and parishes and heard said parties or persons on their evidence and arguments touching the matters in said memorial mentioned or referred to, and of what they find with their opinion thereon to make report to this Assembly in their sessions in New Haven in October next.

Additions to the Lists of Estate of the several Towns in this Government hereafter mentioned, sent in to this Assembly, are as follow, (viz:)

*Single Additions. Fourfold Assessments.*

	£	s.	d.	£	s.	d.
To Hartford,	336	13	1	249	2	0
To New Haven,	1226	4	0	933	4	0
To New London,	387	18	0	626	4	0
To Fairfield,	915	10	0	474	6	6
To Windham,	146	4	0	592	0	0
To Middletown,	1678	12	0	345	18	0
To Farmington,	402	19	0	295	4	0
To Voluntown,	378	5	0	48	8	0
To Ashford,	360	11	0			



	<i>Single Additions.</i>			<i>Fourfold Assessments.</i>			
	£	s.	d.	£	s.	d.	
To Greenwich,	1813	5	0	687	4	0	
To Milford,	357	6	8				
To New Milford,	290	11	0				
To Colchester,	1295	11	0				
To Danbury,	106	9	3				
To Pomfrett,	623	2	0	196	10	0	
To East Haddam,	614	10	0				
To Tolland,	82	15	0				
To Windsor,	544	16	0	1992	12	0	
To Waterbury,	620	13	6	513	8	0	
To Bolton,	108	18	0				
To Saybrook,	172	16	9				
To Lyme,	761	18	9	67	4	0	
To Hebron,	1183	5	0				
To Norwalk,	739	15	0	238	5	0	
To Killingworth,				285	10	0	Abatements. £62 11s.
To Wallingford,	869	15	6	403	2	0	
To Litchfield,	298	16	0				
To Woodstock,	1879	13	0				
To Woodbury,	1622	5	6				
To Stratford,	2438	9	6				
To Coventry,	124	4	6	160	0	0	
To Mansfield,	162	12	0				
To Killingly,	3386	11	0				
To Norwich,	715	7	6	798	8	0	
To Branford,	705	18	0				
To Canterbury,	2533	3	0	1204	16	0	
To Groton,	977	16	6	879	0	0	
To Stonington,	468	16	0	180	0	0	
To Preston,	232	0	0				
To Plainfield,	319	16	0	424	16	0	
To Weathersfield,	1265	11	0				
To Ridgfield,	25	2	0				
To Stanford,	147	18	3	1023	2	0	
To Lebanon,	934	4	0	3108	14	6	

The Sums Total of the Lists of the Polls and Rateable Estates of the Towns of Suffield and Endfield, taken August, 1749, and sent in to this Assembly and approved, are as follow, viz:

Suffield, £16725 10s. 0d. Endfield, £8892 3s. 0d.

[22] Upon the memorial of the Reverend Mr. Samuel Dorrance, shewing to this Assembly that he was settled in the gospel ministry in the town of Voluntown, and that the inhabitants of said town in their lawful meeting, June 3d, 1723, did covenant and agree to give him for his yearly salary

five pence on the pound on all their rateable estate till the same amounted to the sum of one hundred pounds a year, and that to be his salary during his ministry there ; and that a rate of five pence on the pound as aforesaid for several years last past would amount to more than one hundred pounds a year ; also shewing that the paper currency has greatly discounted since the said agreement was made, and that the said town have not, since the year 1748, granted to him, the memorialist, any salary ; and praying for relief in the premises : Resolved by this Assembly, that the inhabitants of said town of Voluntown shall pay unto the said Samuel Dorrance for his service in the ministry amongst them from December A. D. 1748 until December 1749, the sum of three hundred and fifty pounds in bills of credit of the old tenour, which shall be levied on the polls and rateable estate in said town on the list made in August, 1749, and John Gibson of said Voluntown is hereby appointed a collector to collect the same, with the same power as other collectors in this Colony by law have ; and said collector having collected said sum to pay the same to said Mr. Dorrance, taking his receipt for the same.

Upon the memorial of Lieut. Joseph Hart, Jonathan Miller and others, inhabitants living on the northern part of Farmington on or near the divisions of land called Nod Divisions, praying to be a distinct ecclesiastical society, &c. : Resolved by this Assembly, that the memorialists and all those living within the following bounds, *viz* : beginning at the river as far south as the south side of John Orton's farm, and from thence to run westerly in a straight line to a place called the Black Oak Stand, thence further westerly in a highway to the twenty rod highway by the reserved land, then turning northerly and running partly by said twenty rod highway and partly by the west end of the said Nod Divisions to Symsbury bounds, where is the northwest corner ; then beginning again at said river on the south side of the said John Orton's farm, and running easterly the course of said farm till it come to the twenty rod highway by other reserved land, then turning and running northerly, partly by said highway and partly by the east end of said Nod divisions, to Symsbury bounds, thence west by said Symsbury bounds to the aforesaid northwest corner of said Nod divisions,—shall be and they, and all others now or hereafter living within the aforesaid limits and bounds, are hereby made to be a distinct ecclesiastical society and parish, by the name of Northington Parish,\* with the same

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\* Now Avon.

powers and privileges as other ecclesiastical societies in this Colony do enjoy.

Upon the memorial of John Camp, shewing to this Assembly that he recovered a judgment against Samuel Weed, of Derby, at the county court held in New Haven on the first Tuesday of April, A. D. 1747, for the sum of two hundred and sixty-five pounds ten shillings money, and execution granted out for the same, and proceeded to have the same levied on some of said Weed's real estate, and all before the said Weed was convicted of counterfeiting bills of credit, &c. ; shewing he was defeated, &c., as by his memorial on file appears ; praying this Assembly to grant him the sum of two hundred and sixty-five pounds ten shillings old tenour out of the treasury of this Colony : Resolved by this Assembly, that he, the said John Camp, shall have the sum of two hundred sixty-five pounds ten shillings, in bills of credit on the Colonies of Rhode Island or New Hampshire, out of the publick treasury of this Colony, if there be so much of that currency, if otherwise, of the bills of credit of this Colony ; and that the Treasurer pay the same in discharge of said judgment.

Upon the memorial of James North, of Farmington, shewing to this Assembly that final judgment had been obtained against him by the Governor and Company of this Colony, before the superior court held at Hartford in March, 1748, for surrendry of about forty acres of land mortgaged by the memorialist for the sum of £252 10s. 0d. money ; that before said final judgment he had paid the greatest part of the principal sum and interest, but through misfortune and sickness had not been able to pay the whole ; praying for liberty of redemption, &c. : Resolved by this Assembly, that the said memorialist have liberty, and liberty is hereby granted to him, to redeem the said forty acres of land ; and upon his paying into the publick treasury of this Colony the whole of what is yet remaining of the principal sum and interest that hath or shall arise thereon, within twelve months after the rising of this Assembly, together with all cost arisen about said suit, the committee for releasing the mortgages to this government are directed to release back to the memorialist the said forty acres of land under the seal of this Colony, the said judgment notwithstanding.

On the memorial of the President and Fellows of Yale College in New Haven : Ordered by this Assembly, that the sum of one hundred sixteen pounds thirteen shillings and six pence, in bills of credit on this Colony of the new tenour, be allowed and paid out of the publick treasury to the said

president and fellows, for the last half of the current year, to be in lieu of what was granted them by this Assembly at their sessions in May, *Anno Dom.* 1745.

[23] Upon the memorial of Humphrey Avery, of Preston, shewing to this Assembly the great difficulty and distress himself and family are brought to, by his dwelling house and household goods, cloaths &c., being consumed by fire; praying for relief from this Assembly: Resolved by this Assembly, that the memorialist have out of the publick treasury of this Colony the sum of two thousand one hundred pounds in bills of credit of the old tenour on the Colony of Rhode Island or New Hampshire, for the space of two years interest free, provided he give bond with good and sufficient sureties to the acceptance of William Pitkin, Esq<sup>r</sup>, and Mr. Joseph Buckingham, of Hartford, for the repayment of the like sum in bills of credit of the old tenour on this Colony into said treasury at the expiration of said two years.

Upon the memorial of the inhabitants of the town of Union, praying for a tax on all the lands in the said town of Union for the space of four years, for the settlement and support of the ministry among them: And thereupon this Assembly do enact and order, that all the lands lying within the said township of Union as on record shall be taxed at twelve pence old tenour bills per acre yearly, and in each year for the space of four years, and that the collectors chosen by said town of Union to collect their town rate shall collect the said land tax as well of non-residents as inhabitants yearly and in each year, and deliver the same to Mr. Samuel Strong and Mr. Abner Sessions of said Union, who are hereby appointed a committee to receive the same and dispose thereof for the purposes aforesaid.

Upon the memorial of Jacob Baldwin, administrator on the estate of Nath<sup>l</sup>. Baldwin late of Milford, deceased, shewing to this Assembly that the debts due from the estate of the said deceased surmount the moveable estate the sum of £47 5s. 10d., praying that some person might be impowered to sell a small piece of land that did belong to the said Nathaniel Baldwin, deceased, lying in said Milford, containing about half an acre: Resolved by this Assembly, that Capt. Nathan Baldwin of said Milford be appointed, and is hereby impowered, to sell so much of said land as shall be sufficient to pay said debt and charges arising on the sale aforesaid, taking the directions of the court of probate in the district of New Haven therein.

Upon the memorial of John Dwight, of Killingly, shewing



to this Assembly that in the night after the 18th day of February last he had his house, together with his notes, bonds, book-debts and credits and receipts of money paid, all consumed by fire ; and praying this Assembly would appoint some suitable persons a committee to summon before them all persons that they, on the desire of said Dwight, shall think proper, and enquire into the matter of his said losses, and to report the matters of fact as they shall find them in the premises to the Assembly in time to come, in order to the Assembly's decreeing as may be proper thereon : Resolved by this Assembly, that Ebenezer Holbrook of Pomfrett, Joseph Cadey of Killingly, and Jabez Fitch of Canterbury, Esqrs, be a committee with full power, at the desire of said Dwight, to summon before them any and every person that they shall think proper, and enquire into the matters aforesaid by the oaths of the parties and otherways as they shall think proper, and thereon to report the matters of fact as they shall find the same, that the Assembly may proceed to do equity therein.

Upon the report of Colo. Elizur Goodrich, Messrs. Hez. May and Nathaniel Holbrook, shewing that, pursuant to the appointment of this Assembly, they have proceeded to view the circumstances of the first society in Norwich, and having first notified all parties and heard them in the premises they have fixed a place for the building a meeting-house in said society, *viz* : on the north side of the highway that leads to Lebanon, near the west end of the town-house, and before the meeting-house now standing in said society, where they fixed a stake for the center of the foreside of said meeting-house to be built, &c. : Resolved by this Assembly, that the place where the said stake is fixed as aforesaid shall be and the same is hereby fixed and ascertained to be the place for the building said meeting-house on ; and the inhabitants of said society are hereby directed to proceed and build said meeting-house thereon according.

Upon the memorial of James Nickols, of Waterbury, shewing that he was defeated of redeeming a piece of mortgaged land to the Governor and Company of this Colony, as per his memorial on file, praying liberty to redeem the same : Resolved by this Assembly, that the said James Nickols on his paying into the treasury the principal sum borrowed, contained in the mortgage referred to in said memorial, with the interest thereof to the time of payment and all the cost arising thereon with the additional sum of ten pounds old tenour, within thirty days next after the rising of this Assembly, shall and

may have a deed of release of said mortgaged premises in due form accordingly.

Upon the memorial of Azariah Canfield, Gideon Noble and Daniel Bostwick and others, inhabitants of New Milford, praying that their bridge across the great river in said New Milford should be a toll bridge, and that the fare thereof be stated by this Assembly, as by the memorial on file appears : [24] It is granted, enacted and ordered, that the said bridge be, and the same is hereby ordered to be, a toll bridge : and that the fare thereof for all that pass the same (saving those that have a list in said town) be two pence farthing for each man, horse and load ; one penny for each single person ; three pence for each team, cart and load ; and one penny per head for each horse and neat kine led or driven over said bridge ; and an half penny for each sheep or swine driven over the same ; all said fares to be reckoned in proclamation money or in publick bills of credit equivalent thereto ; and that the said toll remain for the space of five years from the rising of this Assembly, and no longer.

Upon the memorial of the inhabitants of the town of Torrington, praying for a tax on the lands in the said town for the support of the gospel ministry there : This Assembly do grant a tax or rate of six pence in old tenour bills upon the acre on all the lands contained in the first and second divisions in said town of Torrington for three years next coming, to be collected by the collectors chosen in said town in each year, and by said collectors to be paid unto the selectmen of the said town of Torrington for the time being, by them to be improved for the support of the gospel ministry amongst them.

Upon the memorial of Simeon June, of Stanford, administrator on the estate of Peter June late of Stanford, deceased, shewing to this Assembly that the debts due from the estate of the said deceased surmount the personal estate of the said deceased the sum of £56 5s. 11½*d.* money old tenour, and praying for liberty to sell lands of the said deceased sufficient to enable said administrator to pay said debts : Resolved by this Assembly, that said administrator hath hereby liberty to sell so much of the real estate of the said deceased, under the direction of the court of probate in the district of Stanford, as to enable said administrator to pay said debts with the necessary charges arising on the sale of said lands.

Upon the report of Jonathan Trumble and John Bulkley, Esqrs, and Capt. Nathl. Foot, who were a committee appointed by this Assembly at their sessions in October last, to fix the place for building a meeting-house in the third parish in

Midletown : It is ordered by this Assembly, that said parish erect their meeting-house for the worship of God so as to enclose a stake with stones about it within the sills of said house, which stake was set up by said committee and stands a little distance to the westward of a certain stake fixed by two former committees, as is on land sequestered for the use of the Indians : but in case the land where the said stake is set cannot be purchased of the Indians by liberty of the town of Midletown, that then the said meeting-house be built in the highway southward from said stake and in direct opposition thereto, so as to encompass another stake set up by said committee in said highway.

Upon the memorial of John Bulkley, Charles Bulkley, Elisha Sheldon and Richard Mather, praying this Assembly to grant them the use of four carriage and six swivel guns that belong to the government and were lately used in the country sloop Defence, and some small quantity of shot suitable for said guns, to be improved by them in a voyage to the coast of Guinea, or to Jamaica and the Bay of Honduras, as they may think best : Resolved by this Assembly, that the memorialists have liberty to take, for the purpose aforesaid, four carriage and six of the swivel guns aforesaid and a suitable quantity of shot, they giving bond to the Governor and Company of this Colony, to the acceptance of Gurdon Saltonstall and Jeremiah Miller, Esq<sup>rs</sup>, to return the said guns and shot again in good condition within one year after the rising of this Assembly, or in case of loss to pay the value thereof in money.

Upon the memorial of Elizabeth Hall, guardian to Giles Hall, an impotent minor, son of Jacob Hall late of Wallingford, deceased, shewing her inability to support said Giles, praying that some person may be appointed to make sale of said impotent minor's real estate for that purpose : Resolved by this Assembly, that Mr. Peter Hall of said Wallingford be, and hereby is, appointed and authorized to make sale of said impotent Giles's estate aforementioned to the best advantage of said minor, to be improved for the use and support of said Giles accordingly.

Upon the memorial of Mehitabel Strong and Eliakim Strong, of Durham in the county of New Haven, administrators upon the estate of Eliakim Strong late of said Durham, deceased, shewing that the moveable estate left by the said deceased falls short of being sufficient to answer the debts due from the said Eliakim Strong the sum of £140 10s. 7d. : This Assembly do empower and direct the said administrators,

(taking the advice of the court of probate in the district of Guilford,) to sell so much of the lands that belonged to the said deceased as will raise the said sum of £140 10s. 7*d.* with the incident charges arising thereon, and with that sum pay the debts aforesaid.

[25] Upon the memorial of William Andruss and Mary his wife, administrators on the estate of Moses Yale late of Wallingford, deceased, shewing this Assembly the debts due from the estate of said deceased, over and above what this Assembly in May last granted liberty to sell land to make payment of the sum of £122 10s. 0*d.* money old tenour, and praying liberty to sell lands &c.: Resolved by this Assembly, that the memorialists have liberty hereby to make sale of so much of the lands of the said deceased, under the direction of the court of probate in New Haven, as to enable said administrators to pay the aforesaid debts with the incident charges arising on the sale of said land.

Upon information made to this Assembly, that the tribe of the Moheage Indians had chosen Ben Uncass (the son of their late sachem) to be their Sachem, and the said sachem chosen as aforesaid appearing before this Assembly, desiring the countenance and protection of this his Majesty's government: Whereupon this Assembly do declare, they shall regard the said Ben Uncass as Sachem of the said tribe, and do advise him to govern the said Indians with prudence and according to those articles agreed on by the said sachem and the said tribe.

Upon the memorial of Martha Marsh, of Killingly in the county of Windham, administratrix on the estate of Mr. Samuel Marsh late of said Killingly, deceased, shewing to this Assembly that the debts due from said deceased surmounts the personal estate the sum of £114 2s. 0*d.* and praying that so much of the real estate of said deceased may be sold as to enable her to pay the said sum of £114 2s. 0*d.* with the charges arising thereon: This Assembly do order and appoint Mr. James Coats of said Killingly, to sell so much of said deceased's real estate as shall amount to the sum of £114 2s. 0*d.* old tenour with the necessary charges thereon, taking the advice of the judge of probate for the district of Plainfield therein.

Upon the memorial of Mary Kilborn, administratrix on the estate of Samuel Kilborn late of Litchfield, deceased, shewing this Assembly that the debts due from the estate of the said deceased surmount the moveable estate of said deceased the sum of £193 0s. 0*d.* money, and praying for



liberty to sell lands of said deceased to pay said debts, &c. : Resolved by this Assembly, that said administratrix be and is hereby empowered to sell so much of the lands of the said deceased as to enable her to pay the aforesaid debts with the incident charges arising on the sale of said lands ; taking the direction of the court of probate in the district of Litchfield therein.

On the memorial of Mathew Seamore and Nathan St. John, administrators on the estate of Nathan St. John late of Ridgefield, deceased, praying for liberty to sell some of the lands of said deceased for the payment of debts amounting to the sum of £1110 17s. 9d. : This Assembly do empower the said administrators to sell so much of the lands of said deceased as shall procure the sum of £1110 17s. 9d. old tenour as aforesaid with the additional charges, taking the direction of the court of probate in the district of Danbury therein.

On the memorial of Joseph Howd, administrator on the estate of John Howd late of Brandford, deceased, shewing to this Assembly that the debts due from said estate surmount the personal estate the sum of £133 10s. 6d., praying that he may be empowered to sell so much of the lands of said deceased as to procure the aforesaid sum : This Assembly do hereby empower said administrator to sell so much of the lands of said deceased as to procure the aforesaid sum of £133 10s. 6d. old tenour with the additional costs ; taking the direction of the judge of probate in the district of Guilford therein.

Upon the memorial of Mary Deming, administratrix on the estate of Nath<sup>l</sup>. Deming late of Weathersfield, deceased, shewing to this Assembly that the debts due from said estate surmount the moveables the sum of £231 18s. 6d., praying that some suitable person may be appointed to sell so much of the real estate of the said deceased as will pay the sum aforesaid with incident charges arising on said sale : Resolved by this Assembly, that Capt. Jonathan Belden of Weathersfield be, and he is hereby, empowered to make sale of so much of the real estate of the said deceased as will be sufficient to pay the aforesaid sum of £231 18s. 6d. with the incident charges arising thereon ; taking the direction of the court of probates in the district of Hartford therein.

On the memorial of the inhabitants of Judea parish, in Fairfield county, praying for a tax on all the lands lying in said parish for the space of four years, and the money so raised to be improved for building and finishing a meeting-house in said parish, in lieu of the tax granted by this

Assembly in May last for that purpose: Resolved by this Assembly, that there be and hereby is granted a tax on all the [26] lands lying in said parish of || Judea, at the rate of three pounds old tenour on every hundred acres, and for greater or lesser quantities according to the rate aforesaid, the quantity whereof to be estimated according to the original surveys thereof, to be levyed as aforesaid annually for the space of four years, in lieu of the tax granted by this Assembly in May last, as aforementioned; the first tax to be levyed and paid on or before the last day of October next, and so annually for and during the space of four years. And the collector annually chosen by said parish to collect their society rate is hereby authorized and appointed to collect the tax granted as aforesaid, and annually to pay the same to the committee of said society, to be by them improved for building and finishing a meeting-house in said society.

Upon the memorial of John Finch, administrator on the estate of John Finch late of Stanford, deceased, shewing to this Assembly that after an order of this Assembly to sell lands of said deceased for payment of debts then found to be due from said estate over and above the personal estate of the said deceased, there hath since appeared more debts due from said estate amounting to the sum of £64 1s. 10*d.* old tenour, which were exhibited and allowed in the court of probate for the district of Stanford held on the 24th of April last, as may appear by certificate under the hand of the clerk of said probate; praying for liberty to sell so much more of the real estate of the said deceased as may be sufficient to answer the said sum of £64 1s. 10*d.* old tenour with the necessary charges arising on the same, taking the advice of the court of probate in the district of Stanford therein: This Assembly grants liberty to the memorialist to sell so much of the land of the said deceas'd as to pay the sum of £64 1s. 10*d.* old tenour with the necessary charges that shall arise on the sale of said land, taking the advice of the court of probate in the district of Stanford therein.

Upon the memorial of Robert Moore, of Union, and others, shewing that one Alexander McNall of said Union had executed a certain deed to William McNall, father to sundry of the memorialists, and had died without acknowledging the same, and thereon praying relief, &c.: Resolved by this Assembly, that the said deed by said Alexander McNall executed to his said father, dated January 18th, 174 $\frac{4}{5}$ , of and for the eastern half of the farm on which the said William McNall then dwelt on in said Union, shall to all intents and purposes

in any tryal hereafter ever to be had touching said land therein mentioned, be accounted and deemed as good and legal evidence and so admitted and accepted to and by any court or jury, for the defending, recovering or sure holding said eastern part of said farm to the heirs of the said William McNall and their assigns, as thô the same had been in due form of law acknowledged by the said Alexander in his life time.

Upon the memorial of Benjamin Peck, of Lyme, administrator on the estate of William Peck, an infant son of William Peck late of Lyme, deceased, shewing to this Assembly that sundry payments of charge arising in the sickness of said deceased, funeral charge, court fees, &c., amounts to the sum of £38 3s. 0*d.* old tenour bills; that the whole inventoried estate of said deceased amounts to the sum of £800 0s. 0*d.* old tenour, being all real estate; praying this Assembly to empower some person to sell so much of the land of said deceased as shall amount to the sum of £38 3s. 0*d.* with the incident charges arising thereon: Resolved by this Assembly, that Benjamin Peck be empowered to sell so much of the lands of the said William Peck, deceased, son to William Peck formerly of Lyme, deceased, as shall amount to the sum of £38 3s. 0*d.* old tenour with the incident charges arising thereon, where it will be least prejudicial to the heirs of said estate; taking the direction of the court of probate in the district of New London therein.

Upon the memorial of Elizabeth Palmer, executrix of the last will of Ichabod Palmer the 2*d.*, late of Stonington, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate the sum of £1567 13s. 0*d.*, praying to this Assembly that some proper person may be empowered to sell so much of the lands of said deceased as to pay said sum: Resolved by this Assembly, that Thomas Noyes jun<sup>r</sup>, of said Stonington, be empowered and he is hereby empowered to sell so much of the lands of the said Ichabod Palmer as to pay the sum of £1567 13s. 0*d.* in bills of credit old tenour and the incident charges arising on the sale thereof; taking the advice of the court of probate in the district of New London therein.

Upon the memorial of Preserved Randal, administratrix on the estate of Jonathan Randal late of Groton, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate the sum of £241 17s. 6*d.*, praying for liberty to sell so much of the lands of said deceas'd as will pay said sum with the charges arising thereon: Resolved by this Assembly, that the memorialist, with Henry Pelton of

said Groton, shall have liberty and they are hereby impowered to sell so much of the lands of the said Jonathan Randal, deceased, as will pay the sum of £241 17s. 6d. with the necessary charges arising thereon; taking the advice of the court of probate in the district of New London.

Upon the memorial of Sarah Clark, administratrix on the estate of Noah Clark late of Colchester, deceased, shewing to this Assembly that the debts due from said estate surmount [27] the moveables the sum of £616 3s. 5d. of the old tenour, and praying that some meet person might be appointed to sell so much of the real estate of the deceased as shall amount to the sum of £616 3s. 5d. with the necessary charges arising thereon: Resolved by this Assembly, that Nathaniel Foot, Esq<sup>r</sup>, be impowered and is hereby impowered to sell so much of the real estate of the deceased as shall satisfie the sum of £616 3s. 5d. with the necessary charges arising thereon; taking the direction of the court of probate for the district of East Haddam therein.

On the petition of Jedadiah Andrews, of New Haven, *vs.* Hannah Sandford, of New Haven, on file: The question was put, whether the prayer thereof should be granted: Resolved by this Assembly in the negative. *Cost allowed respondent* £40 8s. 0d. *Ex. granted May 18th, 1750.*

On the petition of Stephen Tilden, of Lebanon in the county of Windham, *vs.* Samuel Dewey of said Lebanon, by continuance from this Court in October last, as on file: The question was put, whether the pleas offered in abatement of said petition are sufficient: Resolved by this Assembly in the affirmative. *Cost allowed respondent* £15 10s. 4d. *Ex. granted August 14th, 1750.*

On the petition of Benjamin Gale, of Killingworth, *vs.* Jacob Franks, of the City and Province of New York, as on file: The question was put, whether the prayer of the petitioner should be granted: Resolved by this Assembly in the negative.

On the petition of Reuben Royse, Jonathan Hall jun<sup>r</sup>, Isaac Hall, Benjamin Yale and Amos Camp, all of Wallingford, *vs.* Joseph Bate jun<sup>r</sup>, and Jeremiah Brainerd, both of East Haddam, by continuance from this Court in October last, as on file: The question was put, whether the prayer of said petitioner should be granted: Resolved by this Assembly in the negative. *Cost allow'd respondent, £31 15s. 0d.*

On the petition of Joseph Barnerd, of Hartford, *vs.* Joseph Moore, of Windsor, by continuance from this Court in October last, as on file: The question was put, whether anything should



be granted on the prayer of said petition: Resolved by this Assembly in the negative.

On the petition of Charles Dewey, of Hebron, *vs.* Jabez Huntington, Esq<sup>r</sup>, of Windham, sheriff of the county of Windham: The question was put, whether the prayer of the petitioner should be granted: Resolved by this Assembly in the negative.

On the petition of William Watkins, Thomas Tiffany, Isaac Randal and John Holmes, (and others subscribing to said petition,) all of Ashford, *vs.* James Bicknal, Esq<sup>r</sup>, one of the selectmen of the town of Ashford, and the rest of the inhabitants of the town of Ashford, as on file: The question was put, whether any thing should be granted on the prayer of said petition: Resolved by this Assembly in the negative. *Cost allowed respondents, £7 18s. 8d.*

This Assembly grants to the Honourable Jonathan Law, Esq<sup>r</sup>, Governor, for his first half year's salary, the sum of one hundred and thirty pounds in new tenour bills of credit, and the sum of ten pounds new tenour for his extraordinary service.

This Assembly grants to the Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, Deputy Governor, for his first half year's salary, the sum of sixty-five pounds in new tenour bills of credit, and five pounds in new tenour bills for his extraordinary service.

This Assembly grants to Nathaniel Stanly, Esq<sup>r</sup>, Treasurer of this Colony, the sum of two hundred and fifty pounds in bills of credit of this Colony of the old tenour, or equivalent in new tenour bills of credit, for his salary the year past.

This Assembly grants to George Wyllys, Esq<sup>r</sup>, Secretary of the Colony, the sum of ten pounds in bills of credit of this Colony of the new tenour, for his salary the year past.

This Assembly grants unto Mr. Timothy Green, printer, for his last half year's salary, the sum of seventeen pounds ten shillings new tenour bills of credit.

This Assembly do appoint William Pitkin, Esq<sup>r</sup>, John Chester, Esq<sup>r</sup>, Colo. Thomas Welles, Colo. Joseph Pitkin, Mr. Joseph Buckingham, Major Henry Allyn, a committee to attend his Honour the Deputy Governor, to hear the records of the acts and doings of this Assembly read off, and see them signed by the Secretary as perfect and compleat.

The foregoing Record of the Acts and Doings of this Assembly, being read off in the presence of the major part of the committee abovenamed, was signed

GEORGE WYLLYS, Secret'y.

[28] *Anno Regni Regis Georgii secundi vigesimo-quarto.*

AT A GENERAL ASSEMBLY HOLDEN AT NEW HAVEN IN HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, ON THE SECOND THURSDAY OF OCTOBER, (BEING THE 11TH DAY OF SAID MONTH,) AND CONTINUED BY SEVERAL ADJOURNMENTS UNTIL THE FIRST DAY OF NOVEMBER NEXT FOLLOWING, ANNOQUE DOMINI 1750.

*Present :*

The Honourable Jonathan Law, Esqr, Governor.

The Hon<sup>ble</sup> Roger Wolcott, Esqr, Deputy Governor.

Samuel Lynde,	Jonathan Trumble,	} Esqrs, <i>Assistants</i> .
William Pitkin,	John Bulkley,	
Thomas Fitch,	Andrew Burr,	
Roger Newton,	John Chester,	
Ebenezer Silliman,	Gurdon Saltonstall,	

*Representatives or Deputies that attended at this Assembly are as follow, (viz:)*

Colo. Joseph Pitkin, Mr. Thomas Seymour, for Hartford.

Capt. Stephen Lee, Mr. William Manwaring, for New London.

Mr. Jonathan Huntington, Colo. Jabez Huntington, for Windham.

Major Phinehas Lyman, Capt. Samuel Kent, for Suffield.

Colo. Jonathan Hoit. Mr. Abraham Davenport, for Stanford.

Capt. William Williams, Capt. Ebenezer Avery, for Groton.

Mr. Ambrose Whittelsey, Capt. John Murdock, for Saybrook.

Mr. Caleb Baldwin, Capt. Ephraim Peck, for Newtown.

Capt. Ephraim Terry, Capt. Elijah Williams, for Endfield.

Colo. Thomas Wells, Capt. Jonathan Hale, for Glassenbury.

Mr. Bushnel Bostwick, Mr. Thomas Noble, for New Milford.

Mr. Zebulon West, Mr. John Lothrop, for Tolland.

Colo. Elizur Goodrich, Capt. Jonathan Belden, for Weathersfield.

Capt. John Hubbard, Capt. Isaac Dickerman, for New Haven.

Mr. David Rowland, Capt. John Read, for Fairfield.

Mr. Ebenezer Hartshorn, Capt. William Whiting, for Norwich.

Mr. Ebenezer West, Major Joseph Fowler, for Lebanon.

Mr. Henry Bowen, Colo. Thomas Chandler, for Woodstock.

Capt. John Fowler, Mr. Robert Treat, for Milford.

Mr. Robert Knowlton, Capt. William Watkins, for Ashford.

Capt. William Buel, Capt. Joseph Phelps, for Hebron.

Mr. Joseph Strong, Mr. Phinehas Strong, for Coventry.

Mr. Andrew Robey, Capt. Nath<sup>l</sup>. Holcomb, for Symsbury.

Mr. Stephen Cone, Mr. Joel White, for Bolton.

Mr. John Lumm, Capt. Abel Gun, for Derby.

Mr. Josiah Rogers, Capt. William Hoadly, for Branford.

[29] Mr. James Benedict, Capt. Richard Olmstead, for Ridgfield.

Capt. Samuel Addams, Capt. Theophilus Nickols, for Stratford.

Mr. John Hooker, Mr. Nathaniel Newell, for Farmington.

Capt. Joseph Denison, Mr. Samuel Prentiss, for Stonington.

Colo. John Dyer, Mr. Solomon Tracey, for Canterbury.

Mr. Jonathan Dean, Mr. Ezekiel Pierce, for Plainfield.

Mr. Thomas Benedict, Mr. Benjamin Sperry, for Danbury.

Mr. Samuel Minor, Mr. Benjamin Hiccox, for Woodberry.

Capt. Jonathan Lane, Capt. Nathan Kelsey, for Killingworth.

Major Daniel Ely, Mr. Joseph Mather, for Lyme.

Colo. Samuel Hill, Major Timothy Stone, for Guilford.

Major Jabez Hamlin, Capt. Joseph Southmaid, for Middletown.

Capt. William Wittar, Capt. Ebenezer Leonard, for Preston.

Mr. Joseph Spencer, for East Haddam.

Mr. Hezekiah Brainerd, for Haddam.

Major Ebenezer Marsh, Capt. Joseph Sandford, for Litchfield.

Capt. Charles Bulkley, Mr. John Chamberlain, for Colchester.

Capt. Robert Dixson, Mr. John Smith, for Voluntown.

Mr. Peter Aspinwell, Capt. William Williams, for Mansfield.

Mr. Daniel Bissell, Mr. William Wolcott, for Windsor.

Mr. Jacob Dresser, Mr. Boaz Stearns, for Killingly.

Colo. Benjamin Hall, Capt. Josiah Robinson, for Wallingford.

Major Elihu Chauncey, Mr. James Wadsworth jr, for Durham.

Mr. Samuel Fitch, Mr. Joseph Platt, for Norwalk.

Mr. Stephen Hopkins, Mr. Timothy Judd, for Waterbury.

Mr. Ebenezer Holbrook, Mr. Samuel Nightingale, for Pomfret.

Capt. John Mead, Mr. Gershom Lockwood, for Greenwich.

Colo. Thomas Welles, Speaker, } of the House of Repre-

Mr. Abraham Davenport, Clerk, } sentatives.

Whereas the Great and General Court or Assembly of the Province of the Massachusetts Bay, held at Boston upon the 23d day of November, 1749, appointed Commissioners to treat with such gentlemen as were or might be appointed by this government, relating to the claims of the towns of Woodstock, Suffield, Endfield and Summers, to be under the jurisdiction of this government: And whereas this Court is desirous that all suitable measures may be taken for accommodating and settling the matters of difference between the two governments respecting the divisional line, on account of which the said towns make their aforesaid claim: It is now resolved by this Assembly, that Commissioners be appointed on the part and behalf of this government, to treat with such commissioners as have been appointed, or may be appointed,

on the behalf of the said Province, relating to the aforesaid claim of the said towns and the matters of difference respecting the divisional line between the two governments, and to make report to this Assembly of their doings and proceedings therein.

And Jonathan Trumble, John Bulkley, Roger Wolcott jun<sup>r</sup>, and Joseph Fowler, Esq<sup>rs</sup>, or any three of them, are hereby appointed Commissioners for the purpose aforesaid; and his Honour the Governor is desired to commission them accordingly, and inform the government of the Massachusetts hereof, and confer with them about time and place of meeting on the business aforesaid.

This Assembly do establish and confirm Mr. James Peck jun<sup>r</sup>, to be Captain of the first company or trainband in the town of New Haven, and order that he be commissioned accordingly.

[30] This Assembly do establish and confirm Mr. David Austin to be Lieutenant of the first company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Abraham Thompson to be Ensign of the first company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Eleazer Fitch to be Lieutenant of the first company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Eleazer Cary jun<sup>r</sup>, to be Ensign of the first company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Handford to be Captain of the company or trainband at the parish of Canaan, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. James Hait to be Lieutenant of the company or trainband at the parish of Canaan, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Caleb Benedict to be Ensign of the company or trainband at the parish of Canaan, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Japhet Benham to be Captain of the 4th company or trainband in the town of New Haven, and order that he be commissioned accordingly.



This Assembly do establish and confirm Mr. Deliverance Painter to be Ensign of the 4th company or trainband in the town of New Haven, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Hide to be Lieutenant of the company or trainband at the parish of Ripton in the town of Stratford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elihu Ketchum to be Captain of the south company or trainband at the town of Sharon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Hunt to be Lieutenant of the south company or trainband in the town of Sharon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Crippen to be Ensign of the south company or trainband in the town of Sharon, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Edward Massey to be Captain of the 12th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Parry to be Lieutenant of the 12th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Sumner to be Ensign of the 12th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Beckley to be Lieutenant of the 18th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Beckley to be Ensign of the 18th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Frizzel to be Captain of the first company or trainband in the town of Woodstock, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Andrew Durkee to be Lieutenant of the first company or trainband in the town of Woodstock, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Carpenter to be Ensign of the first company or trainband in the town of Woodstock, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jabez Lyon to be Captain of the 3d company or trainband in the town of Woodstock, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nehemiah May to be Lieutenant of the 3d company or trainband in the town of Woodstock, and order that he be commissioned accordingly.

[31] This Assembly do establish and confirm Mr. Ephraim Child junr, to be Ensign of the 3d company or trainband in the town of Woodstock, and order that he be commissioned accordingly.

On the memorial of the President and Fellows of Yale College in New Haven: Ordered by this Assembly, that the sum of one hundred sixteen pounds thirteen shillings and sixpence in bills of credit on this Colony of the new tenour be allowed and paid out of the publick treasury to the said president and fellows, for the first half of the current year, to be in lieu of what was granted them by this Assembly at their sessions in May, *anno Dom.* 1745.

Whereas divers acts have been made and passed by the Parliament of Great Britain, which concern the plantations, and this Colony in particular, printed copies of which have from the Secretaries of State or Board of Trade been transmitted to the Governor and Company of this Colony with orders to cause the same to be duly published herein, to the end his Majesty's subjects in this Colony may be acquainted with and conform themselves to the said acts so far as they concern this Colony; which acts having been laid before this Assembly from time to time by the Governor, the same have been by order of this Assembly published according to the orders therewith sent: And whereas his Honour the Governor hath laid before this Assembly several acts of Parliament, lately transmitted as aforesaid, and as the said acts do in many things concern his Majesty's subjects here, with which it may be necessary they be well acquainted:

*Therefore, it is resolved,* That all such acts of Parliament as have been transmitted as aforesaid, which have heretofore been published, and all such as have been more lately transmitted as aforesaid, shall be reprinted by the printer to the Governor and Company of this Colony, and stitched together, and be distributed into the several parts of this Colony, at least one to every town therein, to be lodged in the hands of the town clerk for the use of the inhabitants as there may be

occasion. And his Honour the Governor is desired to collect together all those acts of Parliament transmitted as aforesaid, and send them to the printer with orders according to this resolve.\*

The Gentlemen nominated by the Votes of the Freemen sent in to this Assembly, to stand for election in May next, are as follow, viz:

The Hon<sup>ble</sup> Jonathan Law, Esq<sup>r</sup>.

The Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>.

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\* They were printed by Timothy Green at New London, 1751, in seventeen sheets folio, thirty-four leaves. There is no proper title-page to the whole book, but there are seven titles dividing the acts of different sessions, the first of which is as follows:

Anno Regni | Annæ | Regina | Magnæ Britanniae, Franciæ, & Hiberniæ, | sexto. | At the Parliament begun and holden at Westminster, | Anno Dom. 1706, in the sixth year of the Reign | of our Sovereign Lady Anne, by the Grace | of God, of Great Britain, France and Ireland, | Queen, Defender of the Faith, &c. | [cut of the royal arms.] | London, | Printed by John Basket, Printer to the Queens most Excellent Majesty, | 1706. | New-London, | Re-printed by Timothy Green, Printer to the Governour and Company | of His Majesty's English Colony of Connecticut in New England, | 1751.

The acts contained in the book are:

An Act for ascertaining the Rates of Foreign Coins in Her Majesty's Plantations in America. [6 Annæ, cap. XXX.]

Instructions to the Governor etc. by the Lords Justices, 1740. [Printed in the note at p. 352, vol. VIII.]

An Act giving further Encouragement for the Importation of Naval Stores; and for other Purposes therein mentioned. [8 Geo. cap. XII.]

An Act for better Regulation of His Majesty's Woods in America; and for the Encouragement of the Importation of Masts, Yards, and Bowsprits, from that Part of Great Britain called Scotland. [2 Geo. II. cap. XXXV. Only parts of sections 1 and 2 reprinted.]

An Act for the more Easie Recovery of Debts in His Majesty's Plantations, and Colonies in America. [5 Geo. II. cap. VII.] Printed *ante*, vol. VII., pp. 441-3.

An Act for the more effectual Securing, and Encouraging the Trade of His Majesty's British Subjects to America; and for the Encouragement of Seamen to Enter into His Majesty's Service. [13 Geo. II. cap. IV.]

An Act for encouraging the People known by the Name of Unitas Fratrum, or United Brethren, to settle in his Majesty's Colonies in America. [22 Geo. II. cap. XXX.]

An Act for the further Encouragement and Enlargement of the Whale Fishery, and for continuing such Laws as are therein mentioned relating thereto; and for the Naturalization of such Foreign Protestants, as shall serve for the Time therein mentioned, on Board such Ships as shall be fitted out for the said Fishery. [22 Geo. II. cap. XLV.]

An Act for encouraging the Growth and Culture of Raw Silk in His Majesty's Colonies or Plantations in America. [23 Geo. II. cap. XX.]

An Act to encourage the Importation of Pig and Bar Iron from His Majesty's Colonies in America; and to prevent the Erection of any Mill or other Engine for Slitting or Rolling of Iron; or any Plateing Forge to work with a Tilt Hammer; or any Furnace for making Steel in any of the said Colonies. [23 Geo. II. cap. XXIX.]

An Act for extending and improving the Trade to Africa. [23 Geo. II. cap. XXXI.]

I am indebted to the kindness of Mr. George Brinley for the use of a copy belonging to the library of his late father. Green's bill for the printing is in *Civil Officers* &c. III. 280.

James Wadsworth, Esq <sup>r</sup> .	Andrew Burr, Esq <sup>r</sup> .
Samuel Lynde, Esq <sup>r</sup> .	John Chester, Esq <sup>r</sup> .
William Pitkin, Esq <sup>r</sup> .	Gurdon Saltonstall, Esq <sup>r</sup> .
Thomas Fitch, Esq <sup>r</sup> .	Colo. Joseph Pitkin.
Roger Newton, Esq <sup>r</sup> .	Colo. Thomas Wells.
Ebenezer Silliman, Esq <sup>r</sup> .	Capt. Roger Wolcott.
Jonathan Trumble, Esq <sup>r</sup> .	Colo. Benjamin Hall.
Hez <sup>b</sup> . Huntington, Esq <sup>r</sup> .	Colo. Elisha Williams.
John Bulkley, Esq <sup>r</sup> .	Mr. John Griswould.

This Assembly do establish and confirm Mr. John Warner to be Captain of the 9th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Curtiss to be Lieutenant of the 9th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Percival to be Ensign of the north company or trainband in the first society in East Haddam, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Gates 2d, to be Captain of the north company or trainband in the first society in East Haddam, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Stiles Curtiss to be Captain of the second company or trainband in the town of Stratford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Israel Curtiss to be Lieutenant of the second company or trainband in the town of Stratford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Whiting to be Ensign of the second company or trainband in the town of Stratford, and order that he be commissioned accordingly.

[32] Whereas the divisional line between the Province of the Massachusetts Bay and this Colony remains unsettled, notwithstanding the propositions and endeavours used by this government for that purpose; and although this Assembly is disposed to make a just and amicable settlement relating thereto, and for that end have heretofore, and again at this Assembly, appointed Commissioners to meet with Commissioners from the said Province, to treat upon that subject in order to an agreement: yet, to prevent a surprize from any



method that shall be pursued by that government in their application to the Court of Great Britain, and to forward a speedy obtaining a settlement by commissioners appointed by his Majesty, in case the aforesaid amicable method should fail: Therefore, it is resolved, that the state of the case and preparation of evidence relating thereto be forthwith made and sent forward to our Agent, agreeable to the act of Assembly in May, 1749, and the Hon<sup>ble</sup> Roger Wolcott, Esqr, be desired, and Major Phinehas Lyman be appointed, and they are hereby desired and appointed, to joyn with and assist his Honour the Governor and Thomas Fitch, Esqr, the committee appointed in May last, in stating the said case and preparing the evidence relating thereto. And, forasmuch as this Assembly have appointed Commissioners to treat with Commissioners from that Province: Therefore, his Honour the Governor is hereby desired with all convenient speed to forward the state of the case, and the evidences relating thereto, and direct the Agent of this Colony that, unless the Agent from the Province shall push forward any thing on their parts, he is desired not to put forward anything in the case until it be known whether the Province shall appoint Commissioners to treat upon said subject, and whether anything be done thereon, and be further advised upon it.

This Assembly do establish and confirm Mr. Isaac Foot to be Lieutenant of the 3d company or trainband in the town of Branford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathan Hawley to be Lieutenant of the company or trainband at the parish of North Stratford in the town of Stratford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Porter to be Ensign of the company or trainband at the parish of North Stratford in the town of Stratford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Moses Baldwin to be Lieutenant of the 13th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Andrew Warner to be Ensign of the 13th company or trainband in the 7th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Hobart Burdick to be Captain of the 6th company or trainband in the

town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Palmer to be Ensign of the 6th company or trainband in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Denison to be Captain of the 5th company or trainband in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Phinehas Stanton to be Lieutenant of the 5th company or trainband in the town of Stonington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elisha Warner to be Lieutenant of the second company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Stetson to be Ensign of the second company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Massey to be Captain of the 2d company or trainband in the town of Woodstock, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Bugbee to be Lieutenant of the 2d company or trainband in the town of Woodstock, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Johnson to be Ensign of the 2d company or trainband in the town of Woodstock, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Chatfield to be Lieutenant of the 2d company or trainband in the town of Derby, and order that he be commissioned accordingly.

[33] This Assembly do establish and confirm Mr. Joseph Daviss to be Ensign of the 2d company or trainband in the town of Derby, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Wells to be Captain of the 5th company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Hills to be Lieutenant of the 5th company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Timothy Wil-

liams to be Ensign of the 5th company or trainband in the town of Hartford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Gershom Bulkley to be Lieutenant of the north company or trainband in the town of Colchester, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Elisha Pratt to be Ensign of the north company or trainband in the town of Colchester, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Dwight to be Captain of the 7th company or trainband in the 11th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Ely to be Lieutenant of the 3d company or trainband in the town of Lyme, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Richard Hays to be Ensign of the 3d company or trainband in the town of Lyme, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ezra Smith to be Ensign of the 2d company or trainband in the town of Stamford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Nathaniel Beckwith to be Ensign of the 2d company or trainband in the town of Lyme, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Rudd to be Lieutenant of the 2d company or trainband in the town of Windham, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Thomas Robinson to be Ensign of the 2d company or trainband in the town of Windham, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Humphrey to be Captain of the most southerly company or trainband in the town of Symsbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Francis Fenton to be Captain of the 8th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Abner Barker to be Lieutenant of the 8th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Francis Fenton jun<sup>r</sup>, to be Ensign of the 8th company or trainband in the 5th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jacob Whitmore to be Captain of the 11th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Theophilus Candey to be Lieutenant of the 11th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Samuel Plumb to be Ensign of the 11th company or trainband in the 6th regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Case be Captain of the north company or trainband in the first society in the town of Symsbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Andrew Robey to be Lieutenant of the north company or trainband in the first society in the town of Symsbury, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. David Waterbury to be Captain of the first company or trainband in the town of Standford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Nathaniel Hoit jun<sup>r</sup>, to be Lieutenant of the 1st company or trainband in the town of Standford, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. John Waterbury to be Ensign of the 1st company or trainband in the town of Standford, and order that he be commissioned accordingly.

[34] Whereas Jabez Hamlin, Joseph Buckingham, Esq<sup>rs</sup>, and Capt. James Church, were by this Assembly at their sessions in May last appointed to repair to the second society in Windsor, and hear all persons concerned, and view the circumstances of said society, and to consider whether it be needful for said society to be divided into two distinct ecclesiastical societies, and if they judge it be proper that said society be so divided, that they fix the place for said division, and make report of their doings thereon to this Assembly at



their present sessions : And whereas the said committee have not yet attended said service : It is now resolved, that the said committee do attend the service referred to them in said act, and make report of their doings thereon to this Assembly to be holden at Hartford in May next.

Upon the memorial of Ephraim Bennet, of Danbury in the county of Fairfield, shewing to this Assembly that one David Osborn late of said Danbury,\* deceased, did in his life time for good consideration make over to said Ephraim Bennet ninety acres of land in said Danbury, by his deed dated the 20th day of February, 174<sup>3</sup>, which said deed was signed and sealed by the grantor and witnessed by two witnesses, but by the providence of God the said David Osborn was taken away by death soon after the executing of said deed and the same was never acknowledged before any proper authority ; and praying this Assembly to order that the said deed may be recorded and made as authentick as thô the same had been acknowledged by the grantor : Resolved by this Assembly, that said deed shall be recordéd in the town records in said Danberry, and the town clerk of the town of said Danberry is hereby directed and ordered to receive and record the said deed together with this act ; and a copy of said deed and this act, attested by the town clerk for the time being, shall be accounted and deemed as legal evidence of the title of said land to him, the said Bennet, his heirs and assigns, to all intents and purposes, as though the same had been acknowledged by the grantor, and may and shall be used and improved in any court whatsoever to that purpose accordingly.

Upon the memorial of John Warner the 3d, administrator upon the estate of Ebenezer Warner late of Waterbury, deceased, shewing that the debts due from said estate surmount the moveable estate the sum of £55 9s. 11d. old tenour, praying that he may have liberty to sell so much of the real estate of said deceased as will pay said debts : Resolved by this Assembly, that the said John Warner have liberty, and he is hereby impowered, to sell so much of the real estate of the said deceased as will pay said £55 9s. 11d. with the incident charges arising thereon ; taking direction of the probate court for the district of Woodberry.

Upon the memorial of Messrs. Joseph Ferriss, Nathan Botchford and Riverius Carrington, selectmen of New Milford, representing that Thomas Welch, of said New Milford, is wanting in his understanding and unable to take care of him-

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\* Waterbury in the record, but Danbury in the original bill.

self, and hath been under the care of said selectmen, who have expended for his support the sum of £87 0s. 0*d.* old tenour, and that there is no personal estate of the said Thomas to pay the same; praying for liberty to sell lands, &c.: Resolved by this Assembly, that the memorialists, or any two of them, be impowered, and they are hereby fully impowered and directed, to sell so much of the lands and real estate of the said Thomas Welch as shall amount to a sum not exceeding £200 0s. 0*d.* old tenour, to be improved part for the payment of the aforesaid sum of £87 0s. 0*d.* and the residue for future expences that may arise for the supporting of the said Thomas Welch and necessary charges of such sale.

Upon the memorial of Samuel How, of Waterbury in New Haven county, and Mary his wife, therein alledging that one Samuel Weed, late of Derby in said county, was in the year 1747 indebted to the said Mary in the sum of £21 0s. 0*d.* and that the said Weed having forfeited all his estate to the government, and praying this Assembly to order said debt to be paid out of the publick treasury of this Colony: It is thereupon resolved by this Assembly, that the said Samuel How shall have and receive out of the said treasury of said Colony the sum of fourteen pounds old tenour in full satisfaction of said debt; and the Treasurer of this Colony is hereby ordered and directed to pay the same.

Upon the memorial of Mary Steadman, administratrix on the estate of John Steadman late of Midletown, deceased, representing that the debts and charges due from said estate surmount the moveable part of said estate the sum of £126 10s. 0*d.*, praying for liberty to sell of the real estate of said [35] || deceased, &c.: Resolved by this Assembly, that the memorialist, with Benjamin Atkins of said Midletown, be appointed, and they are hereby appointed and impowered, to make sale of so much of the real estate of said deceased as shall be sufficient to pay the aforesaid sum of £126 10s. 0*d.* money of the old tenour and the incident charges arising thereon; taking the advice of the court of probate for the district of Hartford therein.

Upon the memorial of Abraham Clark, administrator on the estate of Joseph Clark late of Waterbury, deceased, shewing this Assembly that the debts due from the estate of the said deceased over and above what this Assembly in May last granted liberty to sell of the lands of the said deceased to discharge and pay the sum of £84 0s. 0*d.* money old tenour, and praying liberty to sell of the lands of said deceased, &c.: Resolved by this Assembly, that said administrator be im-

powered, and he is hereby impowered, to sell so much of the lands of the said deceased, under the direction of the court of probate in the district of Woodberry, as to enable him to pay the aforesaid debts with the incident charges arising on the sale of said lands.

On the memorial of John Couch and Deborah Couch, administrators on the estate of Solomon Couch late of Fairfield, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate of the said deceased the sum of £158 19s. 10*d.* old tenour, and praying for liberty to sell so much of the real estate of said deceased as will pay the same: Resolved by this Assembly, that so much of the real estate of said deceased shall be sold as will pay and satisfie the sum of £158 19s. 10*d.* old tenour and the necessary charges arising on the sale of the same; and that John Osborn of said Fairfield is hereby appointed and impowered to make sale of the same, taking the advice of the court of probate in the district of Fairfield in that affair.

Upon the memorial of Elizabeth Lester, of New London, administratrix on the estate of Thomas Lester of said New London, deceased, shewing to this Assembly that the debts due from the estate of the deceased Thomas Lester surmounts the moveable estate the sum of £51 3s. 10*d.*, and praying that some meet person may have power to sell so much of the real estate of the deceased as shall satisfie said sum of £51 3s. 10*d.* with the necessary charges arising thereon: Resolved by this Assembly, that Ebenezer Darrow of said New London have power to sell so much of the lands of the deceased Thomas Lester as shall satisfie the sum of £51 3s. 10*d.* with the necessary charges arising thereon, taking the direction of the court of probate for the district of New London therein.

On the petition of Thomas Lothrop, of Norwich, *vs.* Eleazer Burnham, of Norwich, defendant, as on file: The question was put, whether the prayer of said petition should be granted: Resolved by this Assembly in the negative.

On the petition of Samuel Palmer, of Windsor in the county of Hartford, *vs.* Daniel Phelps of said Windsor, on file: The question was put, whether the pleas offered in abatement of this petition are sufficient: Resolved by this Assembly in the affirmative. *Cost allow'd respondent is* £32 16s. 6*d.* *Ex. granted Nov. 31, 1750.*

On the petition of Henry Patterson, of the City and Province of New York, administrator on the estate of John West, late of Hartford in the county of Hartford, deceased, *vs.* James Miles and Jehiel Tuttle, both of Wallingford in the county of

New Haven, as on file: The question was put, whether the pleas offered by the respondents in abatement of said petition are sufficient: Resolved by this Assembly in the affirmative.

Upon the memorial of Elizabeth Palmer, executrix of the last will and testament of Ichabod Palmer late of Stonington, deceased, representing that the debts due from the estate of said deceased surmount the moveable part of said estate, and what other sums have been raised by sale of the lands of said deceased by order of this Assembly heretofore obtained, the sum of £272 13s. 0d. old tenour; praying for further liberty to sell lands, and that some meet person be appointed thereto: Resolved by this Assembly, that Mr. Thomas Noyes jun<sup>r</sup>. of said Stonington be impowered, and he is hereby fully authorized and impowered, to make sale of so much of the lands of the said deceased, more than what hath been already ordered to be sold, as is sufficient for the payment of the said sum of £272 13s. 0d. old tenour and the incident charges of said sale; taking the advice of the court of probate in the district of New London therein.

Upon the petition of William Marsh, praying for a rehearing in a cause that was depending before the superior court held in Windham on the 3d Tuesday of September last, between [36] him and || Elisha, an Indian man claimed by said Marsh in the declaration in said action to be his slave, (for the reasons assigned:) Resolved by this Assembly, that the said Marsh have granted to him, and hereby this Assembly do grant to him, the liberty to have a review of said action in the superior court to be holden at Windham on the 3d Tuesday of March next, and that the said superior court proceed to hear and try the same, and that the whole cost follow the final tryal thereof.

On the memorial of John Squire and Rachel Squire, administrators on the estate of Daniel Wakeley, deceased, shewing to this Assembly that the debts due from said estate surmount the moveable estate the sum of £154 14s. 3d., thereupon praying this Assembly to order so much of the land of the deceased to be sold as may answer said debt with the necessary charges arising thereon: Whereupon it is resolved by this Assembly, that Mr. Benjamin Warner be appointed, and he is hereby appointed and impowered, to make sale of so much of the lands of the said deceased Daniel Wakeley as shall amount to the sum of £154 14s. 3d. and the necessary charges arising thereon, as prayed for; taking the direction of the court of probate in the district of Woodberry therein.

*Resolved by this Assembly, That the committee appointed*



to sell the town of Norfolk suspend the sale thereof till further orders and directions from this Assembly for that purpose.

*Resolved by this Assembly,* That the Treasurer of this Colony be directed, and he is hereby directed, to attend this Assembly on Friday, the 26th instant, with a sum in bills of credit sufficient to answer the charge of this Assembly.

Upon the memorial of David Wright, administrator on the estate of John Whittelsey late of Saybrook, deceased, shewing to this Assembly that the debts and charges of administration due from said estate surmounts the moveable estate the sum of £197 13s. 7d., praying for liberty to sell so much of the lands of said deceased as to pay said sum with necessary charges arising by such sale, &c. : Resolved by this Assembly, that the memorialist, and Capt. John Murdock of Saybrook, be, and are hereby, impowered to sell so much of the lands of said deceased as shall be sufficient to pay the said sum of £197 13s. 7d. with the necessary charges arising by such sale ; taking the direction of the court of probate in the district of Guilford therein.

Whereas Jabez Hamlin and Joseph Buckingham, Esq<sup>rs</sup>, and Capt. James Church, upon the memorial of Benjamin Stoughton and others, inhabitants living on a certain tract of land in the southeast part of the town of Windsor, and upon the memorial of Isaac Jones and others, inhabitants part of them living in the town of Bolton and part of them living in said Windsor, were by an act of this Assembly in May last appointed a committee to view the circumstances of the said memorialists, &c., and to make report to this Assembly at their present sessions: and whereas the said committee have not yet been able to attend said service: It is now, therefore, resolved by this Assembly, that the aforesaid gentlemen do proceed to attend on the matters referred to them in the aforesaid act, and make report thereon to this Assembly in May next.

This Assembly do establish and confirm Mr. Amos Johnson to be Captain of the company or trainband in the town of Cornwall, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Sedgwick to be Lieutenant of the company or trainband in the town of Cornwall, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Francis Hawley to be Ensign of the company or trainband at the parish of Ripton, and order that he be commissioned accordingly.

*Resolved by this Assembly*, That the Treasurer of this Colony pay out of the treasury unto John Douglass, of New London, the sum of forty-nine pounds and eleven shillings in old tenour bills, for his service in mending and cleaning of the Colony's fire-arms now in the powder-house in New London.

On the petition of the Governor and Company of the Colony of Connecticut, by Elihu Hall of Wallingford, their agent, *vs.* John Judd, of Waterberry in the county of New Haven, as on file: The question was put, whether a new hearing should be granted as prayed for, &c.: Resolved in the negative.

[37] Upon the memorial of the inhabitants of the parish of Bethlem in Woodberry, shewing to this Assembly that they have in the summer past been visited with a sore and distressing sickness, which began early in the spring, whereof many have died in the prime of life, and the body of the people have been much taken off from their common business, whereby they are greatly impoverished, &c., and praying this Assembly to release them from their country rate: Resolved by this Assembly, that the inhabitants of said parish be released from paying their country rate which was ordered to be paid into the treasury in May next.

Upon the petition of Zachariah Frink, of Voluntown, *vs.* John Dixon, one of the proprietors of the common and undivided land in Voluntown, and the rest of the proprietors of said common land, complaining of a judgment of the superior court held in Windham on the third Tuesday of March, A. D. 174 $\frac{2}{7}$ , given in favour of said proprietors against the said Zachariah Frink for the surrendry of about twenty-five acres of land, and praying for another tryal in said case, for reasons in said petition alledged: Resolved by this Assembly, that the petitioner shall have liberty of another tryal of the said case by a review of the same at the superior court to be held in Windham on the 3d Tuesday of March next: provided that he before the said court on his tryal of said case therein give sufficient bond to prosecute the same to effect and to answer all damages in case he make not his plea good; and that the future cost only follow the judgment that shall be rendered therein on such review; and in case judgment be rendered by the said superior court in favour of the said Zachariah Frink against the said proprietors, that then the said superior court are hereby directed, authorized and impowered, to give judgment that the said Frink shall be reseized of the said twenty-five acres of land, and grant execution accordingly.

The Sums Total of the Lists of the Polls and Rateable Estate of the several Towns hereafter mentioned, sent in to this

Assembly, are as follow, viz:

	£	s.	d.		£	s.	d.
Hartford,	36660	11	9	New Haven,	54448	15	1½
New London,	30227	1	7	Fairfield,	47561	2	2
Windham,	22695	14	3	Norwich,	51881	10	10
Suffield,	16190	15	0	Lebanon,	36432	16	0
Stanford,	28518	12	9	Woodstock,	11737	3	0
Groton,	21290	16	9	Milford,	28021	14	5½
Saybrook,	21354	9	4	Ashford,	10145	6	0
Newtown,	12551	8	0	Hebron,	16750	0	0
Endfield,	9084	4	0	Coventry,	14927	8	6
Glassenbury,	11753	19	0	Symsbury,	19466	4	0
New Milford,	13108	4	6	Bolton,	7664	0	0
Tolland,	8411	6	0	Derby,	11534	8	4
Weathersfield,	27817	13	5	Branford,	22494	14	0
Ridgefield,	11044	4	6	East Haddam,	18488	7	0
Stratford,	38342	8	0	Litchfield,	10394	18	6
Farmington,	38396	12	9	Colchester,	20587	14	0
Stonington,	31659	7	6	Voluntown,	9234	11	0
Canterbury,	13672	7	3	Mansfield,	14721	19	8
Plainfield,	12648	14	0	Windsor,	38597	2	0
Danbury,	16966	11	9	Killingly,	20701	10	0
Haddam,	11112	6	9	Woodbury,	26558	16	10
Wallingford,	38277	11	9	Killingworth,	16392	17	2
Durham,	10515	1	3	Lyme,	25587	13	5
Norwalk,	35535	1	1	Guilford,	33352	17	10
Waterbury,	16910	3	3	Midletown,	48456	12	0
Pomfrett,	14273	17	0	Preston,	19410	14	0
Greenwich,	16752	6	6				

This Assembly do appoint Mr. Caleb Baldwin of Newtown to be Justice of the Peace for the county of Fairfield until the first day of June next.

On the petition of James Rogers 3d, of New London, *vs.* Philip Tabor of New London, (by continuance from the sessions of this Assembly in May last,) as on file: The question was put, whether the pleas offered by the respondent in abatement of said petition are sufficient: Resolved by this Assembly in the affirmative.

This Assembly do establish and confirm Mr. Joseph Hooker to be Captain of the first company or trainband in the town of Farmington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. William Wadsworth to be Lieutenant of the 1st company or trainband in the town of Farmington, and order that he be commissioned accordingly.

[38] This Assembly do establish and confirm Mr. John Strong to be Ensign of the first company or trainband in the town of Farmington, and order that he be commissioned accordingly.

Upon the memorial of John Bayley, of Killingworth in the county of New London, and Joshua Bayley, of Haverhill in the county of Essex in the Province of the Massachusetts Bay, Esqr, in behalf of themselves and the rest of the heirs and legal representatives of the Reverend Mr. James Bayley, formerly minister of said Killingworth, now deceased, setting forth that the General Assembly, in the year 1687, granted to the said James Bayley, Mr. Moses Noyes, and others, two hundred acres of land apiece, where the same might not prejudice any former grants, and that the said two hundred acres, so given to the said James Bayley, hath not been taken up; praying that the same may be laid out to the memorialists in some of the common and ungranted lands in this Colony: Resolved and granted by this Assembly, that the heirs and legal representatives of the said Rev<sup>d</sup> Mr. James Bayley, and their assigns, shall have and be allowed two hundred acres of land, according to said grant made in the year 1687, to be taken up in one piece; and that the surveyor of lands for the county of Fairfield shall have power to lay out the same accordingly in any of the common and ungranted lands in this Colony, exclusive of the township of Norfolk.

This Assembly do establish and confirm Mr. Nathaniel Newell to be Lieutenant of the 2d company or trainband in the town of Farmington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Ephraim Treadwell to be Ensign of the 2d company or trainband in the town of Farmington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Joseph Hart to be Captain of the company or trainband at the parish of Northington in Farmington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jonathan Miller to be Lieutenant of the company or trainband at the parish of Northington in Farmington, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Wilcoxson to be Ensign of the company or trainband at the parish of Northington in Farmington, and order that he be commissioned accordingly.



Upon the memorial of Alice Howard, of Hartford, administratrix on the estate of Samuel Howard, late of Hartford, deceased, praying liberty to sell of the real estate of said deceased so much as to pay and answer the sum of £179 0s. 11d., being the ballance and amount of what the debts due from said estate amount to over and above the amount of the moveables, &c.: Resolved by this Assembly, that the memorialist, (taking the direction of the court of probate for the district of Hartford,) be and she is hereby impowered to make sale of such and so much of the real estate of said deceased as may suffice to pay and answer said sum of £179 0s. 11d., and also the incident charges on such sale and disposition to arise.

Upon the memorial of Aliff Peck, of Lyme, administratrix on the estate of Samuel Peck of said Lyme, deceased, shewing to this Assembly that the moveable estate of said deceased amounts to the sum of £713 11s. 0d., and that the debts and charges due from said estate amounts to the sum of £933 3s. 6d., which surmounts the personal estate the sum of £220 3s. 6d., praying for liberty to sell so much of the real estate as to pay said sum, &c.: Resolved by this Assembly, that Benjamin Peck, of Lyme, be, and he is hereby, appointed and impowered to sell so much of the lands of said deceased as to pay the said sum of £220 3s. 6d., with the incident charges arising thereon; taking the direction of the court of probate in the district of New London therein.

This Assembly do appoint Andrew Burr, Esqr, to be Colonel of the Fourth Regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do appoint Ebenezer Silliman, Esqr, to be Major of the Fourth Regiment in this Colony, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Eleazer Hubbell to be Captain of the north company or trainband in the town of New Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Benjamin Seeley to be Lieutenant of the north company or trainband in the town of New Fairfield, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Daniel Noble to be Ensign of the north company or trainband in the town of New Fairfield, and order that he be commissioned accordingly.

[39] An Act for Granting Liberty to set up a Ferry at the Narrows across  
Stratford River.

This Assembly grants liberty to John Stephens, of Stratford, to keep a ferry across Stratford River, at a place called the Narrows in Stratford aforesaid; and that the fare of said ferry shall be, for man, horse and load, two pence; and for a single man or horse, one penny half-penny each, proclamation money; and the said ferry to be under the same orders and regulations as other ferries in this Colony are, and liberty to continue during the pleasure of this Assembly.

Whereas there is considerable land lying towards the north-westerly part of this government, principally upon the west side of Ousatunock River, and the same not yet being disposed of by this Assembly; and this Assembly being informed that several persons living in New York Province, under pretence of their being out of the jurisdiction of this Assembly, have without any liberty purchased of the Indians many hundred acres of said land and made conveyances of some part thereof to others, by which means several persons have entered upon said lands, improving and claiming the same: Whereupon this Assembly appoints Capt. Samuel Addams, Capt. Robert Fairchild, of Stratford, and Mr. Paul Welch of New Milford, a committee, and they or any two of them to enquire into and view the circumstances of said land. And the said committee are hereby directed and fully authorized and impowered, to warn all persons that are on any part of said lands claiming in opposition to, or not holding or claiming under this government, to remove off from the same or to take a lease or leases under this government for a short time, not exceeding the term of two years, with covenant to surrender at the end of said term; which said committee are hereby impowered to give; which if said persons, or any of them, shall refuse or neglect to remove off from said lands or take leases as aforesaid, then the said committee is hereby directed and impowered to commence any action or actions for removing such persons as aforesaid, in the name of the Governor and Company of this Colony, and (by themselves or such person or persons as they shall substitute attorneys under them) the same to prosecute and carry on to final judgment and execution. And said committee shall make report to this Assembly from time to time of the circumstances of the said lands, and of their proceedings concerning the same.

On the memorial of the Reverend Mr. Abraham Nott, of Saybrook, shewing that in November, 1725, he was regularly ordained a gospel minister for and within the second society of said Saybrook, and that he hath there continued in the due

discharge of his said office ever since; that said society had (some little time before that) voted to give him for his salary £50 0s. 0*d.* for the first year, and to rise with their estates in the list to the sum of £70 0s. 0*d.* a year, and supply his wood, and also some time after voted him fifteen pounds more in lieu of fire-wood, in the whole amounting to eighty-five pounds, not expressed to be payable in any particular coin or currency; and that he hath ever since been put off with no more than the same sum or number of pounds in bills of credit of the old tenour, and thereby put to great straits, &c., and praying relief, &c.: Resolved by this Assembly, that Jonathan Trumble, Esq<sup>r</sup>, and Colo. Thomas Welles and Major Jabez Hamlin, be and they hereby are appointed a committee to repair to said society, and having first noticed all persons in the premises concerned, there, by all proper evidence to be exhibited, to enquire into the matters in said memorial mentioned respecting the memorialist's salary and support, and all parties or persons concerned therein fully to hear, and in such hearing had to endeavour an accommodation therein, and on failure such accommodation to effect they, the said committee, are directed of what they find as touching the matters in said memorial set forth, with their opinion thereon, to make report to this Assembly in their sessions to be at Hartford in May next.

Upon the petition of Edward Cogswell, of New Milford, *vs.* William Bosworth, of New Milford, complaining of a judgment rendered against him in favour of the said Bosworth at the superior court held in New Haven on the last Tuesday of August, in a case demanding the surrendry of about six acres of land lying in New Milford North Purchase, so called, in which case the said Cogswell was plaintiff and the said Bosworth was defendant; and praying for a new tryal in said case, for that the jury missed the law therein; as by the petition on file appears: Resolved by this Assembly, that the petitioner have liberty, and liberty is hereby granted unto him, to have another tryal by a review of the said case at the superior court to be held in New Haven in and for the county of New Haven on the last Tuesday of February next: provided the petitioner give bond before said court in the usual form to prosecute said review; and the whole cost shall follow the judgment that shall be given in said case on such review.

*Ordered by this Assembly,* That the Treasurer of this Colony pay out of the publick treasury twenty-four pounds fourteen shillings old tenour to Nathaniel Gun of Waterbury, for him and his assistance in apprehending Samuel Weed and returning him back to New Haven goal, from whence he had escaped.

[40] Upon the memorial of Timothy Cole, of Wallingford, shewing this Assembly that in July, 1748, he was taken prisoner near Chenectada by the enemy and carried into Mont-Real, having been grievously wounded in a skirmish with the French and Indians, who robb'd him of his money and cloaths, and that he had been confined about two years in doleful captivity, and was become a cripple: Resolved by this Assembly, that said Timothy Cole shall and may, and hereby hath granted him two hundred acres of the ungranted lands annexed to the township of Kent, lying on the west side of Ousatonock River in this Colony, to be taken up in one entire piece, and New Haven county surveyor to lay out the same according to said grant; and also is hereby exempted from payment of the country tax for his head for the future.

It being shewn to this Assembly that a commission bearing date the 19th of March, 174 $\frac{4}{5}$ , was given out in due form to John Owen to be Ensign of a company in the town of Symsbury, which ought to have been over the northermost company in the first society in Symsbury: Resolved by this Assembly, that a commission be given out in due form to John Owen to be Ensign of the northermost military company in the first society in Symsbury.

Upon the memorial of Joseph Porter and Daniel Smith, of and agents for the parish of Kensington in the county of Hartford, shewing that they by the death of their late pastor are become destitute of and have necessity to call and settle another minister or ministers among them; that it so happens that while some of the inhabitants of said parish are in the mind to continue and remain one entire society, as hitherto, others are for dividing into two or three distinct parishes, which difference and diversity of sentiments tends very much to retard and hinder the calling any candidate at all; and thereupon praying for a committee to repair to said parish, and view, &c.: Resolved by this Assembly, that Capt. Daniel Goodwin, Mr. Moses Nash, of Hartford, and Mr. Daniel Bissell of Windsor, be and they are hereby appointed a committee to repair to said Kensington, and (having first noticed all parties and persons concerned) there sufficiently view said parish and hear all parties or persons on their respective reasons for or against the dividing said parish; and having due regard to the circumstances of said parish and to whatever may be alledged either in favour of any division in any wise to be made or of the continuance thereof entire as aforesaid, of what they find, together with their opinion thereon, to make report to this Assembly in their sessions to be at Hartford in May next.



Upon the memorial of Zachariah Booth, Samuel Hurd, James Curtiss, Abel Birdsey, Samuel Deforest, Sevignion Lewiss, Ichabod Lewiss, Nathaniel Lewiss, John Judson, Samuel Blackman, Beach Lewiss, Zachariah Clark, Josiah Whitmore, John Wilcoxson, Timothy Wilcoxson, Robert Bassett, Nathan Booth, Thomas Lewiss, Caleb Mallery, John Dunning, Joseph Moss, Nathan Blackman, Peter Curtiss, Daniel Beardsley, Henry Hawley junr., Henry Deforest, Joseph Johnson, Edmund Lewiss junr., Samuel Prindle, Benajah Hurd, Samuel Beardslee, David Hurd, John Keeney, Beriah Dickingson, John Johnson, Thomas Bears, Abiel Bears, Thomas Curtiss, Ebenezer Bears, and Jonathan Curtiss, some of them members of the society of North Stratford and some of the society of Ripton in Stratford, praying liberty of this Assembly to meet among themselves for divine service four months in the year, (*viz* :) December, January, February and March, for the term of three years from this time, they improving some orthodox preacher among them during said term: Resolved by this Assembly, and it is enacted and granted, that the memorialists have liberty, and the same is hereby granted to them, to meet among themselves for divine worship four months in each year for the term of three years next coming, (*viz* :) in and during the months of December, January, February and March: provided they employ some orthodox preacher among them. And power and authority is hereby granted to the memorialists, to warn and hold their meetings for taxing themselves for the support of the charges that may arise in carrying on the service aforesaid and to chuse their respective officers for gathering the same, &c., as other such like societies by law have in this Colony; and that those persons abovenamed that live within the society of North Stratford shall be freed from paying taxes to the society of North Stratford for the said four months during said term of three years, in case the memorialists carry on divine worship among themselves as aforesaid.

Upon the memorial of the inhabitants of the parish of East Greenwich, in the township of Kent in the county of Hartford, praying that all the lands in said parish be taxed, &c.: Resolved by this Assembly, that all the lands in said parish, (to be computed according to the sizing and surveys of said lands on record,) shall be taxed at eight pence old [41] tenour per acre || for the space of four years annually, to commence from the rising of this Assembly; the same to be improved for the settlement and support of a gospel minister in said parish. And Mr. Benjamin Brownson of said

parish is hereby appointed collector to collect said taxes in each respective year, and deliver the same to the committee for the time being, to be improved for the purpose aforesaid.

Upon the petition of Richard Burch, of New London, against Jahleel Law, of Milford, and Anne his wife, representing to this Assembly that by an execution in favor of the said Jahleel and the said Anne against the petitioner, for the sum of £19 17s. 6d. lawful money debt and £6 2s. 4d. old tenour costs, dated the 11th day of May, 1750, signed by John Whiting, clerk of the county court of New Haven county, the said Jahleel and said Anne took £179 8s. 0d. money old tenour of the petitioner by virtue of said execution; complaining that the same was too much and oppressive, and praying for relief, as appears by the petition on file: Whereupon it is considered and resolved by this Assembly, that the said £179 8s. 0d. is £33 18s. 1d. old tenour bills of credit more than ought to have been taken by virtue of said execution: Thereupon it is enacted and decreed, that the said Jahleel Law and Anne his wife pay back to the said Richard Burch thirty-three pounds eighteen shillings and one penny money old tenour, and that the Secretary of this Colony is ordered to issue forth an execution accordingly. *Received £33 18s. 1d. in full of the above judgment, by Ambrose Whitelsey, attorney.*

Upon a memorial presented in the name of Martin Kellogg, shewing to this Assembly that divers of the Indians of the Six Nations are come to him where he resides at Stockbridge, in order to be instructed in reading, &c., and that divers more are dayly expected, so that there seems to be an opportunity to bring them in the way of receiving the gospel; but that there wants necessary provision for their victualling and cloathing, for promoting of which good design: Resolved by this Assembly, that George Wyllys, Joseph Pitkin and Daniel Edwards, Esq<sup>rs</sup>, or any two of them, be and they are hereby appointed a committee to take care of the matters represented in the said memorial; and they are hereby fully impowered to draw out of the publick treasury of this Colony such sum or sums of money as they shall judge best for the purposes aforesaid, not exceeding the sum of two hundred and fifty pounds in bills of the old tenour, and improve it therefor, and lay an account of what they have done therein before this Assembly in October next.

Upon the memorial of Edward Griswold *vs.* John Loomiss, &c., shewing to this Assembly that he had by the free consent of said John Loomiss obtained a deed of about fifteen

acres of land lying in Windsor, in the parish of Wintonberry, of Isaac Skinner of said Windsor, and Daniel Mills now of Symsbury, and that upon the petition of said John Loomiss preferred to the General Assembly in May last, said Assembly decreed and resolved that the said deed should never after that time be given in evidence in any tryal then depending or afterwards to be commenced; which deed is dated the 15th day of October, 1746; as per said Griswold's petition on file appears: Whereupon it is resolved and enacted by this Assembly, that the said John Loomiss pay unto the said Edward Griswold for the betterments mentioned in said petition done by said Griswold on said land, the sum of twenty pounds old tenour bills; and that the said Daniel Mills and Isaac Skinner, mentioned in said petition, pay to said Edward Griswold the sum of two hundred and sixty-five pounds old tenour bills of credit, for said Griswold's other damages and cost set forth in said petition; and that the Secretary of this Colony issue forth executions accordingly. *Ex'ns granted Novem. 22, 1750.*

Upon the memorial of Andrew Weed, of Waterbury, administrator of Samuel Weed late of Waterbury, deceased, shewing the debts due from said estate to surmount the moveable estate to the amount of £53 10s. 7d., and praying leave to make sale of so much of the real estate, &c.: Resolved by this Assembly, that the said Andrew Weed, administrator as abovesaid, be and he hereby is impowered, (taking the direction of the court of probate for the district of Woodberry therein,) to make sale of so much of the real estate of said deceased as may suffice to pay and answer the said sum of £53 10s. 7d. together with incidental charges on such sale arising.

Whereas this Assembly in October last resolved and enacted that the inhabitants of the second society in Norwich should pay unto the Reverend Mr. Henry Wills, minister of said society, for [the] whole of his salary from the 20th day of December 1745, until the 20th day of December 1748, the sum of £255 0s. 0d. in bills of credit on this Colony of the new tenour, deducting out of the same the sum of £347 11s. 4d. old tenour, which shall be allowed as credit to those persons, inhabitants of said society, who have paid the same, [42] in proportion to what each one has paid appearing || by an account given in by the said Mr. Wills to the committee and lying in the Secretary's office, a copy whereof attested by the Secretary should be sufficient evidence of such payments, and also resolved that the inhabitants of said society should

pay unto the said Mr. Wills the sum of £800 0s. 0d. in old tenour bills of credit, for a compensation of his temporal loss in resigning his pastoral charge over the church and people of said society, in case he, the said Mr. Wills, should according to the advice of an ecclesiastical council resign his said pastoral charge at or before the first day of February next after the sitting of said Assembly; which said salaries and compensation the said Assembly ordered and directed the said society to grant and collect a tax on themselves sufficient to pay the same, the one half in one year and the other half in two years from the time of making said act, and that in case they neglected to do the same, the Assembly being informed thereof would take the matter into consideration and tax the said society for the purpose aforesaid, unless sufficient reasons be shewn to the contrary: And this Assembly being informed and certified that the said Mr. Wills hath resigned according to said act of Assembly, and that he did the same before the said first day of February, and that the said society have neglected and altogether refuse to raise a tax for the payments aforesaid: And whereas the said Mr. Wills hath brought his memorial to this Assembly, setting forth the matters as aforesaid and also that he continued in the work of the ministry in said society from the said 20th day of December until the 23d day of January, 1749-50, and that the said society refused to pay him therefor, and praying for relief, as by his memorial on file appears: Whereupon it is ordered and enacted by this Assembly, that the said Mr. Wills shall have and recover of the said society the aforesaid salaries and compensations, according to the mention made thereof in the aforesaid act of Assembly; and that he, the said Mr. Wills, shall have and recover of the inhabitants of said society eighty pounds in bills of publick credit on this Colony of the new tenor, for his salary from the 20th day of December 1748, to the 23d of January 1749-50, and that one half of the sum total of all the aforesaid sums of £255 0s. 0d. new tenor, abating the said sum of £347 11s. 4d. old tenor, and the one half of the said sum of eight hundred pounds old tenour, and the one half of said eighty pounds new tenor, shall be levied upon and collected of the inhabitants of said society by the first day of March next and paid to the said Mr. Wills; which rate shall be made on the list of said society for the year 1748, and the other half of the said sums to be levied on and collected of the said society within one year from this time and paid to the said Mr. Wills, to be made on the list of said society for the year A. D. 1749. And Ebenezer Backus and Jabez Huntington, of Norwich, Esqrs, are



hereby appointed a committee with full power and authority to tax the inhabitants of said society for the payment of the aforesaid sums, and to make a rate accordingly, and shall be allowed each thirty shillings old tenor per day therefor, which shall be added to said rate and gathered therewith and paid to said committee, and that execution go forth accordingly, signed by any one Assistant of this Colony, directed to either of the constables of the town of Norwich, commanding him to levy the same with sixpence on the pound for constables fees; and if the said constable shall neglect or refuse to levy and collect the said sums and pay the same to the said Mr. Wills by the times set for levying and paying the same respectively, the said Assistant shall give forth a distress against such constable, as in other cases. Always provided, the said society shall have liberty to tax themselves for the first half part of said sums by the middle of December next, and for the other half part any time before the middle of July next, and appoint collectors to gather and pay the same to the said Mr. Wills accordingly, and certify the same to the said committee from the office of said society.

Upon the memorial of Bulah Osborn, &c., of New Haven, administrators on the estate of Jonathan Osborn of said New Haven, deceased, shewing to this Assembly that the debts and charges due from said estate surmounts the personal estate the sum of £80 17s. 9d., as per their memorial on file appears: Resolved by this Assembly, that the memorialists be and are hereby appointed and impowered to sell so much of the real estate of said Jonathan Osborn, deceased, as to pay said sum of £80 17s. 9d. and the necessary charges arising by such sale; taking the direction of the court of probate for the district of New Haven therein.

[43] Upon the memorial of John Herpin jun<sup>r</sup>, commissary for the intended expedition against Canada, praying for allowance for said service, as per his memorial on file appears: Resolved by this Assembly, that the memorialist shall and hereby hath granted unto him for said service the sum of one hundred and fifty pounds old tenour to be paid to him out of the publick treasury, and the Treasurer is hereby ordered to pay to him said sum accordingly.

There being a tract of land in Stonington containing two hundred and eighty acres, purchased of Isaac Wheeler of said town by James Avery and Thomas Leffingwell, a committee in behalf of the General Court, for the use of Mamohor and the Indians under him, by a deed dated May the 24th, 1683, bounded as in and by said deed appears, in which

deed the said Wheeler made some reserves to himself, and after the procuring of said deed there hath been country grants of two hundred and eighty acres laid out on the same land contained in said deed, and William Williams and Nathan Creary, of said Stonington, laying claim to said lands by virtue of said reserves and said country grants, and the said Williams and Creary moving to this Assembly for an agreement and settlement in the premises: Resolved by this Assembly, that John Bulkley, Esqr, of Colchester, and Jonathan Trumble, Esqr, of Lebanon, be a committee in behalf of this Assembly, (at the cost of the said Williams and Creary,) to repair to said Stonington to view the premises and consider the circumstances of the whole case, and to propose such agreements and settlement with said Williams and Creary as they, the said committee, shall think just and equitable in the premises, and the cost that hath arisen thereon, and of such propositions for a settlement and conclusion of the matters of difference to make report to this Assembly in May next. And in case no proposition be complied with by the said Williams and Creary, the said committee shall make report of the state of the case, with their opinion thereon, to said Assembly.

On the memorial of the Reverend Mr. George Griswold, of Lyme, shewing that in November, 1724, he was regularly ordained a gospel minister in the 2d society of said Lyme, and that he hath there continued in the due discharge of his said office ever since; that said society had, in the year 1722, voted to give him for his salary seventy pounds annually, and also that every man in said society should give him a days work in a year at getting fire-wood, not expressed to be payable in any particular coin and currency; that said society have ever since the last of December in the year 1748, wholly refused to afford him any support, &c.; and praying relief, &c.: Resolved by this Assembly, that Gurdon Saltonstall, Esqr, and Jeremiah Miller, Esqr, be and are hereby appointed a committee to repair to said society, and having first duly noticed all persons concerned there, by all proper evidence to be exhibited to examine and enquire into the matters in said memorial contained respecting the memorialist's salary and support, and all parties or persons concerned fully to hear, and on such hearing had to endeavour an accommodation therein, and on failure thereof they, said committee, are directed of what they find as touching the matters in said memorial set forth, with their opinion thereon, to make report to this Assembly at their sessions to be in Hartford in May next.

Upon the memorial of Samuel Weed, now resident in Hartford, representing to this Assembly that the committee appointed by this Assembly at their sessions in May, 1747, for taking into their care and selling the estate of said Weed to the best advantage, with a proviso in said act that said committee should not retain or dispose of such estate of the memorialist as was for necessary use and is by the law exempted from being taken by execution, and notwithstanding said saving, the said committee received and disposed of the goods and chattels of the said memorialist, as well those things reserved as aforesaid as the rest, whereby he is reduced to great necessity, &c.; and praying this Assembly for relief, &c.: Resolved by this Assembly, that the said committee so appointed to dispose of said estate are hereby directed to lay their accounts of the sales and disposition of said estate before the county court to be holden at New Haven in November next, and said county court is hereby directed and empowered to enquire into the same; and if said court shall find that the said goods and chattels of the said memorialist have been by said committee disposed of contrary to the true intent and meaning of said act, the said county court is hereby directed and empowered to draw an order upon the Treasurer of this Colony for such sum or sums, in lieu of the things so disposed of, as may suffice to procure cloathing, [44] bedding, &c., equally advantageous to said Weed || and subservient to his use and benefit as said things so disposed of might have been; and said sum or sums to be by said Treasurer paid and delivered unto Messrs. Joseph Buckingham and James Church, of Hartford, who are hereby appointed a committee to receive and apply such money to the purpose aforesaid at their best discretion.

Upon information that the resolve of this Assembly in October in the 20th year of his Majesty's reign, desiring the Governor to advise the colonel to offer a furlough to the regiment raised in this Colony, then in his Majesty's service, has been interpreted as expressing disrespect to his Majesty's orders, and tending to disadvantage the then intended expedition against Canada, and that the said regiment is endangered thereby to suffer an abatement of their pay: This Assembly, considering how much it concerns them to stand in an agreeable light before the King, and how much they are bound in justice to themselves to take off all wrong imputations of disloyalty to his Majesty or disrespect to his orders, take leave to offer the following matters to consideration: That there could be no interest of our own to induce us

to pass said resolve, it being then fully understood by us that the charge of billeting the troops would be paid by the crown; that the prosperity of his Majesty's affairs and his favourable countenance towards us were matters wherein our greatest interest consists, and to do anything contrary thereto would be to act against ourselves; that the intended expedition against Canada being designed to remove from these northern Colonies a dangerous and troublesome enemy, it was our interest to exert ourselves in it to the utmost of our ability; and this Assembly do declare, that they received the notice of this intended expedition with the greatest satisfaction, and went into the same without the least delay, raised a regiment, provided transports, provisions and all other things necessary for the expedition, with the utmost dispatch, and said regiment was in readiness for their embarkation at New London early in August. We are further bound, in justice to our inhabitants who filled up that regiment, to say that they inlisted themselves with the utmost alacrity, and were always expressing an eagerness to set forward and be in action; that from our knowledge of the troops, they were generally freeholders or freeholders' sons, who looked upon themselves then as going to fight for their country, and most nearly interested in the expedition; that as they most cheerfully and freely inlisted into the service at first, so they were ever ready and very desirous to go forward in the same, from which we had the greatest assurance that they would most readily muster upon the first notice that the expedition was putting forward, and if some few should in the mean time die or desert, there were always enough that stood ready to inlist and supply their place; the assurance whereof and the consideration that thereby we should ease the crown of the charge of their billeting, we must take liberty to say, were the only reasons that induced us to pass that resolve. We have this further satisfaction, to know that the men almost universally staid at home in readiness to receive and obey his Majesty's further orders, and had the expedition went forward, (as was greatly desired,) we have no doubt but the ready appearance of our troops would have given full proof to the world that we were not mistaken in this our confidence in them.

Upon the petition of Josiah Fowler, praying for a rehearing in a case that was depending before the superior court in New Haven in August last, wherein Robert Byinton and Daniel Hall, both of Guilford, were plaintiffs and said Fowler was defendant, in an action of trespass for cutting timber, as per said Fowler's petition and the reasons therein assigned on



file appears: Resolved by this Assembly, that the said Josiah Fowler may have, and hereby hath granted him, liberty of a review of said action in the superior court to be held in New Haven on the last Tuesday of February next, and that the said superior court proceed to hear and try the same accordingly: provided the said Fowler give bond before said court in usual form to prosecute said review; and in case said Fowler shall obtain judgment in his favour, that then said Byinton and Hall shall pay back to said Fowler all that he has paid on account of said judgment and execution thereon; and said superior court shall award and give judgment accordingly. And all costs shall follow the final trial in said case.

[45] Upon the memorial of Thomas Gustin, agent for the parish of New Salem in the township of Colchester, shewing that this Assembly at their sessions in May, 1748, ordered and decreed that all the unimproved lands in said parish should be taxed at one penny new tenour per acre for the space of four years then next, said money to be improved for the support of a minister, &c.; and that disputes had arisen, whether the said society should proceed to levy said taxes, or any of them, till a minister was settled in the said parish; and praying that said grant of said taxes may be proceeded upon, &c.: Resolved by this Assembly, that the aforesaid taxes decreed and ordered by this Assembly at their sessions in May, 1748, according to the form of said decree be laid, assessed and collected, and the same shall be improved by said parish either for the payment of the hire or settlement of any gospel minister that hath or shall be improved among them since the making of said grant in May, 1748. And Mr. George Holmes of said parish is hereby appointed to collect the said taxes and deliver the same to the committee of said parish for the time being, for the purpose aforesaid.

Upon the petition of Eleazer Kilborn *vs.* Josiah Griswold, representing that a controversy had arisen between the said parties in respect to a certain negro, named Zacheus, claimed both by the said Kilbourn and the said Griswold, and that said controversy was left to be decided by Messrs. Daniel Hovey and Joseph Herrick, who awarded that the said Griswold had a legal right to said negro, and that the said Kilborn should execute a quit-claim of his right in said negro to said Griswold, and that said Griswold had obtained a judgment against the petitioner at the adjourned county court held at Hartford in June last, on a note given by the petitioner to abide said award for the sum of £500 damages, &c.; and complaining that said damages were extremely exorbitant,

and that other disputes respecting the service and the property of the said negro are still subsisting, and long and tedious lawsuits are likely to ensue thereon ; and the petitioner praying that the said judgment be set aside, and that a committee be appointed to enquire, &c. : It is therefore resolved by this Assembly, that all the matters of difference respecting the said negro, subsisting as aforesaid, and the said judgment complained of, be referred to the consideration of Colo. Joseph Pitkin, of Hartford, and Mr. William Wolcott and Mr. Mathew Rockwell, of Windsor, who are hereby appointed a committee or referees to hear the said parties on the said differences and matters aforesaid, at such time and place as they shall hereafter appoint within the county of Hartford, first duly notifying the parties thereof. And said referees are directed, upon their hearing as aforesaid, to make up their award on the premises and return the same into the county court in the county of Hartford on the second Tuesday of April next, of what sum they shall find justly and equitably due from one party to the other upon adjusting all the controversies and disputes as aforesaid. And the said county court, upon receiving and approving of such award, are fully empowered and directed to render judgment for the party in whose favour any such sum shall be awarded, to have and recover such sum against the party from whom the same is found due as aforesaid. And the said judgment being rendered and on record entered as aforesaid, the same shall be a final end of all the controversies between the parties subsisting as aforesaid; and that said county court award execution on the said judgment to be rendered as aforesaid, and that thereupon execution on the judgment complained of be forever stayed.

Upon the memorial of John Creary, Benaddam Gallop, and the rest of the heirs of John and Hannah Gallop, praying for liberty to lay out to them some lands on the ungranted lands in this Colony, in lieu of land formerly granted to and laid out in the right of said John and Hannah taken off by the line of the Colony of Rhode Island, &c. : Resolved and granted by this Assembly, that the said John Creary, Benaddam Gallop, &c., shall have liberty to lay out and take up eighty-two acres and an half of land, in one entire piece, on the common and ungranted lands in this Colony, exclusive of the town of Norfolk, in lieu of that part of the land laid out in the right of the said John and Hannah Gallop taken off by the Colony line as aforesaid, to be to the said John Creary, Benaddam Gallop, and the rest of the heirs of the said John and Hannah Gallop, and their heirs and assigns.

And Mr. Roger Sherman, surveyor for the county of New Haven, is appointed to lay out the same.

This Assembly do appoint and fully impower Capt. Roger Wolcott and Mr. Thomas Seymour a committee to take effectual care of the township of Norfolk, and that no trespasses be committed upon the lands or timber growing thereon, and to prosecute to final judgment and execution every person who shall in any wise trespass thereupon; with full power to substitute one or more attorneys under them, for the better effecting the premises; to be done at the cost of this Colony.

[46] Upon the memorial of Chauncy and Elisha Whittelsey, of New Haven, praying for liberty to borrow £1000 sterling of the money belonging to this Colony now lying in Great Britain, for reasons therein expressed, as on file: Resolved by this Assembly, that the memorialists have liberty to repair to the committee appointed by this Assembly to make sale of the sterling money, and to their satisfaction make and execute two proper obligatory bonds with two good and sufficient sureties to each bond, payable to the Governor and Company of this Colony, the one for the sum of one thousand pounds in lawful money of Great Britain, conditioned for the payment of five hundred pounds in coined silver sterling alloy at the rate of five shillings and four pence per ounce troy weight, at or before the first day of May which will be in the year 1754, or in standard gold equivalent; the other obligatory bond for the sum of one thousand pounds in lawful money of Great Britain, conditioned for the payment of a certain sum or so much of the now outstanding bills of credit of this Colony as shall be equivalent to the sum of five hundred pounds in coined silver of sterling alloy at the rate of five shillings and four pence per ounce troy weight, at or before the first day of May 1754; with distinct bonds for the payment of the interest thereof, at the rate of *£3 per centum per annum*, in like silver at the rate aforesaid; which being certified by said committee to his Honour the Governor, he is hereby desired and impowered to draw a set of three bills of exchange on Doctor Benjamin Avery in London, for the sum of one thousand pounds sterling, payable to the said Chauncy and Elisha Whittelsey, which is to be out of the sterling money received by the said Doct. Avery for the expences of this Colony in taking Cape Breton, &c. And the said committee are directed to account of this thousand pounds as part of the ten thousand pounds ordered to be loaned by act of Assembly in May last, and of that which should be assigned to the county of New Haven.

Upon the report of Messrs. Jonathan Huntington, Jonathan Hale and William Wittar, who were desired to view the college, and to see what repairs were necessary to be made in the same, shewing that it is necessary to take down and rebuild the kitchen chimney in part or whole, and to cover the back side, to mend the floors and make new window frames, and to put pillars under the girts, beside some other smaller repairs, &c.: It is resolved by this Assembly, that Capt. John Hubbard and Mr. Samuel Mix be appointed and they are hereby appointed a committee to make the aforesaid reparations and emendations in the said college, and to improve such proper persons as they shall see fit for the purpose aforesaid, and to draw their orders on the Treasurer of this Colony for all such sums as shall be necessarily expended for making such reparations, who is hereby directed to pay the same.

This Assembly being informed that there was a quantity of powder belonging to the government committed to the care of Joseph Whiting, Esq<sup>r</sup>, late deceased, which at his decease was left in a warehouse in New Haven: Resolved by this Assembly, that Mr. Aaron Day of New Haven be impowered, and he is hereby impowered, to take care of all such powder belonging to this Colony now in the hands of any person or persons, and make sale thereof to the best advantage, and also to demand of all and every person or persons who have had or received any of the said powder the same powder again or the money the same is worth, and pay for reasonable storage thereof, and render his account to this Assembly in May next.

*Resolved by this Assembly*, That Mr. Timothy Green, printer to the Governor and Company of this Colony, be and he is hereby directed, as soon as may be, to compleat the binding of two hundred and fifty books of the new revised laws already printed,\* and transmit the same to the respective counties according to the list of this present year: that is to say, to Hartford county, seventy-one books; to New Haven county, forty-eight books; to New London county, forty-six books; to the county of Fairfield, forty-seven books; to Wind-

\* The "Acts and Laws of His Majesty's English Colony of Connecticut in New-England in America," printed at New London, 1750, are comprised in a folio of 256 pages. The session laws of subsequent years are paged in continuation of the volume, and some of them are usually found bound up with it. Though bearing the same date and printed page for page, there appears to have been more than one impression of the book: that one seems to have been the earliest which has a row of printer's flowers at the bottom of page 256: another must have been printed in 1753, because at page 85 in the marginal note is a reference to page 267, which contains the acts of October, 1752: another is printed in a larger type, like that of the edition of 1769. The late Mr. Brinley had a copy with the date 1754 on the title.



ham county, thirty-eight books; and the sheriffs in the respective counties are hereby directed to receive said books and distribute the same to the several towns in their counties according to the list of this present year. And the six books now before this Assembly shall be disposed of in the following manner, (*viz* :) one book to his Honour the Governor, one to [47] his Honour the Deputy || Governor, and the other one to each of the clerks of the county courts in the counties of Hartford, New Haven, Fairfield and Windham, to be and belong to the county courts in each of the said counties.

*And it is further resolved*, That the said Mr. Green be and he is hereby directed, as soon as may be, in addition to the aforesaid two hundred and fifty, to print and in the best manner to bind the number of eight hundred and fifty, and no more, books of those laws, which number, as soon as they are completed, shall be distributed into the respective towns in this Colony, according to the aforesaid list.

An Act for stating the Fares of the Ferries in this Colony in Proclamation Money.

*Be it enacted by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same*, That the fares of the several ferries in this Colony shall be as followeth, (*viz* :)

		Man, horse and load.	Footman.	Led horse.	Ox or other neat kind.	Sheep, hog or goat.
On New London River.	New London Ferry, . . . .	3 <sup>d</sup>	1 <sup>d</sup>	2 <sup>d</sup>	4 <sup>d</sup>	1 <sup>d</sup>
	Hurlburt's Ferry, . . . .	3	3 <sup>4</sup>	1 <sup>1</sup> <sub>4</sub>	3	1 <sup>1</sup> <sub>4</sub>
	Halls Do. at Norwich, . . . .	2	3 <sup>4</sup>	1 <sup>1</sup> <sub>4</sub>	3	1 <sup>1</sup> <sub>4</sub>
	Do. at Shetucket, . . . .	2	3 <sup>4</sup>	1 <sup>1</sup> <sub>4</sub>	3	1 <sup>1</sup> <sub>4</sub>
On Connecticut River.	Niantick Ferry, . . . .	1	1 <sup>1</sup> <sub>2</sub>	3 <sup>4</sup>	1 <sup>1</sup> <sub>2</sub>	1 <sup>1</sup> <sub>4</sub>
	Saybrook ditto, . . . .	4 <sup>1</sup> <sub>2</sub>	1 <sup>1</sup> <sub>2</sub>	3	5	1 <sup>1</sup> <sub>2</sub>
	Brockways ditto, . . . .	2	3 <sup>4</sup>	1 <sup>1</sup> <sub>4</sub>	3	1 <sup>1</sup> <sub>4</sub>
	Chapmans ditto, . . . .	2	3 <sup>4</sup>	1 <sup>1</sup> <sub>4</sub>	3	1 <sup>1</sup> <sub>4</sub>
	East Haddam ditto, . . . .	2	3 <sup>4</sup>	1 <sup>1</sup> <sub>4</sub>	3	1 <sup>1</sup> <sub>4</sub>
	Midletown ditto, . . . .	3	3 <sup>4</sup>	1 <sup>1</sup> <sub>4</sub>	3	1 <sup>1</sup> <sub>4</sub>
	Rocky Hill ditto, . . . .	2	3 <sup>4</sup>	1 <sup>1</sup> <sub>4</sub>	3	1 <sup>1</sup> <sub>4</sub>
	Glassenbury ditto, . . . .	2	3 <sup>4</sup>	1 <sup>1</sup> <sub>4</sub>	3	1 <sup>1</sup> <sub>4</sub>
	Keeneys ditto, . . . .	2 <sup>1</sup> <sub>4</sub>	3 <sup>4</sup>	1 <sup>1</sup> <sub>4</sub>	3	1 <sup>1</sup> <sub>4</sub>
	Hartford ditto, . . . .	1 <sup>1</sup> <sub>2</sub>	1	1	2 <sup>1</sup> <sub>4</sub>	1 <sup>1</sup> <sub>4</sub>
	Wolcotts ditto, { over great river, { and rivulet,	2 <sup>1</sup> <sub>4</sub>	2 <sup>1</sup> <sub>4</sub>	1 <sup>1</sup> <sub>4</sub>	3	1 <sup>1</sup> <sub>4</sub>
	Windsor ditto, at Scantick, . . . .	2	1 <sup>1</sup> <sub>8</sub>	1 <sup>1</sup> <sub>4</sub>	3 <sup>3</sup> <sub>4</sub>	1 <sup>1</sup> <sub>8</sub>
	Suffield ditto, . . . .	2	3 <sup>4</sup>	1 <sup>1</sup> <sub>4</sub>	3	1 <sup>1</sup> <sub>4</sub>
	New Haven Ferry, . . . .	2	3 <sup>4</sup>	1 <sup>1</sup> <sub>4</sub>	3	1 <sup>1</sup> <sub>4</sub>
	Stratford ditto, . . . .	2 <sup>1</sup> <sub>2</sub>	1	1 <sup>1</sup> <sub>2</sub>	3 <sup>1</sup> <sub>2</sub>	1 <sup>1</sup> <sub>2</sub>
	Derby ditto, . . . .	2 <sup>1</sup> <sub>2</sub>	3 <sup>1</sup> <sub>4</sub>	1 <sup>1</sup> <sub>4</sub>	3	1 <sup>1</sup> <sub>4</sub>
	Newtown ditto, at Potatuck, . . . .	2	3 <sup>4</sup>	1 <sup>1</sup> <sub>4</sub>	3	1 <sup>1</sup> <sub>4</sub>

	Man, horse and load.	Footman.	Led horse.	Ox or other Neat kind	Sheep, hog or goat.
Knowles's, . . . . .	3 <i>d</i>	4 <i>d</i>	1 <i>d</i>	3 <i>d</i>	4 <i>d</i>
Stratford, at the Narrows, . . . . .	2	1 <i>d</i>	1 <i>d</i>	3	4
Chichester, at Cornwal, . . . . .	1	1 <i>d</i>	3 <i>d</i>	1	4
Disboroughs Ferry, at the Narrows over Sagatuck River, . . . . .	2½	1	1½	3½	½

An Act relating to the Payment of Fees, Fines, Penalties, &c., mentioned and fixed in the Laws of this Government.

*Be it enacted and declared by the Governor, Council and Representatives, in General Court assembled, and by the authority of the same,* That the several sums of money mentioned, fixed or stated, for fines, fees, penalties, duties, forfeitures, fares, and the like, in the new revised acts and laws passed at the sessions of this Assembly in May one thousand seven hundred and forty-nine, and now lately printed, and in such other acts as have been since made and passed, or have been made and passed at this Assembly in their present sessions, or shall be hereafter made and passed, are to be and shall be understood and taken to be fixed, stated and ascertained, in Proclamation Money, according to the act of Parliament made and passed in the 6th year of the reign of her late Majesty Queen Anne, entituled An Act for ascertaining the rates of foreign coins in her Majesty's Plantations in America, (unless some other coin or currency be or shall be therein expressed or fixed). And that the said fines, fees, penalties, duties, forfeitures, fares, [48] &c., may be answered and discharged || either by paying an equivalent in any other coin current in this Colony at the time of payment, rated according to the directions in said act, or by an equivalent in the bills of publick credit on this Colony, unless where any particular law doth or shall expressly order otherwise.

This Assembly do establish and confirm Mr. Nathaniel Berry to be Captain of the company or trainband in the town of Kent, and order that he be commissioned accordingly.

This Assembly do establish and confirm, Mr. John Ransom to be Lieutenant of the company or trainband in the town of Kent, and order that he be commissioned accordingly.

This Assembly do establish and confirm Mr. Jehiel Benton to be Ensign of the company or trainband in the town of Kent, and order that he be commissioned accordingly.

This Assembly grants unto the Honourable Jonathan Law, Esq<sup>r</sup>, the sum of one hundred and thirty pounds new tenour, for the last half of his salary the current year.

This Assembly grants unto the Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>,

the sum of sixty-five pounds new tenour, for the last half of his salary the current year.

Granted to Timothy Green, printer, the sum of seventeen pounds ten shillings in new tenour bills, for his last half year's salary; and also the sum of three hundred and thirty six pounds old tenour, in full for his printing two hundred fifty-six books of the new revised laws of this Colony.

This Assembly do appoint William Pitkin, John Chester, Esq<sup>rs</sup>, Colo. Thomas Welles, Colo. Joseph Pitkin and Mr. Thomas Seymour, a committee to attend his Honour the Deputy Governor to hear the records of the acts and doings of this Assembly read off, as see them signed by the Secretary as perfect and compleat.

The whole Record of the several Acts, Grants and Orders of this Assembly, as it stands entered on the pages of this book next preceding, was read off in the presence of the major part of the committee abovenamed, and signed in their presence.

GEORGE WYLLYS, *Secret'y*.

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[49] *Anno Regni Regis Georgii Secundi vigesimo-quarto.*  
AT A GENERAL ASSEMBLY HOLDEN AT HARTFORD IN HIS MAJESTY'S ENGLISH COLONY OF CONNECTICUT IN NEW ENGLAND IN AMERICA, BY SPECIAL ORDER OF HIS HONOUR THE DEPUTY GOVERNOR, (THE GOVERNOR ELECTED IN MAY LAST BEING DECEASED,\*) UPON THE 21ST DAY OF NOVEMBER, AND CONTINUED BY ADJOURNMENT TO THE 22D OF THE SAME MONTH, ANNOQUE DOMINI 1750.

*Present:*

The Honourable Roger Wolcott, Esq <sup>r</sup> , Deputy Governor.	
James Wadsworth,	Jonathan Trumble,
Samuel Lynde,	Hezekiah Huntington,
William Pitkin,	John Bulkley,
Thomas Fitch,	Andrew Burr,
Roger Newton,	John Chester,
Ebenezer Silliman,	Gurdon Saltonstall,

} Esq<sup>rs</sup>, *Assistants*.

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\* Jonathan Law, the only son of Jonathan and Sarah [Clark] Law, was born in Milford, August 6th, 1674, and graduated at Harvard College, 1695. He was seized with a strangury the day after the adjournment of the October session of the Assembly, and died at his seat in Milford, November 6th, 1750. His widow, (who was his fifth wife,) daughter of John Hall, Esq., of Wallingford, became the third wife of Col. Joseph Pitkin, of East Hartford, whom she survived, and died in New Haven June 23d, 1774, aged 75. Col. Pitkin was her third husband, for she was the widow of Samuel Andrew when she married Jonathan Law. A funeral oration on Governor Law, in Latin, was delivered in the college hall at New Haven, December 12th, 1750, by Ezra Stiles, then senior tutor. It was printed at New London, 1751, 4to, pp. 15.

*Representatives or Deputies who attended at this Assembly are as follow, viz :*

Colo. Joseph Pitkin, Mr. Thomas Seymour, for Hartford.  
Capt. Stephen Lee, Mr. William Manwaring, for New London.  
Mr. Jonathan Huntington, Colo. Jabez Huntington, for Windham.

Major Phinehas Lyman, Capt. Samuel Kent, for Suffield.  
Colo. Jonathan Hoit, Mr. Abraham Davenport, for Stanford.  
Capt. William Williams, for Groton.

Mr. Ambrose Whittelsey, Capt. John Murdock, for Saybrook.  
Mr. Caleb Baldwin, Capt. Ephraim Peck, for Newtown.

Capt. Ephraim Terry, Capt. Elijah Williams, for Endfield.  
Colo. Thomas Wells, Capt. Jonathan Hale, for Glassenbury.  
Mr. Bushnel Bostwick, Mr. Thomas Noble, for New Milford.  
Mr. Zebulon West, Mr. John Lothrop, for Tolland.

Colo. Elizur Goodrich, Capt. Jonathan Belden, for Weathersfield.

Capt. Isaac Dickerman, Capt. John Hubbard, for New Haven.  
Mr. David Rowland, for Fairfield.

Capt. William Whiting, for Norwich.

Mr. Ebenezer West, Major Joseph Fowler, for Lebanon.

Mr. Henry Bowen, Colo. Thomas Chandler, for Woodstock.

Capt. John Fowler, Mr. Robert Treat, for Milford.

Mr. Robert Knowlton, Capt. William Watkins, for Ashford.

Capt. William Buel, Capt. Joseph Phelps, for Hebron.

Mr. Joseph Strong, Mr. Phinehas Strong, for Coventry.

Mr. Andrew Robey, Capt. Nath<sup>l</sup> Holcomb, for Symsbury.

Mr. Stephen Cone, Mr. Joel White, for Bolton.

Capt. John Lumm, Capt. Abel Gun, for Derby.

Mr. Josiah Rogers, Capt. William Hoadly, for Branford.

[50] Mr. James Benedict, Capt. Richard Olmstead, for Ridgfield.

Major Ebenezer Marsh, Capt. Joseph Sanford, for Litchfield.

Capt. Charles Bulkley, Mr. John Chamberlain, for Colchester.

Capt. Robert Dixon, Mr. John Smith, for Voluntown.

Mr. Peter Aspinwell, Capt. William Williams, for Mansfield.

Mr. Daniel Bissell, Mr. William Wolcott, for Windsor.

Mr. Jacob Dresser, Mr. Boaz Stearns, for Killingly.

Mr. Samuel Minor, Mr. Benja. Heacock, for Woodbury.

Capt. Jonathan Lane, Capt. Nathan Kelsey, for Killingworth.

Major Daniel Ely, Mr. Joseph Mather, for Lyme.

Colo. Samuel Hill, Major Timothy Stone, for Guilford.

Major Jabez Hamlin, Capt. Joseph Southmaid, for Middletown.

Capt. William Wittar, for Preston.

Capt. Samuel Addams, Capt. Theophilus Nickols, for Stratford.

Mr. John Hooker, Mr. Nath<sup>l</sup> Newell, for Farmington.



Capt. Joseph Denison, for Stonington.

Colo. John Dyar, Mr. Solomon Tracy, for Canterbury.

Mr. Jonathan Dean, Mr. Ezekiel Pierce, for Plainfield.

Mr. Thomas Benedict, Mr. Benja. Sperry, for Danbury.

Mr. Hezekiah Brainerd, for Haddam.

Colo. Benjamin Hall, Capt. Josiah Robinson, for Wallingford.

Major Elihu Chauncey, Mr. James Wadsworth, jun<sup>r</sup>, for Durham.

Mr. Samuel Fitch, Mr. Joseph Platt, for Norwalk.

Mr. Stephen Hopkins, for Waterbury.

Mr. Ebenezer Holbrook, for Pomfrett.

Capt. John Mead, Mr. Gershom Lockwood, for Greenwich.

Colo. Thomas Welles, Speaker, } of the House of Repre-

Mr. Abraham Davenport, Clerk, } sentatives.

This Assembly do elect the Honourable Roger Wolcott, Esq<sup>r</sup>. to be Governor of this Colony until the Election in May next, in the room of the late Governor, the Honourable Jonathan Law, Esq<sup>r</sup>, deceased.

The Governor's oath, prescribed by the law of this Colony, was administered to the Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, Governor, by James Wadsworth and Samuel Lynde, Esq<sup>rs</sup>, Assistants, in the presence of the Assembly.

This Assembly do elect the Honourable Thomas Fitch, Esq<sup>r</sup>, to be Deputy Governor of this Colony until the election in May next.

The Hon<sup>ble</sup> Thomas Fitch, Esq<sup>r</sup>, had the Deputy Governor's oath, prescribed by law, administered to him by his Honour the Governor, in the presence of the Assembly.

The oath required by act of Parliament, relating to trade and navigation, was administered to the Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, Governor, by the Deputy Governor, in the presence of the Assembly.

This Assembly do appoint the Hon<sup>ble</sup> Thomas Fitch, Esq<sup>r</sup>, to be Chief Judge of the Superior Courts in this Colony, until the election in May next.

[51] *Resolved by this Assembly*, That his Honour the Governor be desired, and he is hereby desired, to write to Richard Partridge, Esq<sup>r</sup>, our Agent at Great Britain, and give him directions that when he shall receive the money granted to this Colony for the reimbursement of the charges and expences incurred in the late intended expedition against Canada, that he give information thereof as soon as may be; and in the mean time that he put the money into some bank or

banks in England, where the same may be safe and draw an interest while it is there.

*Resolved by this Assembly*, That the Hon<sup>ble</sup> Roger Wolcott, Esq<sup>r</sup>, our Governor, be desired, and he is hereby desired with the assistance of the Hon<sup>ble</sup> Thomas Fitch, Esq<sup>r</sup>, and Major Phinehas Lyman, to state the case and prepare the evidence relating to the divisional line between the Province of the Massachusetts Bay and this Colony, and forthwith send it forward to our Agent, and in every thing relating thereto observe and pursue the several acts of Assembly heretofore made and directions given thereon during the time the late Hon<sup>ble</sup> Jonathan Law, Esq<sup>r</sup>, was our Governor.

Granted to the Honourable Roger Wolcott, Esq<sup>r</sup>, Governor, the sum of sixty-five pounds new tenour, to make up his half year's salary the current year.

Granted to the Hon<sup>ble</sup> Thomas Fitch, Esq<sup>r</sup>, Deputy Governor, the sum of sixty-five pounds new tenour, for his salary until the election in May next.

*Teste*, GEORGE WYLLYS, Secret'y.

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CORRIGENDA.

Page 45, line 7, for Simon, read Simeon.

Page 364, line 10, for John Holland, read Joseph Holland. John is, however, the reading of the record and of the original bill.

## APPENDIX.

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### PROCEEDINGS OF THE ENGLISH PRIVY COUNCIL UPON THE APPEALS OF CLARK *vs.* TOUSEY.

[From copies procured in England.]

AT THE COUNCIL CHAMBER, WHITEHALL, THE 29th DAY OF NOVEMBER, 1737.

Upon reading this day at the Board the humble petition of Samuel Clark, of his Majesty's Colony of Connecticut in America, praying to be admitted to appeal from a sentence of the superior court of the said Colony pronounced on the first Tuesday of March 1732-3,\* upon a writ brought by the petitioner against Thomas Towsey, Esq., and Hannah his wife on their own account, and against the said Thomas Towsey as guardian to John Clark an infant, as also against Thomas Clark on his own account and as guardian to Gamaliel Clark an infant, and against Richard Bryan, guardian to the children of his late wife Mehitabel, deceased, relating to the division of the real estate of Samuel Clark, Esq., deceased: It is ordered in Council, that the said petition (a copy whereof is hereunto annexed) be, and it is hereby, referred to the Right Honourable the Lords of the Committee of Council for hearing appeals from the Plantations, to consider the same and report their opinion thereupon to his Majesty in Council.

AT THE COUNCIL CHAMBER, WHITEHALL, THE 15th DAY OF DECEMBER, 1737.

It is ordered by their Lordships that the petition of Samuel Clark, praying to be admitted to an appeal against Thomas Towsey and others from Connecticut, be postponed.

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\* The record of the superior court is as follows :

A Superior Court holden at New Haven on Tuesday the sixth day of March, anno regni Regis Georgii secundi sexto, annoque Domini 1732 3.

Samuel Clark, of Milford, Plt. *versus* Thomas Tousey, Esq., of Newtown, and Hannah his wife, on their own account &c. &c., defendants. In a writ of error for the reversal of a judgment or decree of the court of probate holden at New Haven on February 28th, 1726-7, ordering a division of the land of Samuel Clark, deceased, among the children &c., for the error assigned in the writ dated February 21st, 1729-30. By the review of the plaintiff from a judgment of the superior court holden at New Haven in September last, where the defendants pleaded Nothing erroneous. And now the parties appeared and were heard upon the plea aforesaid, and this court are of the opinion that in the said judgment there is nothing erroneous; and have thereupon considered that the defendants shall recover of the plaintiff their cost of courts, taxed at £7 8 5. Execution granted March 2d, 1740-1.

AT THE COURT AT KENSINGTON, THE 25th DAY OF MAY, 1738.

*Present:* The King's Most Excellent Majesty in Council.

Upon reading at the Board a report from the Right Honourable the Lords of the Committee of Council for hearing appeals from the Plantations, dated the 4th of this instant, in the words following, *viz:*

"Your Majesty having been pleased by your order in council of the 29th of November last to refer unto this committee the humble petition of Samuel Clark of your Majesty's Colony of Connecticut in America, humbly praying to be admitted to appeal from a sentence of the superior court of the said Colony pronounced on the first Tuesday of March 1732-3, upon a writ brought by the petitioner against Thomas Towsey, Esq. and his wife on their own account, and against the said Thomas Towsey as guardian to John Clark an infant, and also against Thomas Clark on his own account and as guardian to Gamaliel Clark an infant, and against Richard Bryan guardian of the children of his late wife Mehitabel, deceased, relating to the division of the estate of Samuel Clark, Esq., deceased: The Lords of the Committee, in obedience to your Majesty's said order of reference, this day took the said petition into their consideration, and do agree humbly to report to your Majesty as their opinion, that the said Samuel Clark be admitted to appeal from the said sentence of the superior court of the said Colony pronounced on the first Tuesday in March 1732-3, upon entering into the usual security here for prosecuting the same to effect within a year and a day and abiding the determination of your Majesty in Council thereupon."

His Majesty this day took the said report into consideration, and was pleased with the advice of his Privy Council to approve thereof and to order, and it is hereby ordered, that the said Samuel Clark be admitted to appeal from the said sentence of the superior court of the said Colony of Connecticut pronounced on the first Tuesday in March 1732-3, upon entering into the usual security here for prosecuting the same to effect within a year and a day and abiding by the determination of his Majesty in Council thereupon. Whereof the Governor and Company of his Majesty's said Colony of Connecticut for the time being, and all others whom it may concern, are to take notice and govern themselves accordingly.

AT THE COURT AT ST. JAMES'S, THE 1st DAY OF APRIL, 1742.

*Present:* The King's Most Excellent Majesty in Council.

Upon reading this day at the Board the humble petition of Samuel Clark of his Majesty's Colony of Connecticut in America, humbly praying, for the reasons therein contained, that he may be admitted to appeal from a sentence pronounced in the superior



court of that Colony on the 17th of February, 1740, \* upon a writ of review brought by the petitioner to reverse a verdict and judgment of the said superior court upon an action brought by the petitioner against Thomas Towsey to recover several parcels of land in that Colony: It is ordered by his Majesty in Council, that the said petition (a copy whereof is hereunto annexed) be, and it is hereby, referred to the Right Honourable the Lords of the Committee of Council for hearing appeals from the Plantations, to consider the same and report their opinion thereupon to his Majesty at this Board.

AT THE COURT AT KENSINGTON, THE 17th DAY OF MAY, 1742.

*Present:* The King's Most Excellent Majesty in Council.

Upon reading at the Board a report from the Right Honourable the Lords of the Committee of Council for hearing appeals from the Plantations, dated the 12th of last month, in the words following, *viz*:

"Your Majesty having been pleased by your order in council of the 1st of this instant to refer unto this committee the humble petition of Samuel Clark of your Majesty's Colony of Connecticut in America, humbly praying, for the reasons therein contained, that he may be admitted to appeal from a sentence pronounced in the superior court of that Colony on the 17th of February, 1740, upon a writ of review brought by the petitioner to reverse a verdict and judgment of the said superior court upon an action brought by the petitioner against Thomas Towsey to recover several parcels of land in that Colony: The Lords of the Committee, in obedience to your Majesty's said order of reference, this day took the said petition into their consideration, and do agree humbly to report to your Majesty as their opinion, that the said Samuel Clark be admitted to appeal from the said sentence of the superior court of the said Colony pronounced on the 17th of February, 1740, upon entering into the usual security here for prosecuting the same to effect within a year and a day and abiding by the determination of your Majesty in Council thereupon."

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\* The record of the superior court is as follows:

At a Superior Court holden at Fairfield on Tuesday the 17th day of February Anno Domini 1740-1, annoque regni Regis Georgii secundi decimo quarto.

Samuel Clark jun., of Milford, Plt. *vs.* Thomas Towsey, of Newtown, Defendant, in a plea demanding surrendry of sundry tracts and parcels of land situate and lying in said Newtown &c., bounded and described as per writ dated March 26th, 1739. By review of the plaintiff from a judgment of the superior court held at Fairfield in August last on the plea No wrong nor disseizin, as per records of said court appears. The parties appeared at this court and were at issue on the plea Not Guilty, which issue with the evidence being committed to the jury they bro't in the following verdict, *viz*: In this case the jury find the defendant is not guilty as the plaintiff in his declaration hath alledged, and therefore find for the defendant his cost. Whereupon it is considered by this court, that the defendant shall recover of the plaintiff his cost of courts, taxed at £7 6 6, and that execution &c. Execution granted Feb. 20th, 1740-1.

His Majesty this day took the said report into consideration, and was pleased with the advice of his Privy Council to approve thereof, and to order, and it is hereby ordered, that the said Samuel Clark be admitted to appeal from the said sentence of the superior court of the said Colony of Connecticut pronounced the 17th of February 1740, upon entering into the usual security here for prosecuting the same to effect within a year and a day and abiding by the determination of his Majesty in Council thereupon. Whereof the Governor and Company of his Majesty's said Colony of Connecticut for the time being, and all others whom it may concern, are to take notice and govern themselves accordingly.

AT THE COURT AT KENSINGTON, THE 24TH DAY OF JUNE, 1742.

*Present:* The King's Most Excellent Majesty in Council.

Upon reading this day at the Board the humble petition and appeal of Samuel Clarke of his Majesty's Colony of Connecticut in America from a sentence pronounced in the superior court of the said Colony on the 17th of February 1740, upon a writ of review brought by the appellant to reverse a verdict and judgment of the said superior court upon an action brought by the appellant against Thomas Towsey to recover several parcels of land in that Colony, (to which appeal the appellant was admitted by his Majesty's order in council of the 17th of last month,) and humbly praying that a day may be appointed for hearing and determining the said appeal: It is ordered by his Majesty in Council, that the said petition and appeal (a copy whereof is hereunto annexed) be, and it is hereby, referred to the Right Honourable the Lords of the Committee of Council for hearing appeals from the Plantations, to hear the same and report their opinion thereupon to his Majesty at this Board.

AT THE COUNCIL CHAMBER, WHITEHALL, THE 29TH OF JUNE, 1742.

By the Right Honourable the Lords of the Committee of Council for hearing appeals from the Plantations, &c.

Whereas his Majesty was pleased by his order in council of the 24th of this instant to refer unto this committee the humble petition and appeal of Samuel Clarke of his Majesty's Colony of Connecticut in America from a sentence pronounced in the superior court of the said Colony on the 17th February 1740, upon a writ of review brought by the appellant to reverse a verdict and judgment of the said superior court upon an action brought by the appellant against Thomas Towsey to recover several parcels of land in that Colony (to which appeal the appellant was admitted by his Majesty's order in council of the 17th of last month;) and whereas a motion was this day made to the Lords of the Committee, humbly praying that a day might be appointed to hear the said appeal: Their Lordships are thereupon pleased to order, that the said appeal be heard at the first meeting of this committee in February next; at which time all parties concerned are not to fail coming

prepared to be heard thereupon by their counsel learned in the law.

AT THE COUNCIL CHAMBER, WHITEHALL, THE 2D JUNE, 1743.

Upon reading this day at the Board the humble petition of Samuel Clarke of his Majesty's Colony of Connecticut in America, setting forth that in November 1737, he presented a petition to his Majesty in Council, complaining of a judgment given by the superior court of that Colony on the first Tuesday in March 173 $\frac{2}{3}$ , in favour of Thomas Towsey, Esq<sup>r</sup>, affirming a judgment of the court of probates in relation to the division of the real estate of Samuel Clarke, Esquire, deceased, and praying to be admitted to appeal from the said judgment of the said superior court; that his Majesty, upon consideration thereof, had been pleased by his order in council of the 25th of May 1738, to allow the petitioner an appeal therefrom, upon giving the usual security to prosecute the same to effect within a year and a day: but the petitioner being at Connecticut and not receiving any advice of the appeal's being granted, brought his ejection in the inferior court of the said Colony against Thomas Towsey for recovery of his division of the aforesaid real estate, where judgment was given against him, as it was afterwards upon his appeal to the superior court, from which last judgment he brought a writ of review, and on the 17th February, 1740, the said judgment was affirmed; that thereupon he presented a petition to his Majesty in Council, praying an appeal from the said judgment in review of the 17th February 1740, which his Majesty was graciously pleased to grant by his order in council of the 19th of June 1742, and security was accordingly given for prosecuting the same: but the petitioner being informed by his counsel that he cannot prove his case without the records of the court below, and not being able to obtain the same, he most humbly prays that he may be permitted to proceed on the order of council of the 25th of May 1738, admitting him to an appeal from the said judgment of the superior court held at New Haven in the said Colony of Connecticut the first Tuesday in March 173 $\frac{2}{3}$ , on the writ of error brought by the petitioner to reverse the said judgment of the court of probates, and that the petitioner may be now admitted to give security for prosecuting the said appeal as if he had done the same according to the said order: It is ordered by their Excellencies the Lords Justices in Council, that the said petition (a copy whereof is hereunto annexed) be, and it is hereby, referred to the Right Honourable the Lords of the Committee of Council for hearing appeals from the Plantations, to consider the same and report their opinion thereupon to their Excellencies at this Board.

AT THE COUNCIL CHAMBER, WHITEHALL, THE 29TH DAY OF JUNE, 1745.

It is this day ordered, that the petition of Samuel Clarke, praying to be admitted to an appeal against Thomas Towsey from [a judg-

ment of the superior court held at New Haven in the Colony of Connecticut on the first Tuesday in March 1732-3,] be heard on Tuesday next, the 2d of July, at six o'clock in the evening.

AT THE COUNCIL CHAMBER, WHITEHALL, THE 18TH DAY OF JULY, 1745.

*Present* : Their Excellencies the Lords Justices in Council.

Upon reading at the Board a report from the Right Honourable the Lords of the Committee of Council for hearing appeals from the Plantations, dated the 4th of this instant, in the words following, *viz* :

" Their Excellencies the late Lords Justices having been pleased by their order in council of the 2d of June 1743, to refer unto this committee the humble petition of Samuel Clarke of his Majesty's Colony of Connecticut in America, setting forth that in November 1737, he presented a petition to his Majesty in Council, complaining of a judgment given by the superior court of that Colony on the first Tuesday in March 1732-3, in favour of Thomas Towsey, Esq<sup>r</sup>, affirming a judgment of the court of probates relating to the division of the real estate of Samuel Clarke, Esquire, deceased, and praying to be admitted to appeal from the said judgment of the said superior court; that his Majesty, upon consideration thereof, had been pleased by his order in council of the 25th May 1738, to allow the petitioner an appeal therefrom, upon giving the usual security to prosecute the same to effect within a year and a day, but the petitioner being at Connecticut and not receiving any advice of the appeal being granted, brought his ejectment in the inferior court of the said Colony against Thomas Towsey for recovery of his division of the aforesaid real estate, where judgment was given against him, as it was afterwards upon his appeal to the superior court, from which last judgment he brought a writ of review, and on the 17th of February 1740, the said judgment was affirmed; that thereupon he presented a petition to his Majesty in Council, praying an appeal from the said judgment in review of the 17th February 1740, which his Majesty was graciously pleased to grant by his order in council of the 19th of June 1742, and security was accordingly given for prosecuting the same, but the petitioner being informed by his counsel that he cannot prove his case without the records of the court below, and not being able to obtain the same, he most humbly prays that he may be permitted to proceed on the order of council of the 25th of May 1738, admitting him to an appeal from the said judgment of the superior court held at New Haven in the said Colony of Connecticut the first Tuesday in March 1732-3, on the writ of error brought by the petitioner to reverse the said judgment of the court of probates, and that the petitioner may be now admitted to give security for prosecuting the said appeal as if he had done the same according to the said order : The Lords of the Committee this day took the said petition into their consideration, and heard counsel as well for as against this petition, and do thereupon agree to report to your



Excellencies as their opinion, that this petition of Samuel Clark ought to be dismissed."

Their Excellencies the Lords Justices this day took the said report into consideration, and were pleased with the advice of his Majesty's Privy Council to approve thereof, and to order that the said petition of Samuel Clarke be, and it is hereby, dismissed this Board. Whereof the Governor and Company of his Majesty's Colony of Connecticut for the time being, and all others whom it may concern, are to take notice and govern themselves accordingly.

QUERIES FROM THE BOARD OF TRADE AND PLANTATIONS  
TO THE GOVERNOR AND COMPANY OF CONNECTICUT,  
WITH THE ANSWERS THERETO, 1748-9.

[Foreign Correspondence, I. 163, 164, 165.]

Whitehall, June 8th, 1748.

Gentlemen: I am directed by my Lords Commissioners for Trade and Plantations to send you the inclosed Heads of Enquiry, and to desire your particular answer thereto as soon as may be, together with your observations upon such points as you shall think necessary; and you are desired to make a return thereto every six months, that their Lordships may be apprized of any alterations which may happen in the circumstances of your government.

I am, Gentlemen, your most obedient, humble servant,

THOS. HILL.

Governor and Company of Connecticut.

QUERIES FROM THE BOARD OF TRADE TO THE GOVERNOR AND COM-  
PANY OF THE COLONY OF CONNECTICUT.

[Endorsed, Received Sept. 13th, 1748.]

[1.] What is the situation of the Colony under your government, the nature of the country, soil and climate, the latitudes and longitudes of the most considerable places in it, or the neighbouring French or Spanish settlements? Have those latitudes and longitudes been settled by good observations, or only by common computations, and from whence are the longitudes computed?

[2.] What are the reputed boundaries, and are any parts thereof disputed, what parts, and by whom?

[3.] What is the constitution of the government?

[4.] What is the trade of the Colony, the number of shipping, their tonnage, and the number of sea-faring men. with the respective increase or diminution within ten years past?

[5.] What quantity and sorts of British manufactures do the inhabitants annually take from hence ?

[6.] What trade has the Colony under your government with any foreign plantations, or any part of Europe, besides Great Britain ? How is that trade carried on ? What commodities do the people under your government send to or receive from foreign plantations ?

[7.] What methods are there used to prevent illegal trade, and are the same effectual ?

[8.] What is the natural produce of the country, staple commodities and manufactures ? And what value thereof in sterling money may you annually export ?

[9.] What mines are there ?

[10.] What is the number of inhabitants, whites and blacks ? Are the inhabitants increased or decreased within the last ten years ? How much, and for what reasons ?

[11.] What is the number of the militia ?

[12.] What forts and places of defence are there within your government ? and in what condition ?

[13.] What number of Indians have you, and how are they inclined ?

[14.] What is the strength of the neighbouring Indians ?

[15.] What is the strength of your neighbouring Europeans, French or Spaniards ? What effect have the French or Spanish settlements on the continent of America upon his Majesty's Plantations, especially on your Colony ?

[16.] What is the revenue arising within your government, and how is it appropriated ? What are the ordinary and extraordinary expences of your government ?

[17.] What are the establishments, civil and military, within your government, and by what authority do the officers hold their places ?

[At the May session, 1749, the foregoing queries were referred to a committee, consisting of James Wadsworth, Samuel Lynde, Jeremiah Miller, John Russell, Elisha Chauncey, Seth Wetmore, and Joseph Platt, who reported the following answers, which the Secretary was ordered to sign per order of this Assembly, and direct the same to the Right Hon<sup>ble</sup> the Lords Commissioners for Trade and Plantations.]

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MAY IT PLEASE YOUR LORDSHIPS : We have received your Queries directed to the Governor and Company of this his Majesty's Colony of Connecticut, and in answer thereto inform your Lordships:

1. The situation of the Colony, as hath been found by repeated and careful observations, is between 41 and 42 degrees of N. latitude, and about 71 of longitude from London. The three most considerable rivers in the Colony are Connecticut, Stratford, and New London River; the two principal branches of which last-mentioned river are called Quinnebaug and Shetucket. Tis bounded southerly by the sea or sound, near which and by the rivers the soil is more fruitful, but the greatest part of the land is mountain-

ous and rocky. The climate is very cold in winter and hot in summer.

2. The Colony is bounded southerly on the sea or sound, easterly on Rhode Island, westerly on New York, north on the line of the Massachusetts Colony.

3. As to the constitution of the government : The legislative power is by the royal charter vested in the General Assembly, which consists of the Governor, or in his absence the Deputy Governor, and twelve Assistants, (whereof the Governor or Deputy Governor and six Assistants are a quorum,) and Representatives from each town, not exceeding two; all which are chosen by the freemen of the respective towns. The Governor or Deputy Governor and Assistants are called the Upper House, the Deputies or Representatives, the Lower House. Without the concurrence of each house no act is pass'd. They make laws, institute judicatories, appoint judges and other necessary officers, who before they enter upon their respective offices are all sworn. They meet twice in each year, *viz.* in May and October, and oftener if call'd together by the Governor on any emergency.

4. The trade of the Colony is not large. Horses, lumber and some provisions are exported to the West India islands, from whence we receive in exchange sugar, rum, molasses, salt, and some bills of exchange. What provisions we can spare are principally sent to Boston, New York and Rhode Island, to pay for European goods, which we have mostly from thence, though of late we have had some quantities of goods imported directly from Great Britain, which trade we are endeavouring to cultivate. As to the number of shipping and sea-faring men, we must refer you to the account from the collector and naval officer which we herewith transmit, and which is sent quarterly to the Commissioners of the Customs.

5. Our inhabitants take annually of the British manufactures all sorts of woolen cloth, silks, scythes, nails, glass, pewter, brass, fire-arms, and all sorts of cutlery ware : the quantity we cannot ascertain.

6. We have at present no trade with any foreign plantations, though before the late war we had some few vessels that went up the Mediterranean with fish, with which they purchas'd bills of exchange, and brought the effects home in British manufactures.

7. The methods us'd to prevent illegal trade are a strict conformity to the acts of Parliament relating thereto, by the collector and naval officer, which we conclude are effectual.

8. The produce of the country are timber, English grain, Indian corn, flax, hemp, tobacco, horses, cattle, sheep, swine, some small quantities of each of which are annually exported, as before mentioned. Our manufactures are inconsiderable, our people being generally employed in clearing and tilling the earth. Some tradesmen there are, as tanners, shoemakers, taylors, joyners, smiths, carpenters, &c., without which we could not subsist.

9. There are some copper mines, but proving unprofitable are wholly laid aside. Iron ore hath been found in sundry places, and improv'd to good advantage.

10. The number of our inhabitants, of both sexes and all ages, are computed to be about 70,000 whites and 1000 blacks, and they are greatly increased within the ten years last past, which we attribute (under the divine blessing) to a wholesome air, industrious life, and frugality in living.

11. The militia are computed to be about 10,000, reckoning from 16 to 50 years of age.

12. We have a battery at New London, in which are 9 guns mounted, and in our most exposed frontiers many fortifications to secure the people from the insults of the enemy.

13. The Indians among us are about 500 in all. They are naturally inclined to idleness and excessive drinking, but the great pains that hath been taken to instruct them in literature and in the christian religion seems not to be altogether in vain.

14. There are no Indians that border upon us. The Six Nations, so call'd, are the nearest, who live partly in New York government and partly westward of it.

15. The Spaniards have no settlements nearer to us than St. Augustine. The French at Canada, though not very near, have been very troublesome, especially since they have built a strong fort on this side the lake, at a place call'd Crown Point, from which they, with the Indians, very often make excursions and distress our frontiers and those of New York and the Massachusetts, which occasions a great expence in garrisoning them.

16. The annual revenue by rates and duties in time of peace amounts to about £9000 in bills of credit, about 2000 of which is expended in the support of schools for the education of youth, the remainder for the support of government. Since the commencement of the war our expences have been vastly greater.

17. Our civil establishments are : 1. A superior court, consisting of one chief judge and four assisting judges. This court sits twice in the year in each county, in which are try'd all high crimes and misdemeanors, and civil actions that come to them by appeal from inferior courts. 2. An inferior court in each county, consisting of one chief judge and three or more justices of the quorum, who sit twice in the year, and oftener if occasion requires, for the tryal of delinquents and civil actions. In all these courts matter of law is determined by the court and matter of fact by a jury. 3. In each town are one or more justices of the peace for conservation of the peace and tryal of small causes.

The militia is divided into thirteen regiments. The officers in each are a colonel, lieutenant colonel and major, and in each regiment is a troop of horse. All the officers, both civil and military, are approved by the General Assembly and commissioned by the governor.



# INDEX.

- Abbott, Abiel, 441, 523: — Lemuel, 309: — Philip, 441.
- Abel, Caleb, *v.* Tracy, 55: — Joshua, lieutenant, 9; captain, 191.
- Abington, society formed, 439; dissatisfaction with bounds, 532.
- Accounts, public: receipts for impost to be lodged with secretary, 18; auditors appointed, 7, 106, 197, 272, 329, 418, 463; committee of the pay-table, 111, 122, 143, 455.
- Acquanquage plain, 200.
- Adams, Eliphalet, 359: — John, 304: Joseph, 60: — Pygan, captain, 10: — Samuel, 566; captain, Cape Breton expedition, 85; lieutenant, 126; ensign, 193; captain, 272; deputy for Stratford, 384, 547, 584; justice, 118, 190, 271, 353, 417, 504: — Thomas, justice, 352, 416, 503.
- Agard, Benjamin and Joshua, 392.
- Agent in England, to adjust accounts of military expeditions, 185, 264, 418, 456, 509, 555; statement relative to Massachusetts line to be sent to, 433, 513, 553, 586. See Avery, Bulkeley, Fitch, Palmer, Partridge, Williams.
- Alden, Daniel, 364, 461; justice, 416, 503.
- Allen, Benjamin, 439: — David, ensign, 363: — Edward, captain, 517; guns lent to, 496: — Gideon, ensign, 109: — Jonathan, captain, 174: — Joseph, 378: — Robert, deputy for Groton, 349: — Samuel, ensign, 420.
- Alling, Caleb, lieutenant, 194: — Ebenezer, land may be sold, 169: — Jonathan, 34, 138, 237, 255; deputy for New Haven, 2: — Mary, 169: — Timothy, 404.
- Allyn, Benjamin, quarter-master, 429: — Caleb, captain, 274: — Ebenezer, lieutenant, 47: — Henry, 43, 545; deputy for Windsor, 2, 460, 500; justice, 5, 105, 195, 269, 352, 431, 503: — Pelatiah, deputy for Windsor, 187, 238, 262, 267, 319, 349: — Samuel, land may be sold, 36: — Timothy, 206.
- Alverd, Jonathan, 248; lieutenant, 385.
- Andover society constituted, 301; meeting-house, 336, 369; ecclesiastical tax, 440; annexed to the 12th regiment, 379.
- Andrew, Samuel, 114.
- Andrews, Elisha, 323; captain, 387: — Jedidiah, 544.
- Andrus, Caleb, 316: — Daniel, 244: — David, 367: — Ephraim, ensign, 526: — Eunice, 244: — Ezra, 395: — Gideon, land may be sold, 316: — Ichabod, 296, 367: — Thomas, 471, 484: — William and Mary, 540.
- Arnold, Gideon, 204: — John, land may be sold, 204: — Josiah, ensign, 515: — Nathaniel, ensign, 196: — Robert, land may be sold, 395.
- Ashford, town enlarged, 478; Watkins, &c. *v.* 545.
- Ashley, Ezekiel, lieutenant Cape Breton expedition, 128, 143.
- Aspinwall, Peter, deputy for Mansfield, 500, 547, 584.
- Atherton, Simon, 302.
- Atkins, Benjamin, 558.
- Atwater, Benjamin, lieutenant, 172: — Jonathan, 373, 476: — Moses, ensign, 325: — Samuel, 373.
- Austin, David, ensign, 108; lieutenant, 548: — Joshua, ensign, 172: — Thomas, ensign, 468.
- Avery, Benjamin, 579; appointed agent in England, 471, 472, 511; form of bills to be drawn on, 475, 512: — Christopher, 139, 206, 332, 356, 514, 527; deputy for Groton, 2, 45, 83, 91, 102, 148, 155, 164, 187, 230, 238, 261, 267, 384, 414, 500; auditor, 7, 197; colonel, 256; justice, 26, 105, 197, 270, 352, 416, 503: — Ebenezer, deputy for Groton, 238, 261, 354, 546; lieutenant, 389; captain, 424: — Humphrey, 532; deputy for Preston, 267; justice, 26, 105, 197, 270, 352, 416, 504; loan to, 536: — James, 446, 573: — Jonathan, 68: — Theophilus, ensign, 242; lieutenant, 419.
- Averill, Josiah, captain, 242: — Samuel, 397.
- Babcock, Nathaniel, captain, 515.
- Backus, Ebenezer, 68, 145, 251, 291, 299, 327, 376, 454, 494, 572; deputy for Norwich, 44, 90, 163, 187, 230, 238, 262, 266, 318, 348, 384, 413, 459, 500; justice, 197, 270, 353, 416, 504: — Eunice, grant to, 207, 252: — Rev. Simon, chaplain at Cape Breton, 207, 252, 374.

- Bacon, Jacob, ensign, 322: — Nathaniel, 487.
- Badger, Daniel, lieutenant, 48.
- Bailis, Thomas, 198.
- Baker, Ephraim, ensign, 321: — John, 137, 200: — Lemuel, 444: — Samuel, 52.
- Baldwin, Barnabas, captain, 481: — Benjamin, 397: — Caleb, deputy for Newtown, 500, 546, 584; justice, 563: — Daniel, 177: — David, 207: — Isaac, deputy for Litchfield, 102, 148: — Jacob, 536: — James, deputy for Waterbury, 319, 349: — John, 138; ensign, 361: — Moses, lieutenant, 553: — Nathan, 181, 536; deputy for Milford, 238, 261, 267, 383; justice, 190, 270, 352, 425, 503: — Nathaniel, land may be sold, 536: — Noah, 517: — Thomas, 68.
- Banks, David, ensign, 273: — Joseph, ensign, 362; captain, 518.
- Bannister, John and Samuel, 337, 367.
- Baptists, at Killingworth and Saybrook, 113; law exempting from ecclesiastical taxes to be printed with revised laws, 498.
- Barker, Abner, ensign, 469; lieutenant, 555: — James, ensign, 421.
- Barlow, Jabez, lieutenant Cape Breton expedition, 128, 144.
- Barnard, Joseph, 300, 364, 544; lieutenant, 473.
- Barnes, Abraham and Samuel, annexed to Westbury society, 139: — Benjamin, 328, 497: — Ebenezer, 13, 123: — Nathaniel and Abigail, 166: — William, 431.
- Barnum, Ebenezer, land may be sold, 466.
- Barrett, Benjamin, 179.
- Barstow, Jonathan, land may be sold, 467.
- Bartholomew, Samuel, 255.
- Bartlett, Abraham, 533; captain, 6; deputy for Durham, 319: — John, 64; lieutenant, 421: — Joseph, captain, 363: — Josiah, captain, 526.
- Bassett, Robert, 569: — Samuel, 303, 355; deputy for Derby, 44, 82, 91, 102, 147, 155, 164, 267; justice, 20, 104, 190, 270, 425, 503.
- Bateman, Ebenezer, deputy for Killingly, 164, 187, 230, 267: — Eleazer and Thomas, 179.
- Bates, Ephraim, 316: — John, 530: — Jonathan, captain, 263; deputy for Stamford, 163: — Joseph, 544; grant of ferry to, 495: — Robert, land may be sold, 316.
- Bayberries, act for protection of, 170.
- Bayley, Rev. James, land granted to, to be laid out, 564: — John and Joshua, 564.
- Beach, Ebenezer, 130: — James, 313; ensign, 50; lieutenant, 506: — John, justice, 5, 105, 196, 269, 352.
- Beaman, Thomas, 528; ensign, 426.
- Beamond, Samuel, 298, 530.
- Beardsley, Daniel and Samuel, 569: — Obadiah, 371.
- Beckley, John, ensign, 549: — Joseph, lieutenant, 549.
- Beckwith, Benjamin and George, 34: — Jonah, land may be sold, 34: — Nathaniel, ensign, 555: — Thomas, lieutenant, 165.
- Bedford, Duke of, letters received from, 360, 386, 419, 461.
- Beebe, James, 141; deputy for Danbury, 44, 83, 91, 101, 147, 154, 163, 238, 262, 266, 349, 384, 413, 460; justice, 21, 118, 190, 271, 353, 417: — John, captain, 408: — Samuel, captain, 168.
- Beecher, Eliphalet, 176.
- Beedle, Nathaniel, lieutenant Cape Breton expedition, 86, 91; captain, 172.
- Beers, Abiel, Ebenezer and Thomas, 569: — James, lieutenant, 108.
- Belcher, Elijah, deputy for Preston, 384.
- Belden, Daniel, lieutenant Canada expedition, 213, 236: — Ebenezer, lieutenant, 361: — John, freed from tax, 26: — Jonathan, 541; deputy for Wethersfield, 2, 348, 413, 499, 546, 584: — Joseph, captain, 273.
- Bellows, Samuel, 140; ensign, 168; captain, 468.
- Belton, Jonas, ensign, 241; lieutenant, 422.
- Bemis, Ephraim, 181.
- Benedict, Caleb, ensign, 548: — Daniel, deputy for Danbury, 318; lieutenant, 242: — Gideon, land may be sold, 428: — James, deputy for Ridgefield, 2, 44, 82, 90, 164, 319, 349, 384, 413, 460, 547, 584; justice, 21, 118, 190, 271, 353, 417, 504: — John, deputy for Danbury, 318, 413, 500: — Matthew, lieutenant, 6; captain, 194: — Thomas, 381; auditor, 7, 197; captain, 192; deputy for Danbury, 2, 101, 154, 163, 186, 230, 238, 266, 349, 384, 500, 547, 555, for Norwalk, 2, 44, 82, 91; justice, 21, 118, 190, 271, 353, 417, 504; probate judge, 20, 118, 190, 271, 351, 417, 504.
- Benham, Knos, set off to North Branford, 202: — Japhet, ensign, 321; captain, 548.
- Benjamin, Joseph, 484.
- Bennett, Ephraim, 557: — Joseph, 391: — Nathan, captain, 126.
- Benton, Ebenezer, lieutenant, 469: — Jehiel, ensign, 582.
- Berry, Nathaniel, lieutenant, 165; captain, 582.
- Bethlem, released from tax, 562.
- Betts, Elias, ensign, 107; lieutenant, 385; captain, 423: — John, justice, 21, 118: — Samuel, captain, 106; justice, 271, 353, 417.
- Bicknal, James, 545; auditor, 197; deputy for Ashford, 163, 186, 230, 238, 262, 266, 349, 384, 413, 459, 500; justice, 191, 271, 353, 425, 505.
- Bidwell, Moses, 476: — Roger, 255.
- Bigelow, Isaac, ensign, 53: — Timothy, adjutant, 93; lieutenant Canada expedition, 213.
- Bill, Benajah, lieutenant, 48; lieutenant

- Cape Breton expedition, 86: — Joseph, 465: — Philip, 302.
- Billings, Joseph, ensign, 361: — Roger, 484; lieutenant, 17; lieutenant Canada expedition, 236; deputy for Preston, 267, 460.
- Bills of credit emitted, 42, 66, 99, 151, 217, 234; old, exchanged, 80; counterfeited, 78, 79, 112, 178, 302, 330, 335, 377, 396; burnt, 308, 441; plate to be reengraved, 162; act for supporting currency of, 282, 346; money received from England appropriated to redemption of, 410; bill in parliament relative to, 453; to be called in, 447, 452, 474, 510; account of, to be sent to England, 452, 461.
- Bird, John, deputy for Litchfield, 349: — Joseph, 20, 201, 251, 280; deputy for Litchfield, 2, 44, 82, 90, 163, 167, 230, 238, 261, 384, 413; justice, 196, 269, 352, 416.
- Birdsey, Abel, 569.
- Birge, Cornelius, 32.
- Bishop, Daniel, lieutenant, 275: — Ebenezer, 372: — Lydia, land may be sold, 371: — Samuel, justice, 19, 104, 190, 270.
- Bissell, Benjamin, 477: — Daniel, 101, 150, 200, 302, 304, 568; deputy for Windsor, 44, 82, 90, 102, 148, 155, 164, 547, 584; justice, 196, 269, 352, 416, 503: — David, ensign, 10: — John, 336, 369; justice, 5, 105.
- Blackleach, Joseph, deputy for Stratford, 413; justice, 21, 118, 190, 271, 353, 417, 504.
- Blackman, Matthew and Samuel, 569.
- Blacksley, deacon, 169.
- Blakely, Jacob, 408, 497: — James, ensign Canada expedition, 213.
- Bloggett, Daniel, 81.
- Board of Trade, queries from, with answers, 593.
- Boardman, Joseph, quarter-master, 473.
- Bolton, to send in list, 418; winter privileges granted some of, 443; and Windsor, society asked for from, 525, 561.
- Booge, John, land may be sold, 113.
- Booth, Daniel, lieutenant, 240: — Joseph, deputy for Stratford, 239, 262, 266: — Nathan and Zachariah, 569.
- Bostwick, Bushnel, deputy for New Milford, 500, 546, 584: — Daniel, 538: — Nathaniel, justice, 20, 104, 190, 352, 425, 503.
- Bosworth, William, 567.
- Botsford, Joseph, 225: — Nathan, 557; ensign, 276.
- Bowdoin, William, 332.
- Bowen, Henry, deputy for Woodstock, 460, 500, 546, 584; justice, 505: — William, 337, 367.
- Bowles, Samuel, grant to, 344.
- Bowton, Daniel, land may be sold, 56: — John, 56.
- Boyce, Joseph, 112, 178, 185.
- Bradford, John, ensign, 508.
- Bradley, Daniel, lieutenant Cape Breton expedition, 85; captain, 273; lieutenant, 423: — Jason, lieutenant, 421: — John, lieutenant, 273, 507; ensign, 274: — Joseph, 520.
- Brainerd, Bezaleel, captain, 387: — Elijah, ensign, 320: — Gideon, captain, 106: — Hezekiah, 365, 462; committee, 22, 153; deputy for Haddam, 2, 44, 82, 90, 164, 187, 231, 238, 262, 267, 384, 413, 460, 500, 547, 585; justice, 5, 108, 195, 269, 352, 416, 503: — Jeremiah, 544: — Joshua, 296; set to East Haddam, 379: — Noadiah, deputy for East Haddam, 102, 147, 156, 187.
- Brandon, Joseph, 123.
- Branford, society asked for in north part of, 34, granted, 138, named Northford, 509; some set from Wallingford to north society, 202; meeting-house, 237, 255; dissensions at, 359; list (1748), 410.
- Breed, Gershom, lieutenant, 182: — John, deputy for Stonington, 187, 231.
- Brewster, Benjamin, 328: — James, cornet, 363; lieutenant, 388.
- Bridges: in Swinsbury, 18; at New Milford, 324, 538; at Norwich, 483.
- Briscoe, Nathaniel, lieutenant, 468.
- Bristol, Daniel, land may be sold, 169: — Elizabeth, 169: — Samuel, 520.
- Brockway's ferry, fare at, 35. See Ferries.
- Brooks, Abraham, lieutenant, 194; captain, 320: — Elizabeth, 254: — Timothy, land may be sold, 254.
- Brown, Cornelius, 380: — Daniel, captain, 514: — Ebenezer, 47: — Isaiah, ensign, 506: — James, 360: — John, ensign Canada expedition, 213: — Joseph, 250: — Nathaniel, 179, 185; deputy for Preston, 44, 90, 163, 348; justice, 26, 105, 197, 270, 352, 416, 504: — Phineas, ensign, 165: — Samuel, 402, 440.
- Brunson, Benjamin, 528, 569: — Joseph, deputy for Waterbury, 187, 230: — Roger, justice, 20, 104, 190, 270.
- Brush, Stephen, ensign, 50.
- Bryan, Richard, 366, 587.
- Buck, David, land may be sold, 138: — Josiah, 138.
- Buckingham, Daniel, lieutenant, 256: — Joseph, 66, 81, 122, 151, 305, 347, 396, 479, 536, 556; committee, 43, 100, 111, 143, 146, 317, 455, 524, 525, 545, 561, 575; committee of war, 30; deputy for Hartford, 1, 44, 82, 90, 101, 147, 163, 186, 266, 318, 348, 383, 499; ensign, 507; judge of probate, 4, 105, 189, 269, 351, 416, 502; justice, 5, 105, 195, 269, 352, 416, 503: — Samuel, captain, 388: — Thomas, 114.
- Buell, Abel, ensign, 426: — Daniel, lieutenant, 109: — John, 141; justice, 5, 105: — Peter, 14; captain, 48; deputy for Coventry, 266; justice, 6, 104, 271: — Samuel, 180; ensign, 388: — William, 14, 303, 370, 378, 400; captain, 388; deputy for Hebron, 14, 82, 90, 101, 147, 154, 163, 383, 413, 460, 499, 546, 584.

- Bugbee, Samuel, lieutenant, 554.  
 Bulkeley, Charles, deputy for Colchester, 44, 52, 90, 164, 187, 230, 238, 262, 267, 318, 348, 384, 413, 460, 499, 547, 584; justice, 269, 352, 416, 503; guns loaned to, 539: — Edward, 22, 89; justice, 8, 105, 195, 269, 352: — Gershom, ensign, 424; lieutenant, 555: — Job, 113: — John, 47, 467, 495, 538: in nomination, 45, 168, 239, 323, 390, 461, 552; chosen assistant, 3, 103, 188, 268, 350, 415, 501; present, 1, 44, 81, 90, 101, 147, 163, 186, 238, 266, 348, 383, 413, 499, 546, 583; committee, 25, 61, 96, 98, 277, 307, 376, 445, 523, 574; probate judge, 4, 105, 189, 269, 351, 416, 502; judge superior court, 103, 189, 269, 350, 415, 502; agent to England, 185; committee on Massachusetts line, 301, 340, 432, 548; guns loaned to, 539: — Peter, captain, 272.  
 Bunnell, Benjamin and Ebenezer, 444: — Israel, captain, 321.  
 Burch, Richard, 570.  
 Burdick, Samuel H., ensign, 7, 514; captain, 553.  
 Burley, Jonathan, lieutenant, 319.  
 Burnham, David, lieutenant, 322: — Eleazer, 559: — Michael, captain of sloop Defence, 325; captures French vessel, 355; letter of marque granted to, 360: — William, captain, 241; deputy for Farmington, 348.  
 Burr, Andrew, 203; deputy for Fairfield, 2, 44, 82, 90, 163, 187, 230; speaker, 2, 45, 83, 91, 164; in nomination, 45, 168, 239, 323, 390, 461, 552; chosen assistant, 188, 268, 350, 415, 501; present, 238, 261, 266, 318, 348, 383, 413, 459, 499, 546, 583; justice, 21, 118; judge county court, 118, 189, 270, 351, 417, 502; probate judge, 417, 504; aids in revising laws, 458; colonel Cape Breton expedition, 84, 94, 148; committee of war, 215; commissary, 212, 214, 232; to take of military stores, 342; colonel, 565: — David, lieutenant Canada expedition, 236: — John, 443; deputy for Fairfield, 348; judge of probate and county court, 4; justice, 21, 118, 190: — Nathaniel, ensign, 385: — Samuel, 175, 391; deputy for Fairfield, 44, 82, 102, 187, 230, 238, 262, 266, 384: — Thaddeus, 204, 268; deputy for Fairfield, 2, 102, 147, 266, 348, 459; justice, 21, 118, 190, 271, 253, 417, 504: — William, 531; justice, 271, 353, 417, 504.  
 Burrett, Daniel, cornet, 526.  
 Burroughs, Eden, ensign, 275: — John, ensign, 166; captain, 422: — Robert, 177.  
 Bush, Justus, 51, 208; deputy for Greenwich, 348: — Moses, 127, 227, 296, 367.  
 Bushnell, Daniel, lieutenant, 106: — Richard, quartermaster, 272; cornet, 471; lieutenant, 519.  
 Butler, Benjamin, ensign, 194: — Samuel, captain, 276.  
 Butt, Nathaniel, 477.  
 Byinton, Robert, 576.  
 Cady, Benjamin, ensign, 193: — David, captain, 320: — Joseph, 537; deputy for Killingly, 2; justice, 6, 104, 190, 271, 353, 505.  
 Caldwell, Charles, 358.  
 Calkins, Amos, 313: — John, 18: — Stephen, lieutenant, 322.  
 Camp, Amos, 544: — John, ensign, 423: — Jonathan, lieutenant, 320: — Nathan, 176, 333; deputy for Durham, 2, 102, 147, 155, 164, 319, 349.  
 Campbell, Charles, deputy for Voluntown, 2, 44, 82, 90: — James, 477.  
 Canaan, patent granted to, 141.  
 Canada expedition, preparations for, 210, 231; soldiers furloughed, 257; furlough misconstrued, 575; reimbursement of expenses of, 294, 336, 337, 509, 585; Governor Shirley thinks charges excessive, 453; commissary, 573; prisoners, 307.  
 Candey, Theophilus, ensign, 174; lieutenant, 556.  
 Canfield, Azariah, 538: — Joel, 464: — Samuel, 308, 369, 465; deputy for New Milford, 187, 238, 261, 267, 319, 349; justice, 20, 104, 190, 270, 352, 425, 503.  
 Canterbury, in Plainfield probate district, 271; *v.* Mudge, 482.  
 Cape Breton expedition, preparation for, 83; reinforced, 128, 144, 148; garrison, 155; spirit ration to soldiers, 185; provision for chaplain, 185, for sick soldiers, 197; sloop Jane lost in, 306; sloop Diamond lost, 486; account of expenses to be made, 177, 183; re-imbursement of expenses solicited, 217, 264, 293, agent to go to England on the subject, 185, disposition of money received for expenses of, 410, 447, 452; soldiers in, 176, 181, 201, 207, 209, 223, 313, 315, 325, 332, 344, 358, 484; other references, 129, 152.  
 Carew, Joseph, quarter-master, 195; cornet, 272; land may be sold, 442: — Mary, 442.  
 Carpenter, Eliphalet, lieutenant, 387: — John, ensign, 550.  
 Carr, William, 370.  
 Carrington, Riverius, 557; quarter-master, 55; cornet, 109; lieutenant, 423.  
 Carter, Jacob, 138: — Samuel, 484.  
 Cary, Eleazer, deputy for Windham, 1, 156, 230, 261, 266, 318, 348, 383, 459; ensign, 548.  
 Case, James, captain, 99; deputy for Symsbury, 2, 102, 147, 154, 318, 349, 383: — John, deputy for Symsbury, 187: — Jonathan, ensign, 8; lieutenant, 99; captain, 556: — Nathaniel, 298.  
 Castle, Daniel, justice, 505: — Isaac, 169.  
 Catlin, Abijah, ensign, 526: — John, ensign, 424.  
 Chalker, Abraham, lieutenant, 106: — Isaac, loan made to, 408.  
 Chamberlain, Benjamin, lieutenant, 241:



- Daniel, 304: — John, deputy for Colchester, 547, 584: — Joseph, 482.
- Champion, Henry, lieutenant, 515.
- Chandler, John, 436: — Samuel, justice, 505: — Thomas, deputy for Woodstock, 460, 500, 546, 584; justice, 505: — William, surveyor, 356.
- Chapman, Daniel, 15, 145, 295; captain, 6; captain Cape Breton expedition, 91, 98: — Jabez, deputy for East Had-dam, 238, 261, 267; justice, 105, 195: — Jedidiah, 5, 20, 153, 245, 374, 488, 497, 532; deputy for Saybrook, 2, 44, 82, 90, 102, 147, 154, 164, 187, 230, 238, 262, 267, 349, 384, 414, 460, 500; committee, 38, 139; captain Cape Breton expedition, 149; justice, 26, 105, 197, 270, 353, 416, 504: — Jeremiah, 166, 376, 381, 411, 445, 475, 495; auditor, 106; deputy for New London, 44, 82, 90, 101, 147, 154, 163, 238, 261, 383, 413, 459; clerk lower house, 239, 262, 384: — John, 81: — Samuel, captain Cape Breton expedition, 143; justice, 5, 105; land may be sold, 373: — Mary, 373: — William, 371.
- Chappel, Caleb, 378.
- Charles, William, land may be sold, 444.
- Chatfield, John, lieutenant, 554.
- Chauncey, Elihu, deputy for Durham, 2, 45, 83, 91, 102, 147, 155, 164, 231, 238, 262, 267, 384, 414, 459, 500, 547, 585; committee, 22, 89, 139, 153, 172, 176, 307, 333, 382; justice, 20, 104, 190, 270, 352, 425, 503: — Israel, 114.
- Cheesbrough, Amos, captain, 505; deputy for Stonington, 102, 148, 500: — Nathan, justice, 26, 105, 197, 270, 352, 416, 504.
- Chester, ecclesiastical tax in, 245.
- Chester, Jedidiah, 325: — John, auditor, 272, 329, 418, 463; deputy for Wethers-field, 44, 82, 90, 102, 163, 187, 230, 238, 261, 267; in nomination, 45, 168, 240, 323, 390, 461, 552; chosen assistant, 268, 350, 383, 415, 501; present, 318, 348, 413, 459, 499, 546, 583; committee, 23, 66, 81, 100, 101, 122, 138, 143, 146, 151, 209, 227, 254, 317, 347, 458, 474, 498, 545; committee of war, 98; justice, 5, 105, 195, 277.
- Chevers, John and Mary, 531.
- Chicken, Indian, his claim to lands, 175, 434.
- Child, Ephraim, ensign, 550: — Penuel, deputy for Killingly, 187, 230, 413, 460; lieutenant, 11.
- Chipman, John, 465: — Thomas, 280, 378, 465; justice, 170, 190, 270, 352, 425, 503.
- Chittenden, Joseph, 520.
- Christophers, Joseph, land may be sold, 496.
- Church of England, act exempting mem-bers of from certain taxes to be printed with revised laws, 498.
- Church, James, 23, 66, 334, 341, 377, 524, 556, 561, 575; deputy for Hartford, 163; lieutenant Cape Breton expedition, 85, 91; captain Canada expedition, 213.
- Churchill, Samuel, ensign, 192.
- Civil actions: jurisdiction of assistants, justices and county courts, and allow-ance of appeals, 39; confession of judg-ment, 39; levy and return of executions, 40; service of petitions and writs, 40, 41, 61; actions for non-perambulating bounds, 198.
- Clapp, Elijah, 305: — Thomas, 114, 305.
- Clark, Abraham, 529, 558; ensign, 390: — Daniel, 226: — Ebenezer, 204, 248, 395; ensign, 130; captain, 385: — Gamaliel, 366, 587: — Gershom, au-ditor, 7, 272; captain, 8; deputy for Lebanon, 2, 44, 82, 90, 239, 262, 266; justice, 104, 271: — Jonah, 226: — John, 204, 333, 587: — Joseph, 201; justice, 191, 271, 353, 425, 505; land may be sold, 529, 558: — Moses, land may be sold, 403: — Nathaniel, just-ice, 26, 105, 197, 270, 353, 416, 504: — Noah, armorer, 93; land may be sold, 544: — Robert, 112: — Samuel, freed from tax, 13; v. Tousey, 366, 587: — Sarah, 544: — Solomon, lieuten-ant, 420; captain, 525: — Thomas, 366; justice, 190, 270, 352, 425, 503; lieutenant, 388; captain, 506: — Timothy, 312: — William, 521: — Zachariah, 569.
- Classon, Justus, 308: — Stephen, land may be sold, 309.
- Cleaveland, Deliverance, ensign, 320; lieuten-ant, 505: — Henry, lieutenant, 107; lieutenant Canada expedition, 213: — Timothy, captain, 129.
- Clinton, Governor George, letter received from, 262: — Samuel, 254.
- Close, Benjamin, 51: — Jonathan, en-sign, 109: — Reuben, 51.
- Clough, Jonathan, deputy for Killingly, 101, 147, 154; lieutenant Cape Breton expedition, 149.
- Chuckstone, Samuel, 306.
- Coats, James, 540.
- Cobb, Gideon, deputy for Canterbury, 319.
- Coe, Ebenezer, lieutenant, 49; captain, 506.
- Cogshall, Benjamin and Elizabeth, v. Dun-lap, 60, 130, 251.
- Cogswell, Edward, 397, 567.
- Coit, Daniel, 306, 397, 476, 527; justice, 26, 105, 197, 270, 353, 416, 504: — Isaac, ensign, 508: — Rev. Joseph, freed from tax, 529: — Samuel, 376, 381, 514; deputy for Preston, 187, 237, 414, 500; justice, 353, 416, 504; major, 257: — Solomon, 445, 490.
- Colchester, part of, asks to be made a new society, 180; society of Marlborough constituted, 303.
- Cole, Timothy, grant of land to, 568.
- Colefox, John, 526; lieutenant, 10; lieuten-ant Cape Breton expedition, 85.
- Collett, Thomas, 370.
- Collier, Joseph, 298.
- Collins, Benjamin, 308: — Daniel, 484; ensign, 6; captain, 421: — Edward, 310, 429.

- Common field, how formed, 239.  
 Comstock, John, 19; captain, 196: — Peter, land may be sold, 19.  
 Conant, Josiah, deputy for Mansfield, 2, 44, 83: — Shubael, 392, 438; deputy for Mansfield, 319, 348, 384, 413, 460; justice, 6, 104, 190, 271, 353, 425, 505.  
 Cone, Daniel, 113; captain, 515: — James, deputy for East Haddam, 319, 349, 384, 414, 460: — Jonathan, 296: — Stephen, deputy for Bolton, 546, 584.  
 Confession of judgment, 39.  
 Conklin, Samuel, 526.  
 Connecticut River, seines not to be drawn in a part of, 409; fishery in, granted to Williams, &c., 494.  
 Constables, duty of, 41; fees of, 178, 219, 509.  
 Content, a piece of land so called, 478.  
 Converse, Edward, ensign, 11: — James, ensign, 519: — Josiah, lieutenant, 519.  
 Cook, Aaron, 202; captain, 242: — Benjamin, 202: — Ephraim, ensign, 49; lieutenant, 191: — John, 311, 331; captain, 11; justice, 106: — Nathaniel, captain, 364: — Samuel, 114; lieutenant, 5; v. Stratfield, 124, 531.  
 Cooley, Peter, land may be sold, 15.  
 Cooper, Lamberton, 162.  
 Copp, David, lieutenant, 196.  
 Corning, Malachi, 32.  
 Cornish, James, deputy for Symsbury, 266.  
 Cornwall, ecclesiastical tax in, 19, 122, 137; meeting-house, 381; patent granted to, 380.  
 Cornwall, Benjamin, 367.  
 Cosseboom, David, 251, 301.  
 Cotton, Thomas, deputy for Pomfret, 102, 239, 267.  
 Couch, John and Deborah, 559: — Samuel, 175, 434: — Solomon, land may be sold, 559.  
 Covell, Stephen, lieutenant, 193.  
 Coventry, ecclesiastical tax in, 70; part of, asks to be a distinct society, 200, granted and named Andover, 301.  
 Cowles, Benjamin, lieutenant, 409.  
 Craft, Joseph, 428, 439.  
 Crary, John, 428, 441, 463; deputy for Plainfield, 2, 163, 187, 239, 262, 267, 319, 348, 384, 414, 500; justice, 6, 104, 190, 271, 353, 425, 505; probate judge, 351, 425, 505; grant of land to, 578: — Nathan, 674.  
 Criminals, charge of prosecuting, how defrayed, 396.  
 Crippen, Thomas, ensign, 549.  
 Crocker, David, captain, 273.  
 Crown Point, 596; expedition proposed against, 262.  
 Culver, Caleb, 202: — Edward, land may be sold, 142, 401.  
 Curtis, Benjamin, 370: — Daniel, lieutenant, 5: — Israel, ensign, 424; lieutenant, 552: — James, 569; ensign, 172: — Jonathan and Peter, 569: — Margaret, 313: — Stiles, ensign, 191; lieutenant, 424; captain, 552: — Thomas, 311, 331, 569; lieutenant, 552.  
 Cushing, Thomas, 129.  
 Cushman, Nathaniel, ensign, 49, captain, 427.  
 Cusk, Indian, may sell land, 369.  
 Danbury, probate court established at, 8; Ridgefield annexed to probate district of, 239.  
 Daniels, Clement, 371: — John, 201, 222.  
 Danielson, Samuel, captain, 193; justice, 191, 271, 353, 425, 505.  
 Darling, John, ensign Cape Breton expedition, 87, 92: — Thomas, privilege of making glass granted to, 281.  
 Darrow, Ebenezer, 559.  
 Dart, John, ensign, 273; lieutenant, 320.  
 Daten, Ephraim, land may be sold, 431, 495: — Deliverance, 431, 495.  
 Dauchy, Vivus, ensign, 422.  
 Davenport, Abraham, deputy for Stamford, 319, 348, 384, 413, 459, 500, 546, 584; clerk lower house, 547, 585; justice, 417, 504: — Benjamin, quartermaster, 191; cornet, 321: — Deodate, 482; captain, 361; justice, 190, 270, 352, 425, 503: — Humphrey, captain, 470.  
 Davis, Benjamin, ensign, 518: — Cornelius, lieutenant, 519: — George and John, 526: — Jabez, ensign, 242: — Joseph, ensign, 554: — Nathan, lieutenant, 38.  
 Day, Aaron, 580; to take care of military stores, 342, 493: — Benjamin, lieutenant, 276; captain, 525: — John, deputy for Colchester, 238, 262, 318, 348, 384, 413, 460.  
 Dayton, Israel, 403.  
 Dean, Jabez, captain, 427: — Jonathan, 301; deputy for Plainfield, 547, 585: — Josiah, ensign, 409.  
 Deer, act for preservation of, 68.  
 Deforest, Henry and Samuel, 569.  
 Deming, David, lieutenant, 362: — Nathaniel, land may be sold, 541: — Pennel, 201, 222.  
 Denison, Daniel, lieutenant, 273, 274: — George, captain, 422: — John, lieutenant, 198: — Joseph, deputy for Stonington, 2, 45, 82, 91, 164, 238, 267, 318, 384, 414, 500, 547, 585; justice, 26, 105, 197, 270, 352, 416, 504; lieutenant, 422; captain, 554: — Robert, 277, 342; captain Cape Breton expedition, 92, 98, Canada expedition, 236: — Samuel, ensign, 461.  
 Dewey, Charles, 545; lieutenant, 386; captain, 426: — Samuel, 544.  
 Dewolf, Benjamin, ensign, 107: — Simon, 440; armorer, 95.  
 Diamond, sloop lost in Colony service, 486.  
 Dibble, Jonathan, lieutenant, 276.  
 Dickerman, Isaac, 402, 473, 483; deputy for New Haven, 318, 348, 384, 413, 459, 500, 546, 584; justice, 19, 104, 190, 270, 352, 425, 503.

- Dickinson, Abigail, 226: — Beriah, 569: — David, 304; lieutenant, 388.  
 Diggins, Joseph, ensign, 470.  
 Dimock, Samuel, justice, 196, 269, 352, 416, 503: — Timothy, lieutenant, 518.  
 Dimon, John, captain, 108: — Moses, justice, 118, 190, 271, 353, 417, 504.  
 Disbrow, Nathan, ferry granted to, 127.  
 Dixon, Charles, 485: — John, 328, 371, 390, 496, 562; deputy for Voluntown, 2, 44, 102, 147, 154, 186: — Robert, deputy for Voluntown, 238, 267, 319, 348, 384, 414, 460, 500, 547, 584: — William, 371.  
 Doane, Ephraim, 486.  
 Dodge, John, 402: — Jonathan, 295: — Samuel and William, 371.  
 Dolbear, Benjamin, 123: — George, 371; lieutenant, 281.  
 Doltle, Joseph, 376: — Solomon, ensign, 423.  
 Dorrance, Rev. Samuel, *v.* Voluntown, 252, 406, 533.  
 Douglas, James, 253, 328, 487: — John, 562; captain, 108: — Margaret, 15, 62, 308: — Richard, 15, 62, 308: — William, 15, 62; grant to, 308; lieutenant, 362.  
 Dow, Ebenezer, 253, 496; justice, 6, 104.  
 Dowd, John, land may be sold, 243.  
 Drake, Enoch and Lydia, 367: — Gerardus, 15: — Jacob, 486: — Phineas, 438, 522.  
 Draper, Gideon, 179, 436.  
 Dresser, Jacob, deputy for Killingly, 500, 547, 584: — Jonathan, 439: — Thomas, 201, 222.  
 Drinkwater, William, 178.  
 Dudley, Jedidiah, 137, 497, 513: — Oliver, ensign, 421: — Paul, 520.  
 Dunham, Daniel and Mary, 312: — Jonathan, land may be sold, 312: — Obadiah, 334: — Samuel, lieutenant, 129.  
 Dunlop, Archibald, 130: — James, Cogshall, &c. *v.* 60, 130, 251.  
 Dunning, John, 569.  
 Durfee, Richard, deputy for New London, 1; *v.* Rogers, 327, 299, 484.  
 Durkee, Andrew, lieutenant, 549: — Nathaniel, ensign, 246; lieutenant, 321.  
 Duty laid on exports and imports, 283, 286.  
 Dwight, John, captain Cape Breton expedition, 85; captain, 555; deputy for Killingly, 44, 82, 90, 238, 262; his house burnt, 536: — Joseph, 441: — Samuel, justice, 503.  
 Dyer, Barret, 65: — Elijah, quartermaster, 519: — Eliphalet, captain, 165; deputy for Windham, 266, 459; justice, 190, 271, 353, 425, 505: — John, 446, 482, 494; colonel, 364; deputy for Canterbury, 2, 44, 91, 102, 148, 155, 164; 186, 230, 267, 460, 500, 547, 585; justice, 6, 104, 190, 271, 353, 425, 505: — Thomas, 482, 485; deputy for Windham, 101, 147, 154, 186, 230.  
 East Greenwich society, in Kent, constituted, 528; ecclesiastical tax, 569.  
 East Guilford and Guilford bounds, 27, 64.  
 East Haddam, ferry at, 495; Cosseboom *v.*, 551, 301; Olmsted *v.*, 296; some set to, from Middle Haddam, 379.  
 East Hampton society constituted, 204; ecclesiastical tax, 248; may imbody in church estate, 395.  
 Eaton, Joseph, 406.  
 Ecclesiastical: provision for care of estates sequestered for use of the ministry, 120, 199; who may vote in society meetings, 218; proceedings when necessary to build meeting-house, 398; certain acts to be printed with new revised laws, 497; proceedings against Pomroy, 11, 28, 375, against Owen, 20; new societies established, Abington, 428, 438, Andover, 301, East Greenwich, 528, East Hampton, 204, Gilead, 378, Killingly, north and south, 178, Marlborough, 180, 303, Middlefield, 64, New Cambridge, 13, North Stratford, 64, Northford, 34, 138, 509, Northington, 534, West Symsbury, 530; winter privileges granted parts of Bolton, 443, Farmington, 243, Guilford, 479, Kent and New Milford, 397, Litchfield, 407, Middletown, 56, Ridgefield, 309, Ripton and North Stratford, 569, Voluntown, 205, West Symsbury, 220; Baptists in Killingworth and Saybrook, 113; separates in Milford, 517; dissension at Branford, 359, at New Salem, 371, at North Stratford, 203, Norwich, 337, 380, 397, 480, 571, Ripton, 443.  
 Edgerton, Hezekiah, quartermaster, 471; cornet, 519: — Jacob, 68.  
 Edmonds, James, 205.  
 Edwards, Daniel, 118, 141, 207, 223, 225, 401, 570; to prosecute Pomroy, 11, 28; to sue out mortgages due the Colony, 37, 290, 454; justice, 352, 416, 503: — John, 64: — Thomas, 55; captain, 107.  
 Eells, Rev. Nathaniel, preached election sermon, 350: — Samuel, 517.  
 Election sermons: Mr. Worthington, (1744,) 5; Mr. Whitman, (1745,) 103; Mr. Hall, (1746,) 188; Mr. Hunn, (1747,) 268; Mr. Eells, (1748,) 350; Mr. Todd, (1749,) 415; Mr. Hobart, (1750,) 502.  
 Eliot, Aaron, ensign, 193; lieutenant, 419: — Jared, 114: — John, 476.  
 Ellington, ecclesiastical tax, 314.  
 Ellsworth, Daniel, 314: — John, deputy for Windsor, 319.  
 Elmor, Thomas, 332.  
 Ely, Daniel, deputy for Lyme, 2, 164, 459, 500, 547, 584; justice, 26, 105, 197, 270, 355, 416, 504: — Samuel, justice, 417, 504; lieutenant, 555: — William, captain, 99.  
 Embargo laid, 88, 234.  
 Enfield asks to be received under jurisdiction of Connecticut, 301, 339; received into the colony, 431, 481, 547.  
 Eno, James, 123, 174, 300: — Samuel,



- captain, 10; deputy for Windsor, 384, 414; justice, 431: — William, 123.
- Evarts, James, *v.* Stow, 24, 55, 67, 175, 205: — Judah, 27.
- Fairchild, Alexander, ensign, 430: — James, 64: — Robert, 566; deputy for Durham, 45, 83, 91, for Stratford, 319.
- Fairfield, doomed for neglect to send in list, 80; and Norwalk, ferry granted to Disbrow, 127; meeting-house, 315; Hill *v.*, 326, 368.
- Farmington, society of New Cambridge constituted, 13; ecclesiastical tax, New Cambridge, 124, 323; winter privileges granted some in, 243; Northington society constituted, 534; an Indian in, may sell land, 369.
- Farnsworth, Joseph, surgeon Cape Breton expedition, 94.
- Farrand, Nathaniel, 132, 251, 323; captain Cape Breton expedition, 128.
- Farwell, Isaac, 25.
- Fast days appointed, 99, 216.
- Fees, constables, 178, 509; deputy sheriffs, 70; grandjurors, 58; gaolers, 326; for impounding cattle, 244; sheriffs and constables, 219; general table, 287, 354, 449; in what currency payable, 582.
- Fences, what accounted sufficient, 354.
- Fenn, Benjamin, 516.
- Fenton, Francis, lieutenant, 469; captain, 555: — Francis, jr., ensign, 556.
- Ferries: Brockway's, fare, 35; Disbrow's between Fairfield and Norwalk, granted, 127; East Haddam, granted to Bate and Mather, 495; Glassenbury, granted to Smith, 119; Hawkins' at Derby, 180; Hubbell's, 8, 25; Keeny's, 330; New Haven, 316, 496; New London, 324; Niantic, 112; Rocky Hill, 292; Saybrook, 38; Smith's, 119, 182, 220, 354; Stratford, at the narrows, 566; Windsor, 256; Wolcott's, 182; general table of fares, 581.
- Ferris, Joseph, 557.
- Field, David, ensign, 275.
- Filer, Jeremiah, 298: — Samuel, ensign, 387; lieutenant, 425.
- Filley, Daniel, *v.* Phelps, 208, 254, 338.
- Filmore, John, captain, 518.
- Finch, Ebenezer, 521: — John, land may be sold, 376, 542.
- Firman, John, 179.
- Fish, Daniel, ensign, 516: — John, cornet, 109; ensign, 422: — Moses, 338; deputy for Groton, 318.
- Fisheries: seines not to be drawn in part of Connecticut River, 409; grant of, in Connecticut River, 494.
- Fisk, Ebenezer, deputy for New Milford, 101, 147, 154: — John, 445, 467.
- Fitch, Abner, ensign, 470: — Adonijah, captain Cape Breton expedition, 128, 144, 155: — Daniel, ensign, 197; lieutenant, 507: — Eleazer, ensign, 242; lieutenant, 548: — Gideon, 404: — Jabez, 537; deputy for Canterbury, 238, 414; justice, 425, 505: — James, 344; deputy for Lebanon, 102, 148, 155, 384, 414; surgeon Cape Breton, 221: — John, 482; justice, 7: — Joseph, lieutenant, 322: — Samuel, deputy for Norwalk, 2, 44, 101, 147, 163, 187, 230, 238, 266, 318, 349, 500, 547, 585; justice, 118, 190, 271, 353, 417, 504; lieutenant, Canada expedition, 235: — Thomas, 47, 141, 146; in nomination, 45, 168, 240, 323, 390, 461, 552; chosen assistant, 3, 103, 188, 268, 350, 415, 501, deputy governor, 585; present, 1, 44, 81, 90, 101, 147, 154, 163, 186, 230, 238, 261, 266, 318, 348, 383, 413, 459, 499, 546, 583; committee, 157, 355; appointed agent to England, 185; committee of war, 215; commissioner relative to war, 216, 346; commissioner on Massachusetts line, 513, 553, 586; revises laws, 41, 334, 457; chief judge, 585; grant to, 586; makes steel, 58: — William, ensign, 515.
- Foot, Isaac, lieutenant, 553: — Nathaniel, 445, 467, 538, 544; deputy for Colchester, 2, 102, 147, 154, 187, 230; justice, 5, 105, 195, 269, 352, 416, 503: — Robert, 52, 224; deputy for Branford, 102, 147, 155, 163, 187, 231, 239, 262.
- Ford, Jacob, ensign Canada expedition, 213.
- Forward, Abel, lieutenant, 277.
- Fosdick, Thomas, 172, 245, 294.
- Fowler, Abraham, annexed to Guilford 1st society, 80: — John, 132, 181, 251, 303, 355; deputy for Milford, 2, 44, 82, 90, 102, 148, 154, 163, 186, 230, 267, 319, 348, 413, 460, 499, 546, 584; clerk, lower house, 2, 45, 83, 91, 102, 148, 155, 164, 187, 231, 267, 319, 349, 414, 460, 500; ensign, 506; committee of war, 31, 70; commissary, 212, 214, 232; justice, 19, 104, 190, 270, 352, 424, 503: — Josiah, 576: — Joseph, 47; deputy for Lebanon, 163, 187, 230, 319, 348, 460, 500, 546, 584; commissioner on Massachusetts boundary, 432, 548; justice, 6, 104, 190, 271, 353, 425, 505.
- Fox, Benjamin, 484.
- Franks, Jacob, 544.
- Freeman, Caleb, 328: — Edmund, 436; surveyor, 356: — James, 328: — Joseph, 328.
- French, trade with, prohibited, 360.
- Frink, Zachariah, 316, 328, 390, 496, 562.
- Frisbee, Joseph, 359.
- Frizzel, Benjamin, captain, 549.
- Frost, Josiah, 485: — Stephen, deputy for Canterbury, 164, 186, 230, 267, 348, 384.
- Fulford, Gershom, ensign, 278.
- Fuller, Amos, released from prison, 489: — Ephraim, ensign, 468: — Jacob, 25: — Joseph, 139: — Moses, captain, 108: — Stephen, captain, 420; justice, 505.
- Gager, Simon, 68.
- Gale, Benjamin, 544; deputy for Killingworth, 267, 413; justice, 197, 270, 353, 416, 504.



- Gallup, Benadam, 300, 578: — Isaac, captain, 49; deputy for Voluntown, 267: — John, 253; grant of land to heirs of, 578.
- Gaoler's fees, 326.
- Gates, Caleb, 328: — Daniel, 296, 328; captain, 552; deputy for East Haddam, 44, 82, 91: — Thomas, 296, 328; deputy for East Haddam, 500.
- Gaylord, Benjamin, 223: Edward, ensign, 274: — Samuel, lieutenant, 274; ensign, 430: — William, 142.
- Gee, Solomon, 304.
- Geer, Robert, lieutenant, 48; captain, 333.
- General Assembly, contempt of, 20; service of petitions to, 61; committee to hear records of, 43, 81, 101, 146, 227, 260, 317, 382, 412, 458, 498, 583; members take the oath provided by act of parliament, 268, 319, 350, 385, 415, 460, 502; election of governor and deputy governor by, 385, 585, of treasurer, 417, 502; petitions relating to small matters not to be preferred to, 410.
- Gerrild, James, 403.
- Gibbins, Jonathan, 484.
- Gibson, John, 534.
- Giddings, Nathaniel, captain, 240.
- Gilbert, Nathaniel, 521; captain, 195: — Samuel, 378; deputy for Hebron, 499; ensign, 106; captain, 468.
- Gilead, society constituted, 378; meeting-house, 404.
- Gillett, John, 326.
- Glass, manufacture of, 281.
- Glassebury, ferry at, granted to M. Smith, 119; highway between Hartford and, 523.
- Glover, Henry, deputy for Newtown, 349, 384, 413; lieutenant, 320; captain, 468: — John, 373; deputy for Newtown, 460, 500; captain, 240.
- Goff, Reuben, 25.
- Gold, William, 224, justice, 20, 104.
- Goodman, Richard, ensign, 11; lieutenant, 461: — Timothy, ensign, 525.
- Goodrich, David, ensign, 191; justice, 5, 105, 195, 269, 352: — Elizur, 347, 395, 493, 537; deputy for Wethersfield, 2, 238, 261, 267, 318, 348, 459, 499, 546, 584; captain Cape Breton expedition, 85, 91; justice, 269, 352, 416, 503: — Gideon, captain, 11: — Jeremiah, captain, 129: — Richard, 226.
- Goodwin, Daniel, 122, 568; lieutenant, 11; captain, 461: — Eleazer, 66: — Samuel, ensign, 461: — Thomas, 486.
- Goodyear, Theophilus, captain, 423.
- Gordon, Samuel, lieutenant, 195.
- Gorham, Joseph, land may be sold, 524.
- Gorton, Lancaster, 325.
- Goshen, ecclesiastical tax in, 13; patent granted to, 482.
- Goslee, Henry, land may be sold, 224, 400.
- Gove, Nathaniel, 65.
- Grant, David, ensign, 130: — Donald, 335: — Ephraim, lieutenant, 240: — Thomas, lieutenant, 424; captain, 470: — William, 331.
- Gravel, Aylmer, 121.
- Gray, Ebenezer, justice, 6, 104: — John and Elizabeth, 13: — Nathaniel, land may be sold, 13.
- Green, Nathaniel, 19, 122, 137; lieutenant Cape Breton expedition, 86, 91: — Reuben, lieutenant, 469: — Samuel, ensign, 10: — Timothy, 580; grants to, 43, 80, 185, 227, 260, 280, 328, 412, 498, 548, 563.
- Gregory, Nathaniel, captain, 248: — Samuel, justice, 271, 353, 417, 504.
- Gridley, Ebenezer, 207: — Eleazer, 33.
- Griffin, Jasper and Robert, 313.
- Griswold, Daniel, 32: — David, 225, 516: — Edward, 179, 516, 570: — Francis, 68: — George, ensign, 473: — Rev. George, complaint against Lyme, 574: — John, 245; deputy for Lyme, 45, 82, 91, 102, 148, 164, 187, 230, 239, 262, 267, 318, 349, 414; in nomination, 45, 168, 240, 323, 390, 461, 552; justice, 26, 105, 197, 270, 352, 416, 503: — Josiah, 577; captain, 473: — Keziah and Mary, 395: — Matthew, deputy for Lyme, 384: — Thomas, ensign, 430; justice, 431, 503.
- Grosvenor, Leicester, 532; deputy for Pomfret, 1, 45; justice, 6, 104, 190, 271.
- Groton, Indian land at, 306, 523; and Stonington bounds, 26, 56, 100, 221.
- Grover, John, 206; lieutenant, 364: — Joseph, land may be sold, 206.
- Guernsey, Ebenezer, lieutenant, 172.
- Guilford, bounds of societies in, 27, 64, 224; A. Fowler annexed to 1st society, 80; some annexed to 4th society, 313, 440, 520; winter privileges granted some in, 479.
- Gunn, Abel, captain, 421; deputy for Derby, 2, 102, 147, 155, 164, 187, 230, 238, 262, 318, 349, 384, 414, 459, 546, 584: — Nathaniel, 567: — Samuel, 207; justice, 20, 104; ensign, 507.
- Gurney, John, 305.
- Gustin, Alpheus, 224, 372, 400: — Amos, land may be sold, 372: — Thomas, 371, 577.
- Hait, James, lieutenant, 548.
- Hakes, Solomon, 484.
- Hale, Benoni, ensign, 129: — James, captain, 390: — Jonathan, 101, 396, 479, 580; auditor, 106; deputy for Glassebury, 2, 44, 82, 90, 102, 148, 155, 163, 187, 231, 238, 262, 319, 348, 383, 413, 460, 500, 546, 584; justice, 5, 105, 195, 269, 352, 416, 503.
- Hall, Benjamin, 12, 16, 28, 78, 137, 223; deputy for Wallingford, 2, 44, 82, 91, 101, 148, 154, 187, 230, 239, 262, 267, 318, 348, 384, 413, 460, 500, 547, 585; committee, 33, 61, 139, 153, 178, 307, 331; in nomination, 168, 240, 323, 390, 461, 552; justice, 19, 104, 190, 270, 352, 424, 503; commissioner on affairs of war, 216, 345, on Massachusetts line, 301: — Caleb, lieutenant, 240: — Daniel, 177, 576: — Edward, ensign, 361: — Eliakim,

- lieutenant, 519: — Elihu, 28, 78, 223, 292, 360, 562; captain Canada expedition, 236, 342; deputy for Wallingford, 2, 44, 82, 91; to sue out mortgages, 36, 291, 454; justice, 20, 104, 190, 270, 352, 425, 503: — Elizabeth, 539: — Giles, 140, 202, 248, 382, 539; justice, 5, 105, 195, 269, 352, 416: — Isaac, 544: — Jacob, 539: — John, 365, 462; deputy for Wallingford, 163, 187, 230: — Jonathan, 544: — Moses, ensign, 240: — Nathaniel, 392: — Peter, 539: — Samuel, 67, 485; deputy for Wallingford, 500; justice, 20, 104, 190, 270, 352, 425, 503; lieutenant, 108: — Rev. Samuel, preached election sermon, 188: — Theophilus, 392.
- Hamilton, Jonas, 371.
- Hamlin, Ebenezer, 323: — Jabez, 486, 556; deputy for Middletown, 2, 45, 82, 91, 102, 147, 154, 164, 187, 239, 262, 267, 319, 349, 384, 414, 460, 501, 547, 584; committee, 28, 140, 172, 202, 209, 254, 382, 438, 524, 561, 567; commissary, 144, 148, 150, 157, 212, 214, 232, 248; justice, 5, 53, 195, 269, 352, 415, 503.
- Hammond, Elijah, 466: — Josiah, ensign, 420.
- Hand, Benjamin, deputy for Guilford, 2; justice, 20.
- Hanford, Elnathan, deputy for Norwalk, 318, 349; auditor, 272; ensign, 7; lieutenant, 241: — Samuel, 175; deputy for Norwalk, 266; ensign, 321; captain, 548; justice, 21, 118, 190, 270, 353, 417, 504: — Thomas, ensign, 272.
- Harrington, Samuel, 34, 138.
- Harris, James, 171, 252, 360; to return arms, 96, 376: — Joseph, ensign, 197: — Thomas, land may be sold, 135.
- Harrison, Nathaniel, 52, 359; deputy for Branford, 2, 44, 82, 91, 102, 147, 155, 187, 231, 239, 262, 267, 319, 349, 384; justice, 270, 352, 425, 505: — Thomas, 407; deputy for Litchfield, 267, 319, 459, 500; justice, 503.
- Hart, Ebenezer, ensign, 241; lieutenant, 422: — Howkins, ensign, 389: — Jacob, 395: — John, 484; justice, 5, 105, 195, 269; surgeon Cape Breton, 184: — Joseph, 243, 534; lieutenant, 107; captain, 564: — Thomas, 122; deputy for Farmington, 102, 154, 319; justice, 5, 105, 195, 196, 269, 352, 416, 503.
- Hartford, Rev. S. Woodbridge complains of 3d society in, 27, 69; grammar school, 66; highway between Glassenbury and, 523.
- Hartshorn, Ebenezer, 26, 56, 100, 221; cornet, 195; deputy for Norwich, 546.
- Hatch, Timothy, 317; justice, 5, 105, 196, 269, 352, 416, 503: — Zephaniah, 440.
- Hawkins, Joseph, ferry granted to, 180: — Moses, 181; captain, 49; deputy for Derby, 187, 230, 238, 262, 318, 349, 384, 414, 459.
- Hawley, Daniel, 524: — Ezra, quartermaster, 526: — Francis, 33, 437; ensign, 561: — Henry, 569: — Hope, 367, 396, 464: — Joseph, deputy for Ridgefield, 102, 154; ensign, 7; lieutenant, 194: — Nathan, ensign, 107; lieutenant, 553: — Obadiah, 437: — Stephen, 373.
- Hays, Judah, 483: — Richard, ensign, 555.
- Hazard, Samuel, 328.
- Hazelton, Samuel, 81.
- Heaton, James, ensign, 421.
- Hebron, committee on division into societies, 138, 153, 334; meeting house burnt, 326; Gilead society constituted, 378; Rev. B. Pomroy, 11, 28, 375.
- Heley, Ebenezer, 436.
- Hemingway, Samuel, ensign, 362.
- Hempstead, John, lieutenant, 10: — Joshua, 62, 402; justice, 26, 105, 197, 270, 353, 416, 504: — Stephen, surveyor, 26.
- Henderson, Walter, 123.
- Hendey, Richard, 313: — Robert, 440.
- Herpin, John, commissary Canada expedition, 573.
- Hewitt, Henry, lieutenant, 518: — Israel, 342; deputy for Stonington, 102; major, Canada expedition, 213.
- Hickox, Benjamin, deputy for Woodbury, 319, 349, 547, 584; justice, 21, 118: — Ebenezer, deputy for Danbury, 2: — Joseph, land may be sold, 495: — Samuel, 12, 16, 61, 137, 153, 178; captain, Cape Breton, 149; deputy for Waterbury, 2, 499; justice, 20, 104: — Thomas, captain, 196.
- Hide, Caleb, 312: — Daniel, captain, 193; lieutenant, 549; — Isaac, ensign, 129; lieutenant, 165; captain, 515: — Jabez, 380; justice, 26, 105, 197, 270, 416, 504: — James, ensign, 49: — Matthew, ensign, 470: — Richard, 26, 56, 100, 221; lieutenant, 191.
- Higbey, Edward, 243.
- Highways, penalty for neglect to work on, 219, 353; between Glassenbury and Hartford, 523.
- Higley, Isaac, 331.
- Hill, Isaac, land may be sold, 25: — John, lieutenant, 507: — Michael, 113: — Samuel, 372; deputy for Guilford, 2, 102, 148, 155, 164, 187, 231, 238, 262, 319, 349, 384, 460, 547, 584; speaker, 102, 148, 155, 187, 231; justice, 19, 104, 190, 270, 352, 424, 503; probate judge, 4, 104, 189, 269, 351, 424, 503; in nomination, 45: — Thomas, 326, 368; ensign, Cape Breton, 149: — William, cornet, 9.
- Hillhouse, William, quartermaster, 519.
- Hills, Benoni, 226: — David, lieutenant, 554: — Jonathan, 200, 302, 314, 334, 377.
- Hind, James, deputy for New Milford, 384.
- Hinman, Coe, ensign, Canada expedition, 213: — Eleazer, deputy for Woodbury, 460; lieutenant, 54: — Noah, deputy for Woodbury, 2, 44, 82, 90, 187, 230, 238, 262, 267, 353, 415, 500; justice, 21, 118, 190, 271, 353, 417, 504.

- Hinsdell, Jacob, captain, 427: — John, ensign, 425.
- Hitchcock, John, 34, 138, 186, 237, 255, 402; deputy for New Haven, 2, 44, 82, 90, 102, 147, 154, 163, 187, 230, 238, 262, 266, for New Milford, 460; ensign, 363; justice, 104, 190, 270, 352, 425, 503.
- Hoadly, William, captain, 389; deputy for Branford, 547, 584: — widow, 138.
- Hobart, Noah, 360; preached election sermon, 502.
- Hobby, Benjamin and Jonathan, 206.
- Hogoboom, Peter, 141.
- Hoit, David, ensign, 276: — Jonathan, deputy for Stamford, 1, 44, 82, 90, 101, 147, 154, 163, 186, 230, 238, 266, 348, 384, 413, 459, 500, 546, 584; justice, 21, 118, 190, 271, 353, 417, 504; probate judge, 4, 118, 190, 271, 351, 417, 504: — Nathaniel, lieutenant, 556: — Samuel, justice, 21, 118, 190.
- Holbrook, Ebenezer, 439, 466, 537; deputy for Pomfret, 45, 82, 91, 102, 164, 187, 231, 239, 262, 267, 319, 349, 384, 414, 459, 500, 547, 585; justice, 7, 104, 190, 217, 353, 425, 505: — Nathaniel, 493, 537.
- Holcomb, Nathaniel, deputy for Symsbury, 349, 413, 546, 584.
- Holland, Joseph, 398; deputy for Pomfret, 414, 459, 500; justice, 353, 425, 505; major, 364.
- Holley, John, 145: — Selleck, 200.
- Hollister, Timothy, captain, 507.
- Holloway, George, 380, 381; captain, 8; justice, 105, 196, 269, 352, 416, 503.
- Holmes, Christopher, 53; lieutenant, 468: — Eliphalet, land may be sold, 53: — George, 371, 577; lieutenant, 362: — Isaac, lieutenant, 108: — John, 371, 545; captain, 505: — Samuel, 181: — Thomas, lieutenant, 196.
- Holt, John, 332: — Joshua, lieutenant, 420: — Zebadiah, ensign, 469.
- Honduras, reference to voyages to, 496, 539.
- Hooker, Hezekiah, justice, 271, 353, 417, 504: — John, deputy for Farmington, 187, 230, 459, 500, 547, 584; justice, 5: — Joseph, 531; deputy for Farmington, 384, 413; justice, 352, 416, 503; lieutenant, 196, captain, 563.
- Hopkins, Jonathan, ensign, 38: — Stephen, deputy for Waterbury, 413, 499, 547, 585: — Timothy, deputy for Waterbury, 239, 262, 266, 319, 349, 383.
- Hopson, Samuel, justice, 20, 104, 190, 270, 352.
- Horsford, Daniel, 370: — Timothy, 380.
- Horton, Ebenezer, 302.
- Hosmer, Stephen, captain, 525; deputy for East Haddam, 2, 163; justice, 5, 196, 269, 352.
- Hotchkiss, Amos, ensign, 191: — John, captain, 191: — Thomas, justice, 53, 104, 190, 270, 350, 425, 503.
- Hotchkiss, Jacob, 312: — Noah, 520: — Thomas, deputy for Guilford, 319.
- Hough, John, 300.
- House, Benoni, 323: — Nathaniel, 301: — William, 224.
- Hovey, Daniel, 405.
- How, Isaac, lieutenant, 361: — Samuel and Mary, 558.
- Howard, John, quarter-master, 388: — Samuel, land may be sold, 565.
- Howd, John and Joseph, 541.
- Howell, John, land may be sold, 166: — Stephen, 50, 476.
- Hubbard, Daniel, ensign, 194: — David, justice, 352, 416, 503; lieutenant, 387: — George, lieutenant, 130: — Isaac, captain, 481: — John, 60, 131, 138, 186, 237, 325, 473; deputy for New Haven, 44, 82, 90, 102, 147, 154, 163, 546, 584; committee, 34, 153, 255, 280, 580; justice, 20, 104, 190, 270, 352, 424, 503; probate judge, 351, 424, 503; lieutenant, 5; captain, 275; commissary, 89, 97, 148, 150, 157: — Nathaniel, 127.
- Hubbell, Eleazer, 430; lieutenant, 192; captain, 565: — Ephraim, captain, 124; justice, 190, 271, 353, 417, 504: — Richard, 531.
- Hubbell's ferry, fare of, 8, 25, 581.
- Hull, Caleb, ensign, 168: — Joseph, lieutenant, 193, captain, 515: — Joshua, ensign, 514: — Samuel, captain, 124.
- Humerstone, Caleb, 201.
- Humphrey, Dosithens, 255: — Ebenezer and Sarah, 34: — John, deputy for Symsbury, 2, 44, 82, 90, 102, 147, 187, 231, 238, 262, 266, 383, 413, 460, 500; auditor, 272; captain, 555; justice, 5, 105, 195, 269, 352, 416, 503: — Michael, deputy for Symsbury, 163: — Samuel, 530; lieutenant, 364.
- Hun, Gideon, 225: — Nathaniel, preached election sermon, 268.
- Hungerford, Jonathan, 371.
- Hunt, Daniel, lieutenant, 549: — Gideon and Abigail, 142, 401.
- Hunter, Robert, 301.
- Huntington, Daniel, deputy for Norwich, 266; justice, 197, 270, 353, 416, 504: — Hezekiah, 68, 122, 327, 441; deputy for Norwich, 2, 44, 82, 90, 102, 147, 154, 163, 187, 230, 238, 262, 318, 348; in nomination, 45, 168, 240, 323, 390, 461, 552; chosen assistant, 350, 501; present, 383, 413, 459, 499, 583; committee, 53, 60, 260, 463, 484; commissary, 89, 97, 143, 211, 212, 214, 232; justice, 105; probate judge, 390, 416, 504: — Hezekiah, jun., captive, 307: — Isaac, 494; justice, 26, 105, 197, 352, 416, 503: — Jabez, 47, 342, 493, 545, 572; deputy for Windham, 1, 163, 261, 318, 383, 413, 499, 546, 584, for Norwich, 500; justice, 504; lieutenant, 170: — John, ensign, Cape Breton, 92, Canada expedition, 214: — Jonathan, 100, 221, 446, 494, 580; deputy for Windham, 44, 82, 90, 163, 348, 413, 499, 546, 584; justice, 353, 425, 505; ensign, 427: — Joshua, deputy for Norwich, 2, 102; captain, 108; justice, 26, 105: — Nathaniel, 441, 463; justice,



- 6, 104, 190, 271, 353, 425, 505: — Samuel, captain, 322.
- Hurd, Benajah and David, 569: — Benjamin and Adam annexed to Roxbury, 50: — Samuel, 569.
- Hurlburt, Joseph, 326: — Nathan, lieutenant, 192: — Thomas, 485: — Titus, 97, 198, 199, 279, 354, 357, 496: — (a counterfeiter) 178, 185.
- Hutchins, John, lieutenant, 195: — Joshua, lieutenant, 49; captain, 196: — Silas, ensign, 193.
- Hutchinson, Benjamin and Anne, land may be sold, 180: — Eleazer, captain, 48: — John, lieutenant, 168: — Samuel, justice, 20, 104, 190, 270, 352, 425, 503.
- Indians: friendly, to wear badge, 76; bounty for prisoners and scalps, 227; grant for use of Six Nations, 292; in Groton, 306, 523; in Sharon, 308; in Stonington, 446, 494, 573; at Stockbridge, appropriation for instructing, 570; purchases of land from in Litchfield County, by non-inhabitants, 566; Ben Uncas recognized as sachem, 540.
- Ingals, John, 428.
- Ingersoll, John, 398: — Mehitabel, 366.
- Intestate estates, proceedings of Privy Council on Clark's appeals, 587.
- Isaacs, Ralph, 306: — Samuel, quartermaster, 362.
- Ives, Gideon, deputy for Wallingford, 318, 348, 384, 413, 460.
- Jane, sloop lost at Louisbourg, 306.
- Jarvis, Samuel, cornet, 362.
- Jeffery, John, land may be sold, 524.
- Jennings, Joseph, 467.
- Jerome, John and Stephen, have license to make salt, 246; loan to, 488.
- Jewett, Nathan, captain, 507.
- Johns, Benjamin, 308.
- Johnson, Abner, captain, 456: — Amos, captain, 561; set off to North Branford, 202: — Caleb, cornet, 519: — Gideon, 181: — James, ensign, 385: — John, 569: — Joseph, 569; ensign, 49; lieutenant, 515: — Nathaniel, 358, 359, 539; lieutenant, 420; ensign, 554: — Thomas, 140, 202, 248; deputy for Middletown, 2; justice, 5, 105, 195, 269, 352, 416, 503: — William, 134, 306; deputy for Mansfield, 102, 148, 155, 164, 187, 230, 238, 262, 267, 319, 348, 413, 500.
- Jones, Benjamin, 302: — Isaac, 396, 525, 561; ensign Canada expedition, 236: — Jabez, captain, 89: — James, ensign, 470: — Samuel and Hannah, Dunlop v., 60, 130, 251: — Thomas, deputy for Enfield, 499.
- Judea, ecclesiastical tax in, 444, 541.
- Judd, John, 562: — Simeon, 243: — Timothy, deputy for Waterbury, 187, 230, 413, 460, 547: — William, 141.
- Judges, salary of, 457.
- Judson, David, deputy for Stratford, 187, 230: — Ephraim, deputy for Stratford, 459: — John, 569: — Joseph, 11: — Nathan, freed from taxes, 11.
- June, Peter and Simeon, 538.
- Juries, how chosen, 45, 247.
- Justices, jurisdiction of, 39.
- Karr, William, 50, 182.
- Keeler, Timothy, deputy for Ridgefield, 102, 154.
- Keeny, John, 569.
- Keeny's ferry, fare at, 330, 581.
- Kellogg, Isaac, captain, 38; justice, 105, 196, 269, 352, 416, 503: — Jacob, lieutenant, 525: — Joseph, 304: — Martin, pilot, 234; instructs Indians, 570.
- Kelsey, Isaac, deputy for Killingworth, 102, 147, 154, 187, 238, 261, 318, 348, 384, 460, 500; justice, 270, 353, 416, 504: — Nathan, captain, 419; deputy for Killingworth, 547, 584: — Timothy, land may be sold, 244.
- Kensington, school district in, 35; committee appointed on state of, 307, 568.
- Kent, Indian purchase in, 140; patent granted to, 317, error in patent, 455; some in, have winter privileges, 397; society of East Greenwich made, 528.
- Kent, John, ensign, 130; lieutenant, 430: — Samuel, deputy for Suffield, 546, 584; justice, 505.
- Kesson, John, ensign, 10: — Thomas, deputy for Voluntown, 102, 147, 163, 238, 319, 348.
- Ketchum, Elihu, lieutenant, 274; captain, 549: — Jonathan, ensign, 421.
- Keys, Ephraim, ensign, 469: — Gershom, 65.
- Kilbourn, Abraham, 314: — Eleazer, 577: — Jonathan, deputy for Colchester, 499; lieutenant, 470: — Joseph, lieutenant, 9; captain, 525: — Samuel, land may be sold, 494, 540.
- Killingly, meeting-house 1st society, 22, 59, 201; first society divided, 128; in Plainfield probate district, 271; Draper's land in, 436; enlarged, 464.
- Killingworth, Baptist society in, 118; military companies in, 391.
- Kimbal, Daniel, Mary, Richard, Samuel and Sarah, 398.
- Kimberly, Abraham, ensign, 361: — Nathaniel, ensign, 173; lieutenant, 321: — Thomas, 365.
- King, addresses to, 157, 158, 265; proclamations by, prohibiting trade with the French, 360, removing restrictions on trade with Spain, 411, of peace with France, &c., 419.
- King, Benjamin, 483: — Charles, 443: — Henry, lieutenant, Cape Breton, 86, 91, Canada expedition, 213: — William, ensign Cape Breton, 150.
- Kingsbury, Denison, 440: — Ephraim, lieutenant, 193; captain, 469: — Joseph, 374; captain, 389: — Nathaniel, 200, 301.
- Kinne, Amos, lieutenant, 515: — Jeremiah, justice, 505.



- Kirtland, John, captain, 426: — Philip, captain, 274.
- Knapp, Israel, deputy for Greenwich, 163, 187, 230, 238, 261, 267, 319, 348; justice, 271, 353, 417.
- Knowles, Sir Charles, E. Williams to wait on, 337: — Cornelius, captain, 6; ferry granted to, 335: — Thomas, 140.
- Knowlton, Ebenezer, deputy for Ashford, 2: — Robert, deputy for Ashford, 45, 82, 91, 102, 155, 163, 459, 546, 584.
- Lake, John, 225.
- Lamb, David, ensign, 165.
- Land: bounds, appeals on actions relating to, 198; common fields, how formed, 239; west of Ousatonic River, committee on, 17, 57.
- Lane, John, 521; justice, 26, 105, 197: — Jonathan, captain, 167; deputy for Killingworth, 2, 164, 318, 348, 413, 547, 584; justice, 417, 504.
- Latham, Daniel, 325.
- Lattimer, Robert, 62.
- Lattin, Thomas, lieutenant, Cape Breton expedition, 149.
- Law, Jahleel and Anne, 570: — Jonathan, in nomination, 45, 168, 239, 322, 390, 461, 551; chosen governor, 3, 103, 188, 268, 349, 414, 501; present, 1, 43, 81, 90, 101, 147, 154, 163, 186, 230, 237, 261, 266, 318, 348, 383, 413, 459, 499, 546; grants to, 42, 80, 146, 184, 186, 226, 227, 260, 317, 346, 382, 411, 457, 458, 498, 545, 582; to write Governor Shirley on expenses of the Canada expedition, 453; to state the case on the Massachusetts line, 513; his death, 583.
- Lawhead, James, 494.
- Lawrence, Daniel, 141, 179; captain, 408: — Isaac, ensign, 408.
- Laws, to be revised, 41; pay for making revision, 98, 334, 458; revision to be considered, 412, to be printed, 455, certain ecclesiastical laws to be printed with, 497, distribution of, 580, notice of, 580; acts of parliament printed, 550.
- Lay, John, deputy for Lyme, 500.
- Lazell, James, quarter-master, 363; cornet, 388: — Joshua, 139.
- Leach, Clement, 254, 431: — Ebenezer, 335, 379, 440; lieutenant, 420: — John, 18.
- Leavensworth, John, annexed to Roxbury, 50; deputy for Newtown, 460: — Zebulon, annexed to Roxbury, 50.
- Leavins, James, 59: — Joseph, deputy for Killingly, 2, 413, 500; justice, 6, 104, 190, 271, 353, 425, 504: — Noah, 222.
- Leavit, Asaph, deputy for Suffield, 500.
- Lebanon, new society asked for, 312; meeting-house, 331, 381; military company, 427.
- Ledyard, John, deputy for Groton, 2, 45, 83, 91, 102, 148, 164, 187, 230, 267, 349, 414; committee, 33, 71, 98, 206, 310, 312, 332, 340, 356, 364, 368, 527; justice, 26, 105, 197, 270, 352, 416.
- Lee, Benjamin, 344; ensign, Cape Breton, 87; captain, Canada expedition, 213, 379; justice, 270, 353, 417, 504: — Ezra, land may be sold, 521: — Hezekiah, deputy for Farmington, 1, 82, 91, 239, 261, 266, 459: — Jared, captain, 388: — John, 22; deputy for Lyme, 45, 91, 102; land may be sold, 373: — Jonathan, 198: — Joseph, 378: — Stephen, 245, 299, 307, 327, 397, 445; captain, Cape Breton, 85, 91; committee, 37, 145; deputy for New London, 499, 546, 584; justice, 26, 105, 197, 270, 353: — Thomas, justice, 26, 105, 197.
- Leeds, Thomas, lieutenant Canada expedition, 213.
- Leet, Gideon, quarter-master, 470: — Jordan, 520: — Lydia, 373: — William, proceedings against for contempt, 20, 26.
- Leffingwell, Daniel and Samuel, 134: — Thomas, 446, 573.
- Leonard, Ebenezer, deputy for Preston, 2, 102, 148, 319, 547.
- Lester, Andrew, lieutenant, 361: — Thomas, land may be sold, 559.
- Lewis, Beach, 569: — Edmund, 141, 142, 569; deputy for Stratford, 1, 45, 82; committee, 33, 135; justice, 21, 118, 190, 271, 353, 417, 504: — Edward, 446: — Eldad, lieutenant, 388: — Ichabod, 569: — John, lieutenant, 191: — Josiah, 323: — Sevignton, 569; ensign, 126; lieutenant, 272: — Thomas, 569; land may be sold, 54.
- Lines, Ebenezer, 324.
- Lists of polls and estates, 16, 77, 133, 174, 220, 244, 293, 330, 357, 386, 409, 410, 427, 491, 532, 568.
- Litchfield, winter privileges granted some in, 407.
- Loans, made from the treasury, to Avery, 536, Chalker, 408, Jerome, 488, Whittelsey, 579; collection of, 36, 37, 54, 111, 290, 454.
- Lockwood, David, deputy for Greenwich, 163: — Gershom, deputy for Greenwich, 460, 499, 547, 585: — James, deputy for Norwalk, 187, 230, 384, 460; justice, 21, 118, 190, 271, 353, 417, 504.
- Long, Silas, 302; deputy for Coventry, 319, 383, 460, 500; ensign, 48; lieutenant, 470; justice, 505.
- Loomis, Aaron, 311, 331: — Abel, 516: — Azariah, lieutenant, 10: — Caleb, ensign, 389; lieutenant, 525: — Israel, ensign, 38; lieutenant, 526: — Jabez, ensign, 241: — Jacob, captain, 9: — John, 516, 570: — Joseph, lieutenant, 427: — Odiah, 36: — Solomon, ensign, 240.
- Lord, Benjamin, 114, 360: — Epaphras, 303, 370; deputy for Colchester, 2, 102, 147, 154: — Richard, deputy for Lyme, 187, 230, 318, 349; justice, 26, 105, 197, 270, 352, 416, 503: — Samuel, captain, 256.
- Lothrop, Benjamin, 371; lieutenant, 6; captain, 195: — Daniel, 493: — Ebenezer, captain, 170: — Elisha, cap-

- tain, 241: — John, deputy for Tolland, 384, 413, 499, 546, 584: — Samuel, ensign, 241; lieutenant, 276; justice, 26, 105, 197, 270, 353, 416, 504: — Simon, 277; committee, 26, 56, 100; lieutenant-colonel, Cape Breton, 84, 94: — Thomas, 559.
- Lottery granted to Yale College, 279.
- Lounsbury, Monmouth, 200.
- Lumber, duty on exportation of, 286.
- Lumm, John, deputy for Derby, 500, 546, 584: — Jonathan, ensign, 515.
- Luther, Joshua, set to East Haddam, 379.
- Lyman, Ebenezer, 251, 311, 331; ensign, 184; justice, 7, 105, 196, 269, 352, 416, 503: — Moses, 124, 323: — Phineas, deputy for Suffield, 500, 546, 584; committee on Massachusetts boundary, 553, 586; justice, 503.
- Lyme, salt-works at, 488; Rev. George Griswold's complaint against, 574.
- Lynde, Samuel, 299, 327, 332, 374, 397, 457, 488, 497; in nomination, 45, 168, 240, 323, 390, 461, 552; chosen assistant, 3, 103, 188, 268, 350, 415, 501; present, 1, 44, 81, 90, 101, 147, 154, 163, 186, 230, 238, 261, 266, 318, 348, 383, 413, 459, 499, 546, 583; committee, 5, 28, 33, 38, 356; judge, county court, 4, 105, 189, 270, 351, 416, 502.
- Lyon, Jabez, captain, 550: — Jonathan, captain, 362: — Phineas and Thaddeus, land may be sold, 225.
- Mack, Jonathan, 243.
- Mackall, James, 142, 401, 471.
- Mackinzie, Roderick, land may be sold, 52.
- McNall, Alexander and William, 542.
- Malbone, Godfrey, 299.
- Mallery, Caleb, 569.
- Maltby, Jonathan, deputy for Stamford, 1, 44, 238, 266; justice, 21, 118, 190, 271, 353, 417, 504: — Samuel, deputy for Stamford, 82.
- Manning, John, captain, 5.
- Mansfield, meeting-house, 25, 61, 134.
- Mansfield, Ebenezer, land may be sold, 480: — Jonathan, 244: — Samuel, 50, 182, 303.
- Manufactures: glass, 281; salt, 247, 488; silk, act of parliament encouraging, 551, slitting iron, 329, 551; steel, 58, 551.
- Manwaring, Mary, Peter and Thomas, 478: — William, deputy for New London, 499, 546, 584.
- Marcy, Edward, lieutenant, 387; captain, 549: — Joseph, captain, 554.
- Marlborough, asks to be made a society, 180, granted, 303; meeting-house, 370; ecclesiastical tax, 400; annexed to 12th regiment, 377.
- Marsh, Ebenezer, 201, 251, 280; deputy for Litchfield, 2, 102, 148, 154, 187, 230, 238, 261, 349, 384, 413, 459, 500, 547, 584; justice, 5, 105, 196, 269, 352, 416, 503; probate judge, 5, 105, 190, 269, 351, 416, 502: — Isaac, quarter-master, 109: — John, 27, 45; committee of war, 30; deputy for Hartford, 1; justice, 5: — Jonathan, 114: — Samuel, land may be sold, 540: — William, 560; captain, 423; deputy for Plainfield, 44, 82, 91, 101, 147, 154, 164, 187, 231, 267; justice, 353, 425, 505.
- Marshall, Abiel, 404: — David, freed from tax, 141: — Thomas, 311, 331.
- Martin, Caleb, deputy for Woodbury, 319, 349.
- Martyn, Robert, counterfeiter, 79.
- Marvin, John, lieutenant, 106.
- Mason, Robert, 446.
- Massachusetts, propositions from relative to military expeditions, 83, 110, 262; agreement with concerning war, 345; troops may be sent to, 171, 346; letter written to, 217; towns of Enfield, &c., 301, 339, 431, 481; bounds with, 476, 508, 513, 547, 552, 586.
- Massantuxet lands, Indians complain of encroachments on, 306, 523.
- Mather, Joseph, deputy for Lyme, 547, 584: — Nathaniel, 36: — Richard, ferry grant to, 495; guns loaned to, 539: — Samuel, 114; justice, 5, 105.
- Mathews, Caleb, captain, 274: — Thomas, 153, 247; deputy for Waterbury, 102, 148, 154, 164; justice, 270, 352, 425, 503.
- Maverick, Paul, land may be sold, 250.
- May, Hezekiah, 180, 304, 493, 537: — Nehemiah, lieutenant, 550.
- Mayhem, penalty for, 41.
- Maynerd, David, 209.
- Meacham, Jeremiah and Joseph, 24.
- Mead, Caleb, lieutenant, 109: — Ebenezer, deputy for Greenwich, 45, 82, 91, 102, 155, 319; justice, 21, 118, 353, 417, 504: — James, ensign, Canada expedition, 236: — John, 2, 45, 82, 91, 102, 148, 155, 187, 230, 238, 261, 267, 384, 414, 460, 499, 547, 585: — Nehemiah, deputy for Norwalk, 414; ensign, 241; lieutenant, 420.
- Meeting-houses, proceedings when necessary to build, 398.
- Meigs, Josiah, captain, 275: — Return, deputy for Middletown, 319; lieutenant, 130.
- Merriam, William, lieutenant, 430.
- Merriman, Caleb, ensign, 478: — John, 464.
- Merritt, John, 171.
- Merryal, in Kent, 528.
- Merwin, Elisha, ensign, 482: — John, ensign, 7.
- Messenger, Daniel, captain, 38: — Nehemiah, ensign, 9: — Samuel, surveyor, 143.
- Metcalf, William, justice, 353, 425, 505.
- Middle Haddam, some set from, to East Haddam, 379.
- Middlefield society established, 64; meeting-house, 89, 122, 142, 333.
- Middletown, ecclesiastical society asked for in south part, 21; East Hampton society constituted, 204; Middlefield society established, 64; winter privileges

- granted part of 3d society, 56; meeting-house 3d society, 314, 445, 467, 538; convention appointed at, 346; ferry at, granted to Knowles, 335; school district in, 35.
- Miles, James, 179, 464, 476, 559; captain, 519: — Samuel, 152: — Theophilus, ensign, 194; lieutenant, 507.
- Milford, list, (1748,) 386; separates in, 517.
- Military affairs: powers of committee of war, 30, 75, 99, 110; preparations for defence, (1744,) 70; Cape Breton expedition, 83, 128, 144, 148; disposition of prisoners of war, 152; Louisbourg to be garrisoned, 155, 164; pay of officers and soldiers, 93, 110, 162, 166, 216, 258; sick soldiers to be provided for, 166; commissioners of colonies meet to consult on the war, 216, 345; proposed expedition to Canada, 210, 231, against Crown Point, 262; defence of frontiers, 198; bounty for Indian prisoners and scalps, 227; soldiers protected from arrests, 258; accounts to be made up, 177, 183, 336; Colonel Williams to wait on Governor Shirley on expenses of expedition, 337; Governor Shirley thinks charges excessive, 453; cessation of hostilities proclaimed, 386; peace with France, Spain, &c., proclaimed, 419; disposition of arms, &c., 341, 473, 580; reimbursement of expenses, 217, 259, 264, 293, 417, 472, 509; soldiers for Canada expedition furloughed, 257, furlough misconstrued, 580.
- Militia, second company in Norwich, 125, Marlborough annexed to 12th regiment; 377; Andover annexed to 12th regiment, 279; companies in Killingworth united, 391; company in Stafford, 464; penalty for neglect to train, 291; field officers appointed, 256, 257, 363, 364, 431, 565.
- Millard, Matthew, 19, 122, 135, 137.
- Miller, Benjamin, 64: — Jeremiah, 539; deputy for New London, 1, 186, 238, 266, 318, 348, 383, 413, 459; committee, 72, 96, 98, 166, 259, 310, 332, 340, 356, 411, 527, 574, to print laws, 455; commissary, 92, 145, 162, 183, 475; justice, 26, 105, 197, 270, 352, 416, 503; probate judge, 416, 456: — Jonathan, 243, 534; lieutenant, 564: — Joseph, ensign, 421.
- Millington, Solomon, 398.
- Mills, Daniel, 516, 571: — Rev. Jedidiah, Ripton may gather rates for support of, 443: — Joseph, 221: — Pelatiah, 179, 522: — Robert, land may be sold, 222.
- Ministry, care of estates given for support of, 120, 199.
- Minor, Clement, lieutenant, 107; captain, 165; house burnt, 310, 311: — Joseph, 17, 57, 143; deputy for Woodbury, 102, 147, 155; justice, 21, 118, 190, 271, 353, 417, 504; probate judge, 4, 118, 189, 270, 351, 417, 504: — Matthew, ensign, 322: — Rufus, captain, 17; deputy for Stonington, 164, 267, 349: — Samuel, deputy for Woodbury, 460, 500, 547, 584: — Simeon, 60; deputy for Stonington, 2, 45, 91, 187, 231, 414; justice, 26, 105, 197, 270, 352, 416, 504: — William, 304.
- Mitchell, James, 207.
- Mix, Daniel, lieutenant, 194: — Samuel, 50, 60, 62, 131, 153, 280, 325, 580.
- Moffat, Thomas, 123.
- Moll, William, 332.
- Momohoe, Indians of tribe of, 446, 494.
- Money, rate of, 40, 42, 551, 582.
- Moore, Joseph, 544: — Phebe, 522: — Robert, 542: — Samuel, lieutenant, 468: — Thomas, 12.
- Morehouse, Abraham, lieutenant, 108; captain, 363.
- Morgan, John, captain, 48: — Joseph, ensign, 47; lieutenant, 242; captain, 419: — Samuel, deputy for Preston, 2, 163, 319, 384, 460, 500; justice, 26, 105, 197, 270, 352, 417, 504; lieutenant, 506.
- Morison, Normand, 315; surgeon, Cape Breton, 93, 157, 182; lieutenant Canada expedition, 235, surgeon, 237; grant to, 253.
- Morris, Adonijah, ensign, 6: — Benjamin, 433: — Samuel, settlement of estate of, 433.
- Mortimer, Philip, 487.
- Mortlake, annexed to Pomfret, 278, 439; asks to be a township, 441, 463.
- Morton, Jonathan, 300.
- Mosely, Abner, deputy for Glassenbury, 267: — Increase, justice, 417, 504.
- Moses, John, 23.
- Moss, Benjamin, lieutenant, 124: — Isaac, deputy for Wallingford, 101, 148, 163: — Joseph, 569.
- Mudge, Charles, 482.
- Mumford, James, 496.
- Munger, Jonathan, ensign, 361.
- Munson, Abel, 202: — Israel, lieutenant, 108, 274; captain, 507: — Joel, 176: — John, 402: — Merriman, 202, 376: — Stephen, 226.
- Murdock, John, 561; deputy for Saybrook, 319, 546, 584; lieutenant, 276; captain, 460.
- Mutiny, punishment of, 77.
- Mygatt, Zebulon, 134, 305.
- Nash, Edward and John, 390: — Moses, 568: — Samuel, land may be sold, 391: — Thomas, ensign, 8.
- Naval affairs: sloop Defence, committee on, 33, 63, 70, to have new sails, &c., 53, commissaries for, 80, to convoy transports to Louisbourg, 84, 157, put in charge of Colonel Saltonstall, 340, to be sold, 411, disposition of arms taken from, 475, 496, 539; pay of pilots, 129, of officers and men, 291, 325; embargo laid, 88; pilot for Canada expedition, 234; French vessel captured, 355; prize money, 209, 332, 356, 403, 471, 484, 527; letter of marque granted Captain Burnham, 360; sloops Jane and Diamond lost, 306, 486.



- Negus, Samuel, 202.  
 Nehantick rope ferry, fare at, 112, 581.  
 Nelson, Andrew, counterfeiter, 178, 185.  
 Nevins, David, 226, 238.  
 New Cambridge, society established, 13;  
 meeting-house, 140, 202, 248; ecclesiastical tax, 124, 323.  
 New Concord, ecclesiastical tax in, 68.  
 New Fairfield, in Danbury probate district, 8; bounds, 135; dissensions in, 368; ecclesiastical tax, 371, 430.  
 New Hartford, ecclesiastical tax, 65.  
 New Haven, ferry at, 316, 496, 581.  
 New London, provision for defence of, 71, 99, 198, 279, 354; ferry, 324, 581; flag at fort, 357.  
 New London Society referred to, 309, 438, 445, 490.  
 New Milford, bounds, 135; bridge, 324, 538; winter privileges granted some in, 397.  
 New Salem, ecclesiastical tax, 372, 577; dissensions in, 371.  
 New York, letter sent to, 217; convention at, 345; some of, make illegal purchases of land from Indians, 566.  
 Newberry, Roger, 249.  
 Newcastle, Duke of, letter received from, 210.  
 Newcomb, Obadiah, captain, 420.  
 Newell, Nathaniel, deputy for Farmington, 547, 584; ensign, 107; lieutenant, 564.  
 Newington, 307; grant to, 374.  
 Newport, William, 141.  
 Newton, Israel, deputy for Colchester, 44, 82, 90; justice, 42, 105; major, Cape Breton, 85, 95: — Roger, 186; in nomination, 45, 168, 240, 323, 352, 390, 461; chosen assistant, 3, 103, 188, 268, 350, 415, 501; present, 1, 44, 81, 90, 147, 154, 163, 186, 230, 238, 261, 266, 318, 348, 383, 413, 459, 499, 546, 583; committee of war, 31, 70; judge, county court, 4, 104, 189, 269, 350, 424, 502; lieutenant-colonel, 363.  
 Newtown, in Danbury probate district, 8; to send in list, 109, doomed for non-compliance, 250, 307.  
 Nichols, Cyprian, adjutant, Cape Breton, 92, 93; land may be sold, 255: — Daniel, 170: — James, 315, 537: — Josiah, 170: — Theophilus, deputy for Stratford, 1, 45, 82, 91, 102, 147, 155, 239, 262, 266, 319, 384, 500, 547, 584; commissary, 89, 97; justice, 21, 118, 250, 271, 353, 417, 504.  
 Nightingale, Samuel, deputy for Pomfret, 547.  
 Noble, Daniel, ensign, 565: — David, deputy for New Milford, 163, 187, 230, 238, 261, 267: — Gideon, 537: — Stephen, 142: — Thomas, deputy for New Milford, 546, 584.  
 Nodd, in Farmington, 243, 534.  
 Norfolk, land in, 380; to be sold, 408, sale suspended, 561; committee to take care of, 579.  
 North, James, 535: — Thomas, ensign, 128; captain, 322.  
 North Stratford, society constituted, 64; dissention in, 203; meeting house, 323; winter privileges granted some in, 569.  
 Northbury, meeting-house, 169; ecclesiastical tax, 201.  
 Northford, society established, 138; named, 509.  
 Northington, society constituted, 534.  
 Northrop, Joel, captain, 275: — John, deputy for Newtown, 267, 318, 413: — Stephen, 309.  
 Norton, Isaac, 367, 435; ensign, 422: — Rev. John, 395; grant to, 345: — Samuel, 27; land may be sold, 249: — Simeon, 520: — Thomas, 487.  
 Norwalk, ferry at, granted to Disbrow, 127.  
 Norwich, ecclesiastical taxes in, 68, 404; new society asked for in, 206; troubles in 2d society, 374, with Rev. H. Wills, 337, 380, 397, 480, 571; meeting-house 1st society, 376, 381, 493, 537; and Preston line, 328; 2d military company, 125; probate district established, 386; toll bridge, 483.  
 Nott, Rev. Abraham, complains against Saybrook, 566.  
 Noyes, James, 114: — John, 300; deputy for Stonington, 238: — Joseph, 114, 466: — Moses, 564: — Thomas, 543, 560.  
 Nye, Ebenezer, captain, 240.  
 Oath of fidelity to be administered to soldiers, 92.  
 Odell, Hezekiah, ensign, 168; lieutenant 273: — Samuel, ensign, 273.  
 Olcott, Jonathan, 300: — Josiah, ensign, 26, 275: — Nathaniel, lieutenant, 26: — Timothy, 32.  
 Olmsted, Daniel, deputy for Ridgefield, 44, 82, 90: — Richard, deputy for Ridgefield, 2, 187, 230, 239, 262, 267, 547, 584; justice, 21, 118, 190, 271, 353: — Samuel, deputy for Ridgefield, 164, 187, 230, 239, 262, 267, 319, 349, 384, 413, 460, 500; justice, 5, 353, 417, 504; lieutenant, 423: — William, 251, 296, 301.  
 Orton, John, 243, 534.  
 Orviss, Charles, land may be sold, 34, 207.  
 Osborn, David, 557: — John, 559: — Jonathan, land may be sold, 573: — Richard, 15.  
 Owen, John, ensign, 99, 568: — Rev. John, proceedings against, 20.  
 Packer, James, 471, 484; quarter-master, 362.  
 Paddock, Zachariah, 61.  
 Paine, Benjamin, 467: — James, land may be sold, 467.  
 Painter, Deliverance, 374; ensign, 549.  
 Palmer, Chistopher, 527: — Eliakim, 512; grants to, 43, 146, 227, 317, 382, 457; letters written to, 410, 452, received from, 293; to solicit reimbursement of expences, 217, 264, 418, 456; dead, 472: — Ichabod, land may be sold, 543, 560: — John, 179, 208, 254, 338, 468;



- lieutenant, 506; captain, 507: — Jonathan, lieutenant, 469: — Joseph, deputy for Voluntown, 186, 414; justice, 7, 104, 190, 271, 353; ensign, 554: — Joshua, land may be sold, 52: — Nathan, 484: — Nehemiah, deputy for Stonington, 384, 459; justice, 504: — Samuel, 208, 254, 300, 328, 338, 559.
- Palmer, Ebenezer and Elnathan, 371.
- Pardee, Benjamin and Noah, ferrymen, 496.
- Park, Daniel, 328: — Joseph, deputy for Voluntown, 460: — Robert, 253.
- Parker, Elisha, counterfeiter, 78; sale of his estate, 223: — Isaac, 223: — John, ensign, Cape Breton, 128, 143: — Samuel, deputy for Coventry, 44, 82, 90, 101, 147, 154, 163, 187, 230.
- Parkhurst, Joseph, 119, 407, 431; deputy for Plainfield, 44, 82, 91, 101, 147, 154.
- Parliament, a bill concerning paper money depending before, 453; certain acts of, printed, 550.
- Parmelee, Isaac, John and Joseph, 520.
- Parrish, Ephraim, ensign, Cape Breton, 128, 144: — Isaac, lieutenant, 109.
- Parry, John, ensign, 387; lieutenant, 549.
- Parsons, John, 370; quarter-master, 519: — Timothy, 367, 396, 464; captain, 172.
- Partridge, Richard, appointed colonial agent, 509; written to, 585.
- Pasco, John, ensign, 520.
- Patrick, Matthew, 205.
- Patterson, Henry, 559: — James, 307: — John, 309, 438; lieutenant, Canada expedition, 213.
- Paupers, provision for support of, 132.
- Payne, David and William, 252: — Rev. Seth, 81; complains of salary unpaid, 22.
- Peabody, Richard, 398, 428.
- Peake, Christopher, ensign, 48.
- Pearl, Timothy, 440.
- Peck, Aliff, 565: — Benjamin, 543, 565: — Ebenezer, lieutenant, 390: — Ephraim, deputy for Newtown, 546, 584: — Henry, 517; lieutenant, 194: — Heth, 225; deputy for Newtown, 384; ensign, 240: — James, 50, 476; ensign, 194; lieutenant, Canada expedition, 213; lieutenant, 275; captain, 548: — Jeremiah, 517: — Joseph, 19; deputy for Danbury, 460; ensign, 193; lieutenant, 469: — Nathaniel, justice, 21, 118, 190, 271, 353, 417, 504: — Samuel, lieutenant, 167; land may be sold, 565: — William, 543.
- Peckham, Caleb, 14: — Robert, land may be sold, 14.
- Peet, Richard, lieutenant, 242: — Thomas, lieutenant, 107.
- Pelton, Henry, 543: — Samuel, 226, 298.
- Pembleton, Joshua, ensign, Cape Breton, 86.
- Pendleton, Joshua, ensign, 363.
- Penfield, John, 333.
- Penniman, James, 466.
- Penoyer, Samuel, 15.
- Pepperell, William, lieutenant-general, Cape Breton, 92.
- Percival, John, ensign, 552.
- Perkins, Daniel, land may be sold, 325: — Jacob, ensign, 196: — John, ensign, 49; lieutenant, 196: — Luke, 177, 376, 381, 445, 532; deputy for Groton, 318, 500; justice, 26, 105, 197, 270, 353, 416, 504: — Samuel and Hannah, 464.
- Perrin, Samuel and Dorothy, 433.
- Perry, Thomas and Elizabeth, 224.
- Peters, William, 378.
- Petitions, service of, 61; relating to small matters not to be preferred to general assembly, 410.
- Pettee, Jonathan, 79.
- Pettibone, Jonathan, ensign, 256: — Samuel, ensign, Cape Breton, 86, 91.
- Phelps, Aaron, 369: — Asahel, 477: — Caleb, 12: — Daniel, 516, 559; lieutenant, 10: — Ebenezer, ensign, 507: — Edward, captain, 10; deputy for Litchfield, 44, 82, 90, 163: — Ichabod, ensign, 468: — Jacob, 208, 338, 468: — John, 331, 378, 381; deputy for Hebron, 44, 82, 90; justice, 416, 503: — Joseph, 25, 61, 138, 304, 375; deputy for Hebron, 1, 101, 147, 154, 163, 186, 230, 238, 262, 266, 318, 349, 383, 413, 460, 546, 584; justice, 5, 105, 195, 269, 352, 416, 503; quarter-master, 321: — Josiah, captain, 431: — Nathaniel, ensign, 426: — Samuel, lieutenant, 526: — Timothy, captain, 48.
- Phillips, George, 486.
- Phips, Lieutenant-Governor Spencer, 171.
- Pickett, John, 277.
- Pierce, Benjamin, ensign, 519: — Enoch, 134: — Ezekiel, deputy for Plainfield, 384, 547, 585; lieutenant, 508: — Samuel, 25: — Thomas, quarter-master, 109: — Timothy, 315; in nomination, 45, 168, 240, 323; chosen assistant, 3, 103, 188, 268; present, 1, 44, 90, 101, 147, 154, 163, 186, 230, 238, 261; judge, county court, 4, 104, probate, 4, 104, 189, 272.
- Pierpont, James, 114: — Joseph, lieutenant, 7.
- Pierson, Abraham, 114; justice, 26, 105, 197, 270, 353.
- Pinney, Abraham, ensign, Cape Breton, 149: — Benjamin, ensign, 127; lieutenant, 481.
- Pinto, Isaac, 406.
- Pitcher, Jonathan, ensign, 518.
- Pitkin, John, captain, 192: — Joseph, 122, 314, 347, 365, 396, 458, 462, 474, 479, 498, 545, 570, 578, 583; auditor, 329; deputy for Hartford, 238, 261, 318, 348, 383, 413, 459, 499, 546, 584; justice, 269, 352, 416, 503; in nomination, 390, 461, 552; privilege of sitting iron granted to, 329: — Ozias, 43, 81, 101, 122; in nomination, 45, 168, 239; chosen assistant, 3, 103, 188; present, 1, 90, 101, 186; committee, 111, 146, 227; committee of

- war, 30: — Thomas, 334, 377; justice, 5, 105, 195, 269, 352, 416, 503: — William, 33, 122, 536; auditor, 7, 106, 197, 418; nominated, 45, 168, 240, 323, 390, 461, 552; chosen assistant, 3, 103, 188, 268, 350, 415, 501; committee, 43, 68, 100, 111, 143, 146, 151, 227, 293, 307, 310, 317, 336, 347, 374, 397, 428, 455, 474, 498, 508, 545; committee of war, 30; judge, superior court, 3, 103, 189, 269, 350, 415, 502, county court, 4, 104, 189, 269, 350, 415, 502.
- Plainfield probate district established, 271, enlarged, 508.
- Platt, Ebenezer, 113: — Joseph, auditor, 106; deputy for Norwalk, 101, 147, 154, 163, 238, 261, 384, 414, 460, 500, 547, 585; justice, 417, 504: — Josiah, 170.
- Plumb, Joseph, 207: — Samuel, 377; ensign, 556.
- Poisson, James, 123, 298.
- Polly, Daniel, 484.
- Pomfret, in Plainfield probate district, 271; new society in, asked for, 428, granted and named Abington, 438.
- Pomroy, Rev. Benjamin, proceedings against, 11, 28, 375.
- Pond, Josiah and Abigail, 336, 379: — Philip, 336, 379; lieutenant, 242.
- Porter, Amos, captain, 425: — Daniel, captain, 49: — Experience, 172, 314: — John, 204, 314; ensign, 553: — Jonathan, ensign, 195: — Joseph, 568; lieutenant, 241, 525; captain, 422: — Nathaniel, land may be sold, 14: — Thomas, deputy for Coventry, 2; lieutenant, 278: — Timothy, deputy for Farmington, 163, 319, 384: — William, 373, 531.
- Post, Abraham, ensign, 320; lieutenant, 460: — Samuel, 68: — Thomas, lieutenant, 468.
- Powder-money to be levied, 74.
- Pratt, Elisha, ensign, 555: — John, ensign, 274.
- Prentiss, John, 403, 471, 476, 484, 527; captain, sloop Defence, 210, 332: — Jonas, deputy for Stonington, 318: — Jonathan, 332: — Joseph, captain, 362: — Samuel, deputy for Stonington, 459, 547; justice, 353, 416, 504: — Sarah, 332, 397, 403, 471, 476, 484, 527: — Thomas, 436.
- Preston, Treat *v.*, 280; and Norwich bounds, 328; in Norwich probate district, 386.
- Preston, Ephraim, ensign, 168; lieutenant, 478: — William, 17, 57, 140, 143, 308; deputy for Woodbury, 2, 44, 82, 90, 102, 147, 155, 187, 230, 238, 262, 267, 383, 413; justice, 21, 118, 190, 271, 353, 417, 504.
- Prindle, Daniel, 429: — Samuel, 569.
- Probate districts established, Danbury, 8, Norwich, 386, Plainfield, 271.
- Process, service of, 40, 41, 61.
- Prout, John, justice, 352, 425, 503.
- Punderson, John, 473.
- Purdy, John, lieutenant, 128.
- Quakers, law exempting, from ecclesiastical taxes to be printed with revised laws, 498.
- Quintard, Isaac, land may be sold, 126: — Hannah and Peter, 126.
- Randal, Benjamin, ensign, 182: — Isaac, 545: — John, captain, 182: — Jonathan, land may be sold, 543: — Preserved, 543.
- Ranney, Joseph, captain, 194.
- Ransom, James, ensign, 246: — John, 528; lieutenant, 582.
- Raymond, Joshua, justice, 26, 197, 270, 353, 416, 501.
- Read, John, deputy for Fairfield, 163, 238, 262, 318, 384, 413, 500, 546; justice, 21, 118, 190, 271, 353, 417, 504; lieutenant, 427; exchanges land with Chicken, 434: — Jonathan, ensign, Cape Breton, 87, 91; lieutenant Canada expedition, 213: — Joseph, land may be sold, 34: — Nathan, ensign, 363: — Samuel, lieutenant, 482.
- Reading, Chicken's land in, 175, 434; meeting-house, 381.
- Records, secretary to arrange old papers, 15, to record public letters, 59.
- Redfield, Daniel, ensign, Canada expedition, 213.
- Remington, Mary, 366.
- Reynolds, Jonathan, land may be sold, 35.
- Rhode Island, governor to ask that troops from thence may sail with our forces, 98.
- Rhodes, James, 50, 182: — Jarvis, 58.
- Richards, George, 243: — John, 66, 306, 308, 341, 368, 457; justice, 26, 105, 197, 270, 353, 456, 504; probate judge, 4, 105, 189, 270, 351, 456, 504; Winthrop *v.*, 15, 62: — Paul, 437.
- Ridgefield, annexed to Danbury probate district, 239; winter privilege granted some in, 309.
- Riggs, John, 330; deputy for Derby, 44, 82, 267; justice, 20, 104, 190, 270, 352, 425, 501: — Samuel, 377; deputy for Derby, 2; justice, 20, 104, 190, 270, 352, 425, 503.
- Ripton, meeting-house, 181, 200; society may gather rates, 443; winter privileges granted some in, 569.
- Rizley, John, 523.
- Roath, Joseph, 134.
- Robbins, Daniel, 127, 227: — Jonathan, 146, 162; captain, 361; deputy for Wethersfield, 102, 155, 164, 383: — Nathaniel, ensign, 364: — Rev. Philemon, 359.
- Roberts, John, 209: — Samuel, 530; lieutenant, 8: — William, 141.
- Robey, Andrew, deputy for Symsbury, 318, 460, 500, 546, 584; lieutenant, 546.
- Robinson, Edward, 113: — Eliakim, lieutenant, Canada expedition, 236: — Ichabod, lieutenant, Canada expedition, 214: — Josiah, captain, 430; deputy for Wallingford, 547, 585: — Samuel, deputy for Guilford, 45, 82, 267, 499: — Thomas, ensign, 555.

- Rockwell, Joseph, 332: — Matthew, 523, 578; deputy for Windsor, 349, 384, 414, 460, 500: — William, 477.
- Rocky Hill ferry, fare at, 292, 581.
- Rogers, Hezekiah, 138: — James, 66, 526; v. Durfey, 299, 327, 484; v. Tabor, 55, 359, 476, 563: — Joseph, 358, 476: — Josiah, deputy for Branford, 547, 584; ensign, 242: — Mary, 366: — Peter and Elizabeth, 51: — William, land may be sold, 51.
- Root, Daniel, 304: — Ebenezer, deputy for Coventry, 238, 261: — Joseph, cornet, 423: — Josiah, quarter-master, 274: — Timothy, lieutenant, Cape Breton, 86, 91.
- Rose, John, 126.
- Rossiter, Theophilus, justice, 425, 503.
- Row, Ebenezer and Mindwell, land may be sold, 444.
- Rowland, David, 323, 502; deputy for Fairfield, 318, 413, 459, 500, 546, 584; justice, 417, 504.
- Rowley, Daniel, 391, 442: — Elnathan, 54: — Moses, set to East Haddam, 379: — Reuben, land may be sold, 392, 442.
- Roxbury, sundry annexed to, 50; meeting-house, 16, 61, 137, 153, 178; ecclesiastical tax, 200.
- Royce, Ezekiel, 176; justice, 104, 190, 270, 352, 425, 503: — James, 134: — Phineas, ensign, 420: — Reuben, 544: — Samuel, 176.
- Rudd, Jonathan, ensign, 164; lieutenant, 555.
- Rumsey, Benjamin, lieutenant, 7.
- Russell, David, 179: — Ebenezer, ensign, 481: — John, deputy for Branford, 163, 413, 459, 499; justice, 20, 104, 190, 270, 352, 425, 503; lieutenant, Canada expedition, 236; major, 364; lieutenant, 389: — Jonathan, 224; deputy for Branford, 2, 44, 82, 91, 267, 319, 349, 384, 413, 459, 499; justice, 20, 104, 190, 270, 352, 425, 503: — Noadiah, 114: — Timothy, justice, 270, 352, 425, 503: — William, 374.
- Rust, Noah, land may be sold, 370: — Samuel, 370; deputy for Coventry, 460, 500; lieutenant, 195; captain, 367.
- Sabin, Benjamin, lieutenant, 389: — Hezekiah, deputy for Killingly, 164, 267, 319, 349, 384; justice, 505; lieutenant-colonel, 364: — Noah, deputy for Pomfret, 164, 187, 230: — Timothy, deputy for Pomfret, 1.
- Sackett, Jonathan, 302: — Samuel, captain, 7; justice, 352, 425.
- Sage, David, 35; lieutenant, 425: — Ebenezer, 486.
- St. Clair, Lieutenant-General, 257, 294.
- St. John, Daniel, lieutenant, 7; captain, 241: — Joseph, 306; captain, 389: — Matthew, 407: — Nathan, land may be sold, 541.
- Salaries granted, 42, 80, 146, 184, 226, 317, 346, 382, 411, 457, 545, 582; of judges, 457.
- Salisbury, ecclesiastical tax, 140; meeting-house, 280, 378, 465; patent granted to, 141; fortification at, 198.
- Salt, manufacture of, 247, 488.
- Saltonstall, Gurdon, 326, 327, 336, 411, 445, 457, 484, 493, 527, 539, 574; deputy for New London, 44, 82, 90, 101, 147, 154, 186, 230, 266, 318, 348; in nomination, 240, 323, 390, 461, 552; chosen assistant, 415, 501; present, 459, 499, 546, 583; commissary, 80, 89, 97, 143, 145, 148, 150, 157, 212, 214, 232; to take care of sloop Defence, 33, 71, 340; justice, 26, 197, 270, 353.
- Sanford, David, 255; quarter-master, 425; cornet, 518: — Hannah, 544: — Jonathan, annexed to Roxbury, 50: — Joseph, 280, 381; captain, 9; lieutenant, 168; deputy for Litchfield, 267, 319, 547, 584: — Samuel, ensign, Cape Breton, 92; lieutenant, Canada expedition, 236: — Stephen, ensign, 275; lieutenant, 481: — Zachariah, 124; land may be sold, 22.
- Savage, John, lieutenant, 129: — Joseph, 55; lieutenant, 194.
- Saybrook, ferry regulated, 38; Baptist society at, 113; Rev. A. Nott complains of 2d society, 566.
- Sayer, Elisha, 477.
- Scatacook, Chicken's land at, 175, 434.
- Scious, John, 112.
- Scotfield, John, deputy for Waterbury, 102, 148, 154.
- Scott, Samuel, 341, 497.
- Scovell, William, lieutenant, 196.
- Scranton, Ebenezer, 24.
- Seabury, David, lieutenant, Cape Breton, 92: — Esther, 139: — John, 299; land may be sold, 139.
- Seal of the colony to be re-engraved, 333.
- Secretary, to arrange ancient papers, 15; to record public letters, 59.
- Sedgwick, Benjamin, lieutenant, 561: — Stephen, freed from tax, 369.
- Seeley, Benjamin, ensign, 120; lieutenant, 565: — Eliphalet, lieutenant, 321: — Ephraim, 178.
- Selden, Samuel, deputy for Lyme, 2.
- Selectmen, to have care of estates for support of ministry, 120.
- Selleck, Jonathan, lieutenant, 272.
- Sergeant, Epes and Catharine, 402: — Jacob, 314.
- Sessions, Abner, 536.
- Seward, Nathaniel, lieutenant, 6.
- Sexton, George, ensign, 525.
- Seymour, Bevil, Jerusha and Nathaniel, 367, 435: — Isaac, 255: — Jonathan, ensign, 38: — Matthew, 541: — Thomas, 367, 458, 579, 583; lieutenant, 87; captain, 321; deputy for Hartford, 238, 261, 413, 546, 584; land may be sold, 142; will established, 435.
- Shackmaple, John and Elizabeth, land may be sold, 52.
- Sharon, ecclesiastical tax, 79, 136, 407; Indians at, 308; patent granted to 314.



- Sharp, Daniel, ensign, Canada expedition, 235: — John, ensign, 420.
- Shaw, Nathaniel, 327, 484.
- Shelden, Elisha, 38, 312, 539; auditor, 272; deputy for Lyme, 239, 262, 267, 384, 414; justice, 106, 197, 270, 353, 416, 504: — Isaac, 300, 365.
- Shelton, Joseph, ensign, 272.
- Shepard, Isaac, lieutenant, 109: — Jane, v. Zebulon, 347: — Samuel, ensign, 423.
- Sheriffs, regulated, 41; fees of, 70, 289, 451.
- Sherman, David, 124: — Job, justice, 21, 118, 190, 271, 353, 417, 504: — Roger, 579; surveyor, 173: — Samuel, 335; deputy for New Haven, 187, 230, 238, 262, 266, 318, 348, 384, 413, 459, 500; auditor, 272; justice, 270, 352, 425, 503.
- Sherwood, Daniel, lieutenant, 526: — Isaac, ensign, 192: — Jabez, ensign, 518: — John, lieutenant, 168: — Samuel, 323; captain, 7; justice, 21, 118, 190, 271, 353, 417, 453, 504: — Seth, counterfeiter, 178.
- Shipman, Elias, 327: — Stephen, land may be sold, 323.
- Shirley, Governor William, 129, 340; letters received from, 83, 110, 262, written to, 454; consulted on Canada expedition, 214; Colonel Williams to wait on, 337.
- Silk, an act of parliament to encourage raising of, to be printed, 551.
- Silliman, Ebenezer, in nomination, 45, 168, 240, 323, 390, 461, 552; chosen assistant, 3, 103, 188, 268, 350, 415, 501; present, 1, 44, 81, 90, 101, 147, 154, 186, 230, 238, 261, 266, 318, 348, 383, 413, 459, 499, 546, 583; committee, 28, 175, 203, 336; commissary, 80, 144, 148, 150, 157; committee of war, 31, 70; judge, superior court, 3, 103, 189, 269, 350, 415, 502, probate, 118, 189, 270, 351; aids in revising laws, 458; major, 565: — Nathaniel, captain, 108.
- Skinner, Aaron, ensign, 241; captain, 424: — Abraham, 180: — Benjamin, 326, 375; deputy for Hebron, 1, 238, 266, 318, 349; justice, 5, 105, 195, 269, 352: — Isaac, 297, 516, 571: — Joseph, deputy for Hebron, 186.
- Slater, John, 332.
- Sloan, Robert, 457.
- Slueman, David, land may be sold, 21.
- Smalley, Benjamin, ensign, 48.
- Smedley, James, lieutenant, 385.
- Smith, Daniel, 568: — David, ensign, 106: — David and Isaac, deaf mutes, freed from tax, 14, sale of land by, 466: — Ebenezer, 223; justice, 21: — Elisha, 367: — Ephraim, 368: — Ezra, lieutenant, 469; ensign, 555: — Jabez, ensign, 389; lieutenant, 424: — John, 181, 209, 402; captain, 470; deputy for Voluntown, 384, 500, 547, 584; justice, 271, 353, 425, 505: — Jonah, 14, 466; ensign, 194; lieutenant, 422: — Josiah, 209, 402: — Manoaah, ensign, 8; ferry granted to, 119: — Martin, lieutenant, 38: — Mary, 130: — Merritt, 171: — Nathan, 177; captain, 165; deputy for Groton, 459; justice, 353, 416, 504: — Samuel, 334; justice, 504: — Simon, ensign, 320: — Stephen, deputy for Ridgefield, 500: — Thomas, 14, 466.
- Smith's ferry, 119, 182, 220, 354, 581.
- Smithson, William, lieutenant, Cape Breton, 86, 92, 164; Canada expedition, 213.
- Sokient, Simon, 446, 494.
- Solomons, Isaac, 522.
- Somers, reception of into Connecticut, 301, 339, 431, 481, 547.
- Society meetings, who may vote in, 218.
- Soper, John, 12, 297, 367; land may be sold, 522.
- Southmaid, Daniel, captain, 278; deputy for Waterbury, 383, 460: — John, 12, 16, 61, 78, 137, 153, 178, 223, 247; deputy for Waterbury, 2, 45, 83, 91; justice, 19, 104, 190, 270, 352, 425, 503: — Joseph, deputy for Middletown, 547, 584; justice, 505.
- Spafford, Amos, captain, 321.
- Spaulding, Benjamin, ensign, 192: — Ezekiel, 398: — Zachariah, captain, 518.
- Spencer, Joseph, deputy for East Haddam, 547; lieutenant, 275: — Thomas, 113: — William, 121, 178.
- Sperry, Amos, 483: — Benjamin, deputy for Danbury, 547, 585: — Nathaniel, ensign, 482.
- Sprague, Ebenezer, ensign, 322: — Ephraim, lieutenant, 49: — John, captain, 128.
- Squire, John and Rachel, 560.
- Stafford, Rev. S. Payne complains of salary unpaid, 22; land titles in, 364, 462; military company, 464.
- Standish, Samuel and Thomas, 328.
- Stanly, Abraham, Elizabeth, Josiah and Samuel, 437: — Augustus, 367: — Nathaniel, 66, 71, 99, 122, 225, 281, 310, 408, 476; in nomination, 45, 168, 239, 323, 390; chosen assistant, 3, 103, 188, 268, 350; present, 1, 44, 81, 90, 101, 147, 154, 186, 230, 238, 261, 266, 318, 348, 383, 413; committee, 37, 43, 54, 56, 63, 100, 101, 111, 143, 146, 162, 177, 227, 234, 317, 341, 347, 455; justice, 416, 503; treasurer, 417, 502, grant to, 545: — William, ensign, 461.
- Stannard, Joseph, 137.
- Stanton, Elijah, quarter-master, 17; cornet, 362: — John, lieutenant, Cape Breton, 86; lieutenant, 333: — Nathaniel, ensign, 506: — Phineas, lieutenant Cape Breton, 149; lieutenant, 554: — Samuel, ensign, 506.
- Staples, Elijah and Robert, 371.
- Starke, John, 300.
- Starkie, Thomas, 81.
- Starkweather, John, freed from tax, 523.
- Starr, Daniel, ensign, 10; captain, 197: — Jasper, 332, 356: — John, ensign, 8: — Jonathan, 177; lieutenant, 276: — Josiah, 150, 343, 381; captain,



- Cape Breton, 149, Canada expedition, 213; captain, 242; deputy for Danbury, 186, 230.
- Stearns, Boaz, deputy for Killingly, 44, 82, 90, 101, 147, 154, 238, 262, 319, 349, 384, 460, 547, 584.
- Stedman, John and Mary, land may be sold, 558.
- Steel, manufacture of, 58, prohibited by parliament, 551.
- Steel, Stephen, 360.
- Stephens, Daniel, ensign, 470: — Ebenezer, justice, 21: — Elnathan, deputy for Killingworth, 2, 102, 147, 154, 164, 187, 230, 238, 261, 267, 384, 460, 500; captain, 419; justice, 270, 353, 417, 504: — John, deputy for Killingworth, 44, 82, 90; ferry granted to, 566: — Nehemiah, 484: — Samuel, ensign, 419: — Thomas, 202, 403; deputy for Danbury, 44, 83, 91, for Plainfield, 2, 348: — Uriah, 141; lieutenant, 408.
- Stetson, Samuel, ensign, 554.
- Stewart, Samuel, ensign, 385.
- Stiles, Benjamin, surveyor, 457: — Ebenezer, 70: — Ezra, 583: — Samuel, lieutenant, 130.
- Stilman, Benjamin, justice, 416, 502.
- Stoddard, Anthony, 114: — Elisha, captain, 322: — Colonel John, 110, 292: — Moses, lieutenant, 525.
- Stone, Joseph, lieutenant, 363: — Josiah and Temperance, land may be sold, 336, 374: — Nathaniel, 371; annexed to Guilford 1st society, 64: — Timothy, 364; auditor, 106, 197; deputy for Guilford, 45, 82, 91, 102, 148, 155, 164, 187, 230, 238, 262, 267, 349, 384, 414, 460, 547, 584; justice, 104, 190, 270, 352, 425, 503; major, 431.
- Stonington, boundary with Groton, 26, 56, 100, 221; lists in, 368; Indian land, 446, 494, 573.
- Storrs, Hucksins, 172: — Joseph, deputy for Mansfield, 460: — Samuel, captain, 107: — Thomas, deputy for Mansfield, 44, 102, 148, 155, 164, 187, 238, 267; justice, 6, 104, 190, 271, 353, 425, 505.
- Stoughton, Benjamin, 525, 561: — Samuel, ensign, 126: — Thomas, 331, 396; lieutenant, 184.
- Stow, Ebenezer and Nathaniel, 401: — Isaac, 313: — Thomas, 24, 55; Evarts v., 67, 175, 205.
- Stoyel, John and Dorothy, 253, 316.
- Stratfield, Cook v., 124, 531.
- Stratford, Unity and Long Hill in, desire to be united, 50, granted, (North Stratford,) 64; winter privileges granted some in, 569.
- Street, Elnathan, captain, 167.
- Strong, Asahel, auditor, 197, 272; captain, 48; deputy for Farmington, 1, 44, 82, 91, 102, 147, 154, 187, 230, 239, 266, 348, 413; justice, 105, 195, 269, 352, 416, 503: — Eliakim and Mehitabel, land may be sold, 539: — Ephraim, 517: — Ezra, 370: — Jacob, 331: — John W., lieutenant, Canada expedition, 213: — Jonathan, 336, 369: — Joseph, 331, 381; deputy for Coventry, 2, 44, 82, 90, 101, 147, 154, 187, 238, 261, 266, 348, 413, 546, 584; justice, 6, 104, 190, 271, 353, 425, 505: — Phineas, 370; deputy for Coventry, 319, 348, 383, 413, 546, 584; justice, 323, 353, 425, 505: — Samuel, 536; ensign, 518: — Supply, ensign, 9.
- Stubbins, John, 250.
- Sturgiss, Samuel, captain, 385.
- Stutson, Mary, 405.
- Suffield, asks to be taken into Connecticut, 301, 339, jurisdiction extended over, 431, 481, 547.
- Sumner, Benjamin, ensign, 549: — Samuel, deputy for Pomfret, 319: — William, 477.
- Sutlief, John, 201; land forfeited by, sold, 54: — Nathaniel, 89; deputy for Had-dam, 319, 349.
- Swan, William, ensign, 50; lieutenant, 505.
- Swift, Nathaniel, 528; lieutenant, 425: — Zephaniah, 331, 381.
- Symms, William, ensign, 420.
- Symsbury, bridge, 18; manufacture of steel at, 58; doomed for neglect to send in list, 250; winter privileges granted some in, 221; west society established, 530.
- Tabor, Pardon, 55, 359: — Philip, 359, 476, 563.
- Talcott, Benjamin, captain, 240: — Eliza, cornet, 473: — John, 32: — Joseph, 146, 162, 200, 227, 302, 317, 435, 498; auditor, 106; deputy for Hartford, 101, 147, 154, 186, 230, 266, 459; justice, 5, 105, 195, 269, 352, 416, 503: — Lucy, 304: — Matthew, 486, 522: — Samuel, 295, 341, 493; lieutenant-colonel, Canada expedition, 213; ensign, 469; sale of bills of exchange to, 492.
- Taxes laid, 80, 167, 256, 346, 410, to redeem bills of credit, 42, 67, 100, 151, 217, 218, 235, 447; collection of, 277.
- Taylor, Benjamin, 390: — Henry, 167: — James, land may be sold, 167: — John, lieutenant, 192: — Noah, lieutenant Cape Breton, 86, 92.
- Terry, Ephraim, deputy for Enfield, 546, 584; justice, 505: — Jonathan, 517.
- Thrall, Joel, 311, 331: — John and Mary, 530: — Moses, 443, 525: — Timothy, 123, 174: — William, 174.
- Thomas, Ebenezer, ensign, 275: — Samuel and Rebecca, 247.
- Thompson, Abraham, ensign, 548: — Ebenezer, lieutenant, 518: — Ezekiel, 495: — Hannah, 202, 316: — John, justice, 21, 118, 190, 271, 353, 417, 504: — Joseph, land may be sold, 202, 316: — Robert, 205: — Samuel, 532.
- Throop, Daniel, cornet, 191: — William, ensign, Cape Breton, 87, 92.
- Tiffany, Edward, 181: — Nathan, lieutenant, 99: — Thomas, 545; justice, 6, 104, 190, 271, 353, 425, 505.
- Tilden, Stephen, 544.

- Tilley, James, 245, 294.  
 Toad, Samuel, 484.  
 Todd, James, ensign, 7; lieutenant, 430: — Rev. Jonathan, preached election sermon, 415: — Stephen, 202, 376.  
 Tolland, to send in list, 292.  
 Tomlinson, Agur, 377: — Isaac, deputy for Derby, 500.  
 Torrington, ecclesiastical tax, 12, 538: meeting-house, 201, 251, 311, 331, 396, 479.  
 Torry, Samuel, ensign, Cape Breton, 91.  
 Tousey, Thomas, 381; deputy for Newtown, 267, 318, 349; justice, 21, 118, 190, 271, 353, 417, 504; Clark v., 366, 587.  
 Towns, number of jurymen chosen in, 46, 247; bounds, &c., 198.  
 Tozer, Richard, surgeon, Cape Breton, 315: — Thomas, 371.  
 Tracy, Christopher, 35; ensign, Cape Breton, 92: — Daniel, 328; lieutenant, 364: — Isaac, deputy for Norwich, 384, 413, 459: — Jedidiah, justice, 26, 105, 197, 270, 352: — Joseph, 119, 328; ensign, 364: — Nathaniel, 328: — Samuel, 328: — Simon, 55, 493: — Solomon, deputy for Canterbury, 2, 44, 102, 148, 155, 319, 348, 384, 414, 460, 500, 547, 585: — Winslow, 47, 119.  
 Trade, acts for encouragement of, 283, 393, 551; with French, prohibited, 360; with Spain, restrictions removed, 411; voyages to Ilonduras referred to, 496, 539; Board of, queries from, with answers, 593.  
 Treadwell, Ephraim, ensign, 564: — Hezekiah, lieutenant, 9; lieutenant, Canada expedition, 213.  
 Treasury, collection of loans, 36, 37, 54, 111, 290, 454; loans made to individuals, 408, 488, 536, 579; committee of pay table, 111, 122, 143, 455; treasurer to attend on assembly, 54, 170, 242, 326, 396, 476, 561; accounts with Colonel Whiting to be settled, 417, 463; sale of bills of exchange, 492, 510, 579.  
 Treat, Joseph, deputy for Milford, 383, 499: — Robert, 132, 251; auditor, 7; committee of war, 31, 70; deputy for Milford, 2, 44, 82, 90, 102, 148, 154, 163, 186, 230, 238, 261, 319, 413, 460, 546, 584; justice, 20, 104, 190, 270, 352, 425, 503: — Rev. Salmon, v. Preston, 280.  
 Trowbridge, Ebenezer, 374.  
 Trumble, Ammi, lieutenant, 472: — Jonathan, 14, 98, 396, 538; in nomination, 45, 168, 229, 325, 390, 461, 552; chosen assistant, 3, 103, 188, 268, 350, 415, 501; present, 1, 81, 90, 101, 163, 186, 230, 266, 318, 348, 383, 413, 459, 499, 546, 583; auditor, 7, 106, 272, 329, 418, 465; committee, 23, 134, 177, 206, 209, 211, 232, 254, 277, 293, 294, 307, 310, 336, 365, 366, 380, 428, 445, 446, 456, 467, 523, 567, 574; justice, 6, 104; judge, county court, 189, 271, 351, 425, 502, probate, 271, 351, 425, 505; to go to Boston relative to military expeditions, 88, 214; to care for military stores, 344; to sue out mortgages, 37, 291, 454; on Massachusetts line, 301, 340, 432, 548: — William, 328.  
 Tubbs, Isaac and Martha, land may be sold, 22: — Simon, 371.  
 Tucker, Daniel, counterfeiter, 302, 506.  
 Tudor, Samuel and Abigail, 446.  
 Tully, John, deputy for Saybrook, 319; justice, 26, 105, 197, 270, 353, 416, 504.  
 Tumery, Joseph, 358.  
 Turner, John, freed from tax, 11: — Philip, 442; cornet, 319; captain, 471.  
 Turney, Robert, 326, 367.  
 Tuttle, Daniel, 480: Isaiah, justice, 503: — Jehiel, 464, 476, 559.  
 Tyler, Job, ensign, 48: — Joseph, ensign, Cape Breton, 87: — Moses, ensign, 165: — Paul and Peter, 138: — Samuel, 485.  
 Uncas, Ben, 113, 141; recognized as sachem, 540.  
 Union, v. Eno, 300; enlarged, 478; ecclesiastical tax, 536.  
 Unity parish and Long Hill united, 50, 64.  
 Vernernum, Isaac, 140.  
 Viets, John, captain, 219.  
 Voluntown, winter privileges granted some of, 205; in Plainfield probate district, 271; Rev. S. Dorrance v., 252, 406, 533; v. Frink, 316, 328, 390, 496, 562.  
 Wadsworth, Daniel, 114: — James, 47; in nomination, 45, 168, 239, 323, 461, 552; chosen assistant, 3, 103, 188, 268, 350, 415, 501; present, 1, 44, 81, 90, 101, 154, 163, 186, 230, 238, 261, 266, 318, 348, 383, 413, 459, 499, 583; committee, 33, 176, 365, 462; judge superior court, 3, 103, 189, 269, 350, 415, 502: — James, jun., deputy for Durham, 187, 231, 238, 262, 267, 349, 384, 414, 459, 500, 547, 585; justice, 503: — John, 119: — William, 531; deputy for Farmington, 500; ensign, 196; lieutenant, 563; justice, 5, 105, 195, 269, 352.  
 Wait, Richard, ensign, 198; lieutenant, 430.  
 Wakely, Daniel, 437, 560.  
 Wakeman, Samuel, ensign, 107; lieutenant, 363.  
 Walbridge, Ebenezer, 206.  
 Wales, Ebenezer, auditor, 106; deputy for Windham, 44, 82, 90, 101, 147, 154; justice, 353, 425, 505: — Nathaniel, justice, 7, 104, 190, 271, 353, 425, 505.  
 Walker, Benjamin, deputy for Ashford, 384, 413, 500: — Gideon, captain, 54: — Robert, 141, 313, 360, 524; captain, 191; deputy for Stratford, 102, 147, 164, 187, 230, 348, 413; justice, 21, 118, 190, 271, 353, 417, 504; to sue out mortgages, 37, 291, 454; engaged in making steel, 58; aids in revising laws, 458.  
 Wallingford, some set to Branford from, 202.  
 Walsworth, John, cornet, 17.

- Wanzer, Abraham, 368; lieutenant, 50.
- Ward, Andrew, captain, Cape Breton, 92, 98; deputy for Guilford, 499; justice, 20, 104, 190, 270, 352, 425, 503: — James, captain, 130: — Pelatiah, ensign, 109: — William, deputy for Guilford, 414, for Wallingford, 239, 262, 267.
- Warden, Nathaniel, land may be sold, 208.
- Waring, Jacob, 222.
- Warner, Andrew, ensign, 553: — Benjamin, 560: — Ebenezer, 557: — Elisha, ensign, 107; lieutenant, 554: — John, 67, 201, 557; deputy for New Milford, 2, 44, 82, 90, 414, 460, 500; ensign, 5, 468; lieutenant, 11, 363; captain, 552: — Joseph, lieutenant, 320: — Samuel, captain, 421.
- Warren, Eleazer, ensign, 168; lieutenant, 193: — Peter, congratulatory letter to be sent to, 184.
- Washborn, Nathaniel, 397.
- Waterbury, tax of, abated, 478.
- Waterbury, David, captain, 556: — John, ensign, 556.
- Waterhouse, Abraham, 245; justice, 353.
- Waterman, Joseph, 68.
- Waters, Timothy, 390.
- Watkins, James, deputy for Ashford, 2: — William, 545; captain, 387; deputy for Ashford, 45, 82, 91, 102, 155, 186, 230, 238, 262, 266, 349, 546, 584.
- Way, Thomas, ensign, 165.
- Wayman, Jeremiah, 17, 330.
- Webb, Benjamin, ensign, 276: — Charles, surveyor, 457: — John, ensign, 430: — Joseph, 114: — Nathaniel, ensign, 9: — Zebulon, ensign, 5; lieutenant, 164.
- Webster, Benjamin, lieutenant, 10: — Cyprian, justice, 292, 352, 416, 503: — Elisha, 144: — Thomas, 301.
- Weed, Andrew, 571: — Ebenezer, lieutenant, 9: — Joseph, 329: — Nathaniel, deputy for Stamford, 319: — Samuel, 406, 408, 442, 497, 558, 567, 571, 574; forfeited estate of, 292, 302, 355, 375; released from prison, 469.
- Weeks, Friend, captain, 246.
- Welch, Paul, 465, 566; deputy for New Milford, 2, 44, 82, 90, 101, 147, 154, 163, 319, 349, 384, 414; justice, 352, 425: — Thomas, 465, 557.
- Weller, Joseph, quarter-master, 423.
- Welles, James, lieutenant, 106: — Joseph, deputy for Haddam, 102, 148, 155: — Robert, captain, 389: — Roger, lieutenant, 192: — Samuel, 300, 334, 523; captain, 554: — Silas, 296, 367: — Thomas, 27, 498; auditor, 7, 197, 329, 418, 463; deputy for Glassenbury, 2, 44, 82, 90, 102, 148, 155, 163, 187, 231, 238, 262, 267, 319, 348, 383, 413, 460, 500, 546, 584; speaker, 239, 262, 267, 319, 349, 384, 414, 460, 501, 547, 585; in nomination, 461, 552; committee, 33, 122, 177, 254, 317, 383, 458, 474, 545, 567, 583; commissary, 89, 97, 143, 214; justice, 5, 105, 195, 269, 352, 415, 503; ensign, 276: — William, surveyor, 457.
- Wehnan, Gideon, 327.
- West, Ebenezer, 33, 134, 157, 364; deputy for Lebanon, 2, 44, 82, 90, 102, 148, 155, 163, 187, 231, 239, 262, 266, 319, 348, 384, 414, 460, 500, 546, 584; justice, 6, 104, 190, 271, 353, 425, 505: — John, 464, 476, 559: — Joshua, justice, 505; lieutenant, 526: — Sarah, 21: — Zebulon, 21, 335, 369, 438; deputy for Tolland, 384, 413, 460, 499, 546, 584.
- West Haven, grant to society of, 375.
- West Symsbury, society constituted, 530.
- Westbury, some annexed to, 139.
- Western lands, committee to examine and report on, 17; sale of Norfolk, 507, 561; committee relative to trespasses on, 566.
- Westover, Jonathan, 136, 334.
- Wetmore, Benjamin, 21, 142: — Joseph, 55: — Josiah, 21: — Prosper, 520: — Samuel, 248: — Sarah, 249: — Seth, 55, 360, 487; deputy for Middletown, 45, 82, 91, 102, 147, 154, 164, 187, 230, 239, 262, 267, 349, 384, 414, 460, 501; justice, 196, 269, 352, 416, 503.—*See Whitmore.*
- Wheat, Benjamin, 305: — Sahnnon, 179.
- Wheeler, Benjamin, deputy for Plainfield, 262, 239, 319, 414, 500; ensign, 165; lieutenant, 423: — Caleb, 202: — Ebenezer and Abigail, 55: — Elnathan, deputy for Stratford, 348, 459, 500: — Isaac, 446, 494, 573: — John, 531: — Obadiah and Seth, 202: — Thomas, 398; ensign, 505: — Timothy, 326, 367.
- Whipple, Silas, ensign, 388.
- White, Anna, 529: — Elisha, lieutenant, 426: — Hugh, 367: — Joel, 82; deputy for Bolton, 546, 584; lieutenant, 240: — John, 226, 367: — Jonathan, captain, 106: — Joseph, 226, 314; justice, 5, 105, 195, 269, 352, 416, 503: — Nathaniel, 529: — Stephen, captain, 276: — Timothy, cornet, 425.
- Whiting, John, 71, 88, 126, 134, 479, 570; treasurer, 3, 103, 188, 268, 350, 415, declines, 417; settlement of accounts with, 418, 463; to attend on assembly, 54, 170, 242, 326, 396; grants to, 43, 146, 317, 418; committee of war, 98; to defend frontier towns, 198; justice, 28, 105, 197, 270, 352, 416, 504; lieutenant, Canada expedition, 235: — Joseph, 580; in nomination, 45, 168; chosen assistant, 3, 103; present, 1, 44, 81, 90, 101, 147, 154, 163; committee, 152, 186; committee of war, 81, 70; judge, superior court, 3, probate, 4, 104, 189, 269; justice, 190: — Nathan, ensign, Cape Breton, 87, 91: — Samuel, ensign, 552: — William, 344; captain, Cape Breton, 92, 98, Canada expedition, 235; deputy for Norwich, 546, 584.
- Whitman, Rev. Elnathan, preached election sermon, 103: — Samuel, 114.
- Whitmore, Beriah, 122: — Francis, 225, 249: — Jacob, lieutenant, 174; captain, 556: — Josiah, 569.—*See Wetmore.*



- Whitney, David, justice, 5, 105, 196, 352, 416, 503: — John, 325.
- Whittlesey, Ambrose, 497, 513; deputy for Saybrook, 2, 44, 82, 90, 102, 147, 154, 164, 187, 231, 238, 267, 349, 384, 414, 460, 500, 546, 584; justice, 197, 270, 353, 416, 504: — Charles, surveyor, 478: — Chauncey, 280, 325; loan to, 579: — Eliphalet, ensign, 389: — Elisha, 579: — Hezekiah, lieutenant, 472: — John, land may be sold, 561: — Samuel, 114.
- Wickwire, Solomon, 371.
- Wiggins, John, 526.
- Wilcox, Aaron, 490, 528: — Charles and Jerusha, 296, 367: — Elisha, 79: — Elizabeth, 404: — John, 367: — Joseph, 404; deputy for Killingworth, 44, 82, 90; justice, 5: — Josiah, 113, 327: — Samuel, 211: — Stephen, 404.—*See Wilcoxson.*
- Wilcoxson, Daniel, ensign, 564: — John, 569: — Joseph, 530; deputy for Symsbury, 44, 82, 90, 163, 238, 262; justice, 105, 195, 269, 352, 416, 503: — Timothy, 569: — William, lieutenant, 422.
- Willard, Josiah, captain, 192: — Secretary Josiah, 481: — Samuel, 22.
- Williams, Abraham, Daniel, Jonah and William, fishery granted to, 494: — Ebenezer, 114, 360, 439: — Elijah, deputy for Enfield, 546, 584; justice, 503: — Elisha, 81, 98, 227, 341, 347; deputy for Wethersfield, 44, 82, 90, 187, 230, 318, 383, 413, 459; in nomination, 45, 163, 240, 323, 390, 461, 552; to go to Boston on military affairs, 88; chaplain, Cape Breton, 92, 94, 162; colonel, Canada expedition, 213; to wait on Governor Shirley, 337; committee on Massachusetts line, 432; justice, 415, 503; agent in England, 512: — John, 308, 314, 350; captain, 129; lieutenant-colonel, 257; deputy for Pomfret, 349, 384, for Stonington, 349; justice, 106, 190, 270, 352, 425, 503; ensign, 422: — Joseph, ensign, 195: — Michal, 484: — Solomon, 360: — Timothy, ensign, 555: — William, 177, 517; deputy for Groton, 459, 546, 584, for Mansfield, 384, 547, 584; justice, 353, 417, 504; lieutenant, 192; claim to land in Stonington, 574.
- Willington, ecclesiastical tax in, 375.
- Wills, Rev. Henry, his difficulties at Norwich, 337, 380, 397, 480, 571: — Joshua, deputy for Tolland, 460.
- Wilnot, Benjamin, 243.
- Wilson, Noah, 321.
- Winchell, Martin, ensign, 277.
- Windham county, north bounds of, 476.
- Windsor, meeting-house, 438; 2d society ask to be divided, 524, 556; and Bolton, society asked for from parts of, 525, 561; ferries, 182, 256, 581; fishery in little river, 409.
- Winegar, Garret, ensign, 129; captain, 322.
- Winthrop, John, v. Richards and Douglas, 15, 62; v. Lechmere, referred to, 62: — Wait, 62, 308, 341.
- Witter, Joseph, deputy for Preston, 348; lieutenant, 506: — William, 580; deputy for Preston, 44, 82, 90, 102, 148, 155, 187, 231, 262, 414, 547, 584.
- Wolcott, Alexander, surgeon, Cape Breton, 94: — Gideon, 446; lieutenant, 470: — Roger, 47, 155, 157, 374, 397, 508; in nomination, 45, 168, 239, 322, 390, 461, 551; chosen deputy-governor, 3, 103, 188, 268, 385, 415, 501; governor, 585; present, 1, 43, 81, 90, 154, 163, 186, 230, 237, 261, 266, 318, 348, 383, 413, 459, 499, 546, 583; chief judge, 3, 103, 188, 268, 350, 415, 502; grants to, 43, 80, 94, 98, 185, 226, 260, 317, 347, 411, 457, 458, 499, 545, 582, 586; committee of war, 30; major-general, Cape Breton, 84, 93; to go to Boston on the Canada expedition, 214; commissioner on military affairs, 216, 345; on Massachusetts line, 553, 556: — Roger, jun., 446; deputy for Windsor, 2, 44, 90, 102, 155, 164, 187, 238, 262, 267; committee, 25, 43, 61, 81, 180, 312, 579, on Massachusetts boundary, 301, 340, 548; justice, 5, 105, 195, 269, 352, 416, 503; in nomination, 323, 390, 461, 552: — William, 179, 446, 523, 578; deputy for Windsor, 547, 584; justice, 196, 269, 352, 416, 503.
- Wolcott's ferry, fare, 182, 581.
- Wolves, bounty for destroying, 277.
- Woodbridge, Ashbel, 360, 374; chaplain, Canada expedition, 236: — Dudley, 368; justice, 504: — Rev. Samuel, complains of salary unpaid, 27, 69: — Theophilus, 23: — Timothy, 114.
- Woodbury, meeting-houses, 12, 16, 33.
- Woodin, John, ensign, 507.
- Woodmansie, John, ensign, 424.
- Woodruff, John, quarter-master, 124; cornet, 425; lieutenant, 517: — Joseph, ensign, 388; lieutenant, 506.
- Woodstock, asks to be received into Connecticut, 301, 339; jurisdiction extended over, 431, 481, 547.
- Woodward, Israel, captain, 48; ensign, 427: — John, justice, 20, 104: — Nathaniel, 309: — Roswell, quarter-master, 518.
- Woodworth, Isaac, ensign, 276: — John, 201, 313.
- Wooster, Arthur, ensign, Canada expedition, 236: — David, captain, Cape Breton, 85, 91: — Jerusha, 17: — Joseph, 33, 343; captain, 9; captain, Canada expedition, 236: — Nathaniel, 303, 306.
- Worthington, Rev. William, preached election sermon, 5.
- Wright, David, 561; lieutenant, 389: — Ebenezer, ensign, 273: — James, justice, 104: — Joseph, 309, 390: — Josiah, 113: — Timothy, 438; deputy for Colchester, 164, 267; ensign, 361.
- Wylls, George, 126, 225, 249, 461, 463, 570; secretary, 3, 103, 188, 268, 350, 415, 501; grants to, 43, 146, 227, 260, 317,



- 412, 498, 545; committee, 56, 66, 100, 151, 177, 293, 294, 474, 508; engaged in making steel, 58; justice, 5, 105, 195, 269, 352, 416, 503.
- Yale, Asa, Nash, Mary, 440: — Benjamin, 544: — Elibu and Judith, land may be sold, 324: — Moses, land may be sold, 440, 540: — Theophilus, justice, 20, 104, 190, 270, 352, 425, 503.
- Yale College, grants to, 62, 153, 256, 315, 323, 375, 386, 464, 535, 550; new charter of, 113; lottery granted for, 279; new building, 325, 493; repaired, 580.
- Yeomans, Gideon, 484: — Jonathan, ferry granted to, 335.





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