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COLLECTIONS

OF THE

MAINE HISTORICAL SOCIETY.

VOLUME I.

*Portland: Printed by Day, Fraser & Company, Exchange Street, 1831.*

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REPRINTED FOR THE SOCIETY WITH CORRECTIONS AND ADDITIONS:

WILLIAM WILLIS, EDITOR.



PORTLAND:  
BAILEY & NOYES.  
1865.

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## NOTICE TO THE PRESENT EDITION.

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The first volume of the "Collections of the Maine Historical Society," has been out of print for several years. As five additional volumes have, from time to time, been published, the demand for the first volume, to complete the sets, has been continually increasing. The society have therefore concluded to reprint the first volume, and in doing so they improve the occasion to make such corrections and additions as experience and the lapse of time render expedient and useful.

It is now forty-two years since the organization of the society, under a charter granted to forty-nine of the most respected citizens of the State. Of these, but *nine* survive. When the first volume was published, thirty-three years ago, the society consisted of one hundred and thirty-five members, of whom thirty-five are living. A list of the present resident and corresponding members is contained in the sixth volume.

On the publication of the first volume, our society was poor and struggling with many difficulties. We had no funds, and depended for our ways and means on our annual assessment, with difficulty collected, and from some members not at all; and it was not until, by the great exertions of the late John McKeen, a grant of a half-township of land was obtained from the State, that any ease, or much progress attended our exertions. Little interest had previously been taken among our people in historical studies, and although our State furnished most ample materials for the antiquarian explorer, scarcely any persons were found ready to engage in the pursuit. Few historical or literary works had, previous to the publication of our original volume, been issued from any press in the State. Gov. Sullivan's history of Maine appeared in 1795, from the Boston press. "A statistical view of the District of Maine," by Moses Greenleaf, was published by him in Boston, in 1816. Greenleaf's Ecclesiastical Sketches of Maine, a most valuable work, was published in 1821, at Portsmouth, and the same year Mr. Freeman's edition of the Rev. Mr. Smith's journal appeared from a Portland press. The latter two in duodecimo form. In 1829, Moses Greenleaf published his map of Maine, and accompanied it with an octavo volume of statistics relating to Maine, prepared with great care, and making an important addition to the history of the State. This was printed in Portland. The next historical work preceding the publication of our first volume was the "History of Saco and Biddeford," in 1830, by George Folsom, a member of this society, which contained the result of much careful research, and preserving many interesting and valuable facts. Beside these, only a few brief articles in pamphlet form, or in the Massachusetts Historical Collections, relating to Maine, had been published.

In 1831, the volume, of which the present is a reprint, made its appearance, the first of a series of six octavo volumes, which have been issued by the society, and which have produced no inconsiderable effect in turning public attention to many points of great interest in the early colonization and progressive history of our State. The present volume is issued in the hope that it will still further excite historical investigation, promote the honor and usefulness of the Maine Historical Society, and shed new light upon our early history.

The additional matter of this volume will be included in brackets [ ].



## INTRODUCTORY REMARKS.

*(Original Edition.)*

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It is as natural for a young nation as for a young man to look forward to the future rather than back on the past, to be more occupied by anticipation than reflection, and to live on hope rather than memory. To such a nation, its limited experience offers but few objects for memory to dwell upon, but little which can either gratify self-love or bring with it self-reproach; but the unbounded future presents itself dressed in the gayest colors of hope. The mind loves to dwell on the pleasing visions of anticipated prosperity, while it fashions to itself, at will, a career of successful enterprise and honorable fame; and, before the proud consciousness of its untried strength has been chastened by the lessons of experience, easily and naturally slides into a tone of sentiment, partaking a little of ostentation and vain glory.

This has often been made by foreigners a matter of reproach to our countrymen. We are told sometimes in a style of sarcasm, and sometimes in a tone of patronising superiority, that Americans love rather to tell of what they will do than of what they have done, and boast more of what their posterity will be than of what their ancestors have been. If such be peculiarly the habits of our countrymen, they are the natural result of our position and circumstances. If our eyes are turned forward rather than back, it is not because the past presents any thing humiliating to our pride. We are yet but a young people, just emerged from our minority. All about us is yet youthful and vigorous, and it is as evident to foreigners as to ourselves, that we have obtained but a small part of our growth. The immense extent of territory under our jurisdiction admits of an almost indefinite extension of national power; and when we look forward to the time when the march of civilization under our free constitutions and laws shall have passed the rocky mountains, and populous cities and a cultivated country shall be seen flourishing under our dominion, on the shores of the Pacific Ocean, a little, we think, may be pardoned to the spirit of exaggeration. It must be a cold and phlegmatic temper that is not warmed into something of enthusiasm, perhaps of extravagance, in contemplating what may, nay what certainly will be our destiny as a nation, if we are true to ourselves. With such prospects before us, it is at least excusable to dwell on the brilliant future with a little more complacency than do the inhabitants of other countries, which have already received the maximum of their growth, who have attained the zenith of their power, and who must comparatively decline in the scale of nations as their neighbors rise.

But if we are still a young people, we have passed the period of childhood. We have arrived at an age in our national existence when there is a sober and chastened pleasure in looking backward as well as forward. The mosses of more than two centuries have already gathered themselves on the tombs of the first settlers. The early events of our national story are beginning to appear misty and indistinct in the distance, and are fast acquiring something of that hallowed interest that belongs to antiquity. The large number of journals, memoirs, and other writings, which have been published within a few years relating to the early history of the country—the avidity with which these have been received by the public, and the numerous historical and antiquarian societies formed for the purpose of collecting and preserving the records of the primitive condition of the country, and of its earliest inhabitants, all serve to show that a lively and general interest is now beginning to be felt in what may be termed, without doing much violence to the proprieties of language, our ancient history.

It was this feeling that led to the establishment of the society, the first volume of whose collections is now offered to the public. The object of an historical society is not to furnish a history of the country, but to collect and preserve authentic materials, out of which it may be written. As a society, we can do nothing more than indicate the objects which more particularly deserve attention. The rest must be the work of individual diligence.

One of the first if not the very first object of interest to an American antiquarian is whatever relates to the original inhabitants of the country. This singular and interesting people are now fast vanishing from the face of the earth. Nation after nation of the race once exercising a powerful sway, and extending their authority over a wide extent of country, have already disappeared. *Puimus Troes* has long ago been recorded of the proudest empires that adorned this western world, and the inevitable doom of the melancholy remains of other tribes and nations, is already sealed and cannot be very long delayed. The utter extinction of an entire race of people, once occupying a whole continent, and constituting one of the great varieties of the human race, will be one of the most extraordinary, and at the same time one of the most melancholy events in the whole record of history. And judging of the future from our experience of the past, at the end of two centuries more we can scarcely expect that there will remain a single pure and unmixed specimen of the primitive inhabitants of this country, as the representative of his race in the whole extent of the American continent.

In future ages, when this singular people shall live only in memory, their character, manners, and history will become objects of extreme curiosity. Every thing that can illustrate their manners and customs, their civil polity, their domestic habits, and their primitive religion, will be sought for with an avidity and an intensity of interest, of which we of the present age, who know them familiarly, can form but a very inadequate idea. Their strange and romantic story, so different from that of the civilized races of men, the unconquerable firmness of their wild and savage natures, their daring spirit of adventure, their patient courage, and the steady and inflexible obstinacy with which they refused to adopt the manners and incorporate themselves into the society of their civilized conquerors, even when this alternative presented itself as the only possible mode of escaping the total and utter extinction of their race, will become the theme of popular poetry and stirring romance. The traditions which they leave behind them under the creative hands of future poets, will constitute the true mythological or romantic period of our history. And they will not only afford materials for the imagination of the poets, but subjects of curious speculation in philosophy. Their moral and physical natures will, we may easily believe, become the objects of profound philosophical investigation, and reasons will be sought for to explain a fact, so remarkable and unique in the history of the world, as the entire extinction of a race of men, once composing numerous and powerful nations. When a barbarous nation has been subjugated by one of superior civilization, the usual result has been, that the conquered people have adopted the manners of their conquerors, have become mixed with them by intermarriages, and the two nations have soon become amalgamated into one, leaving no visible trace by which the different origin of the individuals can be distinguished. But the American Indians instead of adopting the manners and arts of their conquerors, instead of becoming incorporated with them by intermarriages, have kept themselves separate, have rapidly declined and melted away, and disappeared like snow before the summer sun. They have steadily and sullenly refused to adopt modes of life which they see prevailing among their more refined neighbors. All attempts to introduce among them the arts and sciences have failed; even the most common and useful arts, have been received among them, but to a very limited extent, and that with a sullen and disdainful reluctance; and in proportion as they have been received, the nobleness and generosity of their wild nature has been debased by the vices of civilization, instead of being elevated and adorned by its refinements and graces.

The causes which have made the natives of this country an exception to all the other experiences of the world, are well worthy the inquiries of curious and philosophical minds, and will be likely to excite a higher interest as they recede more and more from future ages. They seem to imply a difference, if not an inferiority of nature. Everything therefore which can serve to illustrate their character, whether in their primitive and natural state, or in their decline and degenerate con-

dition under the deleterious influence of their civilized conquerors, must always be regarded with great interest.

Whatever relates to the first settlement of the country by our ancestors; all that can contribute to illustrate their character, their trials and sufferings, and the primitive institutions of the earliest settlers comes to our mind with another and still deeper interest. It is the early establishments of a people, the manners, habits, opinions, and modes of thinking which prevail at this time, that most deeply imprint themselves on the national character. The impressions then made are in their effects analogous to those made on the mind of an individual in the tender and susceptible age of childhood. Opinions and creeds are adopted with but little examination, and they take their place in the mind, and fix themselves with a firmness, bearing a pretty just proportion to the facility with which they are received. It is the age of credulity, and the faith of a people is lively and strong in exactly the same degree as their reasoning powers and habits of observation are weak and unpracticed. Their opinions, their manners, and their tastes, their religious belief, their civil establishments, and their holiday diversions, in succeeding ages pass into traditions and become fixed on the nation by habit; and their accidental and casual amusements as well as their more important civil institutions become incorporated into the civil and social condition of their posterity, or at least produce upon them very perceptible and lasting effects. From this view of the subject, it is evident that every thing which will throw light on the manners, opinions, the civil and social condition, and domestic habits of the first settlers of the country must have a deep interest in the minds of their posterity. It not only gratifies that natural and laudable curiosity which wishes to know, intimately and thoroughly, the character and condition of our progenitors, but it will serve to explain in a great measure the causes of that civil and social state, which we now find actually existing.

This adherence to ancestral traditions does not indeed prevail in an equal degree among all nations. The principle is seen to operate in its full and entire vigor among the nations of Asia. The manners, the opinions, modes of social life, the laws and form of government which were established there at the earliest period to which written history extends, have been preserved by an almost unbroken tradition to this day. Everything remains immovable and unchangeable. This monotonous fixedness has given occasion to a lively writer to say that, "The East always motionless, does not exist in time, but lives only in space, the image and history of nature." In looking back through thousands of years, on that primitive seat of the human race, in contemplating all the revolutions of power, which have from time to time visited and scourged its inhabitants, and beholding the same forms of government, the same civil and social condition, the same manners, habits, customs, and beliefs, all remaining unchanged and immovable, so that a man who had fallen asleep in the age of Sesostris, and awakened in that of Tamerlane, in mingling in society and observing the actual forms of civil and social life, would find so little new, that he might suppose he had slept but a single night; the writer seems almost justified in saying that Asia has not existed in the succession of time, but in the unchangeableness of eternity.

Other people indeed, at least, the European races, have not gone on like those of the east, century after century, in the beaten track of their ancestors, without change and without improvement. The more secluded a people are, the more they live within themselves, the slower will they be to depart from the customs of their ancestors, while the more free their intercourse with other nations, the more rapidly will be effaced the vestiges of ancient manners. The European races are endued with a migratory disposition, a restlessness and vivacity of temper, which renders it impossible for them to remain stationery, and keeps them in a perpetual struggle to advance and improve their condition. But with the same general tendency to improvement, there are diversities of character and taste which lead them in the path of improvement in different directions; and the cause of these differences as they now exist, may be found in part, at least, in the accidental diversities of the civil and social condition of the nations when they were yet rude, when the national mind was in its infancy, and received impressions which continued to have an influence in giving a direction to national manners and customs for ages after the causes, which produced these impressions, had ceased to exist. It is this silent influence of ancient customs and opinions which renders

the primitive annals of every people, who have become renowned in history, so curious and instructive to a philosophic mind. And it is this which should lead us to collect with pious and patriotic diligence, all the monuments and memorials which can place in a full and clear light the peculiarities of character that belonged to our ancestors.

The most marked feature in their character has been generally supposed to be their piety or sense of religious obligation. It is perhaps that which stands out in bolder relief than any other, and is therefore more apt to strike a cursory observer. But it may be doubted whether it is their most peculiar and discriminating trait. This is one which belongs to them more in common with the mass of mankind, than some others. All people, especially in the earlier stages of the progress of their improvement, are strongly marked by their devotion to the duties of religion, in some form or other. The pilgrims of New England were as much distinguished by their unquenchable love of civil liberty, as by their devotion to religion. If to these be added the high but not exaggerated value they placed on the general education of all classes of the people, and a hardy spirit, of enterprise which no obstacles or hardships could overcome or discourage, we shall have a group of the most striking and salient traits in the character of the New England Pilgrims. These were their governing and absorbing passions, and they are such as mark a generous and proud elevation of character. Their religion was intellectual, dwelling more in the understanding than in the imagination, and stripped of all the parade of external show which addresses itself to the eye. It was abstruse and metaphysical, adapted rather to sharpen the reasoning faculties, than to refine and purify the taste: and while it drew its resources from a cultivated logic, it disdained and proscribed the fascinating and elegant arts of painting and sculpture as aids to devotion. Abounding in abstruse dogmas and subtle distinctions, it was naturally disputatious. To maintain a dispute on the refined dogmas of a metaphysical creed, requires intellectual cultivation, and it was this metaphysical character of their religion, more perhaps than any other cause, that led them to place so high a value on the advantages of general education.

If the religion of the pilgrims was shaded with bigotry, and dishonored by an intolerant and persecuting spirit, it is only a proof that they were not in all respects superior to the age in which they lived; and it shows the powerful and lasting influence of national traditions on the national mind, that these very blemishes on the brightness of their religious character are now pleaded, as an apology or justification of something like the same intolerance at the present day.

It will be an important as well as a pleasing part of the duties of this society, to collect and preserve all the memorials remaining, which will serve to illustrate the character of our ancestors. If these exhibit some defects, they are such as belong rather to the age, than such as distinguish them from their cotemporaries; while the brilliant parts of the picture, particularly that zeal and holy perseverance with which they laid a broad foundation of a system of general education of all classes of the people, at the public expense, and that zealous and enlightened spirit of liberty which disdained all compromise with despotic or usurped power, and established as wise a system of safeguards for the protection and preservation of civil liberty as has ever been devised, honorably distinguishes them not only from men of their own, but of every other age of the world.

The plan of our publication will include particular and local histories of towns, and we would especially call the attention of such as are disposed to contribute to our collections to the history of the earliest settlements connected with anecdotes of persons, who have been most distinguished for their enterprise or influence in the early state of the settlements. Biographical sketches of men remarkable for their public services or for any peculiar traits of character, topographical descriptions of towns, mountains, rivers, &c., the natural history of animals, birds, and fishes, accounts of the former and present modes of cultivation, and improvements that have been made in husbandry, description of vegetable productions, minerals, &c., observations on the weather and climate, and the changes that have taken place since the first settlement of the country, accounts of epidemic diseases, which may have prevailed, accurate bills of mortality, singular instances of longevity or fecundity, will all fall within the plan of our publication, and furnish materials for future history.

# ACT OF INCORPORATION.

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## STATE OF MAINE.

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*In the year of our Lord one thousand eight hundred and twenty-two.*

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### AN ACT TO INCORPORATE THE MAINE HISTORICAL SOCIETY.

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled,* That William Allen, Albion K. Parris, Prentiss Mellen, William P. Preblé, Ichabod Nichols, Edward Payson, Joshua Wingate, Jr., Stephen Longfellow, Jr., George Bradbury, Ashur Ware, Edward Russell, Benjamin Orr, Benjamin Hasey, William King, Daniel Rose, Benjamin Ames, Isaac Lincoln, Benjamin Vaughan, Nathan Weston, Jr., Daniel Coney, Robert H. Gardiner, Sanford Kingsbery, Elihalet Gillet, Thomas Bond, John Merrick, Peleg Sprague, James Parker, Ariel Mann, Ebenezer T. Warren, Benjamin Tappan, Reuel Williams, James Bridge, Hezekiah Packard, Samuel E. Smith, William Abbot, Leonard Jarvis, John Wilson, William D. Williamson, Jacob McGaw, David Sewall, John Holmes, Jonathan Cogswell, Josiah W. Seaver, William A. Hayes, Joseph Dane, Ether Shepley, Enoch Lincoln, Horatio G. Balch, and Judah Dana, (1) with their fellows, or associates, and successors, be, and they hereby are, made a body politic and corporate, by the name of the Maine Historical Society: and by that name may sue and be sued, plead and be impleaded; and may have a common seal which they may alter at pleasure; and may hold real estate to an amount not exceeding the yearly value of five thousand dollars, and personal estate to an amount not exceeding, at any one time, fifty thousand dollars; and may choose a President, Librarian, Treasurer, and such other officers, as they may think proper; and may make and ordain by-laws for the government of said Society; provided the same are not repugnant to the constitution and laws of this State.

SECTION 2. *Be it further enacted,* That the annual meeting of said Society shall be held at Brunswick, on the Tuesday next preceding the annual Commencement at Bowdoin College, for the choice of officers, and the admission of fellows, and a general examination into the state of the funds and concerns of the Society.

SECTION 3. *Be it further enacted,* That it shall be the duty of said Society to collect and preserve, as far as the state of their funds will admit, whatever, in their opinion, may tend to explain and illustrate any department of civil, ecclesiastical, and natural history, especially of this State, and of the United States. And the Legislature of this State shall ever have the right to examine into and ascertain the condition of said Society, and to alter, limit, restrain, enlarge, or repeal any of the powers conferred by this charter of incorporation.

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(1) Of the forty-nine corporate members, nine were living in February, 1854; viz: Wm. Allen, Ashur Ware, Isaac Lincoln, Nathan Weston, Robert H. Gardiner, Peleg Sprague, Jacob McGaw, Jonathan Cogswell, and Ether Shepley. Of these, Judge Sprague is the youngest, having entered upon his 71st year in April, 1853.

SECTION 4. *Be it further enacted*, That Prentiss Mellen, Ichabod Nichols, and Edward Payson, or any two of them, are authorized to call the first meeting of said Society, for the purpose of organizing the same, to be held at such time and place as they may designate, by publishing a notification of such intended meeting two weeks successively in such of the public newspapers, printed in Portland and Hallowell, as they may think proper.

IN THE HOUSE OF REPRESENTATIVES, February 4, 1822.

This bill, having had three several readings, passed to be enacted.

BENJAMIN AMES, *Speaker*.

IN SENATE, February 5, 1822.

This bill, having had two several readings, passed to be enacted.

DANIEL ROSE, *President*.

February 5, 1822.

Approved,

ALBION K. PARRIS.

## STATE OF MAINE.

*In the year of our Lord one thousand eight hundred and twenty-eight.*

An Act repealing the second section of an Act entitled "An Act to incorporate the Maine Historical Society," passed February 5th, A. D. 1828, [should be 1822] and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled*, That the second section of the act aforesaid, to which this is in addition, be, and the same is hereby repealed.

SECTION 2. *Be it further enacted*, That the said Maine Historical Society, be, and hereby are authorized to hold their annual and other meetings, at such times and places as they may think proper.

IN THE HOUSE OF REPRESENTATIVES, February 13, 1828.

This Bill, having had three several readings, passed to be enacted.

JOHN RUGGLES, *Speaker*.

IN SENATE, February 14, 1828.

This bill, having had two several readings, passed to be enacted.

ROBERT P. DUNLAP, *President*.

February 15, 1828.

Approved,

ENOCH LINCOLN.

The first meeting of the MAINE HISTORICAL SOCIETY was held at the Council Chamber in Portland, April 11th, 1822, when it was duly organized, and the following officers chosen, viz :

ALBION K. PARRIS, *President*.  
 BENJAMIN HASEY, *Recording Secretary*.  
 EDWARD RUSSELL, *Corresponding Secretary*.  
 PRENTISS MELLEN, *Treasurer*.  
 EDWARD PAYSON, *Librarian*.

## REGULATIONS AND BY-LAWS.

*Adopted January 27, 1829. (1.)*

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ARTICLE 1. Those members of the society who shall reside in the State of Maine shall be denominated resident members; all others corresponding members, resident members alone shall be required to contribute to the funds of the society.

ART. 2. Each resident member shall pay three dollars at the time of his admission, and one dollar annually, to create a fund for the benefit of the institution. But any member who shall at the time of his admission pay the treasurer ten dollars shall be exempted from said payments. And any member shall be exempted from the annual payments who will at any time pay the treasurer seven dollars in addition to the sums he may have before paid.

ART. 3. If any resident member shall neglect to pay his admission money for one year after being apprised of his election, the said election shall be considered void. And if any member shall neglect to pay his annual assessment for the space of two years after it becomes due, the treasurer shall notify him of his neglect, and unless payment shall then be made, he shall no longer be considered a member of the society. Each member at his election shall be furnished with a copy of the by-laws and regulations of the society.

ART. 4. All elections of officers and members shall be made by ballot. No member shall nominate more than one candidate at the same meeting; and all nominations shall be made at a meeting previous to that at which the ballot is to be taken.

ART. 5. It shall be the duty of the president, and in his absence, of the recording or corresponding secretary, to call occasional meetings of the society, on the application in writing of the standing committee, or any five members.

ART. 6. There shall be chosen at the annual meeting a president, recording secretary, corresponding secretary, a treasurer, a librarian, a cabinet-keeper, a standing committee of five, and, whenever it shall be thought proper, a publishing committee.

ART. 7. For the election of members, as well as for making alterations in or additions to the by-laws and regulations of the society, it shall be necessary

1. These By-laws were revised and amended in 1859, and are printed in the 6th Volume of the Collections.

that nine members be present, and that two-thirds vote in the affirmative, but for the transaction of other business five members shall constitute a quorum.

ART. 8. The time and place of every meeting shall be published in at least two of the newspapers of the State.

#### STANDING COMMITTEE.

ART. 1. The standing committee shall regulate all the common expenses of the society and make the necessary purchases of such small articles as may be wanted, and shall have power to draw on the treasurer to defray the expense.

ART. 2. They shall assist the librarian and cabinet-keeper when it shall be necessary in arranging and preserving the books, manuscripts, &c., belonging to the society.

ART. 3. They shall frequently inspect the records, and inquire whether all the orders of the society are carried into effect with promptitude and fidelity.

ART. 4. It shall be a part of their duty to inquire for, and take judicious measures, within the means of the society, to procure books, manuscripts, and articles of curiosity for the benefit of the institution.

ART. 5. They shall prepare such business as may deserve the attention of the society.

#### THE LIBRARY AND MUSEUM.

ART. 1. At every annual meeting of the society a catalogue of the books, pamphlets, manuscripts, and maps shall be laid before the society by the librarian, and a catalogue of the curiosities by the cabinet-keeper.

ART. 2. Once every year the standing committee shall report to the society respecting the state of the library and museum.

ART. 3. No book shall be taken from the library but with the knowledge of the librarian, who shall make a record of the same. A member shall not have more than three books at a time without permission from the society. No member shall retain a book more than eight weeks, without leave of the standing committee: nor without the same leave, be permitted, after having it for this period, to return and receive it again, till after an interval of three months.

ART. 4. The publishing committee may make use of the library without restriction.

ART. 5. Newspapers and maps may be taken from the library only by the publishing committee.

ART. 6. Fines for not returning books according to the third article, shall be ten cents per week for every book less than an octavo; twenty cents for an octavo; thirty cents for a quarto; and forty cents for a folio.

ART. 7. All persons who take books from the library shall be answerable for any injury to the same, which shall be estimated by the standing committee.

ART. 8. The privilege of using the library shall be denied to those who are indebted to the society for fines or assessments, and which are of longer stand-

ing than one month, provided they have received due notice of them from the librarian or standing committee.

ART. 9.—All pamphlets shall be bound and such a catalogue be kept by the librarian, as will render it easy for any member to find any pamphlet or manuscript in the library he may wish to see.

ART. 10. Every present shall be duly acknowledged by the standing committee, and a particular account of it given at the next meeting after it shall have been received.

ART. 11. A printed ticket shall be pasted on the inside of the cover of each volume, signifying that it is the property of the society, and also the name of the donor, if it is a present.

#### PUBLICATIONS.

Each resident member shall take and pay for the publications of the society at their cost.

#### DUTY OF THE PRESIDENT.

The president shall preside at all meetings of the society, shall call special meetings of the society when the same may be necessary, and shall *ex officio* be one of the standing committee.

#### DUTY OF THE RECORDING SECRETARY.

The recording secretary shall *ex officio* be one of the standing committee. He shall fairly record, in a book kept for that purpose, all the votes of the society. And he shall notify all meetings of the society agreeably to the by-laws.

#### DUTY OF THE TREASURER.

The treasurer shall receive all moneys belonging to the society, and shall pay the same to the orders of the standing committee. He shall make and keep fair entries, in a book to be kept for that purpose, of all monies received and paid by him; and at every annual meeting shall exhibit to the society a statement of his accounts, and the funds of the society: and shall deliver the moneys on hand, books of account, and other property in his custody belonging to the corporation to his successor in office.

No person shall be eligible to the office of treasurer for more than five years in succession, the operation of this rule to commence from the present time.

SEPTEMBER 3, 1828. "Voted: that the Annual Meeting of the society be held at the Athenæum Hall in Portland, on the third Wednesday of January, at 2 o'clock in the afternoon, until the further order of the society."

## RESIDENT MEMBERS OF THE SOCIETY.

Allen Rev. Wm.  
 \*Ames Benjamin  
 \*Abbott William  
 \*Abbott John  
 Allen Frederick  
 \*Bradbury George  
 \*Bridge James  
 \*Balch Horatio G.  
 \*Bailey Jeremiah  
 \*Boutelle Timothy  
 \*Brown Theodore S.  
 \*Bronson David  
 \*Black John  
 \*Bradley Samuel A.  
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 \*Cory Daniel  
 Cogswell Rev. Jonathan  
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 \*Cummings Rev. Asa  
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 \*Cutler Nathan  
 \*Chamberlain Mellen  
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 \*Dane Joseph  
 \*Dana Judah  
 \*Dunlap Robert P.  
 \*Deane John G.  
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 Everett Ebenezer  
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 Evans George  
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 \*Greenleaf Rev. Jonathan  
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 McGaw Jacob  
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 \*Nichols Rev. Ichabod  
 \*Newman Samuel P.  
 \*Nourse Peter  
 \*Nason Rev. Reuben  
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 \*Williams Reuel  
 \*Williamson Wm. D.  
 \*Wilson John  
 Willis William  
 Whitman Levi  
 \*Weston Jonathan D.  
 Warren Henry  
 \*Wells Rev. George W.  
 Williams Daniel.

\*Deceased.

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 FROTHINGHAM JOHN, *Montreal, Canada.*  
 \*HARRIS REV. THADDEUS M., *Dorchester, Mass.*  
 JENKS REV. WILLIAM, *Boston, Mass.*  
 SAVAGE JAMES " "  
 \*WINTHROP THOMAS L. " "

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 \*PARKER CLEVELAND, *Corresponding Secretary*.  
 WILLIAM WILLIS, *Recording Secretary*.  
 \*ALBION K. PARRIS, *Treasurer*.  
 \*SAMUEL P. NEWMAN, *Librarian and Cabinet Keeper*.

*STEPHEN LONGFELLOW, *ALBION K. PARRIS, ROBERT H. GARDINER, *EDWARD RUSSELL, CHARLES S. DAVIS,	}	<i>Standing Committee.</i>
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*ICHABOD NICHOLS, ASHUR WARE, *PARKER CLEVELAND, *SAMUEL P. NEWMAN, WM. WILLIS,	}	<i>Publishing Committee.</i>
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## OFFICERS OF THE SOCIETY FROM ITS ORGANIZATION, TO 1831.

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 WILLIAM ALLEN, 1822—1827.  
 \*ICHABOD NICHOLS, 1828—

## CORRESPONDING SECRETARIES.

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 \*ICHABOD NICHOLS, 1822—1827.  
 \*SAMUEL P. NEWMAN, 1828.  
 \*PARKER CLEVELAND, 1829—

## RECORDING SECRETARIES.

- \*BENJAMIN HASEY, 1822.  
 \*BENJAMIN TAPPAN, 1822—1827.  
 \*STEPHEN LONGFELLOW, 1828—1830.  
 WILLIAM WILLIS, 1831—

## TREASURERS.

- \*PRENTISS MELLE, 1822—1830.  
 \*ALBION K. PARRIS, 1831—

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 \*PARKER CLEVELAND, 1822—1828.  
 \*SAMUEL P. NEWMAN, 1829—



THE  
HISTORY OF PORTLAND,  
FROM ITS FIRST SETTLEMENT:  
WITH  
NOTICES OF THE NEIGHBORING TOWNS,  
AND OF THE  
CHANGES OF GOVERNMENT IN MAINE.

IN TWO PARTS.

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BY WILLIAM WILLIS.

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PART I.



## ADVERTISEMENT.

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*Falmouth* originally contained within its limits the present towns of *Falmouth*, *Cape Elizabeth*, *Portland*, and *Westbrook*; and embraced a number of large and valuable islands lying in *Casco Bay*. It is proposed in the introductory chapter of the following work, to present a cursory view of the settlements made, and attempted to be made, on the coast of Maine, previous to that of *Falmouth*. After which my attention will be more exclusively confined to that town, until *Portland* was separately incorporated; this latter town will then receive more exclusive notice.

The various changes in the government of the country, especially during the early period of its history, will be briefly alluded to, as they had an immediate influence upon the happiness and prosperity of the inhabitants.

The work will be divided into two parts; the *first* will bring the history down to the close of the 17th century, the *second*, to the present time.

The entire loss of the records in the destruction of the town by the Indians in 1690, has deprived me of many valuable materials for the present work, and rendered my task at the same time more difficult and more unsatisfactory. But this consolation has accompanied me, that whatever facts I could glean from the state and county records and other scattered sources of information, become more valuable and more interesting, by the unfortunate events which have destroyed the more ready and minute aids to historical accuracy.

It is known to most readers, that previous to 1752, the year commenced on the 25th day of March; consequently the time between the first day of January and that day, was reckoned with the former year, and it was usually expressed by a double date; an instrument for instance, bearing date January 15, 1640, according to our calendar, would be expressed Jan. 15, 1639—40. Sometimes only 1639. In such cases I have invariably adapted the date to the present mode of computation, so far as regards the year. The day of the month by the new style, may be ascertained by omitting 10 days in the 17th century, 11 in the 18th, and 12 in the 19th. The alteration was made in England by a statute passed in 1751, to take effect January 1, 1752, and which authorized the omission of the 11 intermediate days of the calendar, from the 2d to the 14th day of September of that year.

Portland, 1831.



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## INTRODUCTORY CHAPTER.

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A BRIEF ACCOUNT OF THE VARIOUS SETTLEMENTS ON THE COAST OF MAINE, PREVIOUS TO 1632.

In the beginning of the year 1603, there was not one European family on the whole coast of America, from Florida to Greenland<sup>1</sup>. There had been made, previous to this time, three attempts to settle Virginia<sup>2</sup>, and one in 1602 by Gosnold, to plant a colony on the southern shores of Massachusetts ; all of which failed. The whole coast of North America was now open to European enterprise, and although discouragements had hitherto attended the efforts of commercial speculation, yet it was not disheartened. In 1603, new exertions were made, which resulted in bringing the coast of Maine more into notice, and preparing the way for future settlements upon it. On the eighth of November of that year, Henry 4th of France, granted a charter of Acadia and the neighboring country to Du Mont<sup>3</sup>, extending from forty to forty-six degrees of north latitude. Du Mont having received a commission as Lieutenant-general of France, the next year fitted out an expedition in company with Champlain and others, with which he sailed

<sup>1</sup> Prince's N. E. Chro. p. 1.

<sup>2</sup> Prince's Intro., p. 104.

<sup>3</sup> Hazard, vol. i, p. 45. This included the whole country from Philadelphia to the St. Lawrence, nominally, but never in practise extending west of the Kennebeck river. Du Mont took possession of all the territory east of Kennebec river for the king of France. Sul. Hist. of M. pp. 52, 55.

along the coast of Maine, formed a temporary settlement at the mouth of the river St. Croix, where his company spent one winter, and then established a colony on the other side of the bay of Fundy, at a place which they named Port Royal and now called Annapolis.\* Du Mont, in two or three years afterward withdrew his attention from Acadia and turned his trade to the St. Lawrence. Poutrincourt, one of his companions in the settlement of Port Royal, sent his son Biencourt home in 1608, for supplies of men and provisions for the colony. The Jesuits, ever zealous for the propagation of their faith, seized this occasion to send over two of their order, Biard and Masse, to take charge of the spiritual concerns of the new plantation, and probably also to extend their regards to those of the Aborigines. But the priests having assumed to control the civil affairs of the plantation, soon quarreled with the government, and Biencourt, who, on the return of his father to France, had become the leader of the colony, caused them to remove to an island on the coast of Maine, then called Mont Mansell† now Mount Desert. Here they planted gardens, laid out grounds, and entered on

\*[An interesting account of this first attempt to establish a colony in Maine, is given by Les Carbot, who accompanied it as chaplain and historian. His work was first published in Paris in 1609 and has passed through many editions in the original and translation. It was translated into English the first year after its publication. Among the other companions of Du Mont were M. du Pont Gravé and M. de Poutrincourt, who established the colony at Port Royal.]

†[Madame Guercheville, a zealous Catholic lady, with a view to propagandism, sent out Biard and Masse in 1611. In March, 1613, she sent another colony to the aid of her first missionaries, which arrived at Port Royal, May 16. Thence, they soon after sailed, intending to establish a mission at the mouth of the Penobscot river. Owing to adverse winds and fogs, they put into a fine harbor on the south-eastern side of Mount Desert, with which they were so much pleased, that they concluded to make that place the center of their operations. Biard says the savages called the island *Pemetig*. Champlain gave it the name of Mount Desert and the English, that of Mount Mansell, in honor of Sir Robert Mansell, one of the Plymouth patentees. Biard, after the capture by the English returned to France where he died in 1622.]

the work of their mission.<sup>1</sup> But they were not permitted long to enjoy even this state of seclusion. Disputes had already arisen between the English and French, respecting the boundaries of the grants from their respective governments, which, from want of information relating to the situation of the country, run with strange perplexity into one another. The French occupied Port Royal, St. Croix, Mount Desert, and the mouth of the Penobscot, and had erected forts at each of those places for their protection.<sup>2</sup> The fort erected by the French on Mount Desert was called *St. Sauveur*.<sup>3</sup> The disposition of the French to extend their settlements still further west, was viewed with alarm by the government established in Virginia, and in 1613, they sent Capt. Argall to dislodge them. In the summer of this year, he seized the forts at Mount Desert, St. Croix, and Port Royal, and carried their ship and pinnace, together with their ordnance, cattle, and provision to Jamestown.<sup>4</sup> The French power in this quarter was thus interrupted, and it was a number of years before it recovered from this disaster.

The name of *Acadie* is first given to the territory between forty and forty-sixth degrees of north latitude, in the grant from Henry 4th to Du Mont. The origin of the name is lost. Douglass<sup>5</sup> says it is derived from Arcadia in Greece. The French in the treaty of St. Germain, call the country *Lacadie*,<sup>6</sup> which Prince Anglicises *Laccady*.<sup>7.\*</sup> The English

<sup>1</sup> Belknap Biog., p. 340.

<sup>2</sup> Hutch. land titles in Maine p. 2.

<sup>3</sup> Sullivan, p. 156.

<sup>4</sup> Prince, vol. i, p. 37.

<sup>5</sup> Prince, vol. i, p. 305.

<sup>6</sup> Hazard, vol. i, p. 319.

<sup>7</sup> Hazard, vol. ii, p. 78. Some writers have supposed this name to be derived from a tribe of Indians in that territory called the Passamaquoddy or Passamacadie tribe.

\*[Mr. Porter Bliss, long a resident among the Seneca Indians, and who has a good understanding of the Indian language, in 1861 informed me that *Acadi* is a pure Micmac word, meaning "place," and is always used in combination with some explanatory word, as *Suga-bun-Acadi*, the place of ground nuts, the present *Shebenacadi* in Nova Scotia; *Umskegu-Acadi*, Great Meadow, Grand Pré, *Passam-Acadi*, a place of fish.]

occupied the country exclusively as far east as the Kennebec, and the French, except when dispossessed by treaty or actual force, had exclusive occupation as far west as the Penobscot. The country between these two rivers was debatable land, both parties continually claiming it, and each occupying it by intervals. In the commission to the French governor before the treaty of Utrecht in 1713, Acadia is described as extending to the Kennebec, and the whole was then ceded to the English. But in the construction of that treaty, the French restricted the territory to Nova Scotia.<sup>1</sup> In fact the limits of the province were extremely indefinite, and the title depended upon possession, which was continually fluctuating.

The colony of Du Mont was undoubtedly the first attempt to plant upon the coast of Maine, and continued longer than any other which did not become permanent.

The expedition of Du Mont, [with the voyage of Martin Prinn in 1603, and the very successful exploration of the coast of Maine, between the Penobscot and Kennebec rivers, of which a glowing account was given by Rosier,] drew the attention of the English to this side of the Atlantic ; and in April, 1606, a charter was procured for the large extent of territory lying between the thirty-fourth and forty-fourth degrees of north latitude, and from the Atlantic to the Pacific ocean. This large tract was divided between two colonies ; the first, stretching to the forty-first degree of north latitude, was bestowed upon a London company, and called South Virginia, the northern part was called North Virginia, and was granted to a company of adventurers in the town of Plymouth. Each colony had a distinct council of thirteen appointed by the king for the management of its affairs.<sup>2</sup>

Under this charter, the adventurers sent out colonies in 1607.

<sup>1</sup> Hutch. vol. iii, p. 3. Memorials of the English and French Commissioners, respecting the limits of Nova Scotia, London, 1755.

<sup>2</sup> Hazard, vol. i, p. 50.

The one from Plymouth destined to the northern shore, consisted of two ships and one hundred men, under command of Capt. George Popham, as president, and Capt. Rawly Gilbert, as admiral. They sailed from Plymouth on the 31st of May, and arrived at Monhegan upon this coast August 11th, and then continued on to the Kennebec, where they planted themselves upon an island, in the mouth of that river.<sup>1\*</sup> Here they built a fort, called St. George, and made preparations for a permanent settlement. But a succession of peculiarly unfavorable circumstances<sup>2</sup> terminated the existence and hopes of this colony within one year from its commencement; and at the same time raised prejudices against the northern coast, which checked the spirit of colonization and discovery, and threw back the settlement of the country for a number of years. Smith says that "the country was esteemed as a cold, barren, mountainous, rocky desert;" and Prince adds, that

<sup>1</sup> Prince, vol. ii, pp. 21, 254. Smith's N. E., p. 173. Jocelyn. The late Gov. Sullivan thought he found traces of this settlement on Stage Island, as late as 1778; others suppose the settlement to have been made on Parker's Island, forming part of Georgetown.

\*[Recent investigation has proved the statements of Sullivan and others, in regard to the locality of the first settlement to have been erroneous; and it is now known to have been on the peninsula on the west bank of the river near its mouth, called by the Indians *Sabino*, but now bearing the English name of Hunnewell's Point. Strachey, who was one of the colony, gives a description of the spot, which cannot be mistaken. The United States government are erecting a fort upon or near the site of Fort George, called Fort Popham, in honor of the Governor of the first colony. The occasion was improved, August 29, 1862, by the Historical Society, and a very large and respectable assemblage of persons from our own and neighboring States, and the British Provinces, to commemorate the two hundred and fifty-fifth anniversary of the planting of the colony, by addresses and appropriate services, and placing memorial stones on the walls of the fortress. The leading address was by John A. Poor, Esq., of Portland. A full account of these interesting transactions was published in a "Memorial Volume of the Popham Celebration," issued from the press of Bailey & Noyes, of Portland, in 1863.]

Prince, vol. ii, p. 25.

they "branded the country as over cold and not habitable by our natives."

The large preparations that were made, and the circumstances attending this expedition, show that the design of the adventurers was to establish a permanent settlement. They had their President, their Admiral, Master of Ordnance, Sergeant-major, Marshall, Secretary, Captain of the Fort, Chaplain, and Chief Searcher, all of whom constituted the council. But the colony arrived late in the season, and had but little time to make those preparations which were necessary to protect them from the severities of our climate in an inhospitable wilderness. They had been led to expect from the highly-colored descriptions of previous voyagers, a winter not more unfavorable than those to which they had been accustomed in England, and did not take those precautions which experience would have dictated. We can easily imagine that the hardships which they endured, would have discouraged stouter hearts than even they possessed, inexperienced as they were in the long and severe winters which then visited our northern region.

After the ill success of this undertaking, the patentees turned their attention rather to commercial enterprises than to the forming of settlements; and some of them individually sent out vessels every year to fish upon the coast, and to trade with the natives. Sir Francis Popham, son of Chief Justice Popham, and Sir Ferdinando Gorges were principally engaged in this business.

In the spring of 1614, an expedition was fitted out under command of Capt. John Smith, "to take whales," "and also to make trials of a mine of gold and copper; if those failed, fish and furs were then their refuge."<sup>1</sup> Smith adds, "we found this whale-fishing a costly conclusion, we saw many, and spent much time in chasing them, but could not kill any; they being a kind of *jubartes* and not the whale that yields fins and oil as

<sup>1</sup> Smith's N. E., p. 175, and his letter to Lord Bacon.

we expected." They were also disappointed in their mines, and he thinks the representation was rather a device of the master to get a voyage, "than any knowledge he had of any such matter." Leaving his vessels, Smith, with eight men in a boat, ranged the whole coast from Penobscot to Cape Cod : within which bounds he says, he saw at least forty several habitations upon the sea-coast, the principal of which was Penobscot. He adds, "westward of *Kennebeke*, is the country of *Aucocisco*, in the bottom of a large deep bay, full of many great Iles, which divides it into many great harbours."<sup>1</sup> This refers to *Casco* bay, and *Aucocisco*, may be supposed to express the English sound of the aboriginal name of that extensive and beautiful bay.\* Smith returned to England, where he arrived the 5th of August, and immediately prepared a map of the country which he had visited, and gave it the name of *New England*.

The next year (1615) Capt. Smith was again employed by Sir F. Gorges and others to visit New England, with a view of beginning a settlement there: for this purpose he was furnished with two ships, and a company of sixteen men to leave in the country. But he was driven back to port by a violent storm which carried away his masts. On the second attempt, he was captured by the French. It does not appear that this celebrated adventurer ever came to America after 1614: he published his description of New England in London in 1616, and died in that city 1631.

Every year after this, vessels were sent to the coast to trade with the natives and to fish; many of which made profitable

<sup>1</sup> Smith's N. E., p. 192. The same name is given to this bay by Jocelyn in his voyages, and the natives about it are called the *Aucocisco*, by Gorges in "America painted to the life," p. 43.

\*[*Aucocisco* came as near the sound of the Indian word for the bay as could be expressed in English, as Smith and the early voyagers caught the sound. It should be pronounced *Uh-kos-is-co*, the *Uh* being a guttural. The meaning of the Indian term according to the best interpreters is *Crane* or *Heron*, from the bird which then frequented its waters, as it does still.]

voyages. In 1615, Sir Richard Hawkins sailed from England with a commission from the council of Plymouth to do what service he could for them at New England; but on arriving here he found a destructive war prevailing among the natives, and he passed along the coast to Virginia.<sup>1</sup> In 1616, four ships from Plymouth, and two from London, made successful voyages, and obtained full cargoes of fish, which they carried to England and Spain. Sir F. Gorges also sent out a ship under the charge of Richard Vines, who afterward became conspicuous in the early history of Maine; he passed the winter at the mouth of Saco river; from which circumstance, I suppose, was derived the name of Winter Harbor,<sup>2</sup> which it still bears.

In 1618, Capt. Edward Rocroft was sent by Gorges in a ship of two hundred tons, to fish upon the coast. He captured a French bark lying in one of the harbors, sent her crew in his own ship to England, and retained the bark with a view to winter here. But some of his men conspiring to kill him and run away with his prize, he put them on shore at Sawguatoek (Saco) and in December, sailed for Virginia. The men who were thus left, succeeded in getting to Monhegan Island, where they spent the winter,<sup>3</sup> and were relieved in the spring by Capt. Dermer, in another of Gorges' ships.

Monhegan was a convenient stage for fishermen, and had become a place of usual resort; it is therefore probable, that buildings, or temporary shelters, had been erected upon it.

In 1620, a new charter was obtained of King James, by the Northern Company, bearing date November 3d. It embraced the territory lying between the forty and forty-eighth degrees of north latitude, including the country from Philadelphia to

<sup>1</sup> Prince, vol. ii, p. 43.

<sup>2</sup> Douglass, vol. i, p. 394, derives the name from Mr. Winter, who he says had a farm there; but in this fact he is mistaken: Winter's farm was at the mouth of the Spurwink.

<sup>3</sup> Prince, vol. ii, p. 54.

the Bay of Chaleurs, which empties into the gulf of St. Lawrence.<sup>1</sup> The patentees were the Duke of Lenox, the Marquises of Buckingham and Hamilton, the Earls of Arundel and Warwick, Sir Ferdinando Gorges, and thirty-four others, who were styled the council established at Plymouth, in the county of Devon, for the planting, ruling, ordering, and governing of New England, in America.

Under this patent, were all the grants made, which originally divided the country between the Hudson and the Penobscot rivers : beyond these bounds the patent of 1620, had no practical operation.

While these patentees were procuring a new charter, the more successfully to prosecute their design of private emolument, another company was arising of an entirely different character, who, without concert with the patentees or without their concurrence, and it may even be said without any design of their own, were to give the strongest impulse to the colonization of New England, and to stamp their peculiar features upon its future destinies.

The English residents at Leyden, had determined to seek security and freedom of worship in the wilderness of America, and in the summer of this year commenced their voyage for the Hudson river. But either by design or accident, they fell short of their destination, and arrived at Cape Cod, on the 10th of November, 1620. In this neighborhood they resolved to remain, and having selected the spot which they named Plymouth, they established there the first permanent settlement that was made in New England. The French had then a plantation at Port Royal, and the English had settlements in Virginia, Bermuda, and Newfoundland. The nearest plantation to them was the one at Port Royal.<sup>2</sup>

We can merely allude to this interesting company, in the

<sup>1</sup> Hazard, vol. i, p. 103. Prince, vol. ii. pp. 70, 94.

<sup>2</sup> Prince, vol. ii. p. 94.

pursuance of our plan to bring into view the different settlements and attempts at settlement upon our coast previous to the one, of which it is our purpose particularly to speak. Other hands have done justice to this important event in the history of this country.

On the 10th of September, 1621, the north-eastern part of the territory included in the charter to the council of Plymouth, was granted by James I, to Sir Wm. Alexander.<sup>1</sup> This was done by the consent of the company, as Gorges in his description of New England declares.<sup>2</sup> The grant to which the name of Nova Scotia was given, extended from Cape Sable north to the St. Lawrence, thence by the shore of that river and round by the sea to the first point; included Cape Breton and all the islands within six leagues of the western, northern, and eastern parts, and those within forty leagues south of Cape Sable. Sir William was engaged in this adventure by becoming acquainted with Capt. Mason, who a short time before had returned from Newfoundland.

In 1622 or 1623, Sir William Alexander subdued the French inhabitants within his grant, carried them prisoners to Virginia, and planted a colony there himself.<sup>3\*</sup>

New England being now brought into notice by the respec-

<sup>1</sup> Prince, vol. ii, p. 111. Hazard, vol. i, p. 134.      <sup>2</sup> Hazard, vol. i, p. 387.

<sup>3</sup> Jeremiah Dummer's Mem., vol. i. 3d Ser. Mass. H. Col., p. 232.

\*[On the 12th of April, 1635, the council of Plymouth granted to Sir Wm. Alexander all that part of the main land in New England from St. Croix adjoining New Scotland along the sea coast to Pemaquid, and so up to the Kinebequi to be called the county of Canada. Also Long Island, west of Cape Cod, "to be holden *per gladium comitatus*, that is to say to find four able-bodied men to attend on the Governor of New England on fourteen days notice." *Sainsbury's Col. Papers*, vol. i, p. 204. In 1622, Capt. Robert Gorges, the eldest son of Sir F. Gorges was appointed Governor of New England, with Capt. Francis West, Christopher Lewitt, and the Governor of New Plymouth as his counselors. Lewitt came over in 1623 and visited the coast of Maine from Piscataqua to Pemaquid. An interesting account of this voyage is contained in the 2d Vol. of the Me. Hist. Col.]

tability of the persons who had engaged in its cause, and especially by the profits derived from the fish and fur trade, the intercourse with it was yearly increasing. In 1621, ten or twelve ships from the west of England, procured full cargoes of fish and fur; in 1622, thirty-five ships, in 1623, forty ships, and in 1624, fifty ships were engaged in the same trade.<sup>1</sup> So great seems to have been the excitement in this new channel of speculation, that the Plymouth company found it necessary to procure a proclamation from the king, which bears date Nov. 6, 1622, to prevent "interloping and disorderly trading" upon the coast.<sup>2</sup> It is alleged in the proclamation, that persons without authority committed intolerable abuses there, not only by destroying timber and throwing their ballast into the harbors of the islands, but by selling war-like implements and ammunition to the natives and teaching them their use.

The same year, August 10th, the council of Plymouth granted to Sir F. Gorges and Capt. John Mason, two of their company, "all the lands situated between the rivers Merrimac and Sagadahoc," extending back to the great lakes, and the river of Canada.<sup>3</sup> In 1623, they sent over David Thompson, Edward and William Hilton, and others, who commenced a plantation upon the west side of the Piscataqua river, which was the first settlement in New Hampshire, and the beginning of the present town of Portsmouth.<sup>4</sup> Gorges and Mason continued their joint interest on the Piscataqua, having procured a new patent in 1631, including all their improvements on both sides of the river until 1634, when they made a division of their property;<sup>5</sup> Mason took the western side of the river, and Gorges the eastern, and they each procured distinct patents for their respective portions, which they afterward separately pursued.

<sup>1</sup> Prince, vol. i, pp. 99, 117.      <sup>2</sup> Hazard, vol. i, p. 151.      Sainsbury.

<sup>3</sup> Hutchinson, vol. i, p. 285.      Hubbard, N. E., p. 614.

<sup>4</sup> Prince, vol. i, p. 133.      An. of Portsmouth.      <sup>5</sup> Belk., vol. i, N. H. App.

Gorges did not confine his attention exclusively to Piscataqua, even while he continued a partner in the Laconia patent; for in February 1623, we find that he had already a plantation established upon the island of Monhegan. This was probably for the accommodation of the fishermen; but it had become of sufficient importance to draw thither the persons settled in Massachusetts bay for supplies.<sup>1</sup> This plantation must have been commenced in 1621, or 1622, and was the first which continued for any length of time upon any part of the territory of Maine. Monhegan is a solitary island, about twelve miles south-east of Pemaquid point, which is the nearest main land. From this island the transition to the main was easy; and from the concourse of vessels to this neighborhood in the fishing season, it might naturally be expected that here settlements would be early formed. Such appears to have been the fact, and we find that in 1625, a settlement was commenced at New Harbor, on Pemaquid, which continued to increase without interruption, until the destructive war of 1675.

On the 15th of July, 1625, John Brown, of New Harbor, purchased of Capt. John Somerset and Unongoit, two Indian Sachems, for fifty skins, a tract of land on Pemaquid, extending eight miles by twenty-five, together with Muscongus island.<sup>2</sup> The next year Abraham Shurt was sent over by Alderman Aldsworth and Giles Elbridge, merchants of Bristol, as their agent, and was invested with power to purchase Monhegan for them. This island then belonged to Abraham Jennings of Plymouth, of whose agent, Shurt purchased it for £50.<sup>3</sup> In 1629, Aldsworth and Elbridge sent over to Shurt a patent from the council of Plymouth, for twelve thousand

<sup>1</sup> Prince, p. 127. Morton's Mem., p. 109.

<sup>2</sup> Report of Mass. Com. on the Pemaq. title 1811, p. 107.

<sup>3</sup> Shurt was about forty-four years old when he came over, and was living in 1662, aged about eighty. In 1675, there were no less than one hundred and fifty-six families east of Sagadahoc, and near one hundred fishing vessels

acres of land on Pemaquid, bounded north by a line drawn from the head of the Damariscotta to the head of the Muscongus river, and from thence to the sea, including the islands within three leagues of the shore.<sup>1</sup>\* Here was commenced the first permanent settlement on the main land within the territory of this state, by any European power. Thomas Elbridge, the son of Giles, the patentee, came over a few years afterward and held a court within this patent, to which many of the inhabitants of Monhegan and Damariscove repaired, and made acknowledgment<sup>2</sup> of submission. This place from its numerous harbors and islands, possessed many advantages of trade as well as of farming and fishing, and rapidly increased in population and business. An additional grant was made to the same persons in 1632, in which it is recited, that the land is "next adjoining to this place, where the people or servants of said Giles and

<sup>1</sup> We here present a fac-simile of the signatures of Abraham Shurt, and Thomas Elbridge.

\*[Sainsbury in his colonial calendar, says that this grant was to be laid out near the river of Pemaquid, with an additional one hundred acres to every person who should settle there, in consideration of the patentees having undertaken to build a town and settle inhabitants there for the good of the country. He puts this down under date Nov. 24, 1631.]

<sup>2</sup> Sil. Davis's Report, p. 40.

Robert are now settled, or have inhabited for the space of three years last past."<sup>1</sup>\*

<sup>1</sup> Since the above was put to press, I have discovered among a bundle of old papers, just put into my hands, a certificate or declaration of Samuel Welles, of Boston, made in 1750, relative to a settlement at Pemaquid two or three years earlier than I have stated in the text. I have introduced this certificate as noticing an important fact, which, it is surprising, has hitherto escaped observation.

"This may certify all concerned, that I have in my hand, a certain patent, signed by the Earl of Warwick, and several other members of the council of Plymouth, in England, dated June 1st, 1621, about three years after the patent, constituting the council of Plymouth for ordering the affairs and settlement of New England; that is, of land between the fortieth and forty-eighth degree of north latitude. The sum and substance of this patent of June 1st, 1621, is a grant to one John Pierce, a citizen of London, of liberty to come and settle in New England, with divers privileges in such place as he or his associates should choose under certain limitations of not interfering with other grants, or settling within ten miles of any other settlement, unless on the opposite side of some great and navigable river, and on return made, to have further grants or privileges. Now, as I am informed, and hear it is agreed on all hands, Mr. Pierce came over and here he settled; that is, at a place called Broad Bay, and there his posterity continued above one hundred years; some time after the settlement was begun, one Mr. Brown made a purchase of a large tract of land of the natives; and as Mr. Pierce's was the most ancient [grant thereabouts, they united the grant from home with the purchase of the natives, and it is said, that the Indians have ever acknowledged the justice of our claims, and never would burn Pierce's house, even though he left it. This patent is the ancientest I ever saw about any part of New England, except the original grand patent to the council of Plymouth, made as I remember in November, in 1618. This patent is eight years older than that to Bradford and his associates for Plymouth Colony, and nine years older than Massachusetts' first charter. I do not think of anything further material or needful to be said, and the above is the best account my time will now allow me to give.

There are six seals signed by the Duke of Lenox, Duke of Hamilton, Earl Warwick, and some others, whose names I cannot find out.

SAMUEL WELLES."

Boston, 11th September, 1750.

\*[In "early documents relating to Maine," is the following memorandum, "A. D. 1753, April 6. Deposition of Samuel Welles, of Boston, in New England, declaring that in 1727, great search was made after the patent of the late colony of Plymouth, which was studiously sought after in the years 1733 and 1739;

In 1626, the government of Plymouth colony established a trading house on Bagaduce Point, at the mouth of the Penobscot, and first gave this name to that river. The Indian name was Penobseeag or Penobscook; the French called it Pentaquevette or Pentagoet.<sup>1</sup> The Baron de St. Castin, afterward

<sup>1</sup> Sul. Hist. of Maine, pp. 36, 38, and Hist. of Pen. Ind., Mass. Hist. Col., vol. ix, p. 209.

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and again in 1741 at Plymouth, Ipswich, and Cambridge. At length Perez Bradford, Esq., was desired to inquire, and with much difficulty he procured it, having been designedly concealed."

Mr. Deane in a note to "Bradford's History of Plymouth Plantation," p. 107, says, "this charter or patent was granted by the president and council of New England "to John Pierce and his associates," and was in trust for the benefit of the colony. \* \* The original is now at Plymouth, and is probably the oldest document in Massachusetts officially connected with her history." A copy is published in the Appendix to the "Popham Memorial Volume," p. 118.

It is generally assumed that this patent was for the settlement of Plymouth; but it contains no allusion to that colony, nor is it in trust for it. The language of the charter is, "that whereas the said John Pierce and his associates have already transported, and undertaken to transport at their cost and charges, themselves and divers persons into New England, and there to erect and build a town, and settle divers inhabitants," &c. "Now the said president and council, in consideration thereof, have granted, allotted, assigned, and confirmed unto the said John Pierce and his associates, &c., one hundred several acres of ground in New England for every person so transported, or to be transported. \* \* \* The same land to be taken and chosen by them, their deputies, or assigns, in any place, or places, whatsoever, not already inhabited by any English." \* \* And they further grant to them fifteen hundred acres besides, in consideration of said Pierce and associates having undertaken to build churches, hospitals, bridges, &c.

This language has no application to Plymouth: it is the same used in the grant to Aldsworth and Elbridge of a portion of Pemaquid, 1629, and Mr. Welles expressly says in his deposition that Mr. Pierce came over and settled at Broad Bay under his grant, and his posterity continued there above one hundred years.

It does not appear to me that the patent or charter referred to in Weston's letter of July 6, 1621, contained in Bradford's history, is at all identified with that of Pierce, but the fair construction of the language is against it. Weston says, page 107, "We have procured you a charter, the best we could, which is better than your former, and with less limitation." Now the famed charter to Pierce of June 1, 1621, does not at all answer that description, and I must still consider that the lost document has not yet come to light.]

erected his fort upon the site of the old trading house, and that spot, together with the adjacent territory still perpetuates the name of one of the most persevering enemies that our early colonists had to contend with. In 1632, the French rifled this trading house of property to the value of £500 sterling.

The same government having obtained a patent on the Kennebec river, erected in 1628, a house for trade up the river, and furnished it with corn and other commodities for summer and winter.<sup>1</sup>

About this time, Thomas Purchase settled upon land now included within the limits of Brunswick: the precise year in which he went there we cannot ascertain. In a deed to Richard Wharton, July 7, 1684, from Worumbo and other sagamores, they confirmed to him "lands conveyed to and possessed by Thomas Purchase, deceased, who came to this country near threescore years ago."<sup>2</sup> Purchase continued to live on the same estate, which he purchased of the Indians, until the first Indian war, and is frequently noticed in the affairs of the province. His widow married John Blaney, of Lynn, and was living in 1683; he left three children, Thomas, Jane, and Elizabeth.<sup>3</sup> \*

<sup>1</sup> Prince, vol. i. p. 62, 2d part.

<sup>2</sup> George Way was associated in the patent with Purchase; the grant included land lying on both sides of Pejepscot, on the eastern end of Androscoggin river, on Kennebec river, and Casco bay. Eleazer Way, son and heir of George, conveyed his moiety to R. Wharton, 1683. The patent has long been lost, and is only known to have existed by references in early deeds.

<sup>3</sup> York Records.

\* ["June 16, 1632. The council for New England grant to George Way and Thomas Purchase, certain lands in New England called the river Bishopscotte, and all that bounds and limits the main land adjoining the river to the extent of two miles." *Sainsbury's Col. Paper*, vol. i, p. 152. The river intended is doubtless the Pejepscot, which was that part of the Androscoggin lying between the Kennebec river and Lewiston Falls. In August, 1639, Purchase conveyed to the Massachusetts Company his land at Pejepscot, reserving the portion occupied and improved by him. An abstract of the deed is in Hazard, vol. i, p. 457. For further interesting particulars relating to this title and the settlements at Pejepscot, I refer to Vol. iii., Me. Hist. Col. pp. 311 and 325.]

In 1628, the Massachusetts company procured a charter from the council of Plymouth, and in June sent over Capt. John Endicott and a few associates to take possession of the grant.<sup>1</sup> They arrived in September at Naumkeag (Salem) and laid the foundation of that respectable town and the colony of Massachusetts.

Some time in the course of this year, Walter Bagnall, called Great Walt, established himself upon Richmond's<sup>2</sup> Island, within the limits of the ancient town of Falmouth. Winthrop<sup>3</sup>, under 1631, says, he lived alone upon the island three years, and had accumulated about £400, mostly in goods, by his trade with the Indians, whom he had much wronged. He and a companion were killed by an Indian sagamore, called Squidrayset, and his company, Oct. 3, 1631, who burnt his house and plundered his property. Bagnall had been a servant to some one in Massachusetts, but when or with whom he came to this country is not known. §

<sup>1</sup> Prince, vol. ii, p. 174. Hazard, vol. i, p. 239.

<sup>2</sup> I am not able to determine whether the original name of this island was *Richman's* or *Richmond*. Winthrop in his first notice of it, calls it *Richman's* Island. It is afterward in the same work, and by other authors sometimes called *Richman's*, and sometimes *Richmond*. In the early records it is often written *Richman's*, it is so written in a deed from Robert Jordan, its owner, to his son John, in 1677. On the other hand, it has borne its present name for the last century, and that mode of writing it is met with nearly as often in the previous period. A Mr. John Richmond lived in the neighborhood in 1636 and some years afterward; but he does not appear to have had any connection with the island; and Mr. Trelawny, its owner, had a bark called the *Richmond*, which traded to the island in the year 1639. It may have derived its name from the Duke of Richmond, who was one of the council of Plymouth. The Indian name is entirely lost, it has never been known by any other in our history but one of those before mentioned.

<sup>3</sup> Winthrop's Journal, vol. i, p. 62. Prince, 2d part, p. 36.

§ [In Sainsbury's Colonial papers is this memorandum: "Dec. 2, 1631, Patents to Walter Bagnall for a small island called Richmond, with 1500 acres of land; and for John Stratton for 2000 acres of land south side of Cape Porpus river or creek."]

Squidrayset, Squidragusset, or Scitteryigusset, in each of which modes the name is spelt, was a sachem over a tribe on the Presumpscot river. He subsequently conveyed lands upon the Presumpscot to the English, and a creek near the mouth of that river still bears his name. This occupation by Bagnall is the first attempt to establish a plantation within the limits of Falmouth : \* and it seems that he had undisturbed possession there until the time he was murdered. In January, 1633, an expedition fitted out in Massachusetts to intercept a pirate, who was said to have been hovering about Pemaquid, on their return stopped at Richmond's island, and inflicted summary

\* [This is an error revealed by recent investigation. In Sainsbury's calendar of state papers vol. i, p. 45, is this minute of Council : "May 5, 1623, Christopher Levett to be a principal patentee & to have a grant of 6000 acres of land." "June 26, 1623. The King judges well of the undertaking in New England & more particularly of a design of Christopher Levett one of the Council for settling that plantation, to build a city there and call it York." In pursuance of these arrangements, Levett came over in 1623, touching first at the "Isle of Shoulds," thence to the Piscataqua, from which he sailed eastward along the coast as far as Pemaquid, visiting the various harbors and rivers with a view to select a suitable place to establish his plantation. He says, "And now in its place I come to Quack, which I have named York. At this place there fished divers ships of Waymouth this year (1623). It lieth about two leagues to the east of Cape Elizabeth. It is a bay or sound betwixt the main & certain islands which lieth in the sea about one English mile & half. There are four islands which make one good harbor." There can be no doubt of this location ; the islands are what are now called Bangs, House, Hog, and Peaks. He adds, "And thus after many dangers, much labor & great charge, I have obtained a place of habitation in New England, where I have built a house & fortified it in a good reasonable fashion, strong enough against such enemies as are these savage people."

Levett, after making these arrangements, returned to England to bring over his wife and children, leaving ten men in charge of his house and property. But it does not appear that he ever came back. nor what became of the men he left or his property. He gives no account of it in his narrative, although it was not published until 1628. That the settlement was broken up and abandoned, is certain.]

justice upon Black Will, one of the murderers of Bagnall, by hanging him without the forms of law.<sup>1</sup>\*

On the 12th of February 1630, the council of Plymouth made two grants on the Saco river ; each being four miles upon the sea, and extending eight miles into the country. That upon the west side of the river was to John Oldham and Richard Vines<sup>2</sup> Oldham had lived in the country six years, partly within the Plymouth, and partly within the Massachusetts jurisdiction, and Vines had become acquainted with the country by frequent voyages to it, and spending one winter at the place where his patent was situated. It is mentioned in the deed that the patentees had undertaken to transport fifty persons thither within seven years to plant and inhabit there. This condition was undoubtedly complied with, and Vines, who managed the whole concern, immediately took possession of his grant (June 25, 1630) and entered with zeal and ability upon the means of converting it into a source of profit.

<sup>1</sup> Winthrop, vol. i, p. 99.

\* [On the 11th of May, 1855, the occupant of Richmond's island, in ploughing a field near the northern shore, turned up a stone pot lying about a foot under the surface near what had been the foundation of buildings. On examination, the pot was found to contain twenty silver coins of the reign of Elizabeth, viz : four one shilling pieces, sixteen sixpences, one groat, and two half-groats ; of the reign of James I, there were four one shilling pieces, and one sixpence, the latter, the only one dated, had the stamp of 1606. There were also twenty-one gold coins, of which ten were sovereigns or units of the reign of James I, and three half-sovereigns, seven sovereigns of the reign of Charles I, and one, a Scottish coin of James as king of Scotland, dated 1602. A full description of this discovery and of the coin, was published in the "State of Maine," newspaper, May 24, 1855, and another article on the subject soon after in the Massachusetts Historical Collection. A more full account is contained in *Me. Historical Collection*, vol. vi, p. 127. A gold wedding signet ring was also found in the pot, with the initials G. V. in a love knot, inscribed upon it. No clue was given as to the time the deposit was made, and it is only left to conjecture, to form any conclusion on the subject. The latest date on the coin is 1625, and it therefore may be justly inferred that the concealment was made at or about the time of Bagnall's murder in 1631.]

<sup>2</sup> York Records.

The patent upon the east side of the river was given to Thomas Lewis and Richard Bonighton, and recites that it was made "in consideration that said Thomas Lewis Gent, hath already been at the charge to transport himself and others to take a view of New England for the bettering his experience in the advancing of a plantation, and doth now wholly intend by God's assistance, with his associates to plant there," &c<sup>1</sup>. The patentees undertook to transport fifty persons there in seven years at their own expense. Livery of seisin was given June 28, 1631, and the proprietors in person successfully prosecuted the interests of their patent. Such were the beginnings of the towns of Biddeford and Saco, and the lands continue to be held under those patents at this day. Oldham never appears to have entered upon his grant<sup>2</sup>; Vines occupied it fifteen years, and sold it in 1645, in which year or early the next, he went to Barbadoes, where he probably died. Lewis died on his estate previous to 1640, without male issue, but Bonighton continued to enjoy his proportion of the patent to a ripe old age, when he was gathered to his fathers, leaving a large estate to his children.<sup>3</sup>

In 1630, the colony of Plymouth procured a new charter from the council, for a tract of land fifteen miles on each side of Kennebec river, extending as far up as Cobbisecontee. Under this grant, they carried on a trade with the natives upon the river for a number of years, and in 1660, sold the title for four hundred pounds sterling, to Tyng, Brattle, Boies, and Winslow<sup>4</sup>.

<sup>1</sup> The original patent was accidentally found by Mr. Folsom, when he was collecting materials for his history of Saco, and has been deposited by him in the Archives of the Maine Historical Society.

<sup>2</sup> Oldham was killed by the Indians off Block Island July 20, 1636. Winthrop, vol. i.

<sup>3</sup> For further particulars relative to these grants and the early history of Saco and Biddeford, we take pleasure to refer to Mr. Folsom's history of those places, in which is collected all the information of value that is to be obtained on the subject.

<sup>4</sup> Hazard, vol. i. p. 298. Prince vol. i: p. 196. Sullivan p. 303.

The same year, March 13th, the grant to John Beauchamp, of London and Thomas Leverett of Boston, in England, was made. It was ten leagues square, and was situated between Muscongus and Broad bay, and Penobscot bay. Large preparations were immediately made for carrying on trade there, and agents were employed for conducting it.<sup>1</sup> This was originally called the Lincoln grant, and afterward the Waldo patent, a large part of it having been held by Brigadier Waldo, to whose heirs it descended. It now forms part of the counties of Waldo and Knox.

In the course of the same year (1630) the council of Plymouth granted to John Dy and others, forty miles square, lying between Cape Porpus and Cape Elizabeth. This was named the province of Lygonia, though commonly known in early times as the *plough* patent<sup>2</sup>. The latter term is supposed to have been applied either from the ship, named the *Plough*, which brought over the first company, or from the circumstance that the adventurers were generally husbandmen, while the usual employment of others upon the coast was commercial.

The first company arrived at Winter Harbor in the summer of 1631, in the ship *Plough*, but not being satisfied with the appearance of the country and their future prospects, the principal part of them continued on to Boston and Watertown, where they were soon broken up and scattered<sup>3</sup>. No further effective measures seem to have been taken for the occupation

<sup>1</sup> Douglas, vol. i. p. 384. Prince, vol. i. p. 203.

<sup>2</sup> Sullivan, pp. 114, 301, 310. I never have been able to discover this patent, nor ascertain its date, nor who were the patentees. I do not know that there is a copy of it in the country; the original was sent over to Richard Dummer of Newbury, in 1638, as agent, but was afterward ordered home. Hubbard mentions as patentees, John Dy, Thomas Luke, Grace Harding, and John Roach of London. Sullivan says they were John Dye, John Smith, Brian Brinks, and others.

<sup>3</sup> Winthrop, vol i. p. 58.

of this grant until 1643, when it fell into the hands of Alexander Rigby, under whom a government was established. This subject will be adverted to hereafter more particularly; the claim to soil and sovereignty in that province, occupies a considerable space in our affairs, and gave birth to a conflict with Gorges, which was only quieted by a submission of all parties to the jurisdiction of Massachusetts.

This year (1630) Richard Tucker established himself at the mouth of Spurwink river in Cape Elizabeth, where he was joined the same year by George Cleeves, and they unitedly carried on business there between two and three years. In 1632, they were ejected by John Winter, who acted as agent for Robert Trelawny and Moses Goodyear, of Plymouth, England who had procured a patent of a tract including all Cape Elizabeth.<sup>1</sup> Driven from their residence on the Spurwink, they sought refuge on the north side of Casco or Fore river, and laid the foundation of the first settlement upon the Neck, now Portland, in 1632.

The same year a settlement was commenced at Agamenticus, now York, by Edward Godfrey. This was on York river, and probably near the mouth; the inhabitants subsequently extended up the river for the purpose of erecting mills. Godfrey states in a petition to the General Court of Massachusetts in 1654, "that he had been a well willer, encourager, and funderer of this colony of New England, for forty-five years past, and above thirty-two years an adventurer on that design, twenty-four years an inhabitant of this place (York) the first that ever bylt or settled ther." In 1634, he procured of the council of Plymouth, a grant to himself and associates, Samuel Maverick, Wm. Hooke, and others, of twelve thousand acres of land on the north side of the river Agamenticus.<sup>2</sup> The same

<sup>1</sup> York Records.

<sup>2</sup> Godfrey was for several years an agent of the Laconia company at Piscataqua; after he established himself in Maine, his activity and intelligence soon

year another grant of twelve thousand acres on the west side of the river was made to Gorges' grandson, Ferdinando.\*

The next grant we meet with of land upon this coast, was of Black Point, now a part of Scarborough, to Thomas Cammock, dated Nov. 1, 1631. This was by the council of Plymouth, and extended from Black Point river to the Spurwink, and back one mile from the sea. Cammock is said to have been a relative of the Earl of Warwick; he was one of the company sent to Piscataqua, and was there as early as 1631. Possession of his grant, which included Stratton's Islands, lying about a mile from the point, was given to him by Capt. Walter Neale, May 23, 1633<sup>1</sup>. The patent was confirmed to him by Gorges in 1640; the same year he gave a deed of it to Henry Jocelyn, to take effect after the death of himself and his wife. He died in the West Indies, in 1643, and Jocelyn immediately entered upon possession and married Margaret,

\* [Sainsbury, vol. i. p. 266 says, "Grant to Edward Godfrey and others of Dec. 2, 1631 to be renewed, March 2, 1638."]

<sup>1</sup> York Records.

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brought him into notice. Sir F. Gorges appointed him a counselor of his province in 1640; and in 1642, he was Mayor of Gorgiana. He was chosen Governor by the people in the western part of the State in 1649, and was the first in Maine who exercised that office by the election of the people. He is said by a committee on the Mason title in England in 1660, "to have discharged this office with much reputation of integrity and justice." He died about 1664, at an advanced age, leaving a son, Oliver. In a report to the king, 1661, signed by Robert Mason and others, it is said "That Edward Godfrey hath lived there many years, and discharged the office of Governor with the utmost integrity." Winthrop says (vol. i. p. 137) that Sir F. Gorges and Capt. Mason sent a person in 1634, to Agamenticus and Piscataqua, with two saw-mills to be erected, one at each place.—*Mass. files*, 1654.

[Agamenticus was the Indian name for the river now called York, and was also applied to the adjoining hills and territory. The composition of the word, as the Rev. Mr. Ballard informs me, is *Anghemak-ti-koo*s, means snow shoes river, from the pond at its source in that shape.]

his widow. The tract is now held under this title by conveyance from Jocelyn to Joshua Scottow, dated July 6, 1666.\*

December 1, 1631, the council of Plymouth granted to Robert Trelawny and Moses Goodyear, merchants of Plymouth, the tract lying between Cammock's patent "and the bay and river of Casco, and extending northwards into the main lands so far as the limits and bounds of the lands granted to the said Capt. Thomas Cammock, do and ought to extend toward the north."<sup>1</sup> The reason given for making this grant was, "the having expended great sums in the discovery of those parts, and their encouragement in settling a plantation there." This included Cape Elizabeth, but Winter, the agent of the patentees contended for a larger extent north, than seemed to be within the just construction of the grant. A contest was maintained many years on this subject, and although in practice, the patent never extended north of Fore river, yet the proprietors affirmed that the Presumpscot river was the northern boundary; and this was asserted by the Jordan proprietors, as late as the year 1769, when they became incorporated under the statute. They then described the bounds of the grant to extend from the sea near the east side of Cammock's patent into the country north-westerly fifteen miles, and then north-easterly to a river called Casco or Presumpscot river, then down said river to the sea, then along the sea-shore to the first mentioned bounds by Cammock's patent. These limits included nearly

\* [At the same time and included in the same minute of council, as copied by Sainsbury, a patent was granted to Richard Bradshaw, of 1500 acres. The memorandum does not define its locality, but its being included in the same paragraph with Cammock's grant, and being mentioned by Cleaves, in his declaration against Winter, (see appendix No 1,) as lying at Spurwink, I infer that it was adjacent to Cammock's grant. Cleaves and Tucker claim it by purchase of Bradshaw, but it clearly conflicts with the right of Trelawny and Goodyear, next mentioned, and so the court of Gorges in 1640 decided. Appendix No. 1, annexed to this article in the volume, gives the pleadings and the result of the trial.]

<sup>1</sup> York Records.

all of the ancient town of Falmouth and part of Gorham, and are entirely unsupported by any record. One cause of difficulty on this subject arose from an uncertainty as to the true Casco river, which was agreed to be the northern boundary of patent. One party contended that it was the Presumpscot, and the other, with equal obstinacy, that it was Fore river. A decision of the Court in 1640, applied the name to Fore river; but a certificate<sup>1</sup> was soon afterward obtained and transmitted to England, founded, as was pretended, on the statements of the Indians and ancient settlers, that the Court had made a mistake on the subject, and that the Presumpscot was the true Casco river. This again revived the controversy and kept open a most unhappy quarrel during the lives of the first settlers<sup>2</sup>.

We have now touched briefly upon all the settlements made upon the coast of Maine previous to the year 1632. It will be perceived that the grants were all obtained from the council of Plymouth, notwithstanding the patent to Gorges and Mason of 1622, which extended from the Merrimack to Sagadahock, and nominally covered the whole of that territory. From this circumstance, it would be natural to conclude that the patent of 1622 was unexecuted, and that no title passed by it; and it appears by the opinion of Sir William Jones, the Attorney General in 1679, that the "grant was only sealed with the council seal, unwitnessed, no seisin indorsed, nor possession ever given with the grant<sup>3</sup>." This idea is corroborated by the facts that Gorges was sitting at the council board, and was a party to all the subsequent conveyances which parceled out the land within the limits of that patent; and that both he and Mason received

<sup>1</sup> York Records.

<sup>2</sup> There is a tradition in the Jordan family, that the wife of a son of the first Robert Jordan, needing some paper to keep her pastry from burning, took from a chest of papers, Trelawny's patent, and used it for that purpose, which thus perished, like many other ancient and valuable manuscripts.

<sup>3</sup> Hutchinson, vol. i. p. 285. Hubbard, vol. i. p. 614.

a grant with six or seven others in 1631, of a small tract on both sides of the Piscataqua, which included the improvements they had previously made there. If the patent of 1622 was valid, it would have been wholly useless to have procured another within the same limits.

The settlements which commenced at Plymouth in 1620, now dotted the whole coast from Cape Cod to the Bay of Fundy ; they were indeed few and far between, but an intercourse was kept up among them by their common weakness and wants, as well as for the purposes of trade. And although Massachusetts was the most powerful of the whole, and from motives of religious zeal, no doubt sincere, discountenanced the less strict settlers upon this coast, who on such matters differed from them both in doctrine and practice, she fain would profit by their fish and fur, which enabled her to procure from Europe articles of the first necessity for the infant colony.

John Jocelyn, the traveler, who visited his brother Henry at Black Point in 1638, sailed along the coast from Boston to that place in July : he says "Having refreshed myself for a day or two upon Noddle's island, I crossed the bay in a small boat to Boston, which was then rather a village than a town, there being not above twenty or thirty houses."<sup>1</sup> "The 12th day of July I took boat for the eastern parts of the country, and arrived at Black Point, in the province of Maine, which is one hundred and fifty miles from Boston, the 14th day. The country all along as I sailed, being no other than a mere wilderness, here and there by the seaside a few scattered plantations with as few houses."<sup>2</sup>

<sup>1</sup> Jocelyn's voyages, p. 18.

<sup>2</sup> Jocelyn's voyages, p. 20.

## CHAPTER 1.

*From 1628 to 1640.*

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RICHMOND'S ISLAND—SPURWINK—DISPUTE BETWEEN CLEEVES AND TUCKER, AND JOHN WINTER ABOUT THE TITLE—TRADE AT RICHMOND'S ISLAND—THE NECK, NOW PORTLAND, FIRST OCCUPIED—GRANTS IN OTHER PARTS OF FALMOUTH—MITTON, MACWORTH—FIRST JUDICIAL COURT FOR THE PROVINCE—SETTLERS IN FALMOUTH IN 1640.

The first occupation of any part of Falmouth by a European, of which we have any evidence, was of Richmond's island, by \*Walter Bagnall in 1628. The sole object of this man seems to have been to drive a profitable trade with the Indians by whatever means were in his power. He lived on the island alone, until by his cupidity he had drawn down the vengeance of the natives upon him, and they put an end to his life and his injuries October 3, 1631. He had accumulated a large property for those days, which was scattered by his death.<sup>1</sup>§ His residence promoted the future settlement of the town in no other way than by showing to others that the situation was favorable for the accumulation of wealth, and thus tempting them to engage in the same enterprise.

Richmond's Island lies nearly a mile from the southerly side

\* [This must be taken with the exception of Levett's attempt to establish a plantation on one of the islands in Portland Harbor in 1623, mentioned in a preceding page.]

<sup>1</sup> Winthrop, vol. i. Four hundred pounds sterling.

§[Was not the pot of gold and silver coin discovered on the island in 1855, part of Bagnall's gain?]

of Cape Elizabeth, is about three miles in circumference, and contains about two hundred acres of land; the passage may be forded on a sand-bar, at low water. Although now it contains but a single family, it formerly afforded employment to a large number of men engaged in the fisheries; and a market for considerable cargoes of foreign merchandise sent every year to this coast. As early as 1637, Richard Gibson, an episcopalian minister was settled upon the island<sup>1</sup>, and it is handed down by tradition with great probability, that a church was formerly established there. Among the items of property in 1648, mentioned in an inventory as belonging to the patentees, which will be more particularly referred to hereafter, are described vessels for the communion service, and the minister's bedding.

\*Bagnall occupied the island without any title; but within two months after his death, a grant was made by the council of Plymouth, bearing date December 1, 1631, to Robert Trelawny and Moses Goodycare, merchants, of Plymouth, in England, which included this island and all of the present town of Cape Elizabeth. The patentees appointed John Winter, who was then in this country, their principal agent. A copy of the grant was immediately sent to him, and on the 21st of July 1632, he was put in possession of the tract by Richard Vines of Saco, one of the persons appointed by the grantors for that purpose<sup>2</sup>.

There were at that time settled upon the territory near the mouth of the Spurwink river, George Cleeves and Richard Tucker, who had established themselves there in 1630<sup>3</sup>. They had selected one of the most valuable spots in the tract, and

<sup>1</sup> Winthrop, vol. ii, p. 66. York records.

\* The records in the State paper office, London, show a grant to Bagnall of Richmond's Island, dated Dec. 2, 1631, which was after his death.

<sup>2</sup> Two other persons mentioned, were "Capt. Walter Neale and Henry Jocelyn, lieutenant," both of whom lived on the Piscataqua.

<sup>3</sup> Cleeves v. Winter, 1640, York Records. See Appendix, No. 1.

claimed to hold against Winter two thousand acres of land, with their improvements, of which however they were forcibly dispossessed. Cleeves in 1640, when regular courts were established by Sir Ferdinando Gorges, brought an action of trespass against Winter, to recover damages for the removal; and in his declaration he stated his title as follows: "joining himself in partnership with Richard Tucker, then of Spurwink, who had also a right of inheritance there, the which he bought and purchased for a valuable consideration of Richard Bradshaw, who was formerlie settled there by Capt. Walter Neale,<sup>1\*</sup> by virtue of a commission to him given by some of the lords patentees, and soe as appeareth the said Richard Tucker was lawfully possessed of a right of inheritance at and in the said Spurwink. Alsoe the plaintiff further declareth that he joining his right by promise and possession, with his partner's right by purchase and possession, and soe being accountable to his said partner, they both agreed to joyne their rights together, and there to build, plante, and continue; which when the plaintiff had done and was there settled for two years or thereaboutes, this defendant, John Winter, came and pretended an interest there, by virtue of a succeeding pattent surrupiciouslie obtained and soe by force of arms expelled and thrust away the plaint, from his house, lands, and goods."

<sup>1</sup> Walter Neale arrived in this country in the spring of 1630, and returned in the summer of 1633. He came out as Governor of the company at Piscataqua.

\* [Walter Neale in a petition to the King in 1638, says, "He has served in all the Kings expeditions for the last 20 years; commanded four years, and brought to perfection the Company of the Artillery Garden. Lived three years in New England and made greater discoveries than were ever made before. Exactly discovered all the rivers and harbors in the habitable parts of the country, Prays to be appointed Governor."—*Sainsbury*, vol. i. p. 285.] We annex his full and handsome autograph.

W<sup>a</sup>. Neale.

The verdict in this case was as follows, "the jury find for the plaintiff, the house and land enclosed, containing foure acres or thereabout joyning with the said house, and give him eighty pounds for damage, and twelve shillings and six pence for the cost of Courte." The whole court consisting of Thomas Gorges, Henry Jocelyn, Richard Bonighton, Edward Godfrey, and Richard Vines, concurred in rendering judgment, except Vines, who dissented.

This document enables us to fix the time of the settlement of Cleeves<sup>1</sup> and Tucker, upon the Spurwink at 1630, which was probably the first made there; and from the same record, it appears that as early as 1632, they had buildings erected, and had made preparations there for a permanent establishment. The grant to Trelawny and Goodycare defeated their plans and drove them to another spot in Casco bay, within the limits of Falmouth.

Winter, now left without interruption, immediately employed himself to bring into action all the resources of the grant. He soon built a ship upon the island, "settled a place for fishing, and improved many servants for fishing and planting."<sup>1\*</sup> In August, 1632, the general court of Massachusetts in reference to the murder of Bagnall, speak of a plantation existing there, but notice it in such a manner that leads us to infer that it was under no regular government. They say, <sup>2</sup>"in consideration that further justice ought to be done in this murder, the court order that a boat sufficiently manned be sent with a commission to deal with the plantation at the eastward, and to join with such of them as shall be willing thereto for examination of the murder, and for apprehending such as shall be guilty thereof, and to bring the prisoners into the bay." Winter was in the country at the date of the grant, for, in his defence of the action

<sup>1</sup> Prince, vol. ii, p. 36.

\*[The bark Richmond was probably the vessel built.]

<sup>2</sup> Prince, vol ii. pp. 39, 65. Colonial Records.

before referred to, he speaks of the patent having been sent over to him ; and he had probably made such a representation to the patentees as induced them to procure it. He, as well as Cleeves, came from Plymouth, England. Bradshaw, of whom Tucker is said to have purchased land at Spurwink, could not have occupied it previous to 1630, for he was put into possession of it by Walter Neale, who did not come to the country until the spring of that year. The probability is, that Bradshaw did not long occupy the land, as we find no other notice of him than appears in Cleeves's declaration.

We may suppose that the plantation referred to in the court's order, was composed of Cleeves, Tucker, and Winter, with their servants : we are not able to connect with it at that time any other names. After the ejection of Cleeves and Tucker, in the latter part of 1632, Winter took the entire control of it, and managed it several years for the patentees. In 1634, as early as the first of March, Winthrop says, "seventeen fishing ships were come to Richman's island and the Isle of Shoals."\* The fish were undoubtedly cured on the islands and neighboring main, and must have afforded employment to a large number of men. Jocelyn in 1638, says that Winter employed sixty men in the fishing business.<sup>1</sup> The trade in beaver this year in this neighborhood was also very successful ; the government of Plymouth colony procured at their trading house on the Kennebee, twenty hogsheads, which were sent to England.<sup>2</sup> This was a principal article of commerce in the early settlement of the country ; it was a sort of circulating medium or standard of value among the white people and natives, and remittances to the mother country were made by it. About the year 1640, the price of it in Caseo, was from six to eight shillings a pound, and it was received in payment for commodities and labor.

\*[Levett also speaks of a large number of fishing vessels in that vicinity, in 1623.]

<sup>1</sup> Jocelyn, p. 25.

<sup>2</sup> Winthrop, vol. i. p. 138.

Winter, in 1640, was complained of for attempting to keep down the price to six shillings.<sup>1</sup>

In the spring of 1635, a ship of eighty tons, and a pinnace of ten tons arrived at Richmond's island.<sup>2</sup> In 1636, Mr. Trelawny alone is mentioned as proprietor of the patent, and March 26th of that year, he committed the full government of the plantation to Mr. Winter, who appears after that time to have had an interest of one-tenth in the speculation; and in addition to his proportion of the profits, he was to receive from the general fund "forty pounds per annum in money for his personal care and charge."<sup>3</sup> After this time the business of the plantation was pursued with great activity until the death of Trelawny, which took place in 1644.\* They employed the ship *Agnes*, the bark *Richmond*, the ships *Hercules* and *Margery*, and one other, whose name is not mentioned. In 1638, Mr. Trelawny sent a ship of three hundred tons to the island, laden with wine. This was probably the proceeds of a cargo of fish sent to Spain or Portugal. Large quantities of wine and spirits were early sent to this coast, and produced as much wretchedness among those who indulged in them then, as they do at the present day. Jocelyn described their effects from personal observation in lively colors; he says the money which the fishermen received, did them but little good, for at the end of their voyage "the merchant comes in with a walking tavern, a bark laden with the legitimate blood of the rich grape, which they bring from Phial, Madera, and Canaries;" and after they get a "taster or two," they will not go to sea again for a whole week, till they get wearied with drinking, "taking ashore two or three hogshheads of wine and rum, to drink when the merchant

<sup>1</sup> York Court Records.

<sup>2</sup> Winthrop, vol. i. p. 157.

<sup>3</sup> Jordan's Claim, York Records.

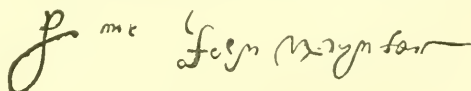
\*[Robert Trelawny was of a respectable and wealthy family of Plymouth, and represented that borough in Parliament. Moses Goodyear was also well connected, he married the daughter of Abraham Jennings, of Plymouth, the patentee of Monhegan.]

is gone." "They often," he adds, "have to run in debt for their necessities on account of their lavish expense for drink, and are constrained to mortgage their plantations if they have any, and the merchant when the time is expired is sure to turn them out of house and home, seising their plantations and cattle, poor creatures, to look out for a new habitation in some remote place, where they begin the world again."<sup>1</sup> Such is the description which this voyager gives of the early settlers of our State, and it accounts for the fact which would otherwise seem extraordinary, of the shipment of so large a quantity of wine, as is above mentioned, to plantations then in their infancy.

The merchandise sent to the proprietor in England, consisted principally of pipe staves, beaver, fish, and oil. In 1639, Winter<sup>2</sup> sent in the bark *Richmond*, six thousand pipe staves, which were valued here at eight pounds eight shillings a thousand. Some shipments were made directly from the plantation to Spain:<sup>3</sup> and a profitable intercourse seems to have been carried on for the proprietors a number of years, until it was suspended by the death of Trelawny. After that time the want of capital, probably prevented Winter from employing ships on his own account, and Trelawny's heir was but a child of six or seven years old. The commercial character of the plantation declined from that time, and the trade gradually sought other channels, until the mouth of the Spurwink and *Richmond's* island became entirely deserted. Their mercantile prosperity are now only to be found among the perishable

<sup>1</sup> Jocelyn, p. 212.

<sup>2</sup> Below we present the autograph of this prominent pioneer, John Winter.



[Per me, John Wynter.]

<sup>3</sup> Joran's claim, York Records. Appendix.

and almost perished memorials of a by-gone age. In 1648, after Winter's death, the plantation and all its appurtenances were awarded to Robert Jordan, by a decree of the general assembly of Ligoniam, to secure the payment of a claim which Winter's estate had upon the proprietors. Jordan married Winter's only daughter, and administered upon the estate. He presented his claims to the court of Ligoniam, in Sept. 1648, by whom a committee was appointed to examine the accounts and make report of the state of them. This committee went into a minute investigation, and reported in detail ; upon which an order was passed, authorizing Jordan to retain "all the goods, lands, cattle, and chattels, belonging to Robert Trelawny, deceased, within this province from this day forward and forever, unless the executors of said Robert Trelawny, shall redeem and release them by the consent and allowance of the said Robert Jordan, his heirs,"<sup>1</sup> &c.

Winter died in 1645, leaving a daughter Sarah, the wife of Robert Jordan. Jocelyn says of Winter that he was "a grave and discreet man ;"<sup>2</sup> and his management of the plantation proves him to have been an enterprising and intelligent one. He had much difficulty with George Cleaves respecting the right to the soil both on the Spurwink and on the north side of Casco river, which, although suspended during the latter part of Winter's life, was revived by his successor. Jordan came over about the year 1640, at least we do not meet with his name before that year, as successor to Richard Gibson, the minister of this and the neighboring plantations. The precise time of Gibson's arrival cannot be ascertained. We find him here as early as April, 1637 ; he went to Portsmouth in 1640, and was chosen pastor of the episcopal church there ; in 1642, he was preaching on the Isles of Shoals, and probably the same

<sup>1</sup> See Appendix No. 2, for Jordan's petition and the proceedings thereon.

<sup>2</sup> Jocelyn, p. 25.

year returned home.<sup>1</sup> Gibson is called a scholar, by Winthrop.\* He made himself obnoxious to the government of Massachusetts by the zeal with which he maintained his religious tenets, and was in some danger of being punished for it; but on making a suitable submission, and "being about to leave the country" he is excused.

Having mentioned some of the most interesting particulars relating to the early settlement of Richmond's island and Spurwink, the spots first occupied within the territory of Falmouth, we return to follow the fortunes of George Cleeves and Richard Tucker.

Driven from the place which they had selected as the most favorable for their purposes, and where they had made improvements and prepared accommodations, their next care was to provide another convenient situation in the wilderness, where they might hope to enjoy without interruption the common bounties of nature. They selected the Neck, called Machigonne by the natives, now Portland,<sup>2</sup> for their habitation, and erected there in 1632 the first house, and probably cut the first tree that was ever felled upon it, by an European hand.\*

<sup>1</sup> York Records, Annals of Portsmouth, p. 27. Winthrop, vol. ii, p. 66. In 1640, Gibson brought an action in Gorges' Court against John Bonighton, of Saco, for slander, in saying of him that he was "a base priest, a base knave, a base fellow," and also for a gross slander upon his wife, and recovered a verdict for "six pounds, six shillings, and eight pence, and costs, twelve shillings and six pence, for the use of the court." *York Records*.

\*[Gibson was educated at Magdalen College, Cambridge, from which he took his degree of A. B., 1636.]

<sup>2</sup> This was first called Cleeves' Neck, afterward Munjoy's Neck, by which name it was long known.

\*[I have long endeavored to ascertain the meaning of the Indian term *Machigonne*, without success. The Rev. E. Ballard, of Brunswick, who has paid much attention to Indian dialects, thinks the name was given to the whole Neck, beginning with or near Clay Cove, and that the word means *bad clay*. He says that in the dialects of New England *Matche* means bad; it appears, he says, to

We are induced to fix upon this year as the one in which the first settlement was made upon the Neck, from a number of circumstances which will be briefly adverted to. In Winter's answer to Cleeves's action, before noticed, he says that after possession was given to him of the land granted to Trelawny, in July 1632, he warned Cleeves to leave the premises; and on his refusing to do it, he repaired to Capt. Walter Neale, who required him to yield up the possession; he then adds, "and soone after, the plaintiff left his said possession to the defendant." It is very reasonable to suppose that this application to Neale was the immediate consequence of Cleeves and Tucker's refusal to give up the possession, and that the removal which followed "soon after," was not protracted beyond the year; at any rate it must have been done before midsummer of the next year, for Neale then returned to Europe.

Again, Cleeves in another action against Winter in 1640, for disturbing his possession on the Neck, has the following declaration: "The plaintiff declareth that he now is and hath been for these seven years and upwards, possessed of a tract of land in Casco bay, known first by the name of Machigonne, being a neck of land which was in no man's possession or occupation, and therefore the plaintiff seised on it as his own inheritance by virtue of a royal proclamation of our late sove-

be formed from *Mat, no, not*. The syllable *gon* is given by Schoolcraft as a primary Algonquin term denoting *clay land*. He considers the name descriptive of the soil upon and around Clay Cove and other parts of the Neck.

On the contrary, Mr. Porter Bliss, who is conversant with Indian languages, says that Mr. Ballard's interpretation is not correct: that in the Micmac or Algonquin dialect, *Mach* means great, and *Chegun*, knee or elbow, and its application is to the promontory on which the Neck or Portland is situated, as a great curve or elbow, sweeping round from the Fore river to Back Cove. He compared it to the name *Michigan*, which in the Chippewa language, a branch of the Algonquin from the same original, means the great bend or curve which the lake Michigan takes from Huron. When such learned pundits disagree, we do not feel competent to pronounce judgment.]

reign lord King James, of blessed memory, by which he freely gave unto every subject of his, which should transport himself over into this country, upon his own charge, for himself and for every person that he should so transport, one hundred and fifty acres of land ; which proclamation standeth still in force to this day, by which right the plaintiff held and enjoyed it for the space of four years together, without molestation, interruption, or demand of any ; and at the end of the said first four years, the plaintiff, desirous to enlarge his limits in a lawful way, addressed himself to Sir Ferdinando Gorges, the proprietor of this Province, and obtained for a sum of money and other considerations a warrantable lease of enlargement, bounded as by relation thereunto had, doth and may appear.”<sup>1</sup> The lease from Gorges, referred to by Cleeves, was dated January 27, 1637, at which time he says he had been in possession of the Neck four years ; this in connection with the possession upward of seven years previous to the trial, will carry us back to the latter part of 1632, or the very first of the year following, and leaves no room to doubt that Cleeves and Tucker entered upon the Neck, immediately on being dispossessed of the land on the Spurwink.

That they were the first that settled here, there can be no doubt ; Henry Jocelyn a cotemporary of Cleeves, has left his testimony of that fact in the following deposition given before Henry Watts, commissioner : “August 18th, 1659. Henry Jocelyn examined, sweareth, that upwards of twenty years, Mr. George Cleeves have been possessed of that tract of land he now liveth on in Casco Bay, and was the first that planted there, and for the said lands had a grant from Sir Ferdinando Gorges, as Sir Ferdinando acknowledged by his letters, which was in controversy afterwards between Mr. Winter, agent for

<sup>1</sup> York Records, Appendix No. 3.

Mr. Robert Trelane of Plymouth, merchant, and the said Cleeves, and they came to a trial by law at a court held at Saco, wherein the said Winter was cast, since which time the said Cleeves hath held the said lands without molestation.”<sup>1</sup>

Cleeves and Tucker erected their house near where the three story house now stands on the corner of Hancock and Fore Streets, and their corn field extended westerly toward Clay Cove. This location is fixed by a comparison of several documents; the first is the conveyance of the same premises by Cleeves to John Phillips in 1659, in which he gives this description, “all that tract, parcel, or neck in Casco Bay, and now in possession of me, the said George Cleeves, on which my now dwelling house standeth by the meets and bounds herein expressed, that is to say, to begin at the point of land commonly called Machagony, and being north-easterly from my said house, and so along by the water side from the house south-westerly to the south-west side of my corn field.”<sup>2</sup> In 1681, Phillip’s daughter, Mary Munjoy, claimed the land, and the government of Massachusetts awarded it to her by the following description, “the easterly end of said neck of land whereupon her said husband’s house formerly stood, bounded by a strait line from the mouth of a runnet of water on the easterly side, where Mr. Cleeves’s house formerly stood, and so on to the old barn on the top of the hill.”<sup>3</sup> This “runnet of water” still continues its course, although exceedingly diminished in its size, and discharges itself on the beach as it did two hundred years ago, notwithstanding the numerous and vast changes

<sup>1</sup> Jocelyn lived at Black Point, to which he came from Piscataqua about 1635. He was at Piscataqua as agent of Mason and Gorges in 1634, and we find him a member of the court at Saco in 1636.

<sup>2</sup> York Records.

<sup>3</sup> York Records.

which have since taken place in the physical as well as the moral features around it.\* These references and others upon record, which it is unnecessary to cite, clearly designate the spot on which the first settlers of Portland pitched their habitation. The situation had advantages of utility and beauty: it was open to the sea by a small but handsome bay, accessible to fishing boats, and near the islands, while it was protected from the north winds by the hill in the rear of it. Here the first settlers cultivated the soil and pursued their traffic with the natives, for a number of years, holding the land by a mere possessory title. Cleeves and Tucker continued partners for many years, the former seems to have managed the land speculations, while the latter carried on the trade: but the

\*[The brook which was pursuing its accustomed course to the bay, when the first edition of this work was published, has been diverted from its channel by large public and private improvements. Part of it supplies water to the Grand Trunk Railway Station house, and another part is treasured in Mr. Bethuel Sweetsir's reservoirs from which its soft, pure stream is constantly delivered, at a handsome profit, for the use of the shipping in the harbor, and of private families. The following deposition of John Alliset, given in Boston in 1736, confirms the location of Cleeves's house, and states other interesting facts. "John Alliset, aged about eighty years, testifieth and saith, that he formerly lived in Falmouth, in Casco Bay, and that he well knew Mr. George Cleeves, and Mr. George Munjoy, and Mary his wife, with whom he lived eight years, and that there is a certain run of water about twenty rods distant from Fort Point, laying about north from said Fort Point. [Where the station-house now stands.] That he well remembers that Mr. George Cleeves had a house and lived therein; which house was between the said Fort Point and the said run of water; and that Mr. George Munjoy had a house and lived therein, which was upon the north-easterly side of said run of water; that he also well remembers that there was a meeting-house built on a point of Mr. Munjoy's land bearing about N. E. or easterly from said Munjoy's house." This point is where the Portland Company's works are.]

details of their lives at that remote period are almost entirely lost.<sup>1</sup>

<sup>1</sup> Occasionally a record is found, which affords a glimpse at their occupations; a suit was brought in Essex county in 1655, by Conant, and another against Francis Johnson, for a quantity of beaver and otter, received by Johnson in 1634, the parties having previously been in partnership; the following testimony is found in the case; Johnson wrote to Richard Foxwell of Blue Point, under date "Salem, February 12, 1635," that he had received his letter of December 8, by Mr. Richard Tucker, as also beaver and otter, &c. "George Taylor, sworn June 18, 1654, saith that about eighteen years since, I dwelling with Mr. Cleeves in Casco bay, Mr. Richard Tucker and I was going to Boston ward, and at Sako, we met with Mr. Richard Foxwell, he desired me and Mr. Tucker to carry a great packet of beaver and a great packet of otter for him to Mr. Francis Johnson, which we did deliver to him in the bay."\* Richard Tucker's deposition is also preserved in the same case, taken before Edward Rishworth, July 1, 1654, in which he says that "about eighteen or twenty years since, Mr. Richard Foxwell delivered me in my boat, then bound for the Massachusetts, a great fardell of beaver and another of otter, value to the best of my remembrance seventy or eighty pounds sterling."

These facts give some indication of the employment of Tucker, and carry us back to 1634. Tucker continued a partner with Cleeves, in land at least, probably during their lives: we find no division between them, but on the contrary we find as late as 1662, that his consent was required to a conveyance of land upon the Neck, by Cleeves. He seems not to have taken an active part in the political affairs of the province; his name seldom occurring in the transactions of the day, while that of his more restless partner is continually presented. In 1653, he was living on Sagamore Creek, in Portsmouth, N. H. His wife's name was Margaret; she was living a widow at Portsmouth in 1681; in which year she made a conveyance to her grandson, Nicholas Hodge.†

In 1742, Michael Hodge, of Salisbury, Massachusetts, executed a deed to Phineas Jones of one hundred acres of land upon the neck, in which Hodge declares that about the year 1662, Richard Tucker sold to one Mr. Cad, of Boston, a tract of land on the Neck containing four hundred acres, extending from a point of rocks to Clay Cove, reserving one hundred acres on the upper part; and stated that "he is the only representative, said Tucker now deceased hath." Tucker probably had a daughter who married a Hodge, from whom Nicholas and Michael descended. Phineas Jones's wife was a Hodge, from Newbury, and it is not improbable that she may have transmitted to her descendants, some of whom still live in town, the blood of one of the first occupants of this soil. The blood of Cleeves flows freely in a numerous race scattered over the State through his only daughter.

\* I know nothing more of George Taylor than that he signed the submission to Massachusetts in 1658, and lived in Scarborough in 1681, aged seventy years.

† Registry of Deeds, Rockingham Co., N. H., by the favor of Joshua Coffin, an industrious and faithful antiquary.

In 1636, Cleeves went to England and procured of Gorges, who had acquired a title to the province of Maine, then called the province of New Somersetshire, a deed to himself and Tucker of a large tract in Falmouth, including the Neck on which they had settled. This deed was dated January 27, 1637, and was in the form of a lease for two thousand years: it conveyed, in consideration of one hundred pounds sterling, and an annual quit rent, the following described tract, "beginning at the furthestmost point of a neck of land called by the Indians Machegonne,<sup>1</sup> and now and forever from henceforth to be called or known by the name of Stogummor, and so along the same westerly as it tendeth to the first falls of a little river issuing out of a very small pond, and from thence over land to the falls of Pesumsea, being the first falls in that river upon a strait line, containing by estimation from fall to fall, as aforesaid, near about an English mile, which together with the said neck of land that the said George Cleeves and the said Richard Tucker have planted for divers years already expired, is estimated in the whole to be one thousand five hundred acres or thereabouts, as also one island adjacent to said premises, and now in the tenor and occupation of said George Cleeves and

<sup>1</sup> The point called Machegonne is now called Jordan's point. The appellation Stogummor\* never obtained in practice. The proprietors were very fond of giving new names to places within their patents, but these seldom prevailed over the more familiar Indian titles. The old Indian name *Casco* continued to be used all the first century after the settlement, notwithstanding the town had received from Massachusetts the corporate name Falmouth, as early as 1658. The falls first mentioned in the description are probably those on the Capisick river, but the length of line to those on the Presumpscot is incorrectly stated, whether intentionally or not, I will not pretend to say; the distance is over four miles. I know of no other falls which will answer the description. The quantity of land is also very much under estimated. In a deed from Alexander Rigby, in 1643, of the same tract, the length of the rear line, and the number of acres are omitted.

\* [Stogummor is an English word, and is probably the same as Stogumber, or Stokeomer, a town in Somersetshire, England. Gorges was fond of transferring to his new possessions the familiar names of his native country.]

Richard Tucker, commonly called or known by the name of Hogg Island." Possession was given by Arthur Macworth by appointment of Gorges to Cleeves and Tucker, June 8, 1637.

Gorges also on the 25th of February, 1637, gave Cleeves a commission "under his hand and seal for the letting and settling all or any part of his lands or islands lying between the Cape Elizabeth and the entrance of Sagadahock river, and so up into the main land sixty miles." By virtue of this commission, which is referred to in the deed, Cleeves, on the 28th of December of the same year, leased for sixty years to Michael Mitton, who married his only child Elizabeth, the island at the mouth of the harbor now called Peaks.<sup>1</sup> In the deed it is declared that this was called Pond island; and is subsequently to be known by the name of Michael's island from Mitton; it was afterward successively called from the owners or occupants, Munjoy's, Palmer's, and Peak's island.

This is the first time that the name of Mitton occurs in our history, and it is from thence inferred, that he came over with Cleeves on his last passage.\* Cleeves arrived in the month of May, and brought with him a commission from Gorges to five or six persons, one of whom was Gov. Winthrop of Massachusetts, to govern his province of New-Somersetshire, between Cape Elizabeth and Sagadahock, and to oversee his servants and private affairs.<sup>2</sup> This commission was declined by Gov.

<sup>1</sup> York Records, vol. i. p. 140.

\* [The name of *Mitton* became extinct here, by the death of Michael's only son, Nathaniel, who was killed by the Indians August 11, 1676, unmarried. The blood flows through a thousand channels from his five daughters who married two Bracketts, Clark, Andrews, Graves. The name still exists in Shropshire and Staffordshire, in England. In 1484, one Mitton was Sheriff of Shrewsbury. In the contest between Richmond and Richard III, he took an oath that Richmond should not enter Shrewsbury but over his belly. But when Richmond, victorious, approached the city, he changed his mind, and in order to save his oath, it was agreed that he should lie down on his back, and that when Richmond entered the city, he should step over his body.]

<sup>2</sup> Winthrop, vol. i. p. 231.

Winthrop, and does not appear to have been executed by any of the others but Cleeves; it is probably the one above referred to under which Cleeves alone acted. He also "brought a protection<sup>1</sup> under the privy signet for searching out the great lake of Iracoyce, and for the sole trade of beaver, and the planting of Long island, by articles of agreement between the Earl of Sterling, Viscount Canada, and him."<sup>2</sup>

These extensive commissions to our first settler, if they resulted in no profit, as they do not appear to have done, show at least that he succeeded in acquiring the confidence of the large landed proprietors in England, and prove him to have been a man of some enterprise and address.

After his lease to Mitton, Dec. 28, 1637, we hear nothing more of him until 1640, when he appears as a suiter in court; there is no doubt, however, that he remained upon his land here, cultivating it and bringing it under settlement. For it appears by his own declaration that from the time of his purchase until the commencement of his suit in 1640, Winter was continually disturbing him: he says that Winter "being moved with envy and for some other sinister cause, hath now for these three years past, and still doth unjustly pretend an interest and thereupon hath and still doth interrupt me to my great hindrance, thereby seeking my ruin and utter overthrow." These actions were brought in Cleeves's name alone, but for what reason, we are not able to ascertain; the deed from Gorges was made to him and Tucker jointly, and so was the deed of the same tract which he procured of Alexander Rigby, in 1643, after he became the proprietor of the plough patent.<sup>3</sup> They were also living together in the same house at this time, as is apparent from the description in Rigby's deed, as follows, "beginning at

<sup>1</sup> Winthrop, vol. i. p. 231.

<sup>2</sup> Sir Wm. Alexander was created Viscount Canada and Earl of Sterling in 1633.

<sup>3</sup> York Records, vol. i. p. 94.

the said point of land called Machegone,<sup>1</sup> and from thence going westward along the side of Casco bay unto a place where the next river, running near to the now dwelling-house of the said George Cleeves and Richard Tucker, falleth into Casco bay."

While Winter was pursuing his commercial speculations on the Spurwink, and Cleeves and Tucker were enlarging their borders on the north side of Casco river, another settlement was set on foot within the limits of Falmouth, at the mouth of Presumpscot river. The head of this enterprise was Arthur Macworth. He must have commenced his undertaking as early as 1632, for we find by a deed to him from Richard Vines in 1635, that he is described as having been in possession there many years; which could hardly be said of a shorter term than we have supposed. The deed is as follows, leaving out the formal parts: "This indenture, made March 30, in the eleventh year of Charles 1., between Richard Vines of Saco, Gent., for and in behalf of Sir Ferdinando Gorges Knight, by authority from him bearing date Sept. 10, 1634,<sup>2</sup> on the one part, and Arthur Macworth of Casco bay, Gent., on the other part, witnesseth, that said Vines doth give, grant, &c., to said Macworth, all that tract of land lying in Casco bay on the north-east side of the river Pesumsca,<sup>3</sup> which now and for many years is and hath been in possession of said Macworth, being at the entrance of said river, where his house now standeth, upon

<sup>1</sup> It will be perceived that this name is spelt differently in almost every deed, the natives probably never reduced it to writing, and it was spelt by the Europeans as the sound caught the ear. We find it written Machegony, Machegonny, Machegonne, and Machegone.

<sup>2</sup> This is the only instance in which I find Gorges, or any under him, exercising any right over the soil in this section of the State until after 1635, when he acquired a separate title from the council of Plymouth.

<sup>3</sup> The Presumpscot river has also been called Presumsca, Presumskeak, and Presumskeag. Sullivan supposes the original name to have terminated in *eag*, which in the Indian language signifies land, and which with a prefix of particular signification, forms many aboriginal terms, as Naumkeag, Penobskeag, &c.

a point of land commonly called or known by the name of Menickoc, and now and forever hereafter to be called and known by the name of Newton, and from thence up the said river to the next creek below the first falls, and so over land toward the great bay of Casco, until five hundred acres be completed, together with one small island over against and next to his house."<sup>1</sup> The deed was witnessed by George Cleeves, Robert Sanky,<sup>2</sup> and Richard Tucker.

Macworth was one of the most respectable of the early settlers, and is believed to have arrived at Saco, with Vines, in 1630. He probably remained a short time at that place, having received grants of land there. He was appointed by Gorges to deliver possession to Cleeves and Tucker, of Casco Neck, in the deed of 1637, and was for many years a magistrate. He married Jane, the widow of Samuel Andrews, a citizen of London, who probably came over in Vines's company, and who died at Saco about 1637, leaving a son James, for many years a respectable inhabitant of Falmouth; by her he had several children. I think he must have been previously married, as he had a house, and was living on the point which bears his name several years before his marriage with Mrs. Andrews. Macworth died in 1657, leaving two sons, Arthur and John, and several daughters who were respectably married and will be hereafter noticed.<sup>3</sup> His sons probably died without issue,

<sup>1</sup> York Records, vol. ii. p. 1. The name Newton, here given to this tract, never prevailed; the point, together with the island, were for many years called Macworth's point and island, and was at length corrupted to Mackey's, by which they are known at this day. The creek referred to in the deed, retains the ancient appellation, Scutterygusset, which it received from a Sachem of that name, who lived here in the time of the first settlement.

<sup>2</sup> Sanky lived at Saco; he was appointed by Gorges, in 1640, 'Provost Marshal,' and was subsequently marshal under Cleeves.

<sup>3</sup> The persons employed in constructing the bridge across the mouth of Presumpscot river, in 1827, found under the soil on Mackey's point, the bones of several persons. They may be presumed to have been those of the first-settlers.

for we do not meet with the name after the death of Mrs. Macworth in 1676; they are not noticed in her will, and it is presumed the name is extinct. His descendants through his daughters are numerous, some of whom reside in this vicinity.<sup>1</sup>

Macworth continued to live upon his grant on the east side of Presumpscot river until his death; his widow remained there, with her family, who settled around her, until the breaking out of the Indian war in 1675, when she moved to Boston, where she died.<sup>2</sup>

We have now noticed the three points within the territory of ancient Falmouth, on which the earliest settlements were made. The settlements were entirely distinct and independent of each other, and continued their existence, we may almost say, in despite of each other. We have seen the origin of the quarrel between Winter on the one hand, and Cleeves and Tucker on the other, to have arisen respecting the right to the land on which the latter had settled. In the first action, the court in 1640, decided in favor of Cleeves, so far as to give him his improvements on the Spurwink, and eighty pounds,

<sup>1</sup> The following testimony relating to Macworth is preserved in York Records. "Aug. 17, 1660, I, Robert Jordan, do ascertain on my oath, that I heard Mr. Arthur Macworth, on his death-bed declare, that his full will and testament was, that his wife, Mrs. Jane Macworth, should by her wisdom, dispose of his whole estate, equally, as near as might be, between her former husband's children and the children between them, and in case any shortness was on either side, it should rather be on his own children's side; and further saith not, only the decease of the said Mr. Arthur Macworth was before the submission of these towns of Scarborough and Falmouth to the Massachusetts authority" (in 1658).

<sup>2</sup> Her will is dated May 20, 1676, and may be found in Suffolk Probate Office; she bequeathed "her housing and land at Casco bay, to Wm. Rogers and Abraham Adams, who married her daughters Rebecca and Sarah;" and her clothing to her four daughters; one, the wife of Francis Neale, another the wife of George Felt. Rebecca, the wife of Rogers, had been previously married to Nathaniel Wharf, as early as 1658; she was the eldest daughter, and had a son Nathaniel by Wharf, born here 1662, who was living in Gloucester, Cape Ann, in 1734, and some of whose descendants are still living at New Gloucester, in this neighborhood.

damages ; but they established the general title in Trelawny, of land south of Casco or Fore river. In the second action, which Cleeves brought against Winter for disturbing him in his possession on the Neck, the court confirmed Cleeves's title. At the same court Winter was presented by the grand jury, consisting of twelve persons, of whom were Cleeves, Macworth, and Tucker, for irregularity in his dealings. He was charged with keeping down the price of beaver, and exacting too much profit upon his liquor, and powder, and shot. It appeared in evidence that he paid seven pounds sterling a hogshead for brandy, and sold it at twenty pence a quart, which would be about thirty-three pounds sterling for a hogshead, and powder at three shillings a pound, for which he paid but twenty pence.

A detail of this case may be interesting. The return of the grand jury is as follows: "We present John Winter, of Richmond Island, for that Thomas Wise, of Casco, hath declared upon his oath, that he paid to John Winter, a noble for a gallon of aquavitae<sup>1</sup> about two months since, and that he hath credibly heard it reported that said Winter bought of Mr. George Luxton, when he was last in Casco bay, a hogshead of aquavitae for seven pounds sterling, about nine months since. Mr. John Baley hath declared upon his oath, that about eight months since, he bought of Mr. J. Winter, six quarts of aquavitae at twenty pence the quart ; he further declared he paid him for commodities bought about the same time, about six pounds of beaver at six shillings the pound, which he himself took at eight shillings the pound ; John West also declared that he bought of J. Winter a pottle of aquavitae at twenty pence the quart, and shot at four pence a pound. Richard Tucker, one of the great inquest, declared that Thomas Wise, of Casco, coming from Richmond Island, and having bought of Mr. J. Winter, a flaggott of liquor, aquavitae, for which he paid him as he said, a noble, asking myself and partner, if we would be

<sup>1</sup> The common name for brandy at that time. A noble was about one dollar and forty-five cents of our money.

pleased to accept a cupp of noble liquor, and how that he saw Mr. Winter pay aboard Mr. Luxton's ship, for a hogshead of the same liquor, seven pounds sterling when he was last in Casco bay. Michael Mitton, upon oath, declares, that he hath bought divers times of Mr. J. Winter, powder and shott, paying him for powder three shillings, and for shott four pence the pound, and likewise for aquavitae, six shillings eight pence the gallon. And he further declareth that he hath heard Mr. Richmond declare in the house of Mr. George Cleeves and Richard Tucker, that he sold powder to Mr. Winter for twenty pence or twenty-two pence the pound. He further declared that he hath heard by the general voice of the inhabitants in those partes grievously complaining of his hard dealing, both in his great rates of his commodities and the injury to them in thus bringing down the price of beaver; and that the boats and pinnaces that pass to and from with commodities, that before they come to Richmond Ile, they take beaver at eight shillings, but afterwards they hold it at the rate of six shillings. George Lewis likewise upon oath declareth that he hath heard and known beaver refused to be taken at eight shillings, because the parties could not put it away again to Mr. Winter, but at the rates of six shillings, and himself likewise, hath refused to work with Mr. Macworth unless he might have beaver at six shillings, alleging that he could not put it away again to Mr. Winter, but at that rate."

It would seem probable from the facts in this case, that the only store of goods or place of general traffic in this neighborhood, was kept by Winter, on Richmond Island, otherwise, Mitton, Lewis, and Wise, who all lived on the north side of Fore river, would hardly have gone there to purchase commodities and exchange beaver. The quarrel which had for some time existed between Winter, and Cleeves, and Tucker was now finding vent in the courts, which were this year for the first time established; and it is not difficult to suppose that this complaint against Winter was got up by the Casco interest, by

way of revenge for his disturbing the possession of the settlers on this side of the river. That there may not have been some ground for it, we will not pretend to say; it does not however suit the usage of modern times for courts and juries to interfere with the profits a man may put upon his own merchandize.<sup>1</sup> This court was held in June 1640,\* and was the first general assembly ever held in the province; at the next term, held in September following, Winter retaliated upon Cleeves by bringing an action of slander against him, in which he declared "that about six years past within this province, the defendant did slander the plaintiff's wife, in reporting that his wife, who then lived in the town of Plymouth, in old England, was the veriest drunkenest w—— in all that town, with divers other such like scandalous reports, as also that there were not four honest women in all that town." § "Mr. Arthur Brown examined, saith he hath heard the defendant say that Mrs. Winter was a drunken woman." This action was continued; and at the next session the parties entered into the following agreement

<sup>1</sup> James Treworgy was presented at this court "for, being one of the grand inquest; he revealed the secrets of the association to John Winter, and other abuses: he told Mr. Winter that he thought every man might make the most of his commoditie." Treworgy or Trueworthy lived in Saco.

\* [The commission and ordinances from Sir F. Gorges were dated Sept. 2, 1639, and contained the names of Sir Thomas Jocelyn, brother of Henry, as his Deputy Governor, and the following persons as counselors, viz: Richard Vines, Francis Champernoon, Henry Jocelyn, Richard Bonithon, Wm. Hooke, and Edward Godfrey. Thomas Jocelyn declined the appointment, and Thomas Gorges, the nephew of Sir Ferdinando, was substituted and came over in the spring of 1640. They were authorized to hold courts, administer oaths, to determine all causes, civil and criminal, public and private, according to justice and equity. He established the form of process as follows: "To our well beloved A. B. greeting. These are to will and command you to come and appear before us the council, established in the Province of Maine, upon the—— lay of——, to answer the complaint of

Given under our hands and seals."]

§ [Arthur Brown, in a declaration before the court in Saco, Sept. 1640, said, "that he was bred a merchant from his youth up, and having lived in the country these seven years or thereabout in good reputation and credit."]

for refering all their controversies: "Saco, June 28, 1641. Whereas divers differences have heretofore been between Mr. George Cleeves and Mr. John Winter, the parties have now agreed to refer themselves to the arbitration of Mr. Robert Jordan, Mr. Arthur Macworth, Mr. Arthur Brown, and Richard Ormesby, for the final ending of all controversies, and bind ourselves each to the other, in an assumpsit of one thousand pounds sterling, to stand to the award of these arbitrators, and if these arbitrators shall not fully agree, Mr. Batchelder chosen to be an umpire for a final ending of the same." The same day the following award was made: "June 28, '41. An award made between George Cleeves, Gent., and John Winter, made by the arbitrators within named. Whereas the jury have found eighty pounds sterling, damage, with four acres of ground, and the house at Spurwink for the plf.—hereunto granted on both parties, that the house and land shall be due unto Mr. Winter, and sixty pounds sterling to the plf. presently to be made good. Whereas, there hath been found by the jury in' an action of interruption of a title of land for the plf. the same I ratify: whereas also, there is a scandal objected by Mr. Winter against Mr. Cleeves from words of defamation, it is ordered of said Mr. Cleeves, shall christainly acknowledge his failing therein against Mr. Winter his wife for present before the arbitrators, and afterwards to Mrs. Winter. Stephen Batchelder. Agitated by us, Robert Jordan, Richard Ormesby, Arthur Macworth, Arthur Brown."<sup>1</sup>

This award probably had the effect of suspending hostilities; but after Winter's death, the controversy for the title on the north of Fore river, was revived and strenuously maintained by Robert Jordan. At the same court, Edward Godfrey of Agamenticus, had an action against George Cleeves for twenty pounds, "which said Godfrey demands by virtue of an order

<sup>1</sup> York Records. Stephen Batchelder, the umpire, is probably the same person who had been minister at Lynn, and afterward at Hampton, of whom an account may be found in Lewis's history of Lynn.

from the High Court of Star Chamber, for costs in that court by a special writ.”<sup>1</sup>

The foregoing records present us the names of two persons who then appear for the first time in our history, Thomas Wise and George Lewis. When they came here or where from, we cannot ascertain. George Lewis, of Scituate, in Massachusetts, had a son George, who is conjectured to be the person here mentioned. Lewis, previous to 1640, had received a grant of fifty acres of land at Back Cove, from Cleeves and Tucker, upon which he lived; in 1657, he received an additional grant of fifty acres, and his son John one of one hundred acres adjoining; this land of the father was near the point where Tukey's bridge ends. Here George Lewis lived and died. On the 29th of Sept. 1640, Cleeves and Tucker conveyed to Thomas Wise and Hugh Mosier, two hundred acres of land, “beginning at a little plot of marsh, west side, to the north-east of their now dwelling house, and next adjoining land of widow Hatwell, thence along the water side until they come to the western side of the marsh, and so far as the well in the creek by George Lewis's, and thence to run north-west into the woods.” We have no previous notice of widow Hatwell or Atwell, but from subsequent facts, we learn that her land was upon Martin's point, and that she afterward married Richard Martin, whose name the point still bears. The grants here referred to, were probably the earliest made at Back Cove, at least we find none earlier, and the whole margin of the cove is subsequently covered by later conveyances from the two first proprietors. Wise and Mosier continued a few years upon their grant; Mosier<sup>2</sup> left it first and went further down the

<sup>1</sup> York Records. Stephen Batchelder, the umpire, is probably the same person who had been minister at Lynn, and afterward at Hampton, of whom an account may be found in Lewis's history of Lynn.

<sup>2</sup> Hugh Mosier is conjectured to be the first of the name who came to this country, and the ancestor of all of that name in this State. They subsequently settled in Gorham, and were among the first settlers of that town.

bay where he died, leaving two sons, James and John. James administered upon the estate in 1666. The two brothers occupied two islands, now in Freeport, called great and little Mosier's, but since, by corruption, the Moges. Wise was<sup>e</sup> an early inhabitant of Saco, from which he came to this place; he also moved lower down the bay, and sold his land to Nathaniel Wallis, in 1658.

We are thus able to show upon indisputable authority, that as early as 1640, there were at least nine families in Falmouth, viz: Atwell, Cleeves, Lewis, Maeworth, Mitton, Mosier, Tucker, Winter, and Wise, of whom four were settled at Back Cove, three upon the Neck, one east of Presumpscot river, and the other on Richmond's Island; in addition to which, were Mr. Jordan, who, we suppose, was not yet married to Winter's daughter, and the numerous persons employed by Winter in his business, beside the persons employed by the other settlers. The whole population at that time cannot be precisely ascertained.

Before quitting this period, we may be permitted to introduce an anecdote from Jocelyn, whose book is now rarely to be found, to illustrate the manners of the early settlers. "At this time," he says, June 26, 1639, "we had some neighboring gentlemen in our house,<sup>1</sup> who came to welcome me into the country, where, amongst variety of discourse, they told me of a young lion not long before killed at Piscataqua, by an Indian; of a sea serpent or snake,<sup>2</sup> that lay coiled up like a cable upon a rock at Cape Ann; a boat passing by, with English aboard and two Indians, they would have shot the serpent, but the Indians dissuaded them, saying, that if he were not killed out

<sup>1</sup> His brother Henry's at Black Point. Jocelyn left England in April, 1638, and returned in Sept. 1639. He was at Black Point with his brother from July 14, 1638 to Sept. 23, 1639. He commenced his second voyage in 1663.

<sup>2</sup> This story of the snake will give courage to the believers in the sea serpent, he was probably the ancestor of the late visitor, or perhaps the same ancient inhabitant.

right, they would all be in danger of their lives. One Mr. Mitton related of a triton or mereman, which he saw in Casco bay; the gentleman was a great fowler, and used to go out with a small boat or canoe, and fetching a compass about a small island, there being many islands in the bay, for the advantage of a shot, he encountered with a triton, who laying his hands upon the side of the canoe, had one of them chopt off with a hatchett by Mr. Mitton, which was in all respects like the hand of a man; the triton presently sunk, dyeing the water with his purple blood, and was no more seen.”<sup>1</sup> He adds, “Sept. 23, I left Black Point and came to Richmond Island, about three leagues to the eastward, where Mr. Trelane kept a fishing; Mr. John Winter, a grave and discreet man was his agent, and employed sixty men upon that design. Monday 24, I went aboard the Fellowship, of one hundred and seventy tons, a Flemish bottom; several of my friends came to bid me farewell, among the rest, Capt Thomas Wannerton,<sup>2</sup> who drank to me a pint of kill-devil *alias* rhum, at a draught; at six o’clock in the morning, we set sail for Massachusetts.”

<sup>1</sup> Jocelyn's voyages, p. 23.

<sup>2</sup> Wannerton was one of the agents of the Laconia company at Piscataqua; he was killed in an attack upon D'Aulney's fort at Penobscot, in 1644. *Winthrop*, vol. 2. p. 177.

## CHAPTER II.

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THE POLITICAL AFFAIRS OF THE PROVINCE FROM THE GREAT PATENT IN 1620, TO THE SUBMISSION TO THE JURISDICTION OF MASSACHUSETTS IN 1658.

The patent granted by James I. to the "council for the affairs of New England," Nov. 3, 1620, was the civil basis of the subsequent patents which divided the country. This patent contained powers of government to the council and their successors; but it soon became a question whether the council could, with a conveyance of any portion of territory within their limits, transfer a right of government.<sup>1</sup> This point, it is believed, was never directly decided, although it may be inferred from the practice of some of the patentees, that the general impression was adverse to this power. The Massachusetts patentees<sup>2</sup> and Sir Ferdinando Gorges,<sup>3</sup> each procured a confirmation of their grants from the king, with power to govern their respective provinces. With regard to Mason's grant of New Hampshire, which was not confirmed by the king, the two chief justices of England agreed, that it conveyed no right of sovereignty; "the great council of Plymouth under whom he claimed, having no power to transfer government to any."<sup>4</sup>

The council of Plymouth continued their operations until June 7, 1635, when they surrendered their charter to the king.

<sup>1</sup> Hazard, vol. i. p. 103.

<sup>2</sup> Hazard, vol. i. p. 239.

<sup>3</sup> Hazard, vol. i. p. 442.

<sup>4</sup> Hutchinson, vol. i. p. 286.

During their existence as a corporation, a period of fourteen years and seven months, they were not inactive. In 1621, they relinquished a large proportion of their patent in favor of Sir Wm. Alexander,\* and assented to a conveyance by the king to him of all the territory lying east of the river St Croix and south of the St. Lawrence, embracing the provinces of Nova Scotia and New Brunswick. The other grants made by the council within the present limits of Maine, were as follows :

- 1st. 1622, Aug. 10. To Sir Ferdinando Gorges and Capt. John Mason, from Merrimac to the Kennebec river.<sup>1</sup>
2. 1626, Nov. 6. To the Plymouth adventurers a tract on Kennebec river ; which was enlarged in 1628.<sup>2</sup>
3. 1630, Jan. 13. To Wm. Bradford and his associates, fifteen miles on each side of the Kennebec river, extending up to Cobbisecontee ; this grant Bradford transferred to the Plymouth adventurers.<sup>3</sup>
4. 1630, Feb. 12. To John Oldham and Richard Vines, four miles by eight miles on the west side of Saco river<sup>4</sup> at its mouth.
5. 1630, Feb. 12. To Thomas Lewis and Richard Bonighton, four miles by eight, on the east side of Saco river at the mouth.
6. 1630. March 13, To John Beauchamp and Thomas Leverett, ten leagues square on the west side of Penobscot river, called the Lincoln or Waldo patent.<sup>5</sup>

\*[April 22, 1635, the council granted to Sir Wm. Alexander, all that part of the main land from St. Croix along the sea-coast to Pemaquid and so up the Kinnebequi, to be called the county of Canada.]

<sup>1</sup> Hutchinson, vol. i. p. 286.

<sup>2</sup> Prince, vol. i. pp. 170, 172.

<sup>3</sup> Prince, vol. i. p. 196.

<sup>4</sup> Aute and York Records.

<sup>5</sup> Prince, vol. i. p. 203. Hazard, vol i. p. 318.

7. 1630. To John Dy and others the province of Ligonía, or the Plough patent,<sup>1</sup> lying between Cape Porpus and Cape Elizabeth, and extending forty miles from the coast.
8. 1631, Nov. 1. To Thomas Cammock, Black Point, fifteen hundred acres.<sup>2</sup>
9. 1631, Dec. 1. To Robert Trelawny and Moses Goodyear, a tract between Spurwink river and Casco Bay.
10. 1632. To Robert Aldsworth and Gyles Elbridge, a tract on Pemaquid point.<sup>3</sup>
11. 1634. To Edward Godfrey and others, twelve thousand acres on the river Agamenticus.\*
12. 1634. To Ferdinando Gorges, twelve thousand acres on west side of the river Agamenticus.<sup>4</sup>§

<sup>1</sup> Sullivan, vol i. pp. 114, 304.    <sup>2</sup> York Records.    <sup>3</sup> Hazard, vol. i. p. 315.

\* [A grant was made by the council to Godfrey, Dec. 2, 1631.—*Sainsbury*.]

<sup>4</sup> Beside the foregoing, a grant was made to George Way and Thomas Purchase, between the Kennebec and Androscoggin rivers and Casco bay, but its date is not known; the original having been long since lost, and no record remaining. It is referred to in very ancient deeds. This tract became the subject of long and bitter controversy between the Pejepscot proprietors and other claimants, which was not finally settled until about 1814. In 1753, several pamphlets were published by the opposing parties, containing the arguments on the question. Eleazer Way, in a deed to Richard Wharton, of his right as son and heir to George Way, 1683, alleged that Way and Purchase had a grant of the territory from the council of Plymouth.

§ [Sainsbury in his Colonial Calendar furnishes the date of the grant to Way and Purchase, "June 16, 1632."

Sainsbury's Calendar also notes a grant to Walter Bagnall, of Richmond Island, and fifteen hundred acres of land, Dec. 2, 1631.

And the same day, two thousand acres on the south side of Cape Porpus river, to John Stratton and his associates; from him, the islands lying off Black Point river, were probably named, and have uniformly borne that name to the present day. Stratton was from Shotley, in the county of Suffolk, England.

The grant to Richard Bradshaw of fifteen hundred acres, claimed to be at Spurwink, and before noticed, was dated Nov. 1, 1631.

There may have been other grants, which did not find their way into the records, or were never improved.]

These are all the grants which this company made in Maine, that we have met with previous to their final division in 1635. In that division, the territory now called Maine, was distributed to three of the patentees. Gorges' share extended from the Piscataqua to Kennebec or Sagadahoc. Another portion was between Sagadahoc and Pemaquid, estimated to be ten thousand acres, granted to Mason, and called Masonia. The third from Pemaquid to the St. Croix,<sup>1</sup> was given to Sir William Alexander. We have no evidence that any occupation was had by Mason or Alexander under these titles.

On the 25th of April 1635, a short time previous to the surrender of their charter, the council had a meeting at Whitehall, in London, at which they prepared a declaration of the reasons which induced them to take this important step, as follows :<sup>2</sup> "Forasmuch as we have found by a long experience, that the faithful endeavors of some of us, that have sought the plantation of New England, have not been without frequent and inevitable troubles as companions to our undertakings from our first discovery of that coast to this present, by great charges and necessary expenses; but also depriving us of divers of our near friends and faithful servants employed in that work abroad, whilst ourselves at home were assaulted with sharp litigious questions" both before the privy council and the parliament, having been presented "as a grievance to the Commonwealth;" "the affections of the multitude were thereby disheartened;" "and so much the more by how much it pleased God, about that time to bereave us of the most noble and principal props thereof, as the Duke of Lennox, Marquis of Hamilton, and many other strong staves to this weak building;" "then followed the claim of the French Ambassador, taking advantage of the divisions of the sea-coast between ourselves, to whom we made a just and satisfactory answer." "Never-

¶ <sup>1</sup> Gorges Narrative.

<sup>2</sup> Gorges' Narrative, and Hazard, vol. i. p. 390.

theless," they add, "these crosses did not draw upon us such a disheartened weakness, as there only remained a carcass, in a manner breathless, till the end of the last parliament," when the Massachusetts' company obtained their charter, and afterward thrust out the undertakers and tenants of some of the council, "withal riding over the heads of those lords and others that had their portions assigned unto them in their late majesty's presence." After a further enumeration of grievances, too grievous to be borne, they say they found matters "in so desperate a case" by reason of the complaints made against them, and the procedure in Massachusetts, that they saw no remedy for "what was brought to ruin," but for his majesty to take the whole business into his own hands. "After all these troubles, and upon these considerations, it is now resolved that the patent shall be surrendered unto his majesty."

In the same instrument, they provided for all existing titles made by them, and prayed the king to confirm the grants which they had divided among themselves. These were recorded in a book which accompanied the surrender.

In addition to the reasons set forth in the public declaration of the council, Ferdinando Gorges, grandson of Sir F. Gorges, in "America painted to the life," has the following: "the country proving a receptacle for divers sorts of sects, the establishment in England complained of Sir Ferdinando Gorges, and he was taxed as the author of it, which brought him into some discredit, whereupon he moved those lords to resign their grand patent to the king, and pass particular patents to themselves of such parts along the sea-coast as might be sufficient for them."

The division of the territory among the patentees was made by lot on the 3d of February 1635,<sup>1</sup> the grants were executed April 22d,<sup>2</sup> and on the 7th of June following, the president and council made full surrender of their charter to the king.

<sup>1</sup> Hazard, vol. i. p. 383.

<sup>2</sup> Hazard, vol. i. p. 383. Douglas, vol. i. p. 387.

They did however urge upon the king the necessity of taking away the charter of Massachusetts, and of appointing a general governor for the whole territory, to be taken from among the lord's proprietors.<sup>1</sup> The king assented to this plan, but the earnest opposition of the friends of Massachusetts and the other New England colonies, and the breaking out of the civil war, which by its immediate and pressing danger, engrossed the whole thoughts of the king and his government, prevented its being carried into execution. Sir F. Gorges was appointed General Governor of New England 1637, but never came over.

Capt. John Mason, to whom New Hampshire had been assigned, and Sir Ferdinando Gorges, seem to have been the only proprietors who pursued their separate grants with any zeal. But Mason was not long permitted to enjoy the fruit of his enterprise; he died Nov 26, 1635, and his private interest in his remote province, for the want of proper superintendence, and owing to the unfaithfulness of agents immediately declined.<sup>2</sup>

Gorges lost no time to improve his acquisition. He gave to his province the name of New Somersetshire, from the county in England, in which his estates were situated, and the same year sent over as governor, his nephew, Capt. Wm. Gorges.<sup>3</sup> The proprietor could establish no civil government without authority from the king, and Gorges therefore was indefatigable in procuring the necessary requisite for perfecting his title to the sovereignty as well as the soil of the province.<sup>4</sup> His labors for this object were not crowned with success until April 3, 1639. In the mean time, however, William Gorges arrived in this country, and held at Saco, March 21, 1636, the first court in this State, of which we have any record. The mem-

<sup>1</sup> Hazard, vol. i. p. 381. Winthrop, vol i. p. 161.

<sup>2</sup> Belknap, N. H., vol i. p. 27. Annals of Portsmouth.

<sup>3</sup> Jocelyn, 1 Chron. Chalmers, Annals. p. 473.

<sup>4</sup> Geo. Vaughn's letter, Hazard, vol. i. p. 403. Belknap, Appendix.

bers of the court are styled commissioners, and the record commences as follows: "At a meeting of the commissioners in the house of Capt. Richard Bonighton, in Saco, this 21st day of March, 1636, present Capt Richard Bonighton, Capt. Wm. Gorges, Capt. Thomas Cammock, Mr. Henry Jocelyn, Gent., Mr. Thomas Purchase,<sup>1</sup> Mr. Edward Godfrey,<sup>2</sup> Mr. Thomas Lewis,<sup>3</sup> Gent."

At this court, four persons were fined five shillings each for getting drunk. George Cleeves was fined five shillings for rash speeches, and "Mr. John Bonighton<sup>4</sup> for incontinency with Ann, his father's servant, is fined forty shillings, and said Ann twenty shillings, and he to keep the child." The jurisdiction of this court seems to have been coextensive with the limits of the province, the commissioners present being from each extremity, and from the center. It does not appear that it was held by virtue of any commission, although that fact may be reasonably inferred. We have been able to find no record of this court later than 1637; but the few memoranda that have been preserved, prove to us that the early settlers, notwithstanding the smallness of their number, were influenced by the same litigious spirit and the same passions, which characterize a denser population, and a more refined state of society. Actions of trespass and slander occur frequently on the record.

In 1636, the court passed an order, "That every planter or inhabitant shall do his best endeavor to apprehend or kill any Indian that hath been known to murder any English, kill their cattle or in any way spoil their goods, or do them violence, and

<sup>1</sup> Cammock and Jocelyn had probably now moved to Black Point. Purchase lived in what is now Brunswick.

<sup>2</sup> Godfrey lived at Agamenticus.

<sup>3</sup> Lewis lived at Winter Harbor.—*York Records*. Of Wm. Gorges, Chalmers says, "he ruled for some years a few traders and fishers with a good sense, equal to the importance of the trust."

<sup>4</sup> John Bonighton was the son of Richard: he was notorious for turbulence and insubordination during his life.

will not make them satisfaction." While they were thus endeavoring to protect their own rights from the aggression of the natives, they were not unmindful of the duties they owed that race ; and the next year the same court ordered that Arthur Brown and Mr. Arthur Macworth make John Cousins<sup>1</sup> give full satisfaction to an Indian for a wrong done him.

What sort of government or civil regulation existed, previous to the establishment of this court, we have no means of determining. Probably each plantation regulated its own affairs and managed its own police without aid from or communication with the others. The usual mode in the other colonies in absence of higher authority, was by agreement among the settlers in writing, called a combination. Such was the course adopted at Plymouth, at Piscataqua, and in the western part of Maine in 1649 : and it is believed from the following record, that this was done at Winter harbor : "Feb. 7, 1636. It is ordered that Mr. Thomas Lewis shall appear the next court-day at the now dwelling house of Thomas Williams, there to answer his contempt and to shew cause why he will not deliver up the combination belonging to us, and to answer such actions as are commenced against him." In the settlement upon the Neck, and at the mouth of Presumpscot river, the number of inhabitants was so small, that connected as the persons in each were to its head, there was probably no call for the exercise of civil authority before the existence of courts here. And in regard to the plantation on Richmond's Island, we may suppose that Winter, under his general authority controlled all its affairs.

It appears by the records of the earliest court, that the forms of the trial by jury were observed, which have ever since continued, although in the early stages of our history, more power

<sup>1</sup> Cousins was born 1596 ; he lived on an island near the mouth of Royall's river, in North Yarmouth, which he bought of Richard Vines 1645, and which still bears his name, until he was driven off in the war of 1675. He moved to York, where he died at a very advanced age after 1683.

over issues of fact was assumed and exercised by the court than is consistent with modern practice.

In the confirmation of Gorges' title by the king, in 1639, powers of government were conferred almost absolute.<sup>1</sup> In this charter,\* the name it now bears was first bestowed, from a province of the same name in France, in honor of the king's wife, a daughter of the king of France. It is described as extending from the Piscataqua river to the Kennebec, and up those rivers to their furthest heads, or until one hundred and twenty miles were completed, with all the islands within five leagues of the coast. The religion of the church of England was established as the religion of the province. The charter conferred upon Gorges an unlimited power of appointment to office; to make laws with the assent of the majority of the freeholders; to establish courts from which an appeal laid to himself; to raise troops, build cities, raise a revenue from customs, establish a navy, exercise admiralty jurisdiction, erect manors, and exclude whom he chose from the province. Such powers were never before granted by any government to any individual, and he succeeded in procuring them by the most untiring efforts, all the other members of the council having failed to accomplish a similar object. His grandson Ferdinando in his account of America,<sup>2</sup> says, "he no sooner had this province settled upon him, but he gave public notice that if any would undertake by himself and his associates, to transport a competent number of inhabitants to plant in any of his limits, he would assign unto him or them such a proportion of land as should in reason satisfy them, reserving only to himself a small high rent as two shillings, or two shillings six pence for a hundred acres per annum."

<sup>1</sup> Hazard, vol. i. p. 442.

\*[By the charter, persons who were in possession of land under former grants, were to be protected in their possessions, on acknowledging the jurisdiction, "*Jura regalia*" of Gorges, the chief proprietor.

<sup>2</sup> Page 49.

The following extract from Sir F. Gorges' narrative, will show the manner in which he regulated the administration of the province: "1st. I divided the whole into eight bailiwicks or counties, and those again into sixteen several hundreds, consequently into parishes and tythings as people did increase and the provinces were inhabited. The form of government. 1st. In my absence I assigned one for my lieutenant or deputy, to whom I adjoined a chancellor for the determination of all differences arising between party and party, for *meum* and *tuum*, only next to him, I ordained a treasurer for receipt of the public revenue, to them I added a marshal for the managing the militia, who hath for his lieutenant, a judge marshal, and other officers to the marshal court, where is to be determined all criminal and capital matters, with other misdemeanors or contentions for matters of honour and the like. To these I appointed an admiral with his lieutenant or judge, for the ordering and determining of maritime causes. Next I ordered a master of the ordnance, whose office is to take charge of all the public stores belonging to the militia, both for sea and land, to this I join a secretary for the public service of myself and council. These are the standing councillors to whom is added eight deputies, to be elected by the freeholders of the several counties, as councillors for the state of the country, who are authorized by virtue of their places to sit in any of the aforesaid courts, and to be assistants to the presidents thereof."<sup>1</sup>

This magnificent outline was never filled up; the materials were lamentably deficient. Gorges proceeded on the 2d Sept.

<sup>1</sup> Narrative, p. 46. This narrative was written in 1640, and published by his grandson in 1658; he also says in it, p. 50, "I have not sped so ill, I thank my God for it, but I have a house and home there; and some necessary means of profit, by my saw-mills and corn-mills, besides some annual receipts, sufficient to lay the foundation of greater matters, now the government is established." The unfortunate knight did not anticipate so soon being deprived of his possessions and stripped of all his golden prospects. [These works are reprinted in the Maine Historical Collections, vol ii. p. 1.]

1639, to appoint his officers, and granted a commission at that time to Sir Thomas Jocelyn, Richard Vines, Esq., his steward general, Francis Champernoon,<sup>1</sup> Esq., his nephew, Henry Jocelyn, and Richard Bonighton, Esquires, Wm. Hooke,<sup>2</sup> and Edward Godfrey, Gents, as counselors, for the due execution of justice in his province, and established in the same commission certain ordinances for their regulation.<sup>3</sup> Sir Thomas having declined the office, another commission was issued by him on the 10th of March following, in which the name of Thomas Gorges, whom he styles his cousin, is substituted for Sir Thomas Jocelyn, but similar in other respects to the former. He gives as a reason for the new commission the uncertainty whether the other arrived, and his desire that justice might be duly executed in the province. The first commission did arrive, and a general court was held under it, at Saco, June 25, 1640,<sup>4</sup> before Thomas Gorges reached the country. This was the first general court that ever assembled in Maine, and consisted of "Richard Vines, Richard Bonighton, and Henry Jocelyn, Esquires, and Edward Godfrey, Gent., counselors unto Sir Ferdinando Gorges, knight proprietor of this province for the due execution of justice here." It does not appear that any deputies were present. The following officers were sworn at this court, viz: Vines, Bonighton, Jocelyn, and Godfrey, as counselors; Roger Garde, register; Robert Sanky, provost marshal; Thomas Elkins, under marshal; Nicholas Frost, constable of Piscataqua, Mr. Michael Mitton, constable of Casco, and John Wilkinson, constable of Black Point. This court had jurisdiction over all matters of a civil or criminal nature arising within the province. At the first session there were eighteen entries of civil actions and nine complaints.

<sup>1</sup> Champernoon lived in Kittery.

<sup>2</sup> Wm. Hooke lived in Agamenticus or Kittery. Sir Thomas Jocelyn never came to this country. I find no subsequent mention of him. Henry and John were his sons.

<sup>3</sup> Sullivan, appendix. Popham Memorial Vol., appendix.

<sup>4</sup> York Records, vol. i.

Thomas Gorges arrived in the course of the summer ; Winthrop<sup>1</sup> says of him, that "he was a young gentleman of the luns of court, a kinsman of Sir F. Gorges, and sent by him with a commission for the government of his province of Somersetshire. He was sober and well disposed, and was very careful to take advice of our magistrates how to manage his affairs." He held his first court at Saco, Sept. 8, 1640, assisted by the counselors before mentioned.<sup>2</sup> At this session there were pending twenty-eight civil actions, of which nine were jury trials ; and thirteen indictments, which were tried by the court without the intervention of a jury ; four of them were against George Burdett, minister of Agamenticus, for adultery, breach of the peace, and incontinency ; and what appears singular, Burdett recovered judgment in two actions for slander against persons for reporting the very facts for which he was at the same court found guilty and punished.\* The court passed an order that the general court should be held at Saco every year, on the 25th of June ; they also divided the province into two parts, one extending from the Piscataqua to Kennebunk ; the other from Kennebunk to Sagadahoc ; and in each division established an inferior court, to be held three times a year, which had cognizance of all cases except "pleas of land, felonies of death, and treason." An order also was passed that all the inhabitants "who have any children unbaptised should have them baptised as soon as any minister is settled in any of their plantations."

The government seemed now to have been placed on a respectable footing, and to have afforded hope of permanency ; but in

<sup>1</sup> Winthrop, vol. ii. p. 9.

<sup>2</sup> York Records.

\*[ Burdett came from Yarmouth, County of Norfolk, England. He took the freeman's oath in Salem in 1635, where he preached near two years. He moved to Dover, N. H., in 1637 or 1638, and on occasion of a quarrel there he came to York in Maine. He left a wife and children in England, to which, after these trials in our courts, he probably returned.]

1642, the civil war broke out in England, the influence of which extended to the colonies and destroyed all that Gorges had so long labored to establish. He was a firm episcopalian and royalist, and joined the king's party with the same zeal which governed all his former life; although he was more than seventy years old, he did not hesitate to buckle on his armour and trust himself once more to the chance of war in defence of his principles and the person of the king. But interested individuals were not idle to take advantage of this state of things to aggrandize themselves, and to gratify feelings of jealousy and hatred against those who were unfriendly to them or stood in their way. Among such, circumstantial evidence would seem to place our first settler, George Cleeves. Early in 1643, we find him in England, and on the 7th of April of that year,<sup>1</sup> Col. Alexander Rigby, an ardent republican, and a member of parliament, purchased of the surviving proprietors of the province of Ligoniam, or a part of them, a conveyance of their charter. It is inferred that he was stimulated to this undertaking by Cleeves. Cleeves probably took advantage of political prejudices in England, to gain power in the province for himself; he had not been noticed by Gorges among the officers of his government; and with Trelawny and his agent he had openly quarreled. He therefore addressed himself to Rigby, who had warmly espoused the republican side, and no doubt persuaded him to engage in the speculation of purchasing Ligoniam, which was a dormant title, and under existing circumstances, but a nominal interest, in the hope that by the aid of political machinery, it might be elevated to a real and valuable estate. We are inclined to the opinion that Cleeves was active in this measure, because he was appointed by Rigby, his first deputy for the government of the province, and because he succeeded in obtaining a confirmation from him of the valuable grant in Falmouth, originally made to him by Gorges in 1637. Another

<sup>1</sup> Sullivan, p. 312.

circumstance which throws suspicion upon Cleeves, is an attempt upon the character of Richard Vines, the leading supporter of Gorges. On the 28th of April, 1643, he procured a commission from the parliament, directed to Gov. Winthrop, Arthur Macworth, Henry Bode,<sup>1</sup> and others, to examine into certain articles exhibited by him to parliament against Vines. It appeared at the court held in Saco in October, 1645, that Cleeves had himself affixed the names of the principal planters, viz: Macworth, Watts, Aulger, Hamans, West, Wadleigh, Wear, Robinson, etc. to the petition to parliament without any authority from them, and which they severally under oath in court, disclaimed; declaring "that they neither saw nor knew of said articles until the said George Cleeves did come last out of England," and that they "could not testify any such things as are exhibited in the said petition." It does not appear that Gov. Winthrop accepted the commission, and Macworth and Bode both refused to act. Cleeves arrived at Boston in 1643, with his commission from Rigby, to act as his deputy in the government of Ligoniam.<sup>2</sup> Knowing that he should have to contend against an authority already established, he petitioned the general court of Massachusetts to afford him their protection. This they declined doing, but were willing that the governor should write an unofficial letter in his favor. They wished, probably, to render what assistance they could to a representative of the popular party in England, without involving themselves in the result of its ill success. The letter of the governor did not have the desired effect of procuring the submission of Gorges' friends to the authority of Cleeves; for when Cleeves proclaimed his commission at Casco, and called a court there, Vines, the deputy of Gorges, opposed his proceeding, and called a court at Saco. The inhabitants of course divided, those of Casco principally joined Cleeves, although some dissented as

<sup>1</sup> Bode lived in Wells.

<sup>2</sup> Winthrop, vol. i. p. 154. Hubbard, vol. i. p. 368.

appears by an order of the court, held at Saco, October, 1645, assuring them of protection.<sup>1</sup> Vines was resolutely supported by Macworth, in Casco, and, it may be supposed, by the principal inhabitants of Saco and Black Point, and he was elected deputy-governor for the following year. In this juncture, Cleeves wrote to Vines, that he would submit the decision of the question, as to jurisdiction, to the government of Massachusetts, until a final determination could be had from England; but Vines not only declined the arbitration, but imprisoned Richard Tucker, who was the bearer of the communication, and required a bond for his appearance at court and his good behavior, before he released him. Upon this violence, Cleeves and his party, about thirty in number, wrote to the governor of Massachusetts for assistance, and offered themselves as parties to the confederacy of the united colonies. The governor returned an answer unfavorable to their claim for admission to the confederacy, objecting that "they had an order not to receive any but such as were in a church way."<sup>2</sup> Afterward in April, 1644, Vines went to Boston with a letter from the commissioners of Sir F. Gorges, and between twenty and thirty other inhabitants of the province; but without effect; they would render aid to neither party; and although their predilections were undoubtedly on the side of Rigby, with their usual cautious policy they withheld themselves from any interference in the disputes here, recommending both parties to live in peace, until the controversy should be definitely settled by the authorities in England. Cleeves continued to maintain a feeble sway, and must eventually have submitted to the authority of Gorges, had not the party of Rigby been triumphant in England; the distress to which he was reduced will appear

<sup>1</sup> "Ordered by joint consent that we will aid and protect the inhabitants of Casco bay as namely, Mr. Arthur Macworth and all others in confederacy with us there, and their estates from all opposition, wrong, and injury, that may be offered them by Mr. George Cleeves or any under him."—*York Records*.

<sup>2</sup> Winthrop, vol. ii. p. 155.

from his letter to the government of Massachusetts of July 3, 1645. "To the honoured governour and deputy governour, and court of assistants of the Massachusetts colony, these. Honoured sirs, may it please you, I have lately received from Mr. Rigby, letters of instruction and advice to proceed in the government of Ligonía, and because we are opposed by Mr. Vines and others, his confederates, that we could not proceed according to our instructions and being daily threatened, and are still in danger of our lives, and also to have ourselves seized on by them for not submitting to a pretended authority to them given by Sir F. Gorges, without any lawful commission; and thereupon we are in danger of being ruined and undone, unless the Lord do move your hearts to protect us with your assistance. I do not hereby presume to direct you, but humbly crave leave to shew mine opinion, which is, that if you will be pleased to write but your general letter to our opponents to deter them from their illegal proceedings, and a letter to our people of Ligonía, to advise and encourage them, that notwithstanding Mr. Vines and the rest do oppose, that they may and ought to adhere to Mr. Rigby's lawful authority. I hope you may not need to put yourselves to any further trouble to finish the work, but in so doing you will much oblige Mr. Rigby unto you all, who doubtless would have sent over other order at this time, if he had known the injuries offered him and us. These letters now come are in answer of my letters sent to him on my first arrival and not of my last nor of the \* \* \* of the commissioners, as you may see by the date of them. I herein shall send you Mr. Rigby's letter of request to you and also a letter of his to me, whereby you may see how the parliament approves of his proceeding, and that we may expect further orders forthwith; and in the interim we do most humbly beseech you to afford us such speedy assistance as the necessity of our present condition requires, and we shall forever petition the throne of

grace for you all, and rest your humble servants. George Cleeves for and in behalf of the people of Ligoniam.”<sup>1</sup>

This letter produced no alteration in the policy of Massachusetts, and in October following, Vines held his court as usual, assisted by Richard Bonighton, Henry Jocelyn, Francis Robinson, Arthur Macworth, Edward Small, and Abraham Preble.<sup>2</sup> It being represented at this court, “that not having heard from Sir Ferdinando Gorges of late for establishment of government,” they proceeded to elect Richard Vines, Esq., deputy-governor for the year, and “if he should depart, Henry Jocelyn to be deputy in his place.” They also laid a tax for the charges of the general court; in which Casco is assessed ten shillings, Saco eleven shillings, Gorgiana<sup>3</sup> one pound, Piscataqua, which included Kittery and Berwick, two pounds ten shillings. The certificates before referred to, respecting the articles exhibited against Vines by Cleeves, were offered, and his practices censured; but some allowance is undoubtedly to be made by us for the unfavorable light in which Cleeves appears in this transaction, since we receive the representation of it from bitter and prejudiced opponents, who acted under the highest degree of excitement; and having no opportunity to hear the exculpation of the accused party.

Vines sold his patent to Dr. Child, in October, 1645, and soon

<sup>1</sup> From files in secretary's office, Mass.

<sup>2</sup> Robinson lived in Saco, Macworth in Casco, Preble in Agamenticus. These persons may be supposed to be the leaders in their respective plantations of the party of Gorges.

<sup>3</sup> Agamenticus, now York, was incorporated as a city by Gorges in 1641, by the name of Agamenticus; the next year a new charter was granted, giving it the name of Gorgiana; Thomas Gorges was appointed the first mayor, by the charter. This tax exhibits the relative value of the settlements in Maine at that time, if Casco were fully taxed, of which from its having a separate government there may be some doubt.

after left the province;<sup>1</sup>\* Henry Jocelyn succeeded to the office of deputy-governor. The contest had increased to such a height, that in the beginning of 1646, Cleeves was threatened with personal violence; he therefore once more appealed to Massachusetts, to aid him in this emergency. The other party also making their representations to the same power, that government addressed a letter to each of them, persuading them to suspend their hostilities, and live in peace until the arrival of the next ships, by which it was expected that an order would come from the commissioners of the colonies to adjust the controversy. On receiving these letters, both parties came to the determination of referring the subjects of contention between them, to the arbitration of the court of assistants of Massachusetts, to be held at Boston, June 3d, 1646. At the time appointed Cleeves and Tucker appeared in support of Rigby's title, and Henry Jocelyn and Mr Roberts for Gorges.<sup>2</sup>

The result of this arbitration was inconclusive and unsatisfactory. Winthrop<sup>3</sup> says, "upon a full hearing, both parties

<sup>1</sup> Vines must have had one daughter at least. I find a petition to Andross, on Massachusetts Files, from Vines Ellicott for Cousins' Island in Casco bay, in which he styles himself a grandson of Capt. Richard Vines. [Savage says Ellicott came to Boston in the Supply in 1679. Ellacott or Ellicott was a respectable family in Devonshire, England, and still is. Vines went to Barbadoes, where he and his family were comfortably settled in 1648. He was there in the practice of physic. He addressed from there, two letters to Gov. Winthrop, one dated July, 1647, the other April, 1648.—*Hutchinson's Papers*.]

\* [Dr. Robert Child came from the county of Kent, England; was educated at Cambridge, England, from which he took his first degree in 1631, second in 1635. He afterward studied medicine at Padua, in Italy. It does not appear that he made any use of his purchase of Vines. The next year he got into a furious quarrel with the authorities of Massachusetts, whom he petitioned for further freedom in religion and civil government. He returned to England in 1647 and never came back.]

<sup>2</sup> I think there must be some mistake in this name; I find no such person in the province at that time; a Giles Roberts subsequently lived at Black Point. I have thought it probable that Francis Robinson was intended; he was a respectable magistrate of Gorges' court at this period, and lived at Saco.

<sup>3</sup> Winthrop, vol. ii. p. 256.

failed in their proof. The plaintiff (Cleeves) could not prove the place in question to be within his patent, nor could derive a good title of the patent itself to Mr. Rigby, there being six or eight patentees, and the assignment from only two of them. Also the defendant had no patent of the province, but only a copy thereof attested by witnesses which was not pleadable in law. Which so perplexed the jury that they could find for neither, but gave in a *non liquet*. And because both parties would have it tried by a jury, the magistrates forebore to deal any further in it."

The government of Massachusetts was undoubtedly quite willing that the cause should take this direction, they preferred to keep neutral and not identify themselves with either party until they could safely do it under the decision of the commissioners for the plantations, in England. This decision arrived soon after, and declared Rigby to be the "rightful owner and proprietor of the province of Ligoniam, by virtue of conveyances, whereby the planting, ruling, ordering, and governing the said province is settled." The commissioners further ordered that all the inhabitants of said province should yield obedience to Rigby; and the government of Massachusetts was required, in case of resistance, to render support to his authority.<sup>1</sup>

Winthrop<sup>2</sup> says that the decision of the commissioners brought the bounds of the patent to the sea-side, when, by the language of it, it fell twenty miles short; this explains what he before said in speaking of the evidence adduced by Cleeves in support of Rigby's title, that the grant did not cover the disputed territory.

This decree was the result of political events in England; the republican party was now triumphant, and Gorges, who had been taken prisoner at the siege of Bristol in 1645, and imprisoned, was probably now dead;<sup>3</sup> although, why the title

<sup>1</sup> Sullivan, p. 314, who cites an ancient British manuscript.

<sup>2</sup> Winthrop, vol. ii. p. 320.

<sup>3</sup> In June, 1647, Gorges' friends in the western part of the State, addressed a letter to his heirs. [He died in 1647.]

to the province of Ligonía was not good, as to the soil at least, may be difficult to comprehend. The patent bears date previous to the title of Gorges, setting aside the grant of 1622, which appears never to have been executed; the proprietors came over and took possession, and no evidence remains that the patent was ever relinquished, or the title revoked. But the sovereignty or the right of government is placed on a different ground, and not having been transferred to the proprietors that we have any evidence of, must have reverted to the king, with the surrender of the grand patent by the council of Plymouth. The question then arises, whether the charter of the king to Gorges, conveyed the right of government to him within the province of Ligonía, which was then held under another and distinct title. But this question we shall not stop to discuss.\*

Cleeves, now triumphant over his adversaries, assumed undisputed sway in the whole province of Ligonía, extending from Cape Porpus to Cape Elizabeth, including both. Under this government were the settlements at Cape Porpus, Winter Harbor, and Saco, Black and Blue Points, now Scarborough, Spurwink, Richmond's Island, and Casco. Saco was the largest, and the next, those of Spurwink and Richmond's Island. He immediately commenced making grants in his newly-acquired territory; as early as May, 1647, he granted to Richard Moore four hundred acres in Cape Porpus, and in September of the same year, he conveyed to John Bush a tract "in the village of Cape Porpus;" he also made grants in Scarborough and Falmouth, all of them as the agent of Col. Alexander Rigby, president and proprietor of the province of Ligonía.<sup>1</sup>

\* [In January, 1656, Edward Rigby petitioned the Lord Protector to aid in the settlement of his plantation in New England, called the province of Laconia, granted by patent from the king to his father. Referred to the Commissioners or plantations.—*Sainsbury*.]

<sup>1</sup> Rigby was a sergeant at law, and one of the Barons of the Exchequer in the kingdom of England; Cleeves was styled deputy-president.

Records of only three courts held by Cleeves are now to be found, and these are very imperfect; one relates to a court held at Black Point, by George Cleeves, Henry Jocelyn, and Robert Jordan, in which merely the appointment of an administrator is noticed; and the others held at Casco in September and December of the same year, exhibit the proceedings which took place on the petition of Robert Jordan, the executor of John Winter, for the allowance of his claim against Trelawny. These are presented in the appendix. The style of the court, as we learn from Jordan's petition, was the "General Assembly of the Province of Ligoniam." We owe the preservation of this record to the vigilance of private interest, and not to the care of public officers. The repeated changes in government, the confusion of the times, but most of all, the desolation spread over the whole eastern country by Indian hostilities, have been fatal to the preservation of any perfect records either of the courts or towns.

After the decision which separated Ligoniam from the province of Maine, and the death of Gorges, the people in the western part of the State, in 1649, formed a combination for their own government, and elected Edward Godfrey their governor;<sup>1</sup> the first general court under this combination was held at Gorgiana (York) in July of that year. In consequence of the state of affairs in England, which deprived them of the aid of their chief proprietor, they petitioned parliament in 1651, to take them under their protection and confirm their independent government;<sup>2</sup> but parliament not regarding their petition, they were obliged in 1652, to submit to the jurisdiction of Massachusetts. Hutchinson, speaking of this period and this province, says, the people were in confusion and the authority of government at an end.<sup>3</sup>

<sup>1</sup> Sullivan, p. 320. Massachusetts Historical Collections, vol. i.

<sup>2</sup> Sullivan, p. 322.

<sup>3</sup> Hutchinson, vol. i. p. 163.

We have no means of determining with precision how the government in Ligonía was constituted; We find a general assembly in existence, and suppose it was formed upon the plan of that in Massachusetts, or of that proposed by Gorges; that is, by assistants or counselors appointed by the president or his deputy, and deputies chosen by the people. In fact, Edward Rigby, the son of Alexander, in a letter written in 1652, to the province, speaks of the six assistants and the judges. The proceedings of the assembly in September, 1648, are subscribed by George Cleeves, deputy-president, Wm. Royall, Henry Watts, John Cossons, Peter Hill, and Robert Booth.<sup>1</sup> We meet with nothing in the records which indicate that the affairs of the province were not correctly administered, and conducted without confusion or interruption, until the death of Rigby, the chief proprietor, which took place in August, 1650.<sup>2</sup> After the news of this event, the old opposition to Rigby's government was revived, and we may conjecture from Edward Rigby's letter, before referred to, that the object of the opposition was, to form a combination and establish an independent government; he writes, that if they do "not desist from their private and secret combinations and practices and join with him, his deputy and other officers for the peace of the province, he will take such course as shall not only force a submission, but also a reparation for all their misdeeds." This letter was dated London, July 19, 1652, and addressed to "Mr. Henry Jocelyn, Mr. Robert Jordan, Mr. Arthur Macworth, Mr. Thomas Williams, as also to Robert Booth, Morgan Howell,\* John Wadleigh, Jonas Bailey, Thomas Morris, Hugh Mosier, and to all others whom

<sup>1</sup> Royall and Cossons were from Westcustogo, now North Yarmouth, Hill and Booth were from Saco, and Watts from Scarborough.

<sup>2</sup> Hazard, vol. i. p. 570. Sullivan, p. 317.

\* [Morgan Howell's will is proved April 1, 1667.—*York County Records, Book F. p. 28.*]

these may concern, these present in Ligoniam.”<sup>1</sup> It appears by this letter, that Cleaves was then in England, for he says, “I shall with all convenient speed, not only send back Mr. Cleaves, but a near kinsman of my own.”

How the government was conducted after this time we have no means of ascertaining; Cleaves did not return until after February 20, 1653, and although the majority of the inhabitants of Cape Porpus and Saco submitted to the jurisdiction of Massachusetts in 1652, he contrived to keep up some show of power in the eastern part of the province until the submission of the remaining inhabitants in 1658.

The government of Massachusetts seeing the disordered state of affairs in Maine, in 1652, seriously undertook to establish a claim to the province as far east as Casco bay. Their attention was particularly called to the subject by a land title which was controverted in the court of Norfolk county, then extending to the Piscataqua. The judicial tribunal declared that they had no jurisdiction, the land lying in New Hampshire; the subject was carried before the general court, which took occasion to order an accurate survey of their bounds.<sup>2</sup> On the 26th of May the general court “voted that upon perusal of their charter, the extent of their line is to be from the northernmost part of the river Merrimack, and three miles more north, and thence upon a strait line east and west to each sea.”<sup>3</sup> In pursuance of this declaration, the court appointed commissioners to ascertain the latitude of the head of Merrimack river; the committee made their observations on the first day of August, 1652, and reported “that the head of the Merrimack, where it issues out of the lake Winnepuskiaket,<sup>4</sup> was forty-three degrees

<sup>1</sup> Williams and Booth lived in Saco, and submitted to Massachusetts in 1653, Howell lived in Cape Porpus, and Wadleigh in Wells, and they severally submitted in 1653. Morris and Mosier lived in Casco bay, and Bailey at Black Point.

<sup>2</sup> Belknap, N. H. vol. i. p. 102.

<sup>3</sup> Hazard, vol. i. p. 564.

<sup>4</sup> Winnepisseogee.

forty minutes, twelve seconds, besides those minutes which are to be allowed for the three miles more north, which runs into the lake." Their next step was to ascertain at what point of the coast that parallel would reach, and observations for this purpose were made October 13, 1653, by Jonas Clark and Samuel Andrews, ship-masters, who conclude their report thus: "At the sea-side where the line doth extend there lieth a grayish rock at a high-water-mark cleft in the middle,<sup>1</sup> else the shore being sand without stones; the line doth run over the northernmost point of an island as we guessed, not above two or three rods above high-water-mark, the island is called the upper Clapboard Island, about a quarter of a mile from the main in Caseo baye, about four or five miles to the northward of Mr. Macworth's house."<sup>2</sup>

This claim was resisted by Godfrey's government in the western part of the state, who protested against the usurpation; but Rawson, the secretary of Massachusetts, wrote Godfrey in 1652, showing the grounds of their claim and their determination to pursue it and occupy the territory. Godfrey, however, in the name of the government and people, declared that they would resist the encroachment and continue the exercise of their authority and rights, until the government of England should otherwise order.<sup>3\*</sup> But the people not receiving sup-

<sup>1</sup> This rock still remains, and is the point from which the dividing line between the ancient towns of Falmouth and North Yarmouth commenced.

<sup>2</sup> Massachusetts Records.

<sup>3</sup> Hazard, vol. i. p. 564.

\* [Godfrey's government sent a remonstrance to the Council of State in England, against the claim of Massachusetts, in December, 1651. And November 6, 1652, again by order of the general court of Maine, represented to the council in England "That through the proceedings of Sir F. Gorges, they were forced to enter into a *combination for government*, as appears by their remonstrance and petition of December, 1651. Since which time all acts of government have been in the name of the Keepers of the liberties of England. Requests an audience for Richard Leader, agent of the province, with reference to the claims of Massachusetts to their government and the propriety of their land which they have quietly possessed for twenty years.—*Sainsbury*, vol. i. p. 392.]

port from England, and weary of opposing the persevering efforts of their more powerful neighbor, finally yielded to the necessity of the case; the inhabitants of Kittery and Gorgiana signed the submission in November, 1652, and those of Wells, Cape Porpus, and a majority of those in Saco, July 5, 1653.<sup>1</sup>

Massachusetts having now extended her jurisdiction to the Saco river, continued her exertions, without relaxation, to spread it over the whole of her claim. But she was resisted in the eastern part of the province, both upon political and religious grounds. The most influential men east of Saco river, were decidedly episcopalian in their form of worship, and looked with dread upon the uncompromising, and we may add, untolerating spirit of the puritan government of Massachusetts. Our principal settlers had brought with them from England the religious forms which prevailed in that country; and did not come to avoid them, as was the case with the colonists of Plymouth and Massachusetts. At the head of this party, were Robert Jordan, Henry Jocelyn, and Arthur Macworth, all firm in the faith, possessing great influence, and determined to resist while there was hope of success. On the other hand, George Cleeves and others were stimulated in their opposition, by the possession of power which they were anxious to maintain. In 1654, Jordan was committed to prison in Boston, and about the same time, he and Jocelyn were summoned by the general court to appear before the commissioners at York, which they declined doing; in 1657, a letter was addressed to them by the government, but without effect, urging them to meet their commissioners at York, "appointed for settling government in the eastern parts."<sup>2</sup>

In 1655, Cleeves went to Boston in behalf of the inhabitants of Ligonias, to protest against the proceedings of Massachusetts. On the 24th of October, the government returned him a formal

<sup>1</sup> Hazard, vol. i. p. 573. Sullivan, p. 349. Massachusetts Files.

<sup>2</sup> Massachusetts Records.

answer in which they urged their claim, exhibiting their patent and the report of the persons who had surveyed their bounds; they stated that they desired to treat the inhabitants of the province which fell within their limits with civility and friendship, but insisted on their right to the jurisdiction over the territory to their utmost eastern limits. They say, "We have not endeavored to infringe the liberties of the planters of those lands, but have offered them the same with ourselves, nor to enrich or ease ourselves by taxing their estates, we expect no more than what they formerly did, viz: to bear their own charges; nor do we seek to put upon them that which we ourselves count unequal, viz: to be subject to such laws and constitutions made by others without their consent."<sup>1</sup>

Massachusetts was fearful that her attempts to extend her limits would be viewed with dissatisfaction in England, and in their instructions to their agent November 23, 1655, they say, "If any complaint be made by Mr. Rigby concerning our claim by virtue of our patent, as intrenching on what he calls the province of Ligonia, you may for the present make the best answer you may, for the reasons exprest in our answer given Mr. Cleeves' agent, which, if it satisfy not, you may crave liberty for our further answer." She was evidently desirous of getting possession of the territory, and relied upon her own strength and the weakness of her adversary, for the final issue.

In August, 1656, seventy-one persons, inhabitants of Saco, Cape Porpus, Wells, York, and Kittery, addressed a petition to Cromwell, praying to be continued under the government of Massachusetts, alleging that they were "a people few in number, and those not competent to manage weighty affairs, our weakness occasioning distraction, our paucity division, our meanness contempt."<sup>2</sup>

In 1657, the general court appointed new commissioners,

<sup>1</sup> Hazard, vol. i. p. 598.

<sup>2</sup> Hazard, vol. i. p. 608.

and issued a new summons to the inhabitants east of Saco river, to meet them at York, which they failing to do, the commissioners issued another notice requiring the inhabitants to appear at the general court, to be held in Boston, October 14, 1657. But instead of regarding this summons, Cleeves sent in a paper, "wherein he declared," as the court in their records state, "against the legality of their proceedings and the resolution of the inhabitants to deny submission to them." The court then add, "We do hereby declare our right and claim to those parts, and the injurious refusal of the inhabitants there, concerning which we shall seriously advise what for the future may be most expedient for us, yet for the present, judge it best to surcease any further prosecution."<sup>1</sup>

Notwithstanding this declaration, they did not long "surcease" further to prosecute their claim; for in May following (1658) they appointed commissioners to proceed to the disputed territory to receive the submission of the inhabitants. This sudden change in their resolution was probably effected by a revolution in the feelings of the people, and by a desire existing here for a regular government. The preamble to the resolve by which the commission was appointed declares, "Whereas some complaints have been brought into this court by the inhabitants of the other side of the river Piscataqua, of divers disorders and inconveniences which do daily arise for want of government being orderly settled to the furthest extent of our line in the eastern parts, it is therefore ordered,"<sup>2</sup> etc. The commissioners were required "to repair to Black Point, Richmond's Island, and Casco, or some such one place, within the county of York, as they shall judge meet, there to take in the inhabitants thereof into our jurisdiction."<sup>2</sup>

The people had undoubtedly become weary of the controversy, and their own government was unable to afford that

<sup>1</sup> Massachusetts Files.

<sup>2</sup> Massachusetts Records.

security and protection which were needed, harassed as it must have been by the pressure of the claim so strenuously urged without, and the struggles of an active opposition within. We find therefore that when the commissioners held their court at the house of Robert Jordan, at Spurwink, July 13, 1658, a majority of the inhabitants of Black Point and Casco attended.

The commissioners in their return say, that having issued summonses to all the inhabitants residing within the line proposed, to appear before them, "After some serious debate of matters betwixt us, removal of some doubts, and our tendering some acts of favour and privilege to them, the good hand of God guiding therein, by a joint consent, we mutually accorded in a free and comfortable close." The form of the submission was as follows, "We, the inhabitants of Black Point, Blue Point, Spurwink, and Casco bay, with all the islands thereunto belonging, do own and acknowledge ourselves to be subject to the government of Massachusetts bay in New England, as appears by our particular subscriptions in reference of those articles formerly granted to Dover, Kittery, and York, which are now granted and confirmed unto us, together with some additions as upon record doth appear."<sup>1</sup> This was signed by twenty-nine persons, of whom the thirteen following lived in Falmouth, viz: Francis Small, Nicholas White, Thomas Standford, Robert Corbin, Nathaniel Wallis, John Wallis, George Lewis, John Phillips, George Cleeves, Robert Jordan, Francis Neale, Michael Mitton, Richard Martin. The remainder, with the exception of John Bonighton, who lived in Saco, were inhabitants of Black and Blue Points.

The following is the substance of the articles of agreement entered into between the inhabitants and the commissioners, and may be found at large on York Records.<sup>2</sup>

<sup>1</sup> Massachusetts Records.

<sup>2</sup> Book i. p. 78. The first volume of the collections of the Maine Historical Society, contains this document.

1. The obligations entered into were to be void if the jurisdiction of Massachusetts was not allowed by the government of England.

2. Indemnity and oblivion "freely granted."

3. The privileges granted to Dover, Portsmouth, Kittery, Wells, and Saco, granted to the people here.

4. In appeals to Boston, the appellant to have cost if he recover, if not, to pay treble cost.

5. To have copies furnished them of the privileges granted Dover, &c.

6. Their civil privileges not to be forfeited for differences in religion, "but their regulations therein must be according to penal laws."

7. Those places formerly called Black Point, Blue Point, and Stratton's islands, henceforth to be called Scarborough.

8. "Those places formerly called Spurwink and Casco bay from the east side of Spurwink river, to the Clapboard islands, in Casco bay, shall run back eight miles into the country, and henceforth shall be called by the name of Falmouth."

9. Falmouth and Scarborough shall immediately establish their bonds.

10. "The towns of Falmouth and Scarborough shall have commission courts to try causes as high as fifty pounds."

11. The two towns of Scarborough and Falmouth are to send one deputy yearly to the court of election, and have liberty to send two if they see cause.

The name Yorkshire is given to so much of the former province of Maine, as fell under the jurisdiction of Massachusetts, and in consideration of its extent, and the difficulty of obtaining the presence here of any of the assistants, it is granted, "1. That with the consent of the inhabitants of the aforesaid towns of Scarborough and Falmouth, we do constitute and appoint the right trusty Henry Jocelyn, Esq., Mr. Robert Jordan, Mr. George Cleeves, Mr. Henry Watts, and Mr. Francis Neale,

commissioners for the year ensuing, invested with full power, or any three of them, for the trial of all causes without a jury within the liberties of Scarborough and Falmouth, not exceeding the value of fifty pounds, and every one of said commissioners have granted them magistratical power to hear and determine small causes, as other magistrates and assistants, whether they be of a civil or of a criminal nature." Any of said commissioners were authorized to grant warrants, examine offenders, commit to prison, administer oaths, and to solemnize marriages, and any three of them were empowered to commission "military officers under the degree of a captain." Jocelyn, Jordan, Capt. Nicholas Shapleigh, Mr. Edward Rishworth, and Mr. Abraham Preble, were invested with "magistratical power, throughout the whole county of York." Five associates were authorized to be chosen yearly for the county courts, instead of three, and a court was appointed to be held in September of every year at Saco or Scarborough, as well as at York.<sup>1</sup>

These and some other regulations, not important to be noticed, having been adopted, and the commissioners having declared that "the change of the government hath made no change in any man's former right, whether in respect of lands, chattels, goods, or any other estate whatsoever," they adjourned on the 16th of July, 1658. Thus the government of Massachusetts came into possession of the ancient province of Maine, as far east as the eastern bounds of Falmouth, which she held, with the exception of about three years, until the final separation which took place in 1820.

Although the inhabitants had now generally submitted to her jurisdiction, there were many who carried in their bosoms a spirit of determined hostility to the power of Massachusetts. We believe it to have been founded chiefly in difference of religious sentiments. Massachusetts at that time could hardly allow a neutrality on this subject; none but church members

<sup>1</sup> York Records.

could be freemen, and those who did not, "after the most straitest sect of our religion," live puritans, were not tolerated. Many of our early settlers were episcopalians; Jordan was a priest of that persuasion, and had been the minister to the people here for many years, and although new settlers crowded into our plantations from Massachusetts, bringing the religious doctrines and feelings which prevailed there, still the attachment of many to the mode of worship under which they had been educated, was not and could not be eradicated. On this subject, Massachusetts exercised her power with no little severity, and notwithstanding her guaranty in the sixth article before mentioned, "that civil privileges should not be forfeited for religious differences," she did proceed to enforce her own doctrines, regardless of the religious principles which prevailed here. Robert Jordan was frequently censured for exercising his ministerial office in marriages, baptisms, &c.; in 1660, he was summoned by the general court to appear before them to answer for his irregular practices, in baptising the children of Nathaniel Wallis, "after the exercise was ended upon the Lord's day, in the house of Mrs Macworth in the town of Falmouth," and was required "to desist from any such practises for the future."<sup>1</sup>

It is not therefore to be wondered at that this party should seek the first favorable opportunity to throw off what they deemed to be the yoke of oppression. This opportunity was in a few years afforded as will be hereafter seen. \*

<sup>1</sup> Massachusetts Records.

\* [We cannot dismiss this portion of our history that closes the useful connection which the worthy and most honored Sir Ferdinando Gorges had with this ancient territory, without presenting a few prominent particulars of his honorable and active life. His connection with our history sufficiently appears in our pages. Sir Ferdinando Gorges "was the son and heir of John Gorges, of London," (Sainsbury,) and is said to have been born in Somersetshire, at a place or manor, called Ashton-Phillips, in 1573. We do not know upon what authority the last two facts are stated, but the period of his birth is not improbable; and it is certain that he had estates and resided in Somersetshire. From cir-

cumstances connected with his life, such as his being governor of Plymouth as early as 1600, I should suppose that he was born prior to 1573. He served under the Earl of Essex in the Spanish expedition when Cadiz was taken in 1596, as sergeant-major, corresponding to colonel. He was afterward appointed governor of Plymouth by Queen Elizabeth. He was removed from this office and committed to prison for complicity in the conspiracy of the Earl of Essex in 1601. But James I, in 1604, restored him to the office. It is probable that this position, Plymouth being the port of early voyagers, introduced him to persons who were engaged in voyages of discovery to the American coast; and his interest was greatly excited and increased by the return of Weymouth in 1605, with five natives from the Pemaquid country. The glowing descriptions given by the voyagers, who had visited in June the most beautiful part of our coast, and of the savages, gave particular force and direction to the adventurous spirit of this enterprising man, and he engaged with energy, and pursued with perseverance, for forty years, the work of discovery and colonization of the eastern shores of New England. In July, 1637 he was appointed governor-general of New England, but he did not enter upon its practical duties; in 1639, he obtained his ample charter of the "province of Maine;" but the call for his services to aid the king in the great rebellion, diverted his thoughts and his exertions from his new province, to the strife of arms, in the midst of which, after doing valiant deeds for his sovereign, he perished in 1647, at about the age of seventy-five. He had at least two sons. Robert, the eldest, married a daughter of the Earl of Lincoln; received a grant of a portion of Massachusetts in 1622, with the appointment of governor of New England, to which he came and spent about two years. He returned in 1624 and soon after died. The other son was John, who succeeded to the Massachusetts grant, which he sold to Sir William Brereton in 1629.

Gorges had also three nephews, Thomas, William, and Henry, to whom he gave appointments and made grants in his American province. His grandson Ferdinando, inherited this province, which he was only too glad to sell in 1677, at twelve hundred and fifty pounds sterling, in consequence of the constant contention which the authorities of Massachusetts kept up for its title and jurisdiction.

Mr Folsom, in his discourse on Gorges, second Maine Historical Collections, says "The Family of Gorges had an ancient seat at Wraxhall, in Somersetshire, six and a half miles from Bristol. (They resided at Wraxhall as early as 1260.) In the church at that place is a large altar tomb with figures of Sir Edward Gorges, K. B., and Annie, his wife, a daughter of John Howard, Duke of Norfolk. In the same neighborhood, in the parish of Long Ashton, was the manor of Ashton Phillips belonging to Sir Ferdinando. The village of Long Ashton lies on the south-east slope of an eminence, called Ashton Hill, about five miles from Bristol.

In Camden's Britannia, it is stated that from the time of Ralph de Gorges, 1260,

to about 1700, the family had been continued in Wraxhall, "and is lately reduced to an issue—female." The name still exists in Somersetshire, probably by the marriage, in 1350, of one of the Russells of Gloucestershire "with an heir-ess of the honorable family of Gorges," who assumed the name of Gorges. This Russell was of the family afterward raised to the peerage, and is now a prominent constituent of the aristocracy of England.]—ED.

## CHAPTER III.

*1640 to 1660.*

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BOUNDARIES AND NAME OF THE TOWN—INHABITANTS IN 1658, AND PLACES OF RESIDENCE—EARLY CONVEYANCES—FIRST MILLS—SETTLERS AT BACK COVE—JORDAN'S CLAIM AND QUARREL WITH CLEEVES.

The limits of Falmouth were described in general terms in the compact with Massachusetts of 1658; they were afterward to be particularly marked out by the inhabitants themselves, or, in case of their neglect, the next county court was to appoint commissioners for that purpose. This duty not having been performed, the general court at their session in May, 1659, appointed "Capt. Nicholas Shapleigh, Mr. Abraham Preble, Mr. Edward Rishworth, and Lt. John Saunders, to run the dividing lines," not only of Falmouth, but of Saco and Scarborough. This committee attended to the service and reported "that the dividing line between Scarborough and Falmouth, shall be the first dividing branches of Spurwink river, from thence to run up into the country upon a due north-west line, until eight miles be extended; and that the easterly bounds of Falmouth shall extend to the Clapboard islands, and from thence shall run upon a west line into the country, till eight miles be expired."<sup>1</sup> These boundaries are the same as at the present time, with the exception of the eastern line, which now runs north-west from the white rock, opposite Clapboard island, referred to in the survey of the eastern line of the province by

<sup>1</sup> Return of the Committee.

Massachusetts. A west line corresponded precisely with the exterior line of the province, as then claimed by that government. The two side lines of the tract, are now parallel, both running north forty-five degrees west, a distance of over eight miles from the sea; the rear line is a few rods over ten miles long. The name which was given to this town, was borrowed from that of an ancient town in England, standing at the mouth of the river Fal, in Cornwall, and hence called Falmouth. This river, after passing through a part of Cornwall, discharges itself into the British channel, forming at its mouth a spacious harbor. Several of our early settlers came from that neighborhood, and adopted the name in compliance with a natural and prevailing custom in the first age of our history of applying the names which were familiar to them in the mother country to places which they occupied in this. Previous to this time, the plantation upon the Neck, and indeed all others in the bay, were called by the general name of Caseo, or Casco bay, no boundaries were defined; but when a particular spot was intended to be designated, the local terms borrowed principally from the Indians were used, as Machegonne, Purpooduck,<sup>1</sup> Capisic, Westeustogo, Spurwink, etc. These names continued to prevail many years, and some of them remain in familiar use at the present day.

Besides the thirteen persons who subscribed the submission to Massachusetts, the following were inhabitants of the town in 1658: James Andrews, Thomas Greenly or Greensledge, George Ingersoll, John Lewis, Jane Macworth, Joseph Phippen, Sampson Penley, Robert and Thomas Sanford or Stanford, and Nathaniel Wharff.

James Andrews was the son of Jane Macworth, by her former husband, Samuel Andrews, and was born in 1635, probably at Saco. Greensledge, in 1666, is called a servant of George Cleeves, we know nothing more of him than that he

<sup>1</sup> Purpooduck was the aboriginal name for Spring Point, but it afterward was extended over the whole northern shore of Cape Elizabeth.

was an inhabitant, June, 1658. We find George Ingersoll here as early as 1657, but are not able to determine the period of his arrival; he was born in 1618, and was probably the son of Richard Ingersoll, a Bedfordshire man, who with his family was sent to Capt. Endicott, in Salem, by the Massachusetts Company in 1629.<sup>1</sup> John Lewis was the son of George;<sup>2</sup> he received a grant of 100 acres of land at Back Cove from George Cleeves, June 26, 1657; his father had lived here at that time at least seventeen years, and had several children born previous to that period. Joseph Phippen was an inhabitant of Falmouth as early as 1650; he probably came from Boston, where several of that name were then living; a David Phippen was admitted freeman of Massachusetts in 1636, and one by the name of Joseph in 1644.\* He purchased one hundred acres at Purpooduck, of Cleeves, September 30, 1650. Sampson Penley was here as early as June, 1658, we do not know where he came from, he lived many years in Falmouth, and raised a family here. We know nothing of the origin of the Stanfords, they were residing at Purpooduck in 1687, when in a petition to Andross, they stated that they had possessed land on the south side of Casco river thirty-five years. Nathaniel Wharff was

<sup>1</sup> See the company's letter in Hazard, vol. i. p. 279.

<sup>2</sup> George Lewis, who I have supposed was the father of our George, was a clothier. He came from Kent county, England, to Plymouth, before 1630, and moved to Scituate in 1634. He had a brother John, who took the freeman's oath in Scituate in 1637. Our conjecture receives some countenance from the similarity of names.

\*[The name of *Phippen* was originally *Fitzpen* and still exists in Cornwall, England. Joseph's father, David, was one of the thirty who with Rev. Peter Hobart settled Hingham, Mass. He was admitted an inhabitant of Boston in 1641, and died before 1653. Joseph had a house lot in Hingham granted him 1637; he lived in Boston in 1644. He married Dorcas Wood and had issue, Joseph, 1642, Mary, Sarah, Elizabeth, David, 1647, and Samuel. He died in Salem about 1687. In England, the Jordans intermarried with this family. Robert Jordan, a merchant in Melcomb, is supposed to have married a Fitzpen or Phippen.]—ED.

married to Rebecca, eldest daughter of Jane Macworth, as early as March 28, 1658, at which time he received from Mrs. Macworth a conveyance of land near the mouth of Presumpscot river, where he afterward lived.<sup>1</sup> In addition to these persons there then lived in the bay, John Cousins, near the mouth of Royall's river; Thomas Hains, at Marquoit; James Lane, on the east side of Cousins' river; Richard Bray, on Mains' point in North Yarmouth; John Maine, at the same place; James Parker, on the Kennebec river or its neighborhood; William Royall, on the east side of Royall's river, near its mouth; John Sears, probably on one of the islands. Besides these, there were Hugh Mosier, Thomas Morris, and Thomas Wise, who lived some where in the bay at this time, but at what particular place, we are unable to determine; probably in North Yarmouth.

The distribution of the inhabitants of Falmouth, in the several parts of the town is as follows: On the east side of Presumpscot river, lived James Andrews, Jane Macworth, Francis Neale, and Nathaniel Wharff; on the west side of that river, Robert Corbin, John Phillips, Richard Martin,<sup>2</sup> the settler at Martin's Point, opposite Macworth's Point; at Back Cove, George Ingersoll, George Lewis, John Lewis, and Nathaniel Wallis; on the Neck, lived George Cleeves, Michael Mitton, and Richard Tucker; at Purpooduck, Joseph Phippen, Sampson Penley, Thomas Staniford, Nicholas White, and probably John Wallis; Robert Jordan is the only name we meet with from Spurwink; Francis Small lived at Capisic, on a tract of land he purchased of the Indians.

The several parcels of land conveyed by Cleeves and Tucker, were invariably situated upon the margin of one of the rivers, or of the Back Cove. The earliest grants from them we meet with, were to Atwell, at Martin's Point, and to George Lewis,

<sup>1</sup> York Records.

<sup>2</sup> Martin married widow Atwell, and afterward occupied her farm.

at the entrance into Back Cove ; these were made before 1640, and probably after June 8, 1637, the date of their possession under Gorges' deed. The next conveyance we have discovered, was of two hundred acres at Back Cove, to Wise and Mosier, in 1640, between the land of Atwell and Lewis. We find no trace of any other conveyances from those persons until 1646, when they granted to John Moses, "now of Piscataqua river," "one hundred acres of land in Casco bay, adjoining unto land formerly granted unto George Lewis," in consideration of seven years service as an apprentice to them.<sup>1</sup> Between the date of the two last mentioned conveyances, Cleeves went to England and procured his commission from Rigby, and also May 23, 1643, a title to the same tract which had been granted to him by Gorges.

For a number of years after this period, Cleeves was engaged in a controversy with the agents of Gorges for the maintenance of his power as the deputy of Rigby ; and after he was quietly established in his government, he soon became occupied in resisting the claim of Massachusetts. These employments, together with the continual opposition by which his administration was harrassed by discontented subjects, must have left him but little opportunity for the improvement of the large tract conveyed to himself and partner.

In 1650, May 1, he confirmed Peaks' Island to Michael Mitton, his son-in-law, under authority from Rigby, and January 1, 1651, by the same authority, he conveyed to him one hundred acres at Clark's Point, adjoining his dwelling-house, which Mitton "had possessed for ten years." February 24, 1651, he transferred to him all that tract lying in Casco bay, granted to him by Alexander Rigby, which he describes as being "now in the possession of me the said Cleeves and other of my tenants," also all the utensils, household stuff in and about the house and buildings, with all his houses, buildings, "cattle as well as cows

<sup>1</sup> York Records.

and calves and steers and swine, young and old, as also all other cattle and goods," and mentions as the consideration a sum of money, and also "that he the said Michael Mitton, shall at all time and times hereafter maintain and provide for me, the said George Cleeves; and for Joan, my now wife, good and sufficient meat and drink, apparel and lodging and physick and all other necessities for the relief of this frail life for both of us, and the longest liver of both of us, as well as for other considerations me hereunto moving as well the marriage of my daughter as otherways." Although this deed appears to have been regularly executed, yet it probably never took effect, as we find Cleeves afterward, even the same year, making conveyances of parcels of the same land; the deed was not recorded until 1717.

December 26, 1651, Cleeves conveyed to Nicholas Bartlett,\* of Cape Porpus, "one hundred acres lying together in Caseo bay, near unto the house of me, the said George Cleeves, to begin at the south-west side of the corn field, now employed for tillage and corn, by me the said Cleeves; the bounds to begin at the small water lake, which runneth into the cove, near the said corn field, and is to run eightscore poles into the woods, and from the cove south-west by the water side toward the house of Michael Mitton, one hundred poles, together with so much marsh ground as is to be appointed to every other tenant for every hundred acres."<sup>1</sup> This description points out the situation of the grant; it extended from Clay Cove to about where Union street now is, and included the whole width of the Neck.

\* [Bartlett lived sometime in Scarborough.]

<sup>1</sup> In the time of Gov. Andross, 1687, Bartlett petitioned for confirmation of this title, and represented that he bore arms for King Charles eight years, for most of which time he had no pay, especially the last three years he served in the Princes guard, and at last was forced to fly out of England for his life, poor and destitute; and in order to settle himself here, purchased land of Cleeves. That Danforth disposed of the land to other men who built upon it. He was then living in Salem.—*York Records*.

This tract was conveyed by Bartlett to John Higginson, Jr., of Salem, in 1700, and by Higginson's executors to John Smith of Boston in 1720, but it does not appear that it was ever occupied by Bartlett or those who claimed under him. It is very certain that it was entirely disregarded by President Danforth in the settlement of the town in 1680.

On the 20th February, 1653, Cleeves being in England, received from Edward Rigby a grant of one thousand acres adjoining the land formerly granted to him, "beginning at the little falls in Casco river, and running westwardly three hundred and twenty poles, and five hundred poles southwardly." Possession was delivered by Mitton to Richard Tucker by the appointment, and for the use of Cleeves; and July 18, 1658, Cleeves conveyed the same to Tucker for thirty pounds sterling. We hear nothing more of this title, and presume it died with Tucker.

These are the only conveyances we find from Cleeves previous to 1657; after that time they are more frequent, owing probably to the increase of immigration. In May, 1657, he granted to "James Andrews, son of Samuel Andrews, citizen of London, deceased," one hundred acres of land at the upper end of the marsh on Fore river, near Capisie.<sup>1</sup> In this deed mention is made of a grant of one hundred acres next adjoining, by Cleeves to his granddaughter, Ann Mitton; we do not find the latter deed recorded, but the land is held under that title at the present day; Ann Mitton having married Anthony Brackett, who occupied the estate and left the whole, or part of it, to his posterity.\*

June 26, 1657, Cleeves conveyed to "John Lewis, eldest son of George Lewis, of Casco," one hundred acres bordering on his father's former grant of fifty acres. This was situated at Back Cove, not far from Tukey's bridge, and is part of the farm

<sup>1</sup> York Records.

\* [This forms part of the Deering farm at Back Cove.]

now owned by Henry Ilsley.\* Lewis conveyed it to Nathaniel Wallis in 1674, who occupied it. November 20, of this year, Cleeves made another conveyance of fifty acres to George Lewis, lying southerly of his son John's grant, and extending to Fall Cove.

The earliest Indian deed we have met with of land in Falmouth, was made July 27, 1657, by Scitterygusset to Francis Small; it runs thus: "Be it known unto all men that I, Scitterygusset, of Casco Bay, Sagamore, do hereby firmly covenant, bargain, grant, and sell unto Francis Small, of the said Casco Bay, fisherman, his heirs, etc., all that upland and marshes at Capisie, lying up along the northern side of the river, unto the head thereof, and so to reach and extend unto the river side of Ammoncongan." The consideration for the conveyance of this large tract, about two miles in extent, was "one trading coat a year for Capisie, and one gallon of liquor a year for Ammoncongan."

We know but little of this Sagamore; Winthrop mentions him as the leader of the party which murdered Bagnall on Richmond's Island in 1631, and a creek near the mouth of Presumpscot river still perpetuates his name. What extent of territory he ruled over, or what distinguishing name his tribe bore, we have no means of ascertaining. We may, however, reasonably conjecture that his people spread between the Androscoggin and Saco tribes, and occupied the river Presumpscot and the large ponds from which it has its source. Aucocisco, the name that Capt. John Smith and other early writers apply to the natives upon this bay, may be considered as belonging to this tribe, which may therefore be called the Aucocisco, or as the name is now used, the Casco tribe, of which Scitterygusset was the chief Sagamore at this time.

The neighboring tribes had their appropriate appellations, and the name we have assumed, is the only one of those preserved by the early writers, which remains unapplied.

\* [In 1864, the Woodman farm is part of it.]

At the date of this deed, Francis Small was thirty years old; he settled on his purchase, where he remained several years, and afterward moved to Kittery, where he was living in 1683. In May, 1658, he sold half of the tract to John Phillips, of Boston, and it was subsequently improved by his son-in-law, George Munjoy, who made an additional purchase of the Indians in 1666.

The natives had a large place cleared at Ammonocongan, on the north side of Presumpscot river, which they improved for planting, and which retained the name of the Indian planting ground for many years. The purchasers subsequently used it for the same purpose.

August 10, 1657, Cleeves conveyed to John Phillips fifty acres on the south-west side of the Presumpscot, adjoining the last falls on that river, and between "said mill falls and Richard Martin's land." On the 3d of May, 1658, he conveyed to him fifty acres more, "adjoining the now dwelling house of said Phillips;" in the latter deed, Phillips is described "of Casco Bay millwright." In 1662, Cleeves confirms to Phillips his former conveyances, speaking of them as containing two hundred and fifty acres with mill privileges, etc.<sup>1</sup> Phillips was a Welchman;<sup>2</sup> he had previously lived on Broad bay, in North Yarmouth, on a place which he sold before 1643, to George Felt. It is presumed that he purchased the mill privileges before mentioned for the purpose of pursuing his occupation. He had made previous purchases there, and Cleeves' confirmation speaks of a much larger quantity of land, than the deeds we have found convey. It is believed that Phillips established on the Presumpscot river the first mills ever erected there, or indeed in any part of the town. In fact, mills were erected on no other part of that river for many years afterward, and not until they were in operation at Capisie, and at Barbary Creek,

<sup>1</sup> York Records.

<sup>2</sup> Felt's deposition. York Records.

in Cape Elizabeth. The first notice of mills in this town which we have met with, is in a deed dated June 8, 1646, in which is the following recitation: "I John Smith and Joane my wife, now living at Casko mill, under the government of Mr. George Cleeves, sell to Richard Bulgar of Boston, all that dwelling house which said John Smith hath in dowry with his wife Joane situated in Agamenticus;" the deed "was sealed and delivered unto Mr. George Cleeves and Richard Tucker for the use of Richard Bulgar."<sup>3</sup> We know of no place in the town which unites so many probabilities in favor of the location of the first mill as the lower falls on the Presumpscot, and therefore presume that Smith must have lived near that spot. In a description of land at Back Cove, between Fall Brook and the Presumpscot, accompanied by a survey made in 1687, we find the land and dwelling house of a John Smith referred to; if this be the same Smith and the place where he lived in 1646, we should have no hesitation in determining that the territory which Smith mentions under the name of "Casko Mill," was situated around the lower falls of the Presumpscot. The name of Smith was as common in the early history of the country as it is at the present day. Captain John Smith we have before mentioned as one of our first visitors; another John Smith was one of the earliest settlers at Saco; he was born in 1612, and was a carpenter by trade; in 1685, he gave his deposition in which he described himself as John Smith, Senior, said he was seventy-three years old, and "forty years ago was marshal under Mr. George Cleeves;" Thomas Smith and a John Smith were jurymen in 1640; Richard Smith witnesseth the possession of Black Point to Cammock, in 1633, and William Smyth of Black Point, planter, died in March, 1676, aged 88, having bequeathed his property to his brother Richard of Westchester, England. The John Smith of Casko Mill, does not occur again in our records, and we have no means of distinguishing him from the numerous others of his name.

<sup>3</sup> York Records.

There were two persons of the name of John Phillips who frequently appear in our early transactions; one was deacon John Phillips of Boston, a merchant, whose only daughter, Mary, married George Munjoy, a distinguished inhabitant of Falmouth; he became a large purchaser of land here, although never a permanent resident; he died in 1683, in Boston. The other was John Phillips, the millwright, who lived here many years and until driven away in the Indian war, when he moved to Kittery, where he died without issue; he was born in 1607, and was living in 1684.

We meet with the names of George Ingersoll and Robert Corbin for the first time in 1657; in 1685, Ingersoll testified that about twenty-eight years since, Robert Corbin cleared a parcel of that meadow, called George Lewis's marsh, about eight or ten acres or thereabouts, at the north end of said marsh." Corbin had relatives living in the vicinity of Boston, and probably himself came from that neighborhood; a Robert Corbin is mentioned by Winthrop<sup>1</sup> as being captain of the *Speedwell*, in August, 1637. Our Robert married Lydia, the daughter either of Richard Martin or of his wife, by her former husband, Atwell, and lived on a large farm adjoining Martin's on Presumpscot river, until he was killed by the Indians, August 11, 1676.

In the beginning of the next year, 1658, Cleaves made several conveyances of land, principally at Back Cove: the deeds were dated March 25th, the first day of the year\* according to the ancient mode of computation. The first was to Humphrey Durham of fifty acres, adjoining south-west on Nathaniel Milton's land, thence easterly fifty rods by the water side, thence one hundred and sixty rods north-westerly into the woods; the next, was to Phineas Rider, of fifty-five acres, extending fifty-five rods from Durham's by the water; next, to George Ingersoll, fifty-five acres extending fifty-five rods adjoining the wa-

<sup>1</sup> Winthrop, vol. ii. p. 348.

\* [Annunciation or Lady-day.]

ter; next, to Thomas Skillings,\* the same quantity and distance bordering on the cove "home to the bounds of Richard Tucker."\* The consideration of these conveyances respectively, was a shilling an acre for the land, a yearly rent of twelve pence and "one day's work for one man every year for all services and demands." The purchasers occupied their respective grants; but whether they took immediate possession of them is not known. The grant to Skillings remained many years in his family. It is believed that Anthony Brackett purchased the grants of the other three, as his farm is described as extending to the land of Skillings. In May following (1658) Cleaves conveyed to his grandchild, Nathaniel Mitton, fifty acres adjoining the fifty acres formerly granted to his father, "and so to go toward the north-east by the water side home to the lot of Humphrey Durham," also fifty acres at the narrow of the neck, west of round marsh. The latter parcel, Mitton sold to Richard Powsland, in 1674, who afterward occupied it; of the other, he probably died seized.

In order to bring together the grants and settlements around Back Cove, we will anticipate a year or two and introduce the conveyance by Richard Tucker, of the only land on the northern margin of the Cove, which remained at this time unoccupied. Tucker's deed was made May 23, 1661, to Thomas Wakely, Matthew Coe, John Wakely, and Isaac Wakely, all of Cape Ann; the land is described as follows: "the full quantity of two hundred acres of upland ground not yet improved, with the ten acres of meadow, lying and being within two miles or thereabouts of the said land, which meadow hath formerly been improved by order of said Tucker. Now know ye that this two hundred acres of land before expressed, is situate, lying and being between the lot of George Lewis and Thomas Skillings, in the place commonly called Back Cove, and where now the said Lewis and Skillings are inhabited." These persons constituted one family; John and Isaac Wakely, were the sons of Thomas,

\* [These form part of the present Deering farm at Back Cove.]

and Mathew Coe married his daughter ; they immediately settled upon their purchase. The line of communication was now formed around the Cove, and may be traced as follows : beginning with Michael Mitton, whose fifty acres lay upon the northerly side of Ware Creek, which passes up from Back Cove ; next, his son Nathaniel, fifty acres ; after him in order, Durham, fifty acres ; Rider, Ingersoll, and Skillings fifty-five acres each ; Wakely and company two hundred acres, which extended to George Lewis's land on Fall Cove ; next, George Lewis, fifty acres ; his son John one hundred acres ; then George Lewis's first grant of fifty acres on the neck, which from him was called Lewis' neck, and is the point which extends south-easterly, forming the northerly side of the passage into Back Cove. Next to Lewis's was the grant of two hundred acres to Mosier and Wise which Wise, in 1658, sold to Nathaniel Wallis ; and last, Richard Martin's land reaching to the mouth of Presumpscot river. The settlements then turned up the river and spread to the falls. At this period, 1658, we know of no other persons as occupants on the western border of that river than Martin, Corbin, and Phillips. We thus perceive that Back Cove was soon occupied, the land having been all taken up along the shore as early as 1661. The advantages afforded by the marshes in the cove, and creeks formed by it, were inducements to the settlement of that part of the town ; the country was a thick forest, the cattle and the people could be provided for on the intervals and on the margins of rivers, far more easily than in those remote from the water.

But Cleeves's grants were not confined to that part of the town. On the first of May, 1658, he conveyed to Michael Mitton "all that tract of land on the north-east side of Caseo river, to begin at the now dwelling house of said Mitton, and from thence down the river to the bounds of Richard Tucker, that is to say to the marked tree at the great point of rocks, and thence up the river by the water side, south-westerly, to the great standing pine tree, marked this day, and from both these

marked trees upon a direct line north-westerly or thereabouts, home to the Back Cove."<sup>1</sup> The point of rocks here mentioned is the one near Robinson's Wharf, and the tract described includes that part of the town which lies between Anne Street and a line drawn east of Judge Parris's house; nearly all the land is now held under this title, part by some of the Brackett family, who are descendants of Mitton, and the remainder by conveyances from them, Nathaniel Mitton and Thaddeus Clark, who married a daughter of Mitton. On the 15th of May, of the same year, Cleeves sold Hog Island to Thomas Kimball, a merchant of Charlestown, who sold it in 1663, to Edward Tyng of Boston, for twenty-five pounds sterling, under whom it is now held. On the 26th of September, 1659, Cleeves sold his homestead, including all the land east of Clay Cove, "together with all the woods and underwoods and timber trees growing thereon, and all his house and housing, cornfield and gardens," to John Phillips of Boston, and also round marsh at the narrow of the Neck; his wife Joane, executed the conveyance, and August 15th, of the next year, Tucker consented to the sale as follows: "I Richard Tucker, do consent to the sale of Mr. George Cleeves, made to Mr. Phillips for the point of land within expressed, and do also consent that Mr. Phillips shall go from the cove next to Mr. Cleeves's cornfield right over upon a strait line to the Back Cove, or bay towards George Lewis's lot, which is some part of the lands belonging to me, the said Tucker."<sup>2</sup>\* Phillips permitted Cleeves and his wife to improve the house and corn field during their lives; the remainder of the property was immediately occupied by George Munjoy, the son-in-law of Phillips, who moved from Boston this year, and

<sup>1</sup> In 1732, Josiah Wallis testified that he saw the stump of the pine tree mentioned as the south-west bound of Mitton's land, with some of the notches on it, and the remainder of the tree lying upon the bank. <sup>2</sup> He had seen the tree standing in 1680. Deposition.—*York Records*.

<sup>2</sup> Original manuscript in my possession.

\* [The following are copies of the signatures and attestations to the papers referred to in text.

Mon. in witness that unto all of singulars to above land of 7 miles mentioned  
 as. hath given & consented unto before the delivery Robert by my son  
 Charles now wife unto above said and George Cleaves to & land of above

Witness  
 John Winter

The mark of Richard Martin

The mark of Ralph Turner  
 George Munjoy

George Cleaves

sent  
 the mark of R. Cleaves

The signatures are those of George Cleaves and Joan his wife, and witness, John Winter, not him of Richmond's Island, who had long been dead, and George Munjoy, with the marks of Richard Martin and Ralph Turner.]

erected a framed house a few rods east of Cleeves's, which became his residence until the destruction of the settlement in 1676. The eastern part of this tract is held at the present day under this title by mesne conveyances from the heirs of Mrs. Munjoy, the western part she relinquished to the government in 1681.

On the 31st of May, 1660, Cleeves conveyed to Hope Allen of Boston, the upper extremity of the Neck, by the following description, "four hundred acres lying together, being part upland and part meadow, bounded with a river called Casco river, south-easterly, with the land of Ann Mitton and James Andrew westerly, and so to run down the river four hundred poles, and to run into the woods eightscore poles, until the said four hundred acres be fully completed." The deed was acknowledged before Governor Endicott of Massachusetts, June 8, 1661, and possession given June 3, 1662.<sup>1</sup> Part of this large tract ex-

<sup>1</sup> The original deed on parchment is in my possession. \*

\* [The following words and signatures are fac-similes from this document.

*George Cleaves*



*Witness*  
*George I Lewis*  
*his mark*  
*George Munjoy*

George Lewis,  
his mark.

On the back of this deed is the confirmation of Tucker, attested by Robert Howard, a Notary Public who lived in Boston, in 1660, and died 1683, with the signature of the time honored Recorder of York County, Edward Rishworth,

tending from Michael Mitton's land to round marsh, is held under this title at the present day ; Hope Allen bequeathed it to his son Edward, and Edward sold all but fifty acres to George Bramhall, November 13, 1678, who dying seized of it in 1689, it descended to his children, whose descendants conveyed their title to William Vaughan. Bramhall's hill within the grant received its name from the first occupant.

The name of Anthony Brackett occurs for the first time in our history, as a witness of the delivery of possession under this deed in 1662, and the name has ever since been connected with the affairs of the town through a numerous posterity, descendants of Anthony and his brother Thomas.

These are all the conveyances we find from George Cleeves within the territory claimed by him under grants from Gorges and Rigby, and in fact they cover all the land which at that time was eligible for cultivation and settlement, except the tract lying on the Neck between the rocky point near Robinson's Wharf and Clay Cove ; and although one hundred acres of this were conveyed by Cleeves to Nicholas Bartlett in 1651, Richard Tucker sold the whole, estimated in the deed as containing four hundred acres to Mr. Cad of Boston, on or about

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who married a daughter of the Rev. John Wheelwright, and was many years highly respected as a magistrate in the province of Maine.

*Richard Tucker*

*Signed sealed & delivered  
in presence of*  
*Robert Howard not. publ.*

*Edw. Rishworth Re: Cor:*

the year 1662.”<sup>1</sup>\* Thus it appears that as early as 1662, Cleeves and Tucker had conveyed away all their title to lands upon the neck, now Portland, and also in all other parts of their extensive grant, which were capable of improvement by the limited population which at this time occupied the territory.

We will now briefly notice the conveyances which were early made in other parts of the town. It will be recollected that in 1635, Arthur Macworth received a grant from Richard Vines, acting under the authority of Gorges, of five hundred acres of land on the east side of Presumpscot river at its mouth, together with the island adjacent; Macworth died possessed of this tract in 1657, and his widow divided it among her children; March 28, 1658, she conveyed “to Francis Neale of Casco, who married her daughter,” one hundred acres adjoining his dwelling house, and part of the marsh on the north-west side of Sciterygusset creek, and the same day she conveyed another tract to Nathaniel Wharff, the husband of her eldest daughter, Rebecca; in 1666 she conveyed the island, fifty-six acres of land, to Abraham Adams, who married her daughter Sarah; and in 1674, to her son James Andrews, a large farm on the bay, east of the point.<sup>2</sup> These persons occupied their respective grants for a number of years; Wharff died here before the Indian troubles, leaving a widow and one son at least; Neale’s house was near Sciterygusset creek; he moved to Salem in 1675, to avoid the dangers of the war, and never returned; \* Adams, Andrews, and

<sup>1</sup> Michael Hodge’s deed to Plineas Jones, 1727.

\* [We know nothing of this Mr. Cad. There were several persons in Watertown, Hingham, and other places in Massachusetts by the name of Cade or Cady, but it never existed in this town.]

<sup>2</sup> Part of this tract was occupied by the Jones family, whose ancestor Nathaniel, came from Worcester County, Massachusetts. It is now owned by Capt. Samuel Moody, 1831. [Since that date, it has changed hands several times and is now owned in part, by the heirs of Moody, J. W. Dana, of Portland, who has a summer residence there, and several others.]

\* [Neale died in Salem, 1696, leaving a widow and son Samuel. His eldest son, Francis, died in 1693. Thomas Wharff, a descendant of Nathaniel and Rebecca Wharff, died in New Gloucester, February 18, 1864, aged 94.]

their mother at the commencement of the war of 1675, went to Boston, where she soon after died. Several other persons in a few years settled upon this side of the river, and carried their improvements as high up as the falls; of these the first in order from the mouth of the river, was Jenkin Williams, who lived above Scitterygussett creek; next above him was John Wakely's plantation, fronting upon the river about three quarters of a mile below the falls; above this was Humphrey Durham's farm, which was probably the highest upon that side of the river. Williams came here before 1667, and continued until 1675, when he moved to Salem, and did not return; John Wakely was the son of Thomas, he came here in 1661; Durham is first mentioned under the year 1658, as a purchaser of land at Back Cove; when he moved to the east side of the river we are not able to ascertain.

On the 14th of August, 1672, Jenkin Williams, George Felt, and Francis Neale purchased of the Indians, Nanaadionit and Wavaad Button, a large tract of land on the north-east side of the Presumpscot river, beginning at the eastern end of the mile square, which Munjoy bought of the Indians in 1666, and extending along by the river "to within fourscore poles of John Wakely's now dwelling house," and six miles back from the river. The eldest son of George Felt sold his father's part of this tract to David Phippen in 1690, and Neale and Williams afterward conveyed theirs to the same person.

The mile square referred to, was conveyed by Cunnateconett and Warrabita, to George Munjoy, June 4, 1666, and is described as a mile square at Ammoncongong, beginning at the great falls, (Saccarappa,) and extending down the river to the lowest part of the town planting ground, and from these two points into the woods until a mile is completed.<sup>1</sup> This tract, Munjoy's widow and son George, sold to Thomas Cooper of Boston, April 5, 1692, from whom it passed by mesne conveyances into the hands of Brigadier Waldo, under whose heirs it is now held.

<sup>1</sup> Original deed, see Appendix No. vii.

We have been thus particular in noticing the conveyances of land on the north side of Casco river, because they form the basis of many titles at the present day, and enable us to fix the localities of the first settlers with a degree of certainty otherwise unattainable. On the south side of the river, Robert Jordan was chief proprietor, and the lands there are principally held under his grants at this time. His earliest conveyances were to Joseph Phippen, Sampson Penley, Robert and Thomas Staniford, Ralph Turner, and some others along the northern part of Cape Elizabeth; but he retained possession of Spurwink and nearly all the southern part containing the marshes and the most valuable land, for his own family. He was not however content with the large territory over which his title was undisputed, but struggled for many years to extend his domain as far north as the Presumpscot river. This involved him in quarrels with Cleeves and his tenants, which continued during his life. In pursuance of his plan, Jordan, in 1657, procured in the first place of Richard Tucker, authority to occupy land about the falls of Presumpscot river, expressed as follows: "September 11, 1657, I Richard Tucker, do authorize Mr. Robert Jordan to make use of land adjoining to the falls of Casco river above Mrs. Macworth's, and there to erect saw-mills, if he thinks expedient. York 5. 5. '59, (July 5, 1659,) Mr. Tucker being in court confessed this to be his act."<sup>1</sup> Having obtained this color of title, he next endeavors to obtain possession by consent of the inhabitants, and for this purpose makes an insinuating appeal to their interest in the following address to them. "June 28, 1658. To the inhabitants of Casco Bay have presented—Whereas your neighbor Robert Jordan and others, out of regard to the public good and for the reconciling of trade in these parts, have endeavored and assayed to erect a saw-mill at their great charge, all or the most whereof hitherto hath come to remediless damage through some obstruction, and a

<sup>1</sup> York Records.

death put upon our work and design; the said Jordan doth to you hereby declare that as he resolveth he in himself hath a right and privilege to and in the place for the erection of such a work; but in such case as it shall be made duly and legally appear, the said right and privilege to be invalid, then the said Jordan hath a right and privilege there by consent and allowance of Mr. Richard Tucker, under his hand to such right he pretendeth to or may have there also, ye said Jordan by virtue of a covenant made with John Phillips, hath a right and privilege to and in said place, for erection of said mills in reference to the pretension of a right there from Mr. Cleeves, by virtue of a contract made with him; all which being not now to be disputed: the said Jordan desireth you in regard of present desolation we stand in, that you would, as you see cause and reason, by your subscription, declare whether the said Jordan may have or hath your free consent and allowance to go on and perfect the said work, and fall timber for the work and effects thereof, with other conveniences, in peaceful manner, without violence or opposition, rendering himself willingly satisfaction to such person or persons in future, who can or shall justly make it appear they are or have been unduly injured by his so doing, or otherwise you would declare your reasonable exception: presented by me, Robert Jordan. Consented to by us, Robert Corbin, Thomas Grienly, John Sares, Thomas Hains, Francis Neale, Michael Mitton, Nathaniel Wallis, Nicholas White, William Ryall, Jane Macworth, Thomas Morrice, James Andrews, Gyles Roberts, Richard Martin, Sampson Penley, Joseph Phippen.”<sup>1</sup>

Mitton, the son-in-law of Cleeves, who here appears to sanction the pretensions of Jordan, had probably had some misunderstanding with Cleeves, and joined the party of Jordan. It appears by the records of next year, that he was a witness against Phippen, who was presented for “breeding a disturb-

<sup>1</sup> York Records.

ance in town meeting by flinging Mr. Jordan's votes on the ground," and at the same court, a witness with Jordan and Neale, against his father-in-law who was presented for denying to vote for magistrates, and for saying, if the people would vote for Mrs. Clarke to be a witch, he would vote. It also appears that Mitton, in 1660, executed to Jordan a release of all his interest in lands in Falmouth, in consideration of a confirmation from Jordan of the title to land conveyed to him by Cleeves.

The controversy between Cleeves and Jordan was carried into the first court, which appears to have been held in the county after the submission of Falmouth and Scarborough to the authority of Massachusetts. This was on the 4th of July, 1659. The first action was brought by Cleeves against Jordan for breach of the arbitration bond entered into by Cleeves and John Winter in 1640, by which they bound themselves in the sum of one thousand pounds, to abide the award of referees on the subject of the disputed title to lands. This action was withdrawn. At the same court Cleeves entered another action against Jordan, "for making demands of certain lands purchased by great sums of money, and possessed by order of former grants these twenty-seven years." This action called forth proof of the original title, and Jordan introduced the certificate of part of the judges who tried the action in 1640, between Cleeves and Winter, taken soon after that trial, of which the following is an extract: "That which Mr. Cleeves and the jury took for Casco river to be but a creek into which we saw but one little brook to run, but the other which Mr. Trelawny takes for Casco river to be the river, it hath its issue out of a great pond named Sabadock: the river is of a reasonable depth and breadth, by the relation of the ancient inhabitants and natives, ever to have been called Casco river." This is signed by Thomas Gorges, Henry Jocelyn, and Richard Vines. Jordan also introduced the deposition of Roger Willine, taken December 7, 1658, in which he says that "about twenty-

one or twenty-two years ago, he helped to row up the river, which runneth by Mrs. Jane Macworth's to ye falls called Casco falls, Mr. Richard Vines, Mr. Arthur Macworth, Mr. John Winter, Mr. Henry Abilie, with divers others whom he hath forgotten, where he saw Mr. Richard Vines deliver unto Mr. John Winter, possession of the lands and falls there, by turf and twig." On the other hand, Cleeves relied upon his deeds and possession; but the jury found for Jordan. Jordan also recovered judgment against him in an action of debt for ten pounds ten shillings.

Cleeves attributed his ill success in the county court to the fact that Jordan himself was one of the judges; he therefore sought redress by petition to the general court. His memorial is as follows:

"To the honored General Court, assembled and setting in Boston this 24, 3 mo. 1661. (May 24, 1661.)

"The humble petition of George Cleeves, of Falmouth. Gent. humbly sheweth,

"That your petitioner hath been and yet is greatly wronged and oppressed by Mr. Robert Jordan, not only in laying claime unto all my lands which I have purchased at very deare rates; but by forewarning of my tenants that are, and hindering others that would be, although I have had after purchase, possession for these twenty-seven years or thereabouts: by means whereof the populating of the town of Falmouth is much hindered to the great loss and detriment of your petitioner and considerable hindrance to the country; and least I should quietly enjoy my just rights, he hath for two years together now past, or thereabouts, continually vexed your petitioner (as he humbly does conceive and hopes to prove) with unnecessary suites in law in severall courts, whereby he hath soe farr misinformed severall courts, as your petitioner hopes to prove, as that prevailing, he hath almost, and if help and redresse fayle, is in a faire way utterly to ruin your humble petitioner and his forever. The particulars whereof are too large to trouble the

honored court with in this sort. And therefore your humble petitioner doth humbly beseech the honored court to consider the premisses, and either to admit audience of your petitioner's declaration in the court in generall, or else to grant a committee to heare what he hath to say, that soe your oppressed petitioner may have some relief in his great suffering.

"Your most humble petitioner doth humbly intreat the honored court to ponder the premisses, and grant your petitioner such relief as in your wisdomes you shall see meet, and your petitioner humbly craving leave, praying for a blessing of God upon you and your administrations, subscribe myself yours."<sup>1</sup>

The return upon this petition is as follows: "The petitioner appeared before the committee; but Mr. Jordan, against whom he complains, was not present," the committee therefore recommend that a day be appointed for a hearing of the case, of which Mr Jordan should have legal notice, or else that a committee should be appointed in those parts to examine into the facts and make report.

It is probable that nothing effectual for Cleeves was done under this petition, for we find him appealing again next year to the general court, against the injurious treatment of Jordan, in a tone of the deepest distress and humility. This document preserves some interesting facts, and containing the language of our primitive settler on a subject immediately connected with our soil, we cannot omit and feel unwilling to abridge it: It is as follows:

"The Declaration of George Cleeves or his Bill of complaint against Mr. Robert Jordan, of Falmouth, in the county of York.

*Imp.* Mr. Robert Jordan, at the county court of York, held in the moneth of July in the year 1659, did make a sute against me for a debt not properly myne, but so pretended and recorded against me to the valne of ten pounds ten shillings, and costs of court. To the which that he had no just ground

<sup>1</sup> Massachusetts Files.

of sute against me, I make appeare as followeth: Although I acknowledge that I did receive of him to the value of ten pounds, yet it was not on my own account, but on the generall account of the townes of Falmouth and Scarborough, in the county of York aforesaid, I being appointed by them to appeare at the general court in their behalf, And my charges appointed by them to be borne, in part whereof I received the before named sum of ten pounds. And Mr. Jordan himself did ingage to pay his proportion of the charges, and to supply me while I was at the court, as I can by evidencee make appeare.

*Secondly*, in an action by me entered and prosecuted against him at the same court for unjust claimes by him laid to my lands and wrongfull interruption and hindrance of my rents and himself being an Associate of that court, I was cast as I conceive wrongfully in that action and the costs of court found against me, which I also for further clearing refer to testimony.

*Thirdly*, Mr. Robert Jordan having recovered the said actions against me, takes forth executions against me for it, as also for the cost of court aforesaid, all which with charges of extending did amount unto the sum of seventeen pounds or thereabouts, as appears by the constable's testimony, who levied it on my house and household goods and cow.

*Fourthly*, Mr. Robert Jordan having soe recovered and extended as aforesaid, notwithstanding did not then expel me, my house, nor tooke possession of it, but tooke my word and engagement to pay him the just sum due to him by virtue of the said judgements, which accordingly I did pay unto him. Notwithstanding which, I having given him under my hand, that the house and goods should remaine as his till the sum were paid. And though I had paid it fully, yet at a court of Associates in March last, (himself being one of the Associates,) he sues me again for delivery of my house, goods, and cow, and recovered against me and hath taken them from me and holds

them, the house being prised but at eight pounds, which but a little before cost me sixty pounds.

*Fifthly*, Mr. Jordan at the former court of that county aforesaid, (which I should have minded before,) after he had cast me in the action of interruption aforesaid, did under pretence of law sue me in an action of molestation, because I recovered not the action against him, though it was a just action, which I prosecuted, but himself being of that court, I was cast five pounds again in that action, and he not being therewith contented, demands of me fifteen pounds' alleging that the law gives treble damages in such cases, which I conceive I shall make appear to the Honorable Court to be a very unjust and injurious thing.

*Sixthly*, At the same court of Associates in March last, having again recovered my house, cow, Bed and Bolster and bed clothes, my brewing kettle, pott and other goods, obtains an execution directed to the constables Deputy to possess him, the said Jordan, of the said house and goods, and commanded the constables Deputy (being his own creature) to throw out all my other goods, as apparel, chests, trunks, and provisions out of doors, who so acted to the spoiling and breaking of many of my things, and whereby I lost much of my goods and writings and apparel of my wife's, and many other things, to my damage more than one hundred pounds sterling. And more to vex and grieve me, he brought with him one of his own men (to assist the constable's Deputy) who was] starke drunke, taking my kettle and pott, being full of worte for beere, ready to tun up, and threw it about the house, and carried away the said kettle and pott and detaineth them to this day, being contrary to the law in such cases provided; and further to increase my griefe, he requested his drunken man and Deputy constable to go into my wife's chamber where she was laid on her bed and very sick, who in a Barbarous manner pulls her from off her bed and takes her bedd from under her, and the bed clothing and carries all

away, my wife being no less than fourscore and seven years of age, and all this done after a warrant of Attachment was served upon the said house, goods, and cow, by the said Deputy constable under the hand of Mr. Edward Rishworth, one of the Associates, requiring the said house and goods to be responsible to answer my action of review to be tried at the next court of Associates, where (in truth) I have but small hopes of good success in my sute against him, he being one of them, and one that Bouldly said, let them, if they durst, find anything against him: My suspicion being the greater for that I proved at the last court, that I had paid Mr. Jordan twenty pounds towards the two executions to purchase my peace for the present, until I might by some review or complaint, redress my wrong, for which I had no allowance by any order of court, Albeit the two first executions came but to fifteen pounds ten shillings, besides what I paid the constable for fees and other charges as appeareth by the constable's testimony, soe that Mr. Jordan detained from me wrongfully my goods and two cows, being all the cattle I had for my subsistence for the present, and hath proferred to sell my house to any that would buy it, and all this of purpose to starve and ruin me and my family. All which I hope this Honorable Court will duly consider and order my reparations.

GEORGE CLEEVES."

"The Deputies conceive in answer to this petition, that the county court of York next are hereby ordered to examine the grounds of these complaints exhibited against Mr. Jordan, and proceed therein as they shall judge meet according to lawes here established."

This order was entered at the October session in 1662, at which the petition was probably presented: but what was the final result of the complaint, the records do not disclose. Jordan, Jocelyn, and others, before the next court, had seceded from the authority of Massachusetts and set up a jurisdiction under Ferdinando Gorges, the grandson of Sir Ferdinando, who,

after the restoration of Charles II., had procured from the king a favorable notice of his title, and letters to the inhabitants, requiring them to submit to his government.

These representations would make it appear that Cleeves's fortune was at this time at a low ebb; he seems to have been deprived of property and friends, and was living to behold himself turned out of the last acre of the large domain of which he was once the owner, and over which he formerly ruled. But the circumstances show that his case was not so piteous as he would represent it. It appears that he was chosen one of the commissioners of the town in 1659 and 1662; and in 1663 and 1664 he was the deputy from Falmouth to the general court. He probably would not have been noticed in this manner, had his affairs been so desperate as they appear in his own representations. There was a strong party undoubtedly against him; he had made himself unpopular, partly perhaps by the violence of his temper, and partly by the zeal with which he pursued his landed interests. It appears by the record of the county court in 1659, that at the same time that he sued Jordan for disturbing his possession, he brought actions against Francis Small for presuming to build and settle on his land, and felling timber without his leave, and against John Phillips for trespass. These suits probably related to land which the defendants claimed under Indian deeds at Capisie; Cleeves was unsuccessful in them both. At the same court he was sued by Thomas Elbridge, who lived at Pemaquid, in two actions, one for defamation, the other for assault and battery. In the first case, the jury returned a verdict against him for fifty pounds, and also that he should make an acknowledgment of his offense when the court shall appoint; which the court ordered to be in presence of the court and at Casco the next public town meeting. He was also presented for denying to vote for magistrates, etc. These contradictory circumstances, appointments to public office, and open condemnation in court, indicate a most unsettled state of society, if they do not

on the whole leave a shade upon the character of Cleeves! And the inference cannot be resisted, that a state of party existed here at that time as virulent and bitter as has been witnessed in any subsequent stage of our history."

## CHAPTER IV.

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INHABITANTS PETITION THE GENERAL COURT AGAINST THE CLAIMS OF CLEEVES AND JORDAN—PETITION OF THE FREEMEN TO THE GENERAL COURT—ISLANDS BELONGING TO FALMOUTH—NEW SETTLERS, MUNJOY, WAKELY, COE, BRACKETT, CLARKE, FELT, CLOISE, ETC.—MITTON'S DEATH.

While the large proprietors were contending for the title to the lands lying between the Presumpscot and Fore rivers, the tenants and other inhabitants were not free from trouble attendant upon the controversy. In 1660, a part of the inhabitants sought the aid of government to protect them from the inconvenience which arose from these conflicting claims, and at the May session of the general court, they presented the following petition which sets forth their grievances.

“To the Honorable General Courte now assembled at Boston, 30 May, 1660, the humble petition of some of the distressed inhabitants of the town of Falmouth.

“The humble desire of your poore petitioners hoping that you will take it into serious consideration, our present condition that we stand in, in respecte, of the pretended patenes and clames that Mr. Robert Jordan and Mr. George Cleeves laies clame to, so that much trouble cometh to us, suing men to Cortes, as witnes the many sutes and actions at Cortes and are still goen on against us and other tretened against, so that we are much destracted in our afares and know not what we shall doe in thes our trobeles, only our prayers are to God and you,

that you would be pleased to consider our condition and distractions that we are in, and that it will be the overthrow of the hopeful beginenes that is amongs us. God begun to answer our prayers, and to send us a faithful dispenser of the word to us, for which we desire to bles God for and we hope shall enjoy, if these distractions doe not discourage him, therefore our ountbell request is to this onered assemblie that you would be pleased to take into it consideration our present condition, for if that Mr. Jordan's paten and claim hould with Mr. Cleeves, the town is overthrown and noe man shall enjoy what he hath labored uppon and possessed, unless it be uppon ther terms, and at ther wills and pleasures, but we hope that we shall injoy our priveleges and town affairs with the rest of the towns in the jurisdiction, thes not to trobele your oners noe farther, but leave the case to God and you, hoping for a comfortable answer, We remain yours in all faithfulness. George Ingersoll, George Lues, (Lewis,) Joseph Phippen, Nathaniel Wallis, Thomas Cellen, (Skillin,) Houmphry Durham, John Walles, Nicholas Wite, Phinehas Rider."<sup>1</sup>

What was the result of this petition does not appear; it is probable that the contentions referred to had the effect, as Cleeves suggested in his memorial, not only of preventing persons from entering upon his grant, but even of driving from the debatable ground some of those who had already settled upon it. Of the above petitioners, who it would seem all lived upon the disputed territory, four of them at least, removed from it to other parts of the town, viz: Phippen, Durham, White, and Rider. The petitioners include all the inhabitants on that territory, except Martin, Corbin, Phillips, Munjoy, and Cleeves's family. Munjoy seems to have bought his peace with Jordan, by taking a deed from him of ten acres on the Neck, "near unto the now dwelling house of Mr. George Cleeves;" Jordan warranted the title against the claims of Trelawny and

<sup>1</sup> Massachusetts Files.

all other persons ; the deed is dated August 24, 1360.\* The next day, mutual releases passed between Jordan and Michael Mitton, relative to land upon the Neck ;<sup>1</sup> by these, it would seem that Munjoy and Mitton were willing to admit that Jordan either had title or a color of title on this side of the river.

Although in practice we are confident that Jordan never occupied any territory north of Fore river under the Trelawny title ; yet this unhappy controversy, so vexatious to the inhabitants and productive of so much evil to the parties themselves, was never determined by a judgment of court. While it was raging at its highest point, a temporary separation took place from the government of Massachusetts, during which the feeble administration of the laws, and the balanced state of parties prevented, we may presume, a judicial investigation of the subject ; and when the jurisdiction of Massachusetts was again restored, Cleaves was probably dead. The Indian troubles soon after commenced, in which Jordan fled never to return ; after that time we hear no more of the controversy, until the resettlement in 1718, when Jordan's grandchildren revived the claim ; it was finally adjusted in 1729, by compromise with the town of Falmouth, when Dominicus Jordan released, for a grant of two hundred acres, all title "from himself, his heirs, and all and every other Jōrdan whatsoever" in any land "between the rivers."<sup>2</sup>

\* [The original is in my possession, from which the annexed fac-similes of attestation and signature are taken.]

*Witness my hand & Seale*

*this Twentieth of July 1660*

*By me Robert Jordan*

<sup>1</sup> York Records.

<sup>2</sup> Town Records.

Soon after the jurisdiction of Massachusetts was established, the inhabitants of the town undertook to exercise ownership over some part of the lands claimed by Cleeves. Nor was he the only one of the large proprietors who was exposed to injury from the effects of Agrarian law, which the people seemed disposed to adopt. Complaints were made to government in 1660, by Cleeves, and large land-holders in Saco, John Bonighton, Richard Foxwell, and William Phillips, "craving the help of the court for settling their respective interests and possessions in the east parts of this jurisdiction." The general court appointed a committee to repair to Saco, and investigate the facts. This committee adjusted the controversy between Phillips and the inhabitants of Saco, and recommended that a division should be made of the Bonighton patent; they thus close their report: "And as for the complaint of Mr. George Cleeves, when we were at Saco attending the general court's before mentioned order. His writings and evidences were not present, therefore we can make no certain return thereof, but judge meet, The townsmen of Falmouth be ordered not to dispose of any lands, which are within the boundaries of the patents or grants of the said Mr. George Cleeves until this court take further order therein;" dated October 25, 1660.<sup>1</sup>

The terms on which Cleeves lived with a part of the inhabitants, may be gathered from a petition which they sent to the general court about this time; it has no date, but internal evidence fixes it upon this period: "To the Honorable General Court of the Massachusetts, or whom els it shall or may concern, the humble petition of divers inhabitants and freemen of Falmouth, humbly sheweth,

"That whereas there hath been a sad contention in these parts concerning government, Your petitioners most of them living upon their labour, and desirous rather to live in peace and

<sup>1</sup> York Records.

learne to be obedient and submit to what government it shall please the Lord and our sovereign to appoint over us, than to contend or determine who our governors shall be, yet there hath latelie certaine men appeared in our names att ye Honorable General Court, and as we are informed, presented a petition which was without our consents or knowledge, for had ye government been settled and that we could have acted with freedom of spiritt wee would never have dishonoured the Honorable General Court with men of such lives and conversations, as are first George Cleeves, who is upon record for breach of oath and accused of forgery. Mr. Phippen not many days before his departure was beating and drawing of ye blood of his Majestie's subjects and stands upon record for slandering ye deputie governor and was always a man of contention and strife since he came in our parts. John Phillips hath acknowledged himself guilty of keeping a woman which is none of his wife this fourteen years. These men cam in your names and exercise authoritie over us with many soare threatenings, wherefore our humble request is, That if itt please the Lord to continue us still under your government, you would be pleased to grant us the liberty that other of his Majestie's subject have, and you by Article granted, yt is freedom to vote for our officers and not such men imposed upon us, and we shall ever pray, &c. Francis Neale, Jane Macworth, widdow, Nathaniel Wharfe, Robert Sandford, Sampson Penley, Francis Small, Richard Martin, George Felt, Thomas Sandford, John Winter, Robert Corbin, James Andrews, Benja. Hatwell, John Cloyes, Edw." (This last name I cannot decipher.) Then follows, "There is butt twelve or thirteen freemen in our towne according to ye Article of freemen in our submission to ye government, six of whom have subscribed hereunto, and five voted for governor and other officers, yet there are several who say they are free, butt we know it note, and most of us would have

voted if we had had warrants as formerlie, to command us so to doe.”<sup>1</sup>

In 1664, Cleeves made the following explanation relative to his grants: “Whereas I George Cleeves, of Falmouth, Gent., have by virtue of a patent granted from Sir Ferdinando Gorges, and also from Alexander Rigby, granted several parcels thereof unto sundry men as per deeds given under my hand appeareth, and the bounds in said deeds are to run from the water side north-west. Now to prevent any mistakes in any of the said bounds and any future trouble among neighbors, it is therefore hereby declared my intent is and ever was when I granted any of said lands that the bounds should be north-west as direct as may be, excepting the Back Cove grants are to run a little more westerly, to run right up the country to those bounds there, and all other though expressed north-westerly, according to sea affairs, yet I meant, and is the true intent, according to the husbandman’s account, who knows but eight points of the compass, which this north-westerly or north-west is one, and this I do assert to be a truth, as witness my hand this 12th day of April, 1664, by me, George Cleeves.”<sup>2</sup>

We will now briefly notice the titles to some of the islands within the limits of ancient Falmouth. The names are Clapboard, Chebeag, Jewell’s, Long, Peak’s, Green, Bangs’, Hog, Cow, House, Marsh, Overset, Mackey’s, Ram, and Richmond’s.<sup>3</sup>

<sup>1</sup> Massachusetts State Files.

<sup>2</sup> York Records.

<sup>3</sup> The ancient names of some of the islands have been preserved, as Clapboard, Chebeag, Jewell’s, Long, Hog, Cow, and House; Chebeag was sometimes called Chebachcho, and Jewell’s, Donnell’s island, from Henry Donnell, an ancient occupant and owner, who went from York. Mackey’s is a corruption of Macworth, and derived its name from its first occupant. Peak’s was originally called by the English, Pond Island; Cleeves gave it the name of Michael, when he in 1637 conveyed it to Michael Mitton; after it passed into Munjoy’s possession it bore his name; his son-in-law, Palmer, after the decease of Munjoy, occupied it and gave it his name. To whom it owes its present appellation. I am unable to say; it is however at least coeval with the name of Palmer. Bangs’ Island was orig-

We find no early conveyance of the lower Clapboard Island; nor are we able to say by whom or how early it was occupied; it contains about thirty acres, and lies about a mile from the shore, near the eastern line of Falmouth; it was granted by the town to Mrs. Munjoy in 1681, as part compensation of land taken from her on the Neck for the use of the inhabitants.<sup>1</sup> The upper Clapboard is in Cumberland, and was very early occupied by Thomas Drake and his grantees. There are two islands in the Bay called Chebeag, distinguished by the addition Great and Little; the latter only belongs to our limits, the former is in Cumberland. Great Chebeag contains something over two thousand acres, the other about one hundred and eighty. In early grants they are not distinguished; the first conveyance of either of them which we find, is from Cleeves to Walter Merry, September, 18, 1650; this grant is referred to by Danforth in a deed to Edmund White of London, in 1685, in which he recites that "George Cleeves, Gent., Deputy President of the province of Ligonía in New England, by order of Alexander Rigby, Esq., sergeant at law, and one of the Barons of the Exchequer in the kingdom of England, did grant unto Walter Merry of Boston, all that small island in Casco bay commonly called Chebeag, and now by the name of Merry's Island."<sup>2</sup> Whether this conveyance refers to the large or small island, we cannot precisely ascertain; it would seem to be Great Chebeag, from the fact that president Danforth,

<sup>1</sup> So say the depositions of Wallis and Lane, but the statement is doubtful.

<sup>2</sup> The same island by the description of Chebeag or Merry's Island, was conveyed by Robert Thornton of Canton, in New Plymouth, to Josiah Willes of Boston, October 8, 1675.

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inally called Portland, it is so named in Hubbard, as is also the point opposite on which the light-house stands; and the passage between them was called Portland sound; the island afterward received the name of Andrews' Island from James Andrews, who owned that and Ram Island lying near it; for its present name, it is indebted to Joshua Bangs, its modern owner, who came here from Cape Cod, and died in 1761.

in 1682, granted Little Chebeag to Silvanus Davis, which remained in his possession many years. It cannot be supposed that Danforth so soon as three years afterward would have conveyed the same island to another, July 12, 1680, Dominicus, Samuel, and Jeremiah Jordan, sons of Robert Jordan, conveyed to Walter Gendall, six hundred and fifty acres on Great Chebeag, which his administrator, Theodosius Moore, who married Gendall's widow, claimed under a resolve of Massachusetts.<sup>1</sup> This tract was on the eastern side of the island, where improvements had been made. It had probably been used as a stage for fishermen, for which purpose it was advantageously situated. In 1683, the government of Massachusetts granted or confirmed to Richard Wharton, six hundred and fifty acres on the western side of the island, which his administrator, Ephraim Savage conveyed to the deacons of the first church in Boston, for the use of the poor, and which they claimed, calling the island Chebeag, or Recompense Island. This latter name, however, it did not retain. In 1743, it was owned by the first church in Boston and Col. Thomas Westbrook, and in that year Westbrook's half was set off on execution to Samuel and Cornelius Waldo, as was Little Chebeag, also belonging to Westbrook and Waldo, and derived by them from the legatees of Silvanus Davis.\*

<sup>1</sup>The legislature of Massachusetts, on the 7th of March, 1700, passed a resolve appointing "a committee to receive and examine the claims of all proprietors of lands and of such as challenge propriety, in any of the lands lying within this province to the eastward of the town of Wells, laid waste by the late war." In 1697, an act had been passed for quieting possessions which limited all actions for lands east of the Piscataqua to five years after the termination of the Indian war then pending. In 1715, this provision was extended five years; the additional act provided "that there shall be a further time of five years, from the last of this instant, July, 1715, allowed all persons to pursue their right and claim, to any houses and lands in those parts and places, and every of them, and no longer." Under these provisions numerous claims were entered for lands between Wells and the Penobscot river.

\* [On May 26, 1685, Massachusetts granted to Thomas Danforth, Esq., president of the province of Maine, and to Samuel Nowell, Esq., for their great

Jewell's Island was purchased by Henry Donnell, of the Indians, and occupied by him as a fishing stage for thirty years, until driven away in the war of 1688, with the loss of several lives, according to the statement of his son Samuel, who claimed it in 1710. Donnell went from York and married a daughter of Thomas Reading, an ancient inhabitant in the bay, who died previous to 1674, leaving a widow and children. Donnell gave his own name to the island, but it has not prevailed in practice; its first name was probably derived from George Jewell, an early inhabitant of Saco, who was drowned in Boston Harbor in 1638. It was laid out by the new proprietors of Falmouth to John Tyng, under whom it is now held.

Long Island contains six hundred and fifty acres, and was early taken up by John Sears, but at what particular time we are unable to determine; he was an inhabitant of the bay before 1646. In June, 1655, Sears sold this island to Isaac Walker of Boston, who in August, 1667, conveyed it to Richard Russell of Boston. It was confirmed by Massachusetts in 1683, to James Russell, son of Richard, who conveyed it to John Smith of Boston in 1706. We have lately found it called Smith's Island, in an old map of Casco bay, published in London, without date, but probably in 1702 or 1703.

We have often had occasion to notice Peak's Island; from its vicinity to the town, and the goodness of its soil and situation, it early attracted attention; it was conveyed by Cleeves to his son-in-law, Mitton, December 28, 1637; confirmed to him by Thomas Gorges in 1642, and again by Cleeves, as Rigby's agent, in 1650. Mitton's widow transferred it to John Phillips of Boston,

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pains and good service done by order of this court in the expedition and several journeys to Casco, for which no recompence hath been made them, an island called Chebiscodogo, in Casco bay, in the province of Maine, provided they take the same in full satisfaction for all service done, referring to the settlement of the province of Maine. This is no doubt Great Chebeag; and did it not receive the name Recompense, from the word in the grant, and the fact that it was payment for the grantees' services !]

in 1661, by whose son-in-law, Munjoy, and his son-in-law, John Palmer, it was occupied many years, and was said to have been given to Palmer's wife, Mary, by her grandfather Phillips. Munjoy erected a stone house upon the island before 1675.\* This island became the fruitful mother of lawsuits in modern times, it having been claimed by the posterity of Mitton, and by persons who purchased Phillips's title from the heirs of Munjoy. And it is believed now to be held under both titles by a sort of compromise; the Brackett branch of the Mitton family occupying part of it, and the grantees under Phillips the remainder.‡

Bangs' Island was owned by James Andrews before the first Indian war, and was called by his name; but how he derived his title we have no means of determining; it was confirmed to him by president Danforth, July, 1682. Hannah Hallom of Boston, 1733, testified that she lived in Falmouth in 1667, and "well remembers that said Andross improved a certain island in the mouth of Casco harbor, which was called Andross's own, and she never knew or heard any other person claim said island, or question said Andross's title thereto." Joshua Brackett, in a deed of Peak's Island to his son-in-law, Trott, in 1762, described it as "lying between Anders, Hog, Long, and House

\*[The access to the voyage of Christopher Levett, published in the second vol. of the Maine Historical Collections, leads me to doubt whether the stone house referred to, was not in part the one built by Levett in 1623, rather than by Munjoy. We have no evidence that Munjoy ever lived himself on the island, although he improved it; Palmer, who married his daughter, lived there. Levett says, in his narrative, "And thus after many dangers, &c. I have obtained a place of habitation in New England; I have built a house and fortified it in a reasonable good fashion." This was at the place called by the Indians, Quack, and which he named York, and which was one of the four islands, between which he made his boasted harbor. The four were Bangs, House, Peak's, and Hog, which now, as then, form the same beautiful and safe shelter for thousands of vessels annually seeking its protection.]

‡[Elizabeth Mitton, wife of Michael Mitton, October 7, 1661, conveyed Pond's or Peak's Island to John Phillips of Boston, who gave it to his granddaughter, Mary Munjoy, wife of John Palmer. It has borne the successive names of Pond, Michael, Munjoy, Palmer, and Peak's.]

Islands." May 17, 1698, Andrews conveyed this island, which he called Portland Island, and the small one adjoining it, called Ram Island, to John Rouse of Marshfield; Rouse claimed it under the resolve of Massachusetts before referred to, and afterward conveyed it to John Bourne of Marshfield. This island was also called Fort Island, probably from its having been a place of retreat from the Indians in 1676, when a fort was hastily thrown up there for protection; there are now remaining the ruins of a stone building upon the island.\*

Hog Island was granted by Gorges to Cleeves and Tucker in January, 1637; in May, 1658, Cleeves conveyed it to Thomas Kimball of Charlestown, who, with Henry Kimball, sold it to Edward Tyng of Boston for twenty-five pounds, July 24, 1663. He conveyed it to his daughter Eunice, wife of Rev. Samuel Willard, September, 1679. Elizabeth Clark, granddaughter of Cleeves, and mother-in-law of Edward Tyng, testified in 1728, "that Phillip Lewis lived a considerable time on Hog Island, as tenant to Mr. Tyng, her son-in-law, and received money several times of the people of Falmouth for feeding their creatures on the said island."<sup>1</sup> This beautiful and valuable island containing about two hundred and fifty acres, is held at the present day under the ancient title. Through all the changes of its owners it has preserved its original name, which, although not very classical, is a more common name for islands, than any other upon our coast. Cousin's Island in North Yarmouth, was anciently called Hog Island, and by the Indians, Suseussong, but the name of its first white proprietor has prevailed over them both. §

\* [Bangs bought the island of Ezekiel Cushing, September 14, 1760, and soon after mortgaged it to his son-in-law, Jedediah Preble, describing it as containing two hundred and fifteen acres. Preble afterward acquired the whole title, and it descended to his heirs.]

<sup>1</sup> This fragment was furnished me by Wm. Gibbs, Esq., of Salem, a descendant of Edward Tyng, to whom I am indebted for some other particulars from the records of that county.—*Essex County Record*.

§ [The origin of this very common name for islands on our coast it is difficult

House Island was very early improved by persons engaged in the fishing business, for which its eligible situation peculiarly adapted it. In October, 1661, "Nicholas White, of Casco bay, planter," sold to John Breme, "now in the same bay, fisherman," for five pounds three shillings, all his interest in House Island, being one quarter part, with one quarter of the house, but reserved liberty for Sampson Penley to make fish on said island during his life, and to have the refusal of the purchase, if Breme should sell. In 1663, Penley levied an execution against Joseph Phippen upon one quarter of the island, half of the old house and all of the new house, together with half of the stages; and in March of next year he sold his whole interest in the island to George Munjoy. In November, 1663, William Noreman, "resident in Casco, fisherman," sold to George Munjoy, quarter of the island and quarter of the house upon it. Munjoy seems now to have acquired the whole title, which was confirmed to his widow in 1681, by president Danforth, and descended to her heirs under whom it is now held. White, after selling his interest in the island, moved further up the bay, and we afterward find him in North Yarmouth, then called Westcustogo. Phippen probably used the island until dispossessed by Penley; he lived at Purpooduck.\* We do not meet with the name of Noreman after this occasion; he was probably a transient person. Richmond's Island, we have before sufficiently noticed; the other islands, the Green, Cow,

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\* [House Island has continued to the present day to be used as a place for fishing stages. The government of the United States purchased the western part of it in 1808, erected a wooden block-house upon it, which is now (1861) being greatly enlarged and strengthened, and made a formidable fortress.]

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to learn or conjecture. It is very clear that it could not be derived from the animal of that name, for they did not exist there. I suppose it must be a corruption of some Indian term having local sense. Is not the word *Quack* which Levett applies to one of these islands, the true name, and may it not have reached its appellation, thus, *Quack*—*Quoag*, spelt by Webster *Quahauj*, a species of clam—*Hog*. I cannot give a more probable interpretation.]

Marsh, Overset, and two small ones called the Brothers, which belong to the Macworth property, are of small extent, not inhabited, and not of sufficient consequence to claim particular attention.

In 1663, the court of York, consisting of two commissioners specially appointed by the general court, and the associates of the county, passed the following order relative to the islands: "We, by virtue of a commission to us granted by the general court of Massachusetts, do grant that all the islands in Casco bay lying within the jurisdiction of the government of Massachusetts, and within the limits of the breadth of the lines of the town of Falmouth, eastward into the said bay shall belong and are hereby ordered to be within the said town and under the government thereof, and bear town charges in proportion with other inhabitants there, saving the propriety of each person in every of the said islands, with Richman's Island."

The extension of the laws and jurisdiction of Massachusetts over this territory had an important influence upon its settlement and prosperity. Hitherto we may presume that no permanent code of laws had been established, the records furnish no indication of the kind; but temporary ordinances were framed as they were called for by the wants of the people and the emergency of the occasion; and the execution of these must have been inefficient and fluctuating. But when the laws of Massachusetts were introduced, sanctioned by her example and power, and enforced with rigor, security was afforded for the enjoyment of property and civil privileges. Persons were encouraged to migrate to this province from the neighboring colonies, by the prospects which were furnished in the facilities for fishing, for agriculture and trade. Among those who were drawn here at that time, was George Munjoy, a man of education and enterprise, and who united with these advantages the command of a capital, which enabled him to exercise an extensive influence over the prosperity of the place. He was the son of John Munjoy, of Abbotsham, in the county of Devon,

England, or Mountjoy, as the name still exists in that county, and was born in 1626. At the age twenty-one, in 1647, he was admitted a freeman of Massachusetts, and soon after married Mary, the only daughter of John Phillips, deacon of the first church in Boston, and a respectable merchant; his eldest son, John, was born April 17, 1653, in Boston, as were also George in 1656, and Josiah in 1658; his other children were Pelatiah, Hephzibah, married to Mortimore, and Mary, his eldest daughter, married to John Palmer; the date of her birth\* we have not ascertained, but it was probably before that of John; the other two we suppose were born in Falmouth. Munjoy had visited Falmouth as early as 1657, as we perceive by his signature as a witness to several deeds, but he did not settle here until after May, 1659; for in an agreement entered into in that month, he is styled of Boston. His father-in-law, in September, 1659, purchased Cleeves's homestead at the lower end of the Neck, and erected a house for him upon a part of the land: this continued to be his residence during his abode here, although he subsequently purchased a large tract of land on the Presumpscot, at Ammonocongion, and a farm of four hundred acres on the northerly side of Long Creek, both of which he improved for several years immediately previous to the first Indian war. He lived on this farm in part, about four years before the Indian war. He had a sister Mary who married John Saunders of Braintree, Mass.

Beside Munjoy, there came, in 1661, the three Wakelys, Thomas, John, and Isaac, and Matthew Coe, who married a daughter of Thomas Wakely. They came from Gloucester, Cape Ann, and settled at Back Cove on two hundred acres, purchased of Richard Tucker, west of Fall brook. Mather, in his *Magnalia*, speaking of Thomas Wakely, says, "Now this honest old man was one who would often say with tears, that

\* [Savage says Mary was born in Falmouth, and came to Boston for baptism, July 9, 1665. Savage also mentions sons, Phillip, Benjamin, and Gershom; they died unmarried. The name is extinct except in the hill at Portland.]

he believed God was displeased at him, inasmuch as albeit he came into New England for the sake of the gospel, yet he had left another place in the country where he had enjoyed the gospel in the communion of a gathered church, and now lived many years in a plantation where there was no church at all, nor the ordinances and institutions of the Lord Jesus Christ.”

John Wakely, the son, afterward settled upon the east side of Presumpscot river, below the falls; Matthew Coc died before the war, leaving several children, John,<sup>1</sup> his eldest son; Isaac; Martha, married to a Farnum of Boston; Elizabeth, married to a Tucker of Roxbury; who were both widows in 1731; and another daughter, married to Joseph Ingersoll, one of our early settlers.

Two other persons, one of them of great influence in the subsequent affairs of the town, came here about this time, Anthony and Thomas Brackett. They were brothers, and came from that part of Portsmouth, in New Hampshire, which is now called Greenland. We first meet with Anthony's name in 1662, as a witness to the delivery of possession of the Bramhall farm to Hope Allen, June 3rd, of that year; he married Ann, the daughter of Michael Mitton, and occupied the one hundred acres granted to her by George Cleeyes, at Back Cove. He subsequently enlarged his farm to four hundred acres, including one hundred acres which belonged to Michael Mitton and his son Nathaniel, Durham's fifty acres, and two lots of fifty-five acres each, which belonged to Ingersoll and Rider. His brother Thomas married Mary, another daughter of Michael Mitton, and occupied the homestead on Clark's Point, having entered into covenant, in 1671, to support his mother-in-law<sup>2</sup> during her life.

<sup>1</sup> John Coe moved to Rhode Island, his son John was a cordwainer in Little Compton in 1731, and is undoubtedly the ancestor of Dr. John Coe, late of this town.

<sup>2</sup> There were at least two distinct families of Brackett early settled in New England, one in Boston, the other in Portsmouth. Richard was the head of the

Thaddeus Clarke, who married Elizabeth, also a daughter of Michael Mitton, appears for the first time in our records in 1663; he was then married but could not long have been, as his wife at this time was but eighteen years old. The record referred to is an assignment to him of the deed from Cleeves to Mitton of the one hundred acres at Clarke's Point; it is dated March 1, and is as follows: "These presents witness that I, Elizabeth Mitton, late wife to Michael Mitton, deceased, in consideration that Thaddeus Clarke married my daughter Elizabeth, I do by these presents grant, give, and make over all my right, title, and interest in the lands within mentioned, unto the said Thaddeus Clarke, his heirs,<sup>1</sup> etc." We do not know where Clarke originated, or when he came here; the Rev. Timothy Alden, in his notice of the Tyng family, says Clarke came from Ireland, but he does not say when, nor does he give any authority for the statement.

Beside those before mentioned, the following persons appear to have been inhabitants of the town previous to 1670, viz: John Cloice, Robert Elliott, Lawrence Davis, George Felt, Walter Gendall, John Guy, John and Joseph Ingersoll, Phillip Lewis, Michael Madiver, Robert Nichols, James Ross, John Skillings, Ralph Turner, William Whitwell, and Jenkin Williams, of whom Elliott, Davis, Gendall, Guy, Madiver, and Turner settled upon the south side of Fore river; Cloice and

<sup>1</sup> York Records.

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Boston family; he was admitted freeman in 1636, moved to Braintree in 1642, and the same year was ordained deacon of the church there. He died in 1689, having had seven children, four sons and three daughters. There were others who did not belong to Richard's family; the name was common in Boston and the vicinity in those days, and sustained a respectable standing. The first of the name we meet with in New Hampshire, is William, who was sent by Capt. John Mason to Piscataqua, in 1631, among "his stewards and servants." May 25, 1640, Anthony Brackett, one of the inhabitants of Portsmouth, signed a deed of glebe land to the church wardens for a parsonage. This person, I conjecture to be the father of Anthony and Thomas, who came here, and whose descendants are widely scattered over the State.

Nichols on the west side of Presumpscot river; Lewis, Ross, and Skillings at Back Cove; the two Ingersolls near the narrow of the Neck, their farms stretching westerly toward Capisic; Whitwell on the Neck, near Robinson's wharf; and Williams on the east side of Presumpscot river, near Scitterygusset creek. The father of George Felt was one of the first settlers of North Yarmouth, having established himself at Broad Cove about 1640; here he built a stone house, made improvements, and raised a family. His son George was concerned in a large purchase of the Indians in 1672, of land on the north-easterly side of the Presumpscot; he married a daughter of Jane Macworth, and joined the freemen of Falmouth in a petition to the general court about 1660. He had a brother Moses, born in 1650, who lived in North Yarmouth and Falmouth until 1690, with the exception of the Indian war, and was living in Chelsea in 1733, aged eighty-three years.<sup>1</sup>

John Cloice or Cloyes was a mariner and probably came from Watertown, in Massachusetts, with his family; he was here in 1660; his first wife's name was Abigail, his second Juliann. His children by his first wife, born in Watertown, were John, August 26, 1638; Peter, May 27, 1640; Nathaniel, March 6, 1642; Abigail, married to Jenkin Williams; Sarah, married to Peter Housing; and Thomas, born of the second wife. The

<sup>1</sup> George Felt, Senior, was born in 1601, and was living in Malden 1688, aged eighty-seven; in a petition to Andross, 1688, he stated that about eighteen years before he had bought a plantation or farm of John Phillips of Boston, at a place called Great Cove, in Casco bay, containing about two thousand acres, for which he paid sixty pounds, that he had occupied it about three years before the purchase; that after the Indian war, it was withheld from him by Casco people, and he being impoverished could not recover it; that he was then suffering for want, being about eighty-seven years old. In 1727, Moses Felt in a deed to a committee of North Yarmouth of three hundred acres on Broad Cove, recited that his father, George Felt, bought said land of John Phillips of Casco bay, and afterward again purchased it of the agent of Sir F. Gorges, about the year 1643; that said Felt built a house on this land and lived in it above forty years without molestation until 1684.—*North Yarmouth Records*.

[George Felt, Senior, died at Malden, in 1693.]

name is not found here now, nor in the vicinity ; the last person who bore it in town was Thomas, who was killed by the Indians in 1690, leaving two sons, Thomas and George, and a daughter Hannah ; Thomas moved to Boston and George to Salem.

An active, hardy, and enterprising population was fast spreading over the town, clearing up the forest and opening the soil to the face of day. The children of the first settlers were coming forward on the stage ; and we find even at this early period, that town born children were arriving at the age of maturity and becoming themselves the heads of families. The deaths of adult persons as far as we have been able to ascertain, were few ; Winter and Macworth alone occur previous to 1660 : we have now to notice in the latter year that of Michael Mitton. Mitton's last act was his release to Jordan before mentioned, dated August 25, 1660 ; his widow alone acknowledged the deed, and October 7, of the next year, she alone conveyed Peak's Island to John Phillips. We have supposed that Mitton came over from England with Cleeves in 1637, for in that year he makes his first appearance upon our soil as the grantee of Peak's Island. The time of his marriage with Cleeves's only child Elizabeth, cannot be precisely ascertained ; their daughter Elizabeth was born in 1644, she gave her deposition in Boston, in 1735, in which she testified that she was about ninety years old : their daughter Anne was probably the eldest : she signed as witness, a deed from her grandfather Cleeves to her father, in 1651. They had five daughters and one son, whose names were as follows : Anne, married to Anthony Brackett ; Elizabeth, to Thaddeus Clark ; Mary, to Thomas Brackett ; Sarah, to James Andrews ; and Martha, to John Graves, who lived in Kittery first, and subsequently in Little Compton : last, Nathaniel, who was never married. The name is now extinct in this country, but his blood in the female line flows over the whole State, and is not confined to it. Mitton is styled in conveyances, Gentleman, a title which had not lost

all its meaning in that day ; in 1640, he was appointed by the first general court in the province, constable of Casco, an office of respectability in our early history. John Jocelyn says of him, "The gentleman was a great fowler." Mitton's character partook of the licentiousness which prevailed throughout the province in the first stages of its history ; and one transaction which is recorded, must ever leave a perpetual stain upon his memory. Richard Martin, an early inhabitant of Casco, was the father of two daughters, whom, being about to return to England to arrange his affairs, he left in the family of Mitton. During their residence of several months with him in 1646, he insinuated himself into the favor of the eldest, named Mary, whom he seduced. She afterward went to Boston and was delivered of a bastard child, of which she confessed Mitton to be the father ; overcome with shame, she endeavored to conceal her first crime by the commission of a more heinous one in the murder of her infant. For this she perished upon the scaffold, at the early age of twenty-two years in March, 1647.<sup>1</sup>

The want of a regular government east of the Piscataqua for many years, encouraged a laxity of morals which did not prevail in any other part of New England. We meet upon the records numerous and frequent complaints of adultery and fornication, the parties in which escaped with a small fine or other slight punishment.<sup>2</sup>

The widow of Mitton, a few years after his death, married a Harvey, an undistinguished man, who died before her, leaving her a second time a widow ; she died herself in 1681.

<sup>1</sup> Winthrop, vol. ii. p. 302.

<sup>2</sup> The commissioners of the king in the Report of their doings here in 1665, speaking of the people east of the Kennebec, say "those people for the most part are fishermen, and never had any government among them : most of them are such as have fled from other places to avoid justice. Some here are of opinion that as many men share in a woman as they do in a boat, and some have done so."

## CHAPTER V.

1659 to 1665,

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FIRST COURT UNDER MASSACHUSETTS—STATE OF RELIGION IN THE TOWN—DEPUTIES—COURTS—PAY OF JURYMEN—HIGHWAYS—PRISON—ABRAHAM PREBLE—OPPOSITION TO MASSACHUSETTS—KING'S COMMISSIONERS SUSPEND THE AUTHORITY OF THAT COLONY—MEMORIAL FROM CASCO—RETURN OF THE COMMISSIONERS.

The first court held after the submission of Falmouth and Scarborough, of which we have any record, was at York, July 4, 1659. Massachusetts sent two of her magistrates to preside at this court, who were assisted by Major Nicholas Shapleigh,<sup>1</sup> Mr. Abraham Preble,<sup>2</sup> and Mr. Edward Rishworth,<sup>2</sup> local magistrates. Several actions were entered by and against persons living in the eastern part of the country, as we have before noticed. George Lewis was appointed constable for Falmouth, and Henry Jocelyn,<sup>3</sup> Robert Jordan, George Cleeves, Francis Neale, and Henry Watts,<sup>3</sup> commissioners for Falmouth and Scarborough.

<sup>1</sup> Of Kittery.

<sup>2</sup> Of York.

<sup>3</sup> Jocelyn lived at Black Point, and Watts at Blue Point, on the opposite side of the river; Watts was born in 1604, was in Saco as early as 1631, and was living in 1684.

[The following is a fac-simile of the hand-writing and signature of Henry Watts.]

12th 18th of August 1659  
Henry Watts Comissr

The care of the morals of the people and the promotion of religious instruction among them, early and steadily occupied the attention of the government after they acquired a jurisdiction over the province. They wished however to instruct in their own way, and to have the people conform to their modes of thinking and practice on religious subjects. The following order relative to Falmouth was passed at the first court: "This court being informed that the inhabitants of Falmouth are at present destitute of any public means for their edification on the Lord's Day, and by reason of the people not meeting together for their mutual furtherance in the ways of God, great advantage is given unto the common enemy, joining with the corruption of such as have no delight to sanctify God's holy rest, the neglect whereof being an inlet to all profaneness, and cannot but be provoking to the jealousy of him who is the fountain of our peace and welfare; for the prevention whereof these are therefore to require all the inhabitants of the said place from time to time in one or more convenient place or places to meet together on the Lord's Day, for their mutual edification and furtherance in the knowledge and fear of the Lord, by reading of God's word and of the labors of known and orthodox divines, singing of psalms, and praying together, or such other ways as the Lord shall enable them, till the favor of God shall so far smile upon them as to give them better and more public means for their edification."

It appears by a petition of the inhabitants to the general court, which we have before noticed, that in the May following the date of this order, they had a preacher among them; they say, "God begun to answer our prayers and send us a faithful dispenser of the word," which, they add, they hoped to enjoy, if "their distractions doe not discourage him." He was probably with them in 1661, for the general court in that year, require Saco, Scarborough, and Wells to procure able and orthodox ministers in six months time, but say nothing of Falmouth. This, without doubt, is the only preacher they had been favored

with, beside those of the Episcopalian order, Gibson and Jordan; but it appears that he did not stay long among them, for in July, 1669, the court order Falmouth and Scarborough both, "forthwith to seek out and provide themselves of an able and orthodox preacher to be their minister; and in case of neglect to supply themselves by the 20th day of September next, they shall each pay unto the ministry of the next town adjoining to theirs that is supplied, fifty pounds per annum, during their being destitute."

Falmouth probably obeyed the above order, as next year Scarboro alone is presented for not complying with it. But who the preacher was on either of these occasions, no record furnishes us with the slightest intimation.<sup>1</sup> A majority of the inhabitants consisted of emigrants from the Massachusetts and Plymouth colonies, and were therefore favorable to the puritan form of worship; the government used their utmost exertions to discourage every other sect. Although a few of the old settlers retained their original principles, the religion of the state enforced by the laws, became from this time the predominant religion of the province. The government of Massachusetts was certainly influenced by a sincere desire to reform the morals of the people, and to preserve purity of worship; they earnestly desired that all the ordinances of religion should be strictly observed, but it may well be doubted whether by their over rigid discipline and exclusive zeal, they did not do injustice to their liberal professions and to the cause which they were earnest to promote. The following injunction against Jordan adopted by the general court in October, 1660, does not seem

<sup>1</sup> Thomas Jenner, who was preaching in Saco in 1641, mentions in a letter to Gov. Winthrop, found in Hutchinson's collections, dated April 16th of that year that he had been solicited by the inhabitants of Casco to help them [to a godly minister. It does not appear that any was furnished. [The next notice of any minister being in this region, is from the complaint of Jordan and Jocelyn to the court in 1659, of Rev. John Thorpe for "preaching unsound doctrine." He was silenced by the general court.]

to aim at any corruption or immorality, but only at the form under which the ordinance was administered: "Whereas it appears to this court by several testimonies of good repute, that Mr. Robert Jordan did, in July last, after exercises were ended on the Lord's Day, in the house of Mrs. Macworth, in the town of Falmouth, then and there baptise three children of Nath'l Wallis, of the same town, to the offence of the government of this Commonwealth, this court judgeth it necessary to bear witness against such irregular practices, do therefore order that the secretary, by letter in the name of this court, require him to desist from any such practices for the future, and also that he appear before the next general court to answer what shall be laid against him for what he hath done for the time past."<sup>1</sup>

Among the complaints against Massachusetts, made to the king's commissioners in 1665, the following are noticed: "They will not admit any who is not a member of the church to communion, nor their children to baptism."

"They did imprison and barbarously use Mr. Jordan for baptising children as himself complained in his petition to the commissioners."

The exercise of this exclusive sectarian spirit by that colony, had been successfully employed against them, by their enemies in England after the restoration of Charles; and the king in his letters to the government and his instructions to the commissioners, insists upon a reformation and a more liberal practice in that particular. This order was treated with a dexterity which that government ever exercised in its negotiations with the home government; and was evaded in a manner that did not seem openly to violate the king's commands, while no material relief was afforded to those who were oppressed by the existing laws.

In September, 1659, a court of associates was held at Scar-

<sup>1</sup> Massachusetts State Records.

borough for the county, by Henry Jocelyn, Nicholas Shapleigh,\* Robert Jordan, Edward Rishworth, and Abraham Preble. It had been previously arranged that one court should be held yearly in the eastern part of the county, and another in the western. It does not appear that Cleeves who had held the first place in the former government ever arrived at the honor of being chosen one of the associates of the county; these were a higher order of magistrates, and the judges of the county court. The provision of law seems to have been that they should be nominated by the freemen, and appointed by the general court.<sup>1</sup> But by the practice in this country, they appear to have been chosen annually by the freemen, whose votes were returned to the county court. Cleeves, however, was repeatedly chosen one of the commissioners for Falmouth, and approved by the court. These officers were elected annually, and exercised a power similar to that of justices of the peace. He was also the first person chosen a deputy from the town to the general court. By the articles of submission, the two towns of Scarborough and Falmouth were required to choose one deputy at least, and had the privilege of being separately represented if they wished. In 1659, Edward Rishworth of York, appears as the representative of Scarborough, but he was probably selected by the two towns; it was not then required by law that the deputy should reside in the town which he represented. Next year, Henry Jocelyn of Scarborough was chosen deputy; after that, neither town seems to have been represented until 1663, when Cleeves is chosen, and again the next year. They are unrepresented from this time until 1669, during which the authority of Massachusetts over the province was suspended. In the latter year, Richard Callieot, who first lived in Dorchester, and afterward in Boston, appears as the representative of Falmouth, and next

\* [Shapleigh was son of Alexander Shapleigh who lived at Kittery in 1642; he was born in England; he held many prominent offices in Maine; returned to England about 1670, and died without issue about 1682.]

<sup>1</sup> Colonial Laws, p. 91.

year our inhabitant Francis Neale, is chosen deputy; he is the last representative sent from Scarborough or Falmouth to the general court of Massachusetts, until the organization of the government under the charter of 1691. But part of this time, viz: from 1680 to 1686, the province was governed by a local administration, consisting of a president, and a general assembly, in which each town was represented.

The associates for the county in 1660 and 1661, were Henry Jocelyn, Robert Jordan, Nicholas Shapleigh, Abram Preble, Edward Rishworth; the following notice is added to their names in the year 1660, "chosen associates by the votes of the major part of the freemen of this county for the year ensuing;" Abraham Preble was chosen treasurer.<sup>1</sup> The commissioners for Falmouth in 1661, were Robert Jordan, George Munjoy,

<sup>1</sup> Abraham Preble died in 1663, and in July of that year, administration was granted to his widow Judith. Mr. Preble, the ancestor of all of that name in this State, emigrated from Scituate, in the old colony;\* he was one of the first settlers of that place, being mentioned among its inhabitants in the year 1637. His wife, Judith, was a daughter of Nathaniel Tilden, also of Scituate, the ancestor of the Tilden family now living in Boston. We do not meet with him in this state before 1642; in that year he purchased a tract of land at York, of Edward Godfrey, and in the deed they are both styled of Agamenticus. He soon rose into consideration, and sustained during the remainder of his life, some of the most honorable and responsible offices in the province. As early as 1645, he was one of the counselors or assistants in Sir Ferdinando Gorges' government, which office he continued to sustain until its dissolution; under the succeeding brief sway of Godfrey, he was a member of the general court, and held the first military appointment with the title of major; and when Massachusetts extended her jurisdiction over the western part of the province, in 1652, Mr. Preble was selected with "the right trusty Mr. Edward Godfrey, Mr. Edward Johnson, and Mr. Edward Rishworth," a commissioner to hold county courts, attend to the execution of justice, commission military officers, and perform other services of a responsible nature. He left several children, one of whom, Abraham, filled important offices in succeeding years. Benjamin, the second son of the second Abraham, was the father of Brigadier Preble, the first of the name who came to this town, and whose posterity continue among us; Judge Preble, minister to the Hague, originated in York, from another branch of the same family, a descendant of the first Abraham.

\* [Farmer's Register.—Baylis Memoir of Plymouth Colony.]

and Francis Neale; Joseph Phippen was appointed constable. At the July term of the court this year at York, it was ordered that jurymen should have three shillings a day, and pay their own charges, and be allowed for travel at the following rates: one day's pay for each day's travel in going to and returning from court; the time allowed for this purpose from the respective towns was as follows: Falmouth, five days; Scarborough, four days; Saco, three days; Cape Porpus, two and a half days; Wells and Kittery, each two days. Some idea may be formed of the state of the traveling in the province, when one day was allowed to go from Wells to York, now passed over in two or three hours.

In 1653, the commissioners at Wells, who received the submission to Massachusetts, of Wells, Saco, and Cape Porpus, ordered that the inhabitants of those towns should make "sufficient highways within their towns, from house to house, and clear and fit them for foot and cart, before the next county court, under the penalty of ten pounds for every town's defect in this particular, and that they lay out a sufficient highway for horse and foot, between towns and towns, within that time."<sup>1</sup> From this it would appear that no roads existed at that period from town to town, and Sullivan says,<sup>2</sup> that the commissioners could get no further than Wells for want of a road to travel in. Communications at that time were probably made by water; all the settlements being upon the coast or on the banks of the rivers. In 1669, Falmouth and Scarborough are presented to the court for not making their roads passable. In 1673, the towns lying between Wells and Falmouth, inclusive, were ordered "to mark out the most convenient way," "every town marking out their own part within their own extent." The associates for 1662, were Henry Jocelyn, Edward Rishworth, Abraham Preble, George Munjoy, and Humphrey Chadbourn;

<sup>1</sup> Sullivan, p. 365.

<sup>2</sup> Sullivan, p. 355.

the commissioners for Falmouth were George Munjoy, George Cleeves, and Francis Neale. In the proceedings of this court, held at York, we have the first notice of a prison in Falmouth; it is as follows: "John Phillips of Falmouth, accused for suspicion of felony, by reason of the unfitness of the prison to receive him, is confined to his own house as a prisoner, and engageth to appear at the next court."\*\*

Nothing further is met with of Phillip's case, nor do we know what gave rise to the suspicion. From the representation of the prison here made, it would appear that it was not much used; we have no information where it was situated nor when it was erected. It must have been but a temporary structure, for in July, 1666, the court appointed by the king's commissioners sitting at Falmouth, order, "that by this time twelve-month, there shall be a prison erected and set up for the eastern division of this province, in some convenient place in Casco bay, alias Falmouth; to which end, that it may be better effected, the several towns within this division, are to make return of their estates unto the next court of Pleas holden at Casco, on the second Tuesday in November next."<sup>1</sup> In 1669, the following order relating to this subject was adopted: "This court understanding that there was a course taken formerly by the consent of the country, by their deputies, for the building of a jail in Falmouth, which is builded as we understand by Mr. Munjoy, but the towns and persons not having paid their proportions toward it, are required to do so:" persons are appointed to take a diligent survey that the jail be fin-

\* [On March 13, 1668, Sampson Penley sold to George Munjoy "one-half acre of land lying near my now dwelling house, being the land on which the jail now standeth."]

<sup>1</sup> The proportion of this expense for Saco, was fifteen pounds sixteen shillings eleven pence, as ordered by the deputies. Wheat was to be received at five shillings six pence the bushel, Indian corn at three shillings six pence, peas at four shillings — *History of Saco*, p. 151. I am not able to ascertain the ratio of other towns.

ished according to covenant with Mr. Munjoy, and to appoint a keeper. Sampson Penley was the keeper in 1671, and is then called to account for releasing Francis Morgan.<sup>1</sup>

In 1662, the opposition to the government of Massachusetts begun to manifest itself in open hostility. Jocelyn and Shapleigh, who had been chosen associates, refusing to take the oath of office, the court adjourned; and the general court, at its October session, appointed Capt. Richard Waldron, of Dover, "to repair to York, at the time of the county courts adjournment, and send for the several persons chosen commissioners by the said court, and give them their several oaths to administer justice according to law, for the year ensuing." To Waldron's summons, Jocelyn and Shapleigh sent the following protest: "We, Henry Jocelyn and Nicholas Shapleigh, commissioners of the province of Maine under the authority of Ferdinando Gorges, Esq., lord proprietor of said province, do protest against the acts and order of the general court of Massachusetts, exhibited by Capt. Waldron, at said adjourned county court, being contrary to our former articles, and a collateral agreement with our commissioners at Wells."<sup>2</sup> These and other considerable persons in the province were induced openly to avow their opposition at this time, by the support they received from the proprietor in England, aided by letters from the king, who now turned a favorable ear to the representations of the heirs of Mason and Gorges. A letter from Cleeves written at this time, fortunately discovered, furnishes us with some interesting particulars relating to this crisis.<sup>3</sup>

The letter is thus superscribed, "The Hon. Jno. Endicott, Esq., and to Rich. Bellingham, Esq., our Hon. Gov. and Dep-

<sup>1</sup> Robert Morgan was an inhabitant of Saco in 1636, and one of the same name lived at Sagadahoc in 1665; we know nothing of this Francis. [Francis Morgan lived in Kittery in 1664.]

<sup>2</sup> York Records.

<sup>3</sup> The original letter is preserved on the files in the office of state in Massachusetts.

uty Gov. and to as many our Hon. Magistrates whome thes  
may consarne in Boston present with trust.

(By Mr. John Bateman  
whom God presarve)

Evar honored Sirs

After my due respects and humble sarvis presented, thes  
may informe you that since your commissioners were at York,  
we meaning Mr. George Munjoy and myselfe, by accident re-  
ceived a papar \* \* \* <sup>1</sup> warrant from Mr. Henry Joccellen  
directed to John Guy constable of Falmouth, which after we  
had Red and considered wee thought requisite to this exact  
coppie here inclosed and to detain the papar untill the publi-  
cation of the General Court's order was by myselfe publiquely  
Red in the congregation, the whole towne being present the  
last Lord's Day after meeting, at which tyme also Mr. Munjoy  
received the king's letter, and had not Mr. Rishworth's care  
been to send the Court's order in a lettar to Mr. Munjoy, wee  
had been deprived of the benefit of the Court's order for we  
are truly in formed that the orders sent to all the towns in that  
county were stopped and not published neither in Saco nor  
Scarborough, but countermanding warrants in his Majestie's  
name under the authority of Mr. Gorges under the firm of  
Mr. Joccellen published there; we do also understand that the  
pretended commissioners have appointed a meeting at Saco on  
the 25th day of this present November and we suppose is to see  
what strength they can gather and suppres your authority and  
to establish their pretended interest; who have given it out  
that the Gen. Court have deserted the towns of Falmouth and  
Scarborough and that Mr. Brodstreete and Mr. Norton have  
desarted the whole county of York there in England and here  
too and thereupon all well affected in Welse and elsewhere are  
put to a great stand fearing that the Massachusetts colony doe

<sup>1</sup> Two words that we cannot decipher, probably they are "being a" or "in-  
closing a" or something similar.

deale double with them by reason of thes and other such like stories given out by Mr. Joccellen, who also reports that they do daylie expect Mr. Maverick with four other commissioners in two great friggets to countermand your authority in this your jurisdiction, but I believe the ships are not yet buylt: wee may expect speedily Mr. Joccellen and Mr. Jordan to com to our town to see what they can doe there, but my care shall be to defeat there purposes in what I may. .

Now farther, my humble request is that you will considar of a course so to be taken with those who do deale so parfiddiously, having taken the oath of freedom and fidelity for example to others, for the maintenance of your own honour, who have engaged to protect all the well affected in this your jurisdiction. I also desire to understand your sense whether the Gen. Court's mind was that the offisars in that county, that was chosen and sworn under your authority should stand in their places till the tyme of newe election, or these constables chosen and sworn by Mr. Joccellen and unto that powre: And as touching Associates wee understand that Mr Joccellen and Mr. Preble have both refused the oath and the exercise of their places and only Mr Rishworth and Mr. Chadbourn sworn and Mr. Munjoy not sworn, willing to submit when tendered unto him. Now I desire to know whether I may not administer the oath unto him as is directed in the Law-book, being a commissioner and appointed by the court to administer the oath of the Lord to any parson as occasion may Require, or whether any other Associates may be appointed to the number of five as also whether any other commissioners may be appointed for the two towns of Falmouth and Searboro' in the Roome of Mr. Joccellen or any other in case of refusall, for we suppose there may be great need of a court shortly. I cannot omit to give you to understand that Mr. Joccellen doth trumpet abroad that ther are many discontented in Boston and to the westward about the king's lettar, and I fear it proceeds from a spirit that

fain would raise a faction amongst us if not tymely prevented ; but I hope that the wisdom and counsellis of God is with you or else who knoweth how great a flame a littell fire may kindell, all which I leave to your wise consideration humbly desiring a speedy answer if it seem good to you by some publick offisar or other safe messenger in regard of the season of the year, this craving pardon for my boldness to be so larg, commending you all to the grace of God and care Resting your faithfull and humble servant to command,

GEORGE CLEEVES.

Falmouth, November 24, '62."

The opposition to the government of Massachusetts had now taken a decided stand under the guidance of Jocelyn and Jordan, who seem to have been the most active partisans of the proprietor; they were joined here by Francis Neale, Robert Corbin, Thomas Staniford, and others, and supported in the western part of the state by Capt. Francis Champernoon and Nicholas Shapleigh of Kittery. In 1663, the county court was held by William Hawthorn and Edward Lusher, from Massachusetts, assisted by George Munjoy, Humphrey Chadbourn, and Edward Rishworth, of the province. The associates for the ensuing year were Edward Rishworth, Capt. William Phillips of Saco, Mr. George Munjoy, Ezekiel Knight of Wells, and Roger Plaisted of that part of Kittery, which was afterward incorporated as Berwick. The spirit of party raged with more violence in Falmouth, probably, than it did in any other part of the county; the friends of Massachusetts succeeded in choosing two commissioners, Mr. Cleeves and Mr. Phippen, friendly to government, and in obtaining a vote to adhere to that jurisdiction. No other officers were returned to the county court, nor were any sent by Saco and Scarborough. A third commissioner elected in Falmouth was not approved by the court; their decision on the subject was expressed as follows: "For the election of commissioners in Scarborough and Falmouth, we determine as follows,

that Falmouth who have chosen according to law, that two of them which they have chosen stand, which is Mr. Cleeves and Joseph Phippen." Who the rejected one was does not appear by the record. Those two towns also sent attorneys to the court who declared the adhesion of the inhabitants as follows: "These presents testify that we, Arthur Augur and Francis Small, attorneys for the towns of Scarborough and Falmouth to act for them according to the said letter of attorney at the county court held at York this 7th of July, 1663, do hereby declare and subscribe in behalf of our said towns and do acknowledge ourselves subject and engage to remain obedient to the laws and ordinances of his majesty as now established under the authority of the Massachusetts until his majesty otherwise command us, according as by articles we are already engaged."

The court endeavored to overawe the opposition by vigorous measures, and the grand jury found bills of indictment against several of the obnoxious persons. They presented Champernoon, Jocelyn, Jordan, and Shapleigh for renouncing the authority of Massachusetts, using means "for the subjecting thereof, under pretence of a sufficient power from Esq. Gorges to take off the people, which is manifest to the contrary." They also presented Francis Neale, Thomas Staniford, Francis Small, and Robert Corbin, all of Falmouth, "for breach of the oath of freedom and fidelity;" Cleeves and Phippen, the commissioners, were witnesses against them, but they were discharged. Thomas Staniford was also presented for a common swearer and a drunkard, and was fined twenty shillings. And Francis Small for being a common liar and a drunkard; under this case is this entry; "The court find the charges against Small dubious;" they fined him ten shillings for drunkenness and discharge him with admonition. Lawrence Davis was presented for railing at the constable and for swearing, fined ten shillings. Robert Corbin was also presented "for making an uproar in the meeting on the Lord's Day in Casco, and for

breach of oath to his government and for saying he would break the hedge of government;" he was discharged with an admonition and the payment of officer's fees. But the heaviest measure of vengeance seems to have been meted out to the ill-fated Jordan; in addition to the above mentioned indictment, there were five others against him, which will be briefly stated. One was for saying that Mr. John Cotton,<sup>1</sup> deceased, "was a liar, and died with a lie in his mouth, and that he was gone to hell with a pack of lies; and the said Jordan said, by the power they had, they could command the Governor of Boston to assist them, and if any did rebel against their power, that they would take them and hang them or burn their houses;" and further he said, that John Cotton's books were lies, and that he had found them so. Another was, for saying that the Governor of Boston was a rogue, and that all the rest thereof were traitors and rebels against the king. A third presentment was for swearing commonly by the eternal God. A fourth, for breach of the oath of freedom and fidelity taken unto the government of Massachusetts: the entry here is, "Mr. Jordan his actions make manifest the truth of his charge." A fifth indictment was for being "an usual liar and for raising and fomenting lies;" "proved." The witnesses against him on the different charges were John Ingersoll, Anthony Brackett, George Cleaves, and James Ross, all of Falmouth. It is evident from these proceedings that Jordan's opposition was of a violent character, into which he had probably been driven by the persecution he had received for his attachment to the church of England. We are inclined to the belief that religious differences were not the least of the causes of disaffection to the Bay government which prevailed in the province. The opinions of men formed by education and deeply rooted in their habits, are not easily surrendered even to the genial in-

<sup>1</sup> Mr. Cotton had been the minister of the first church of Boston, and for many years its spiritual guide: he arrived in 1633, and died in 1652, aged 68 years.

fluence of argument and persuasion, much less to physical force: despotic power may extort the service of the lip but nothing of the heart.

The opposition which now existed was sufficiently powerful to produce respectful consideration on the part of Massachusetts, which adopted a more conciliatory tone toward it. In relation to the exercise of authority by the leaders of that party, the court passed the following order: "Whereas it appears that several persons having been appointed officers by the pretended power under Esquire Gorges, have acted in their respective places, we do order and grant that all such persons whatsoever as have acted peaceably and civilly upon their orders and warrants received as aforesaid, shall henceforth be free and fully discharged from question, presentment, or legal proceeding in any respect to their damage or disturbance in any of such their actings."

But this policy was alike ineffectual; the spirit of hostility existed and was cherished by a power near the throne, which procured in 1664 the appointment of four persons by the king, with power to settle the peace and security of the country. This commission was procured by the earnest solicitation of the proprietors of Maine and New Hampshire, supported by the exertions of all the enemies of Massachusetts, and was aimed at the power and influence of that colony.<sup>1</sup> Two of the commissioners, Col. Richard Nichols and Col. George Cartwright, arrived at Boston, July 23, 1664, and Sir Robert Carr and Samuel Maverick about the same time at Piscataqua. With the latter came John Archdale, an agent of Gorges,\* with authority to superintend the affairs of his province. John Jocelyn, who was then residing with his brother Henry at Black

<sup>1</sup> The commission may be found in the Appendix to Hutchinson's Massachusetts, vol. i.

\* [Archdale was afterward governor of North Carolina, and in 1686, a resident of Perquimans County in that colony. He was nearly related to Gorges.]

Punt, speaking of the commissioners, adds, "with them came one Mr. Archdale, as agent for Mr. F. Gorges, who brought to the colony in the province of Maine, Mr. F. Gorges' order from Charles 2d. under his manual, and his majesty's letter to Massachusetts, to be restored unto the quiet possession and enjoyment of the same province in New-England and the government thereof, the which during the civil wars in England, the Massachusetts Colony had usurped, and most shamefully encroached upon Mr. Gorges' rights and privileges."<sup>1</sup>

The letter from the king above referred to is dated June 11, 1664; it speaks in the first place of the grant to Sir F. Gorges, the money he had expended upon it, and his disappointment occasioned by the "breaking out of the wars, in which he personally engaged, though betwixt three and four score years of age," the usurpation of Massachusetts, etc., and closes with the following injunction: "We have taken the whole matter into our princely consideration, and finding the petitioner's allegations and report of our said council learned, so consonant, we have thought fit to signify our pleasure on behalf of the said F. Gorges, the petitioner, hereby requiring you that you forthwith make restitution of the said province unto him or his commissioners, and deliver him or them the quiet and peaceable possession thereof; otherwise that without delay you show us reason to the contrary."<sup>2</sup>

The commissioners were occupied several months in Massachusetts and New York, and did not visit Maine until June, 1665. In the meantime, however, Massachusetts endeavored to support her authority in the province; she held her court as usual in July, 1664, at which associates and town commissioners were returned and approved. Munjoy was chosen one of the associates; and the commissioners from Scarborough and

<sup>1</sup> Jocelyn's voyages.

<sup>2</sup> This letter may be found on Massachusetts Records, and also in Hutchinson's Collection.

Falmouth were Henry Jocelyn, George Munjoy, Richard Foxwell,<sup>1</sup> Francis Neale, and Henry Watts; they were all approved but Henry Watts; Anthony Brackett was chosen constable of Falmouth.

Archdale, however, immediately after his arrival, came into the province, and was not idle in the use of his authority. He granted commissions to Henry Jocelyn of Black Point, Robert Jordan of Spurwink, Francis Neale of Casco, and to persons in every other town in the province, who by virtue thereof undertook to conduct public affairs independently of Massachusetts. Jocelyn, Jordan, Archdale, and Edward Rishworth addressed a letter to the Governor and Council of Massachusetts in 1664, requiring them to surrender the government to Mr. Gorges or his commissioners, according to his majesty's pleasure, signified in his letter of June 11. To this application the answer was, "The council assembled do declare that the lands in the county of York, by them called the province of Maine, were and are claimed as part of the patent granted to Massachusetts, which patent precedes the patent granted to Sir F. Gorges, otherwise the council may not give up the interest of the colony without the consent of the general court."<sup>2</sup>

The general court at their session in May following, 1665, endeavored to encourage their friends in the province by affirming their title, and declaring their determination "still to extend their government over them as formerly, and that the county court at York should be held at the time appointed, according to law;" they "further inform the people of that county, that they intend to return to his majesty an account of the reasons why they have not rendered the government of that county to the agent of Mr. Gorges, and a map of their

<sup>1</sup> Foxwell was an early and very respectable inhabitant of Blue Point, in Scarborough; he married a daughter of Richard Bonython of Saco, and left a numerous posterity. Mr. Folsom in his history of Saco has furnished ample particulars relating to this family and of most of the early settlers of that town.

<sup>2</sup> Massachusetts Records.

north bounds or line, which demonstrates the ground of their government there." In pursuance of this resolution, two persons were employed to prepare a map of the colony, and a detailed statement was drawn up, containing a description of the boundary line, the report of the surveyors, etc., which they entitled "certain reasons tending to manifest that the patent right of the northerly line of the charter doth belong to the Massachusetts Colony in New England."<sup>1</sup>

They also sent down Thomas Danforth, Eleazar Lusher, and John Leverett, Esqrs., with full power to call before them "any and every person or persons that have or shall act in the disturbance or reviling of the government there settled, according to his majesty's royal charter to this colony, under the broad seal of England." But these exertions were fruitless, the commissioners had now arrived in Maine, and the spirit of disaffection was diffused over the whole province. The commissioners not only released the people from all obligations to the government of Massachusetts, but also by an assumption of power, from the authority of Gorges himself. In their proclamation issued from York, June 23, 1665, they say, "In his majesty's name we require and command all the inhabitants of this province to yield obedience to the said justices acting according to the laws of England as near as may be. And in his majesty's name we forbid as well the commissioners of Mr. Gorges, as the corporation of Massachusetts bay, to molest any of the inhabitants of this province with their pretences, or to exercise any authority within this province, until his majesty's pleasure be further known, by virtue of their pretended rights."<sup>2</sup>

They state as a reason for this course, that they had "received several petitions from the inhabitants," in which they had desired to be "taken into his majesty's immediate protection

<sup>1</sup> Massachusetts Records.

<sup>2</sup> York Records.

and government :<sup>1</sup> they then make the following declaration : "We, by the powers given us by his sacred majesty under his great seal of England, do by these presents receive all his majesty's good subjects living within the province of Maine, into his majesty's more immediate protection and government. And by the same powers and to the end the province may be well governed, we hereby nominate and constitute Mr. F. Champernoon and Mr. R. Cutts of Kittery, Mr. Edward Johnson and Mr. Edward Rishworth of York, Mr. Samuel Wheelwright of Wells, Mr. Francis Hooke and Mr. William Phillips of Saco, Mr. George Munjoy of Casco, Mr. Henry Jocelyn of Black Point, Mr. Robert Jordan of Richmond's Island, and Mr. John Wineoll of Newichawanock, Justices of the Peace ; and we desire and in his majesty's name we require them and every of them to execute the office of a Justice of the Peace within the province of Maine." Any three of these magistrates were authorized to meet at convenient times and places "to hear and determine all cases both civil and criminal and to order all the affairs of the province for the peace, safety, and defence thereof" according to the laws of England.

It will be perceived that the magistrates before mentioned, were those who had not only taken the oaths of freedom and fidelity to Massachusetts, but were several of them, the very persons who had just before received a commission from Gorges for the preservation of his authority in the province. They seem to have put off their fealty with the same facility they did their doublets. But we suppose they justified their course by the paramount power of the commissioners, who in this particular seem to have exceeded the letter of their instructions and the main object of their trust, which was to restore the province to Gorges.

<sup>1</sup> John Jocelyn gives this account of the matter : "His majesty that now reigneth sent over his commissioners to reduce them (Massachusetts) within their bounds, and to put Mr. Gorges again into possession. But there falling out a contest about it, the commissioners settle it in the king's name, until the business should be determined before his majesty."

That neither this new project of independence nor a separation from Massachusetts were acceptable to many of the people, may be inferred from the following petition addressed to the king by the inhabitants of Casco; which, though somewhat long, commends itself to a place in this history. It was prepared immediately after the declaration of the commissioners was published, and before they left the province.

“To the king’s most excellent majesty, the humble petition of the inhabitants of Casco upon the province of Maine, in New England, wherein, according to his majesty’s command, is rendered their reasons why they could not submit to Mr. Gorges.

Most dread Sovereign,

Pardon, we humbly beseech, if we presume to address our most gracious and loving father, whose gracious eye and fatherly care is toward us the meanest of your subjects inhabiting the northerly parts of your dominions in this wilderness, as we understand your gracious letter to us. For the which fatherly and gracious care of us therein expressed, we beseech, though we be but one of ten that presume to return thanks, pardon, we humbly beseech you, our presumption, who have the royal sceptre of your command for so doing, and accept of our bounded thankfulness, who upon our bended knees do return unto your sacred majesty most humble and hearty thanks for the same.

And whereas your majesty was pleased to demand our submission to Mr. Gorges, or else forthwith to render our reasons, may it please your most sacred majesty, we have no reasons as of ourselves, having nothing to say against Mr. Gorges or his government, but if it shall please your majesty so to determine it, we shall cheerfully and willingly submit to it.

1st Reason. But when we first submitted to the government of Massachusetts, we did engage to be under their government, till such time as your majesty should determine us as proper to any other regulation, your majesty being pleased to send to

them demanding, as we are informed, their resignation of us, or else to show their entire reasons, which they say they have undertaken to do, and therefore have commanded us in your majesty's name to continue under their government, till it shall be determined by your majesty: against whom we have nothing to say, but have by good experience, found that expression of your majesty verified concerning them, that whereas they have exceeded others in piety and sobriety, so God hath blessed them above others: so we having had piety so countenanced, and justice so well executed, that we found God's blessing in our lawful callings and endeavors, more in one year than in several before or since our late troubles.

2nd Reason. Since which, most gracious sovereign, it hath pleased your majesty's most honorable commissioners to forbid our submission either to Massachusetts or Mr. Gorges: and we humbly beseech your majesty not to impute it to any disloyalty in us, if your majesty find not our names inserted in a petition directed to your sacred majesty for the removal of the government both from the Massachusetts and Mr. Gorges, we having no just cause of complaint against either, we being likewise taught out of the word of God, that obedience is better than sacrifice, especially of that which is none of our own and of which for ought we know, your majesty hath long since disposed of or if not, we presume your majesty knoweth better how to dispose of your own than we to direct: we here professing to your sacred majesty, it is the only height of our desires, without any sinister or by respects to be wholly and solely where God by his providence and your command shall cast us.

Thus having according to your majesty's commands and our weak abilities, rendered all our reasons we have or know of, we humbly beg your majesty's determination by reason of the sad contentions that hath been and is now among us, not without some threatening of us, who did not join with our neighbors in petitioning against Mr. Gorges and the Massachusetts, hum-

bly begging your gracious and fatherly eye to be towards us, we only desiring as much as in us lieth, to act in the uprightness of our hearts in the sight of the Almighty, your gracious majesty, and all men, desiring rather to submit, than to contend or direct what government or governors your majesty shall please to appoint over us.

Thus with our prayers to the God of heaven to pour upon your majesty all the blessings heaven and earth can afford, both spiritual, temporal, and eternal, beseeching him in whose hands are the hearts of kings, to direct your sacred majesty so to dispose of us as may make most for the glory and honour of God, your sacred majesty and the good of your poor subjects, we prostrate ourselves at your majesty's feet, and subscribe, as your due and our duty is,

Your majesty's ever faithful and obedient subjects, to be obedient where your majesty shall please to command us, to the utmost of our lives and fortunes. August 1, 1665.

Henry Williams, Ambrose Boaden, George Lewis, John Lewis, Thomas Skilling, Thomas Skilling, John Skilling, John Cloyes, Thomas Wakely, John Rider, Nathaniel Wallis, George Cleeves, George Munjoy, Francis Neale, Phineas Rider, Richard Martin, Benjamin Atwell, John Ingersoll, George Ingersoll, John Wakely, John Phillips, Robert Corbin."<sup>1</sup>

<sup>1</sup> This document is preserved by Hutchinson in his collection of papers. p. 396. All the above signers were inhabitants of Falmouth but Henry Williams and Ambrose Boaden, who both lived in Scarborough. Williams was clerk of Scarborough in 1669 and 1670. Boaden died in 1676; he lived on the west side of Spurwink river, near the mouth, on a place which he had occupied thirty years. The two by the name of Thomas Skilling were father and son. Beside the persons who signed the foregoing petition, the other inhabitants of the town at that time were James Andrews, Anthony Brackett, Thaddeus Clarke, Lawrence Davis, Humphrey Durham, Walter Gendall, John Guy, Robert Jordan, Michael Madiver, Joseph Phippen, George Phippen, Sampson Penley, Thomas Staniford, Robert Staniford, Ralph Turner, John Wallis, James Ross, Jenkin Williams, Nathaniel Wharff; a majority of these lived upon the south side of Fore river, at Purpooduck and Spurwink.

The other party on the other hand petitioned, that the province might continue under the king's immediate protection, and that Sir Robert Carr, one of the commissioners, might be appointed their governor. This petition was lost at sea. The commissioners proceeded from this province to the east side of Kennebeck river, where, after having constituted a government, they returned to Massachusetts. They made a report of their proceedings in Maine, from which a few extracts will be made; we have already quoted in the beginning of this chapter, a part that related to the treatment of Mr. Jordan; in this connection they add, "One gentleman, who refused to submit to Massachusetts and suffered great loss by them, shewed the commissioners a warrant the Massachusetts had made to have him brought to Boston alive or dead."<sup>1</sup> "This province upon petition of the inhabitants and the difference between Mr. Gorges' commissioners and the Massachusetts, his majesty's commissioners took into his majesty's protection and government and appointed Justices of the Peace to govern them until his majesty's pleasure be further known. The inhabitants afterward petitioned his majesty that they might always continue under his majesty's immediate government and that Sir Robert Carr might continue their governor under his majesty, which petition was lost at sea. In this province also lives an Indian Sachem, who lives near to the great lake from whence flows Merrimack river, he petitioned his majesty to take him into his protection, which was also lost." "In this province there are but few towns and those much scattered, as generally they are throughout New England; they are rather farms than towns; but in this province there is a bay called Casco bay, in which there are very many islands, two outlets to the sea, many good harbors, and great store of fish and oysters,<sup>2</sup> crabs and lobsters."<sup>3</sup> Party

<sup>1</sup> This probably refers to John Boylston of Salem upon whose head a price was set.

<sup>2</sup> The oysters have long since departed.

<sup>3</sup> The commissioners did not again return to the province. Carr went to Eng-

feeling raged high in the province at this time; the middle class of the people were undoubtedly satisfied with the government of Massachusetts, which secured to them a steady administration of the laws and a protection of their persons and property; the leaders on the contrary were probably stimulated by motives of ambition, as well as by their hostility to Massachusetts, to the course they pursued. They doubtless thought the chances of success in resisting the persevering claims of their ever watchful and energetic neighbor were more favorable under the auspices of the king, than under those of an individual proprietor. The part taken by Munjoy in these difficulties is not clearly exhibited; he was appointed to one of the most honorable places in the province, respectively, by the government of Massachusetts, by Gorges, and by the commissioners; that he continued friendly to Massachusetts we can have no doubt; he expressed it by subscribing the petition we have introduced; but it is also certain that he accepted the appointment of the commissioners and discharged its duties.<sup>1</sup> The

<sup>1</sup> Sept. 12, 1665, George Munjoy gave a bond in the sum of twenty pounds, that in retailing of wine, liquor, and strong drink of any sort, he would not make any breach of good order, as he will answer for it according to law to Henry Jocelyn and Robert Jordan, Justices of the Peace. In 1666, he was appointed by the new government to erect a prison in Falmouth, by which it would seem that he possessed their confidence.

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land and died the day after his arrival, June 1, 1667. Cartwright, who kept memoranda of their proceedings, was captured by the Dutch on his passage home and lost all his papers. Col. Nichols did not come into this province, but went from Massachusetts to New York, of which province he was governor. Mr. May-erick was in Boston in 1666, but what became of him we are not informed; he was son of the early planter upon Noddle's Island, in Boston-harbor, who died in 1664; his wife was a daughter of the Rev. John Wheelwright of Boston, Exeter, Wells, and finally of Salisbury, of whom frequent notices may be found in Savage's edition of Winthrop's Journal.—*Hutchinson's Collection*, p. 412. [Maverick died about 1666; in that year his brother-in-law, Francis Hooke, of Kittery, took administration on his estate. His widow married William Bradbury in 1672.]

course taken by Jocelyn and Jordan is not to be wondered at ; they yielded reluctantly to the power of Massachusetts in the first place ; but all the while they carried a thorn in their bosoms ; and whenever a favorable opportunity offered, they were the first to seize it to break from their allegiance. This party supported by the favor of royalty now enjoyed a brief triumph, and administered the affairs of the province for about three years.\*

\* [Particulars of the appointment, and the proceedings of the commissioners, the petitions of the inhabitants, etc., may be seen in Mr. Folsom's "Catalogue of original documents relating to Maine," in the English archives, p. p. 58-64. The original documents, p. 52, contain a letter from Edward Godfrey, 1660. "Some time governor of the province of Maine, concerning the consequence of that province and the usurpation of the Bostoners."] He says "I ever told you that Piscatawaie river and the province of Maine is of more consariment to his majestie for trade present and futuer, with discovery of the country, than all New England besides."]

## CHAPTER VI.

1665 to 1674.

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PROCEEDINGS OF THE NEW GOVERNMENT—COURTS IN CASCO. PERSONS PRESENTED, STATE OF MORALS—  
CLEVE'S DEATH AND CHARACTER—THOMAS SKILLING'S DEATH AND FAMILY—GOVERNMENT OF MASS.  
RESTORED—JORDAN, JOCELYN, NEALE—FREEMEN PETITION GENERAL COURT—MUNJOY LICENSED TO  
RETAIL—EASTERN LINE RUN—SELECTMEN—FALMOUTH PRESENTED—SETTLEMENTS AT CAPISSIC, STROUD-  
WATER, AND PERPODUECK—DEATH OF MARTIN, WHARFF, BARTLETT, AND MILLS.

On the arrival of the king's commissioners in the province in June, 1665, the authority of Massachusetts was entirely suspended, and the persons appointed justices by them immediately entered upon the discharge of their duties. No notice is subsequently taken of Archdale, the agent of Gorges, and from this time the jurisdiction of that proprietor over the territory forever ceased. In January, 1665, the province was divided into two parts for the convenience of the inhabitants, "in regard of the remote distance of places and peoples." The western division extended to Kennebunk river, the eastern, from that river to Sagadahoc: courts were held in each division, at York and at Falmouth. A court was held in November, which, to convince the people that there was no want of zeal in the new government, "Straight let them feel the spur." John Jocelyn was presented for absenting himself from meeting on the Lord's Day, and also "the towns of Falmouth and Kennebunk for not attending the king's business at public courts as other towns do." Each town was fined forty shillings under the following presentment: "We present the towns of Kittery, York, the Isle of Shoals, Wells, Cape Porpus, Saco, Black Point, Falmouth, Westcus-

togo,<sup>1</sup> and Kennebunk, for not attending the court's order for not making a pair of stocks, cage, and a cucking stool."

Some of the punishments inflicted upon our early settlers may be gathered from the foregoing record; the latter instrument was reserved exclusively for scolds and brawling women; a class of offenders which modern times have permitted to go unpunished. It was a chair suspended by a crane over water, into which the offender was plunged repeatedly, until her impatience and irritability were moderated. This species of punishment was quite popular both in England and this country in early days.

In July, 1666, the court was held at Casco for the eastern division by Henry Jocelyn, Major William Phillips of Saco, Francis Hooke of Kittery, Edward Rishworth of York, and Samuel Wheelwright of Wells: they are styled in the record "Justices of the Peace, appointed by special commission from the Right Hon. Sir Robert Carr, Lt. Col. George Cartwright, and Samuel Maverick, Esq."

The jury of trials consisted of four persons from Saco, John Bonython, John Wakefield, John Leighton, and Richard Hitchcock; one from Scarborough, William Sheldon; one from Cape Porpus, Morgan Howell; two from Westustogo, Richard Bray and John Maine; and four from Falmouth, George Ingersoll, Anthony Brackett, Nathaniel Wallis, and Walter Gendall. The grand jury consisted of fourteen, of whom but two, John Wallis and Robert Corbin were of Falmouth. We propose to make a brief abstract from the record of this term, to give an idea of the administration of justice in that day, and to furnish some interesting details relating to the province. Francis Neale, "attorney for the town of Casco alias Falmouth," brought an action against Edward Rishworth for granting an execution against said town before judgment: the plaintiff was

<sup>1</sup> Westustogo was the settlement next east of Falmouth, afterward called North Yarmouth.

nonsuited and twenty-one shillings cost allowed defendant because the plaintiff's power of attorney appeared not to be valid, when he arrested defendant. "By consent of the defendant the action goeth forward;" and the jury find for the plaintiff five pounds damage and cost. "This verdict not accepted by the court." The jury went out again and returned a verdict for plaintiff for three pounds. This was also rejected, and the court ordered Mr. Rishworth to appeal to his majesty's commissioners. This case gives us a favorable example of the independence of the jury but an humble one of their influence; Rishworth was a member of the court, and the cause is apparently an attack upon his integrity.

"Several orders made at a Court holden at Casco, the 26th July, 1666, for the eastern division of this province."

"1. It is ordered that the selectmen, together with the constable of Casco alias Falmouth, hereby have, and shall have power to take the oversight of children and servants, and finding them disobedient and unruly to their parents, or masters, or overseers, they shall have power to give them such due correction as they shall judge mete.<sup>1</sup>

"2. It is ordered that Mr George Munjoy shall henceforth have power to administer oaths in all matters of concernment unto any persons residing within the limits of the town of Casco; he is likewise empowered to marry within the precincts of the said town, and to take a lawful oversight of all weights and measures, to see that they be according to the king's standard, which is Winchester weights and measures, wherein if the said weights and measures be found false or faulty in the hands of any person or persons, then the said weights and measures to be forthwith destroyed.

"3. Persons damaged by unruly horses might complain to the next justice of the peace, who was required to summons

<sup>1</sup> A similar power at the present day in the same sphere might not be without salutary effects.

seven of his neighbors to appraise the damage, which was to be raised to treble the sum, and levied by distress. Any one justice was also empowered to summon seven honest men for a jury living within said town, to try any action not exceeding forty shillings.

“It is concluded by this court that the last Thursday of this instant July, shall be set apart by all the inhabitants residing within this province, therein to humble and afflict our souls before the Lord.

“It is ordered that according to the act concluded in other places in the easternmost parts of this province against the trading of any liquors to the Indians, that the same act shall stand in force throughott all the limits of this province.”

The order relating to the prison in Falmouth has been before noticed. “It is hereby ordered and concluded that every justice of the peace residing within the limits of this province, shall have hereby power in the place wheré he liveth, upon any just complaint made out unto him or complaints against neglectors of the Sabbath by not attending God’s public worship, or profaners thereof, against drunkards, cursers and swearers, or such like offences, upon consideration by the testimony of a grand juryman, or one sufficient witness to call to account and punish every such offender. according to the laws here established.”

“Mr. George Cleeves binds himself in a bond of twenty pounds unto our sovereign lord the king, to be of good behaviour toward all men, especially toward such who at any time shall be ordered by authority to inflict any punishment upon his servant Thomas Greensledge, for his disobedience or disorders.

“That whereas James Robinson, of Black Point, cooper, was indicted the 26th day of July, 1666, upon suspicion of murdering Christopher Collings, of Black Point, at his majesty’s court holden at Casco, and being then tried by the grand jury of this court and committed to us the jury of life and death, who find that the said Collings was slain by misadventure, and cul-

pable of his own death, and not upon any former malice, and therefore the said James Robinson not guilty of murder. Foreman, Mr. Richard Colicott,<sup>1</sup> 2 Mr. Richard Pattishall,<sup>1</sup> 3 James Lane,<sup>2</sup> 4 James Gibbons,<sup>3</sup> 5 Edward Stevens,<sup>1</sup> 6 John Mayne,<sup>2</sup> 7 Thomas Stevens,<sup>1</sup> 8 John Wakefield,<sup>3</sup> 9 Alexander Thoits,<sup>1</sup> 10 Robert Gutch,<sup>1</sup> 11 Anthony Brackett,<sup>1</sup> 12 Wm. Coeke,<sup>1</sup> 13 Richard Bray,<sup>2</sup> 14 John Leighton,<sup>3</sup> 15 Robert Staniford,<sup>4</sup> 16 Richard Potts,<sup>1</sup> 17 Phineas Ryder,<sup>4</sup> 18 George Felt.<sup>2</sup>

The courts under the new government were divided into four kinds; the highest was the General Assembly, next Courts of Pleas, Courts of quarter Sessions, and lastly Courts held by a single justice for the trial of causes under forty shillings. We cannot perceive that the General Assembly was held oftener than once a year, which was at Saco in May or June; the Court of Pleas was probably held three times, and the quarter Sessions four times a year, in each division. At the term in July before noticed, an order was passed that "the next quarter session" should be held "on the second Tuesday of August next," and "the next Court of Pleas to be holden at Casco on the second Tuesday in November next." We perceive next year that the court was held at Casco on the first day of October, from which circumstance in connection with the time of sitting the year before, we should infer that the times of holding these courts were not fixed by law, but were determined by the court at each session. At the November term there were ten entries of civil actions. At the October term following there were twenty-one entries and thirty-two presentments by the grand jury. Of the latter, fourteen were against persons "for absenting themselves from meeting upon the Lord's

<sup>1</sup> Those persons with this mark lived in the north-easterly part of the bay, on the islands in that region, and on the Kennebeck river.

<sup>2</sup> Of North Yarmouth.

<sup>3</sup> Of Saco.

<sup>4</sup> Of Falmouth.

day;" against two of these, James Michimore and his wife, is this entry, "these persons pretend they go to hear Mr. Jordan, by an admonition they are discharged." Three were presented "for traveling on the Lord's day;" against one of whom, John Mosier, the following judgment is rendered: "John Mosier fined for his offence five shillings and officer's fees five shillings; this ten shillings to be forthwith paid, and if afterwards by two evidences he can make it out that upon the Sabbath he traveled purposely as he pretends to look after Mr. Lane, who that day as the said Mosier pretended, was in danger of being drowned, then the said Mosier is to have his ten shillings returned to him again."<sup>1</sup> The following extracts have perpetuated the history of a discord in the family of one of our early inhabitants, the origin of which cannot be traced. "We present Julian Cloyes, wife to John Cloyes, for a tale-bearer from house to house, setting difference between neighbors. Julian Cloyes, upon the court's examination, is found guilty of the offence, and is bound to her good behaviour unto the next court of Pleas at Casco, in a bond of five pounds, and John Cloyes and Peter Housing are her security." Again: "We indiet Nathaniel Cloyes and Abigail Williams upon the evidences of Thomas Cloyes and Sarah Housing for their misbehaviour toward their mother-in-law, Julian Cloyes. In reference to the presentiments of Nathaniel Cloyes and Abigail Williams, touching their offences, it is ordered that they shall make a public acknowledgment of their fault done to their mother by their ill behaviour

<sup>1</sup> Mosier was the son of Hugh Mosier, an early settler in Falmouth, but who afterward moved further up the bay. At the court in July, 1666, James Mosier, eldest son of Hugh, was appointed administrator of his father's estate, and John Mosier and James Lane were his sureties. James Lane came here with his family from Milden about 1658, settled on the east side of Consins' river in Freeport; the point and island near it are still called by his name. [Savage conjectures that Hugh came over in the *Jane* from London and arrived in Boston, June 12, 1632, resided in Newport, R. I., awhile, where he married Rebecca, daughter of John Harndell of Newport, probably second wife. His son John moved to Long Island, N. Y., where he was living 1683.]

toward her, before the next training at Casco, or to forfeit five pounds each person to the treasury, and for time to come to give in sufficient security for their good behaviour, to the next court of Pleas for this division unto our sovereign lord the king."

"Nathaniel Cloyes and Richard Potts to give a bond of ten pounds for the good behavior of Nathaniel and Jenkin Williams, and Francis Neale, the like bond for Abigail Williams."<sup>1</sup>

Some idea of the state of morals in the province may be formed from the following records: "Ellnor Bonython being examined by Esquire Jocelyn and Major Wm. Phillips, J. Pac., in reference to bastardy, but not finding on examination her owning of the reputed father of the child, do therefore order that the said Ellnor Bonython, for her offence, shall either within one month from the 20th day of September, 1667, stand three Sabbath days in a white sheet in the public meeting or otherwise pay five pounds into the treasury of this division." "Which five pounds her father John Bonython engages to pay."<sup>2</sup> Bonython himself had been guilty of many excesses; and the vices of some of his children are properly attributable to the evil example of their parent. It may be recollected that we noticed a similar complaint against him in the former part

<sup>1</sup> I have before given some account of the Cloyes family antecedent, Chapter 4, p. 156, my conjecture is that Abigail was a second wife of Cloyes, that she was a widow at the time of her marriage, and that Peter and Sarah Housing were her children by a former marriage. In 1673, Sarah Spurwell, daughter of Julian Cloyes, was charged with stealing goods from George Pearson of Boston, and bringing them to her mother, in Casco. Julian was born in 1620. The family I think came from Watertown, Massachusetts, after the submission to that government. Abigail Williams was probably the wife of Jenkin Williams. One of that name figures in the witch-tragedy at Salem, and is probably the same. A Sarah Cloyes also appears in the same scenes. [Peter Housing, in a petition to Gov. Andross for confirmation of title, says, That his father Peter Housing, was possessed of one hundred and twenty acres west side of Presumpscot river, that he was killed before the Indian war, and his family forced from there, and since, his widow has sold one-half to Gustian John, a Frenchman.]

<sup>2</sup> John Bonython was son of Richard, one of the original patentees of Saco.

of this work. The simplicity of the punishment is only equalled by the ease with which it was commuted. The fatherly care of the same court is displayed in their requirement in the following case. "We present George Garland and Sarah Mills for living together as man and wife, being never married, contrary to the law of England. In reference to the more orderly living of the said Garland and Sarah Mills, and for putting off future inconveniences, which will necessarily ensue such incontinent courses; It is therefore ordered that George Garland and Sarah Mills shall by the order of some justice of the peace in this province, or some minister, be married within the term of one month from the date hereof or otherwise they shall not fail to give in a sufficient bond of ten pounds for their good behavior to the next court of Pleas for this division." These persons lived in Scarborough. One other case of a more aggravated nature, relative to an inhabitant of Falmouth, will close this part of our subject. "We indict George Lewis upon the evidences of John Lewis, Elliner Lewis, and Anne Ross, for a person of wicked behavior as appeareth by oath to us, by his frequent attempting to commit folly and wickedness with his daughters. The court having considered the heighnousness of George Lewis his offences, do adjudge him to pay in five pounds to the treasury; and to prevent his future miscarriage, to give in twenty pounds' bond for his good behavior."

John Mosier and Phillip Lewis gave bond that said Lewis should be of good behavior, especially toward his two daughters, Anne Ross and Elliner Lewis, unto the next court of Pleas holden for the Eastern division." Elliner was the wife of John Lewis, eldest son of George, and Anne was the wife of James Ross, who was a shoe-maker and lived at Back Cove on land adjoining Lewis's. Phillip Lewis was also a son of George.

It cannot be disguised that the tone of morality in the province was at this time and had ever been at a low point. Many individuals and the government itself seem to have displayed an earnest desire to correct abuses and elevate the standard of

public morals; but the state of the province had always been unpropitious to the success of such endeavors. The population was composed of the greatest variety of materials; a large part of it was dependent upon fishing and hung loosely on the community. This class of people, by the account of early voyagers was excessively dissipated and led a sort of lawless life. That part of the inhabitants which remained on shore was scattered along upon the coast communicating freely with those who lived upon the sea and partaking in a measure of their irregular habits, which were not counteracted by an uniform administration of religious instruction. In addition to these causes the utmost confusion was produced by repeated changes of jurisdiction, which not only displaced the heads of government, but subverted the laws themselves. For the first fifty years after the settlement of the country we may safely assert that there existed nothing like permanent institutions or laws. During this period no party exercised authority without being assailed by the sharp and persevering claims of others, who pretended a right to the sovereignty and soil. Amidst all these confusions and causes of irregularity, a high state of public morals was not to have been expected in the community; and although severe laws were occasionally passed and sometimes were severely enforced, they were entirely unable to produce any permanent good effect upon the general sentiment and habits of the people. It was not until the government of Massachusetts was quietly settled under the new charter and her laws diffused over the whole province that a decidedly favorable change was produced in the manners and morals of the inhabitants.

In the records of the court held in November, 1666, George Cleeves makes his appearance for the last time; the precise period of his death we have no means of determining; but in a deed from Anthony Brackett of land held in right of his wife, to whom Cleeves had conveyed it, dated January 2, 1671, he is mentioned as being dead. This event probably took place soon

after the first date, November, 1666, or his name would doubtless have appeared in some subsequent transactions. From the great age of his wife, which Cleeves himself stated in his memorial against Jordan in 1662, to have been eighty-seven,<sup>1</sup> it may be inferred that he was very old at the time of his death. He had been in the country over thirty-six years; was the first who planted in that part of Falmouth which lies north of Fore river, and was actively engaged in all the eventful scenes of its history from its settlement to the time of his death. The principal incidents of his life have been noticed in the progress of this work, and sufficient may have been said to exhibit a view of his character. He was a man undoubtedly of great activity and enterprise, and although some circumstances appear in the history of his life, which throw a doubt upon his moral principles, yet the medium through which we see them should be permitted in a degree to relieve the shadows. Cleeves lived continually in the midst of party, and was himself a partizan and a leader. It would be strange if he should not have been the subject of misrepresentation and calumny. In the latter part of his life he certainly fell into neglect, and although occasionally noticed, he did not rise, after his own administration ended, into the rank of the higher magistrates. This however may be accounted for partly by his advanced age and partly by having lost the sinews of power in the disposition of his property. At this distance of time and under these circumstances, it is difficult to form a just estimate of the character of our first settler: he now lies beneath the soil he first opened to the cheering influence of cultivation; we ought not therefore to deepen the shades that hang over some transactions of his life, but to dwell on the palliating circumstances—to praise where we can, and only to blame where we must. He had to contend with difficulties inconceivable by those who are enjoying the rich fruits of the toil and care—the weary days and anxious nights, of the first settlers of our country.

<sup>1</sup> "My wife being no less than fourscore and seven years of age."

Cleeves left but one child, Elizabeth ; it does not appear that he ever had any other, certainly no son lived to perpetuate his name. His daughter married Michael Mitton, by whom his posterity teems upon the land which their ancestor first occupied. She lived until 1682, when she followed her father to the quiet mansion of the dead. Cleeves's wife was named Joan, the time of whose death is not known. Elizabeth Clark, a daughter of Michael Mitton, who lived to a great age, testified in 1728, "That her grandfather, Mr. George Cleeves, lived on his own estate at Falmouth, many years after the death of her father, Michael Mitton.\*

Thomas Skillings, another inhabitant, died in 1667 ; by his will, dated November 14, 1666, and proved October 2, 1667, he made specific legacies to his sons, Thomas and John ; to the former "one cow and a young steer and a calf," and "his fowles to be divided between them both ;" the remainder of his property he placed at the disposal of his wife, "during her widow's estate, and if she marry she shall have but one-third and the rest to be divided equally to all my children." From the latter clause, it would seem probable that he had other children than those above mentioned, although no others are named in the will, nor can be traced by us. The inventory of his estate was taken by Phineas Ryder, George Ingersoll, and Nathaniel Wallis, his neighbors, and his property was enumerated and valued as follows : Housing and land, eighty pounds ; marsh, ten pounds ; four steers, twenty-two pounds ; five cows, twenty pounds ; three younger cattle, six pounds ; two calves, one pound ten shillings ; eleven pigs, three pounds six shillings ; wheat and peas in the barn, three pounds eight shillings ; eighteen bushels of wheat in the dwelling house, four pounds ten shillings ; six bushels Indian corn, one pound four shillings ; sixty pounds cotton wool, three pounds ; household furniture,

\* [April 22, 1665, Cleeves conveyed to Munjoy his field lying near his now dwelling-house about six acres "as it is now fenced in." Cleeves as well as John Winter came from Plymouth, England.]

thirty-two pounds sixteen shillings; making a total amount of one hundred eighty-six pounds fourteen shillings. We have presented the foregoing inventory, that some estimation may be formed of the situation of our settlers at that early period. Mr. Skillings could not be ranked among the first of our inhabitants in point of property, and yet it will be perceived that he had sufficient to render him independent; it gives us a favorable view of the resources of the people in that day. Mr. Skillings is the common ancestor of all of that name, who now live in this town and vicinity. He was here as early as 1651, as appears by his witnessing a deed of that year from Cleeves; in 1658, he purchased a farm at Back Cove, of George Cleeves, which he occupied till his death, and which continued many years after, in his family; it adjoins Mr. Deering's farm in Westbrook, and is about half a mile from Deering's bridge. His eldest son, Thomas, married Mary, daughter of George Lewis, who was born in Falmouth in 1654, by whom he had two sons, Joseph and Benjamin, and died early.<sup>1</sup> The second son, John, was an active and useful man many years in town, a carpenter by occupation. He had a grant of land upon the neck in 1680, and a large farm near Long creek, where he lived, and part of which is now occupied by some of his numerous posterity. We shall have occasion to advert to this enterprising inhabitant again in a subsequent part of our work, and shall therefore leave him for the present.

The government established by the king's commissioners in 1665, expired in 1668, its last general court having been held at Saco, May 29, of the latter year. The officers of it had received no support nor encouragement from England, and it possessed within itself no permanent principle nor power to

<sup>1</sup> The widow afterward married Jotham Lewis, and for her third husband, Wilkins, and was living in Salem in 1732. [The Salem Records say, Thomas Skillings and wife, Deborah, had son Thomas, November, 1643. Against wife is a query? in the copy, General Register, vol. viii. p. 52, showing doubt as to wife's name, we suppose.]

give sanction to its authority; the laws were therefore feebly administered and the affairs of the province, consequently fell into confusion. The people again turned their eyes to Massachusetts, as a power willing and able to afford them relief. Application was made to that government for this purpose, and at the session of the general court in May, 1668, commissioners were appointed to repair to York, and hold a court there, on the first Tuesday of July. They also issued a proclamation, requiring the inhabitants to yield obedience to the laws of the colony, and commanded the secretary of state to send warrants to the respective towns to choose jurors, constables, and other officers, for the service of the country, as the law required.

The commissioners pursuant to their appointment, held a court at York, in July; Jocelyn and the officers of his court, met there at the same time and protested against the authority of Massachusetts, and the proceedings of the commissioners. Some conflict took place between the two parties, which, as it is particularly recorded in the general histories of the day, we need not stop to notice. The commissioners of Massachusetts, proceeded firmly in the duties of their appointment, and Jocelyn at length yielded the point with what grace he might. It was evident he was not supported by the people; or in other words, his paper authority was not backed by physical force; he therefore made a virtue of necessity. His brother, speaking of this transaction says: "As soon as the commissioners (the king's) were returned for England, the Massachusetts enter the province in a hostile manner, with a troop of horse and foot, and turned the judge<sup>1</sup> and his assistants off the bench, imprisoned the Major or commissioner of the Militia, threatened the Judge and some others that were faithful to Mr. Gorges' interest. I could discover many of the foul proceedings, but for some reasons which might be given, I conceive it

<sup>1</sup> Henry Jocelyn.

not prudent to make report thereof to vulgar ears, *et quæ supra nos nihil ad nos*: only this I could wish, that there might be some consideration of the great losses, charge, and labor which hath been sustained by the Judge and some others, in upholding the rights of Mr. Gorges and his sacred majesty's dominion against a many stubborn and delusive people."

Jocelyn wrote under the influence of deep feeling both personal and political, and his account is to be received with some allowance. The historians of Massachusetts, on the other hand, deny the employment of any force in the proceeding, and attribute the change to the operation of public opinion. Hubbard says, "In this order and manner did the province of Maine return to the government of Massachusetts without any other force, threatening or violence, whatever hath been to the contrary judged, reported and published." This account was written some time after Jocelyn's voyages were published, and was probably aimed at his version of the revolution.

The hostile attitude being withdrawn, the court proceeded to fulfil its commission; the five associates chosen by the free-men, viz: Capt. Brian Pendleton of Saco, Capt. Francis Raines of York, Mr. Francis Neale of Falmouth, Mr. Roger Plaisted of Kittery, and Mr. Ezekiel Knight of Wells, were approved by the court. The commissioners in their report say that five towns made returns for the election of associates, "the other two (as they said) being hindered by the justices: yet in one of them above half of the electors sent in their votes." George Ingersoll of Falmouth was on the grand jury, and George Felt was on the jury of trials. Lt. George Ingersoll was commissioned as military officer of Falmouth, and Mr. Francis Neale, Anthony Brackett, Arthur Auger, Mr. Foxwell, and Robert Corbin were appointed commissioners of Scarborough and Falmouth.

The jurisdiction of Massachusetts seems now to have been again established over the province, and the people to have generally submitted to it. The only indication of uneasiness

which we have met with, was the case of Jordan ; the following order in relation to him was passed in 1669: "It appearing that Mr. Robert Jordan doth refuse to conform to the laws of this jurisdiction, ordered that he be summoned before Brian Pendleton and Francis Neale, to answer, and if he refuse, a warrant be issued to take him." This probably had reference to the exercise of some ministerial function. In 1671, a warrant is ordered to be sent out against him, requiring him to appear at the next court "to render an account why he presumed to marry Richard Palmer and Grace Bush contrary to the laws of this jurisdiction."

Of Henry Jocelyn, we hear no more, in the civil affairs of the country; he appears again in the accounts of the Indian war, of which, notice will hereafter be taken; he had now reached an age when the fires of ambition were abated, and a life of retirement was more suited to his feelings than the discord of political controversy. We cannot but entertain a good opinion of Jocelyn: nothing has been discovered in the whole course of his eventful life, which leaves a stain upon his memory; his opposition to Massachusetts was undoubtedly founded in principle, both in a religious point of view and on the question of territorial right. He probably became embarrassed in the latter part of his life; we find that in 1663, being indebted to Joshua Scottow of Boston, in the sum of three hundred and nine pounds nineteen shillings ten pence, he mortgaged all his property to secure the payment of it, and in 1666 for an additional sum of about one hundred eighty pounds sterling, he confirmed the former grant and made an absolute conveyance to Scottow, of the whole of the Cammock patent at Black Point, except what had been previously conveyed, together with seven hundred and fifty acres granted by Sir F. Gorges, and his "dwelling house, out houses, fish houses, and stages, with other conveniences." He however continued to reside here a number of years after this, and until he was driven away

during the Indian war.<sup>1</sup> Scottow afterward occupied the estate.

<sup>1</sup> Jocelyn's family moved to Plymouth colony; his son Henry married there in 1676, the daughter of Abigail Stockbridge, of Scituate, aged sixteen, by whom he had thirteen children. [All this note written above, is a mistake. It was another Henry that married a Stockbridge; he was the son of Abraham Jocelyn, and was a blacksmith in Scituate. The Henry of our history did not move to Plymouth colony, or if he did, he did not long remain there, and we have no evidence that he left any children. His wife certainly had none by her first husband, Cammoek. Jocelyn, after the surrender of his fort at Black Point, went to Pemaquid, where we find him August 2, 1677, in an official capacity, under Gov. Andross. For six years he enjoyed the confidence of Andross and his successors, was employed in most responsible positions in the Duke's province, and died there, leaving his widow, early in 1683, at quite an advanced age. We cannot withhold the expression of Gov. Andross's interest in this aged and valued public servant. Writing from New York, September 15, 1680, to Ensign Sharpe, he says, "I have by Mr. Wells answered yours of the 7th instant, except what relates to Mr. Jocelyn, whom I would have you use with all fitting respect considering what he hath been and his age. And if he desire and shall build a house for himself, to let him choose any lott and pay him ten pounds toward it, as also sufficient provision for himself and wife as he shall desire, out of the stores."]

In July, 1682, he was employed in laying out a township on the Sheepscot river, the remains of the settlement in which are still to be seen. This was his last appearance on the records; and we learn by a letter from Francis Skinner, commander of the fort, to Gov. Brockholl, in New York, dated May 10, 1683, that he was then dead.

Thus was the eventful life closed, of a man, who, for a longer period than any other in our early history, was actively engaged in public affairs. He appears to have sustained himself in all his offices with integrity and ability, and to have entirely secured the confidence of the various governments which he served. He was sent over in an official capacity in 1634, and from that time to his death, he occupied one public station or another in the province, a period of near fifty years. I am able to present a copy of the signature of this distinguished magistrate, H. Jocelyn.]

Per me Henry Jocelyn, Associate.

*Per me Henry Jocelyn*  
*Associate*

*This 15<sup>th</sup> August 1680*

His brother John is probably correct when he asserts that Henry sustained "great losses, charge and labor in upholding the rights of Mr. Gorges and his sacred majesty's dominion."

After the government of Massachusetts was established, Francis Neale seems to have been the leading man in Falmouth; he was chosen associate for several years, and also one of the town commissioners; and in 1670, he was their representative to the general court. But in 1671, we find several presentments against him at the county court, for defamation for not attending meeting for defrauding the treasury of fines due the country, and for instigating a man to tell a lie; the witnesses against him were George Munjoy, Walter Gendall, John Cloice, Sen., and Ralph Turner, constable of Falmouth. The record does not furnish us with the result of these proceedings, nor any clue to their origin.\* Ralph Turner, who seems to have been the constable this year, was also chosen in 1670; it does not appear who exercised the office in the several subsequent years.

Robert Corbin and Phineas Ryder were town commissioners with Neale in 1670, and this year Walter Gendall was presented "for vilifying and abusing of the commissioners of Falmouth and Scarborough commission court, by saying they had no power to try above forty shillings, with other abusive words, which was sometime in April last; he was sentenced to be admonished and pay five shillings." Falmouth is also presented

\*[Neale moved to Salem after the Indian war commenced, and was admitted an inhabitant of that town January 11, 1676, with the Ingersolls, Skillings, Jenkin Williams, and several other of the inhabitants of Falmouth, and died there, not as Savage states, in 1696, for in July, 1699, he was still living in Salem, and in that month united with Jenkin Williams in the conveyance of a large tract of land in Falmouth, to David Phippen of Salem. That there can be no mistake in this, he is styled Francis Neale, Senior. We do not know the date of his death. He had sons, Francis and Samuel, and two daughters, who were living in 1663, and are mentioned in the will of Jonas Bailie of Scarborough, as legatees. He was repeatedly appointed commissioner for Falmouth, agent for the town, and an associate under Massachusetts, and was largely engaged in the affairs of the town and the province for near forty years.]

“for not sending a man to serve on the jury of trials last year, and on the grand jury this year.”

We find in the records of the general court for 1670, the following notice of Falmouth, but are not able to ascertain the precise point to which it relates: “The court’s answer to Scarborough and Falmouth deputies’ motion about freemen. This court declares that it is the best expedient to obtain the end desired, that those parts furnish themselves with an able, pious and orthodox minister, and command that to them according to the order of the county court.”<sup>1</sup> The next year the subject is revived, and the following reply is made by the court: “In answer to the petition of several freemen of Falmouth, the court judgeth it meet to declare that in relation to the persons to vote, etc., the law directs; as to the bounds of the township, it is to be referred to the county court in those parts, to consider and settle; the other part of it being already answered.” Some question had probably arisen in town in relation to the elective franchise, and whether the severe laws of Massachusetts excluding all but church members from the right of voting, were applicable to these remote parts of the country where no regularly organized church existed. Hence the recommendation that they should supply themselves with a minister. In 1669 the county court had ordered Falmouth and Scarborough both to supply themselves with a preacher; and next year Scarborough is presented for not obeying the order.

In 1671, Joshua Scottow and George Munjoy were licensed by the county court to retail wine and liquors; and we have before seen, that Munjoy carried on the same trade in 1665. Scottow lived at Black Point, which was then a resort for fishermen and traders in fish, beaver, etc. We have no intimation of any person having been established in trade on this side of Fore

<sup>1</sup>The same subject was agitated about 1660. See chap. 4. p. 143, for the petition of the freemen.

river previous to Munjoy; Winter, as well as Bagnall, many years before, had carried on a large trade on Richmond's Island, at an exorbitant profit. Munjoy's place of business was on the beach at the lower end of the town, not far from where Mr. Merrill's distillery stands;\* this continued the principal seat of trade for many years.<sup>1</sup> Munjoy lived there; his house was constructed for defense, and used in times of danger for a garrison.

This year Thomas Clark received a commission from Massachusetts to run and ascertain the eastern boundary line of the province of Maine; he appointed Munjoy to attend to the duty, who in November, 1672, made a return, of which the following is an extract: "From Clapboard Island, the place of Mr. Samuel Andrews and Mr. Jonas Clark's observation, due east, takes in about one mile and three-fourths above New Damerill's cove, and along a little above Capt. Padishall's house in \* \* \*, some part of Pemaquid and most of St. George's Island, and so running into the sea, and no more land east until we come to Capt. Subeles' Island, observed with a large quadrant, with the approbation of Mr. Wiswall, who is well skilled in the mathematics; and is, to my best skill and judgment, our east line from the above said island. If the honoured court were pleased to go twenty minutes more northerly in Merrimack river, it would take in all the inhabitants and places east along, and they seem much to desire it." Munjoy's bill for this service was six pounds ten shillings. This stretching the line over the Duke of York's grant afforded a pretext for the assumption

\* [As all trace of the distillery has long since departed, in the obliteration of the old land marks by the railway improvements, we may define the place of Munjoy's trade to have been near the foot of Mountfort street, about where Bethuel Sweetser's house and store are.]

<sup>1</sup> John Jocelyn about the year 1671 says, "Shop keepers they have none, being supplied by the Massachusetts merchants with all they stand in need of." He refers to the trade in English goods, with which our retailers were probably not regularly supplied.

of jurisdiction which remained not long unimproved. The inhabitants were desirous of being taken into the family of Massachusetts; and in 1671 and 1673, they petitioned the general court to extend their care and government over them. The opportunity was now seized, and in July, 1674, a court was held there, and the jurisdiction of Massachusetts, by the consent of the people, was established over the territory, as far east as Muscongus Bay.

Of the internal affairs of the town during this period, in the absence of all the town records, we can say but little, and for that, we are entirely dependent upon scattered fragments gathered from various sources. John Jocelyn, who returned to England in 1671, speaking of this place, says, "Nine miles eastward of Black Point lieth scatteringly the town of Casco upon a large bay, stored with cattle, sheep, swine, abundance of marsh and arable land, a corn mill or two, with stages for fishermen." And of the people of the province, he says, "They feed generally upon as good flesh, beef, pork, mutton, fowl, and fish as any in the world beside." For further particulars relating to the province, we refer to a large extract which we have made from Jocelyn in the appendix. Jocelyn says Black Point had fifty dwelling-houses in 1671. That town appears in 1675 to have had one hundred militia soldiers, while Casco had but eighty; taking this ratio for a calculation, Casco would then have had forty dwelling-houses; and by another calculation<sup>1</sup> which estimates the militia in New England, in 1675, at one-fifth of the population, we should arrive at four hundred as the number of inhabitants at this time. This probably is not far out of the way.

The affairs of the town seem to have been administered by persons selected for that purpose as in other towns, who were called selectmen or townsmen. The following notice of an act of this authority is preserved: "Whereas there was a tract

<sup>1</sup> Trumbull's History of Connecticut. Davis Morton's Memorial.

of land granted by the townsmen of Falmouth unto Anthony Brackett, as by a grant of the townsmen of said town, bearing date of September 25, 1669, and the townsmen of said town desired us, the underwritten, to lay out the bounds of said land as by an order under their hands, bearing date September 24, 1672, we have attended said order, and laid out the land as followeth, beginning at the point of Long creek and so towards John Skillings' house two hundred poles, extending to two apple trees standing on a point of land near John Skillings', where Joseph Ingersoll hath felled some trees," etc. Signed "September 25, 1672. George Ingersoll, Thomas Stanford, Thomas Brackett."<sup>1</sup>

This farm of four hundred acres was sold by Brackett to Munjoy, January 2, 1671, and improved by him many years. It was conveyed by his heirs to Samuel Waldo.

In 1675, Falmouth was presented "for not sending in their vote to the shire town for nomination of magistrates and associates according to law;" and at the same term the selectmen of the town were presented "for not taking care that the children and youth of that town of Falmouth be taught their catechise and educated according to law." This presentment was made under a law passed by the general court, 1642, requiring the selectmen of every town to see that none of "their brethren and neighbors suffer so much barbarism in any of their families as not to endeavor to teach their children and apprentices so much learning as may enable them perfectly well to read the English tongue."

Previous to this period settlements had begun to extend up to Capisie, and to spread in that vicinity. It appears by Brackett's deed to Munjoy, before mentioned, that in January, 1671, George Ingersoll, Jr., had a house at Capisie, and that John Skillings lived lower down the river toward Long Creek; the recitation in the deed is, "Whereas Mr. George Cleeves, de-

<sup>1</sup>Original Paper in Clerk's office, Cumberland.

ceased, did some years since grant unto Anna Mitton, now wife of Anthony Brackett, a parcel of land and marsh lying at Capisic over the water against the house of George Ingersoll, Jr.," etc., then in describing the land conveyed, he speaks of it as lying "a little below the dwelling house of John Skillings at a place commonly called Long Creek." George Ingersoll, Jr., and Skillings were both young men, the former was son of George, Sen., who was fifty-three years old in 1671; not only the son but the father and two others of the name, John and Joseph, settled in the same neighborhood. George Ingersoll and his son George had a saw-mill at the falls, near where Capt. Seal now lives. [1831. A son of the late Capt. Seal occupies the homestead, 1864.]

In 1674, Thomas Cloice, son of John Cloice, and Richard Powsland,<sup>1</sup> settled between Round Marsh and Capisic, and in 1675, John Ingersoll joined them.\* Cloice went first, he purchased of Munjoy, May 20, a tract of land lying on the river over against the mill of George Ingersoll, and running to a creek between the meadow and Joseph Ingersoll's house; this must have been situated north of where Stroudwater bridge now is. Cloice immediately erected a house upon the place. Next year, May 1, Munjoy sold to John Ingersoll a large tract "at Capisic, bounded at the bounds of Thomas Cloice at the east, being on the gully running down on the back side of said Cloice's house, on the south by the gully as it turns, and on the west by the old path running near Capisic falls that went down to the Back Cove." Part of this latter tract descended by mesne conveyances to Rev. Thomas Smith, by whom it was sold to Jeremiah Riggs in 1735, who occupied it till his death.

<sup>1</sup> I have adopted here the early mode of spelling this name; his son Samuel, who lived in Boston in 1720, spelt it Powsly, as did some persons previously. It was sometimes written Pouselin and Pouseland.

\* [Capisic has been pretty uniformly spelt from the earliest settlement. Its formation and meaning it is difficult to determine. Mr. Ballard and father Vetromile, both good Indian linguists, give its definition as the "Net-fishing-place"]

It is now, 1831, possessed by John Jones, Esq., who married a granddaughter of Mr. Riggs. [In 1864, it is owned by the heirs of Jones.)

October 5, 1674, Nathaniel Mitton, with the advice of his mother, Elizabeth Harvey, and friends, Anthony and Thomas Brackett, conveyed to "Richard Powsland, now resident in Falmouth," fisherman, fifty acres of upland and marsh, the same that was granted to him by his grandfather Cleeves in 1658; the consideration was ten pounds in money and fish. This was situated on the point west of Round Marsh; Powsland occupied it in the first and second settlements, and his son sold it to Samuel Moody, whose heirs in 1740 conveyed it to John Thomes for five hundred pounds, under whom it is now held. From the manner in which Mitton is spoken of in the deed, it is probable that he was then under age, and deemed it proper to express that the conveyance was made with the advice and consent of his friends.

The inhabitants extended on the other side of Fore river, though at considerable intervals from Capisie, to the point at the mouth of the harbor. The Ingersolls clustered about the falls; next to them was John Skillings; next to him and about half a mile below Ingersoll's mill, lived, after the Indian war, Isaac Davis; he had children born as early as 1660, but whether he then lived there we are unable to ascertain; he was here when President Danforth came in 1680, to resettle the town; his land lay between Skillings and Munjoy's four hundred acres. On the other side of Long Creek lived Ralph Turner and Lawrence Davis; further on, were Joseph Phippen, Sampson Penley, and Robert and Thomas Staniford. Joel Madiver, a son of Michael, an old inhabitant, received a grant of one hundred acres adjoining Staniford's, in 1680; we do not know in what part of the town he had previously lived. John Wallis lived upon the point then called Papoodin or Papoo-

duck point.\* Madiver's one hundred acres adjoined the land of Wallis; the Whites lived near Spring Point.

While population was continually receiving accessions in different quarters of the town, death was occasionally invading its ranks. In 1673, Richard Martin died.† He had dwelt at the point on the west side of Presumpscot river, which still bears his name, having married the widow Atwell, to whom it was granted by Cleaves prior to 1640. We are unable to ascertain the time of his arrival here; we first meet with his name in 1657, unless he is the person referred to by Winthrop,<sup>1</sup> as the father of Mary Martin, who was executed in 1646, in Boston. Of that person, Winthrop says, he was a decayed merchant of Plymouth, England, that his father had been Mayor of that city, and that having occasion after coming to Casco with his two daughters to return to settle some affairs, he left his daughters in Mitton's care. There is no improbability in supposing these persons to be the same individual; we find no other of the name of Martin in the early transactions of the place. The circumstance that there were two daughters in this family corroborates the conjecture; Mary was executed at the age of twenty-two, and Lydia married Robert Corbin. Martin's will bears date January 11, 1673, and was approved by the court which sat at Wells the April following. He appointed his wife executrix. He bequeathed to Joseph Atwell six pounds, to be paid in goods "so far forth as his father

\* [The name Purpooduck is still applied to the point and the shore lying west of it. Dr Chute who resided sometime with the Delawares, procured definitions from them, among which was Purpooduck, which they said meant a place often frozen over. On the contrary Mr. Ballard suggests that it may be derived or changed from the Micmac word Pulpooduck, which means a "Burial Place." The remains of an old burying-ground may still be seen a little distance from Fort Preble near which stood a log meeting house, in which Parson Smith occasionally preached.]

†[Mary, wife of Richard Martin, died in Boston, November 25, 1659. *Boston Records*

<sup>1</sup> Winthrop, vol. ii. p. 302.

may not defraud him of it." After his wife's decease his estate was to be divided equally between Benjamin Atwell and Lydia, wife of Robert Corbin. The property was inventoried at two hundred and six pounds thirteen shillings ten pence.

Benjamin Atwell, before mentioned, was the son of Mrs. Martin by her first husband, and Joseph was his son. The manner in which the above bequest is made to Joseph, corroborated by other circumstances, leaves an unfavorable impression of Benjamin Atwell's character. Joseph was then but two years old; in 1685, the court appointed a guardian for him; and he is mentioned in the record as being "heir to the estates of Benjamin Atwell his father, Robert Corbin his uncle, and Richard Martin his grandfather. December 10, 1673, Dorothy Martin conveyed to her son-in-law, Robert Corbin, "all her goods, chattels, leases, debts, money," etc., on condition of being supported during life.

About this time died Nathaniel Wharff, the husband of Rebecca, eldest daughter of Arthur Macworth; the widow took letters of administration on the estate in 1673; the amount of which by the inventory was one hundred and ninety-three pounds eighteen shillings and six pence. The first notice we have of Mr. Wharff, is a recognition in a deed from Mrs. Macworth to him of March 28, 1658. It appears that he was then married, and that he afterward lived upon the land at that time received from his mother-in-law. In 1666, he conveyed the same tract to his brother-in-law, Francis Neale, and described it as the tract occupied by him. We have no notice of any children but Nathaniel, who was born in 1662, and was living in Gloucester, Cape Ann, in 1734. The widow afterward married William Rogers, and left two daughters, the eldest Elece (Alice) married Henry Crown of Boston, and the second, Rebecca, married first Joseph Trickey of Kittery, and afterward—Downing; she was again a widow and living in Kittery in 1732. The family of Wharff in New Gloucester, the only one that we know of in this vicinity, came from

Old Gloucester, and is undoubtedly descended from the first Nathaniel, and continues to preserve a portion of the Macworth blood, although the name has long been extinct. [The eldest son of Nathaniel and Rebecca Wharff was eleven years old when his father died. In 1684, he married Ann, a daughter of Thomas Riggs of Gloucester, by whom he had thirteen children. Nathaniel, his eldest son, born 1685, married Hannah Stevens in 1715, and had sons, Thomas and Isaac; Thomas married Dorcas Lane, 1738, and had six sons and two daughters.<sup>1</sup> His son Thomas, settled in New Gloucester, and died there in 1835, aged eighty-seven, leaving issue; among them was Thomas, who died February 18, 1864, at the age of ninety-four.]

George Bartlett, of Spurwink, died about this time; an inventory of his estate, amounting to seventy pounds eight shillings and six pence, was returned by Ambrose Boaden and Henry Williams, February 14, 1674. He had a daughter Elizabeth married to Nicholas Baker, of Marblehead.

About the same time died John Mills, of Scarborough; he left two sons, John and James, and other children who claimed his estate at Black Point, which the father had occupied thirty years. John subsequently lived in Boston, and James in Sandwich. John married Joana, widow of Elias Oakman, of Black Point, and daughter of Andrew Alger.

<sup>1</sup> Babson's History of Gloucester.

## CHAPTER VII.

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THE FIRST INDIAN WAR—INHABITANTS OF FALMOUTH, 1675—DESTRUCTION OF THE TOWN IN 1676—FURTHER ATTACKS OF THE INDIANS—MILITIA IN 1675—PEACE—PRISONERS RESTORED—WALTER GENDALL—ROBERT JORDAN'S DEATH—BRACKETT—NAMES OF INHABITANTS IN CASCO BAY.

In the beginning of the year 1675, the prosperity of the town stood at a high point; population had been steadily increasing in every part, and its various resources were rapidly developing. Mills had been established at Capisie and on the lower falls of Presumpscot river, and the borders of both rivers were occupied by an active and enterprising people. But their opening prospects were destined soon to be changed, and their hopes crushed. In June of this year Phillip's war commenced in Plymouth colony. The English on the Kennebec river received the first information of the movements of the Indians about Mount Hope, the seat of Phillip, their chief Sachem, July 11. They immediately met together to concert measures to discover the feelings of the Indians in their neighborhood, and to disarm them if it became necessary. In consequence of exertions for that purpose, a number were induced to deliver up their arms and ammunition. In this attempt some collisions took place; the fear and the jealousy of the Indians were aroused, and they began to suspect that it was the object of the English to deprive them of the means of obtaining subsistence, and by degrees to drive them from the soil. The out-bréaking in the east is to be attributed to such jealousies and

collisions, rather than to any supposed connection between them and the Indians of the west.

When mutual suspicion and recrimination were once excited, it were futile to imagine that the Indians would respect their engagements, the recollection of former kindness, or the dictates of humanity and justice; and consequently open hostilities became the signal of extermination. They first began by gratifying their revenge, but they ended by an indiscriminate slaughter of those from whom they had received favor as well as of those who had done them injury.

In the beginning of September, about twenty Indians attacked the house of Thomas Purchase, an ancient settler in Pegypscot, now Brunswick, and robbed it of liquor, ammunition, etc., but did no injury to the females who were, fortunately, the only occupants at the time. When complained of for this depredation, they attempted to justify themselves on the ground that Purchase had injured them in their trading,

Soon after this affair, a party of twenty-five Englishmen went out to gather corn at the northern end of Casco bay, and at the same time to reconnoitre the enemy. They discovered three Indians in the neighborhood of some houses a short distance from the water, and in attempting to intercept their retreat, they killed one and wounded another; the third escaped, and rallying his friends, attacked the English, wounded several, and drove them to their vessel, with the loss of two boats laden with the corn which they had gathered. This was the first blood shed on either side in this vicinity: it was however the opening of a vein, to use a metaphor of Cotton Mather, which was made to flow freely for many months after.

The English having exposed themselves to censure by this imprudent attack without a sufficient justification, removed at once all restraint from the Indians. They had seen the blood of their companions causelessly spilt, and they now sought opportunities of revenge. These were not wanting along an extensive and entirely unprotected frontier. In every planta-

tion the houses were scattered over a large territory, and the only defensive preparations were an occasional private garri-son, which, in cases of sudden emergency, afforded the neighboring inhabitants a temporary refuge. The able-bodied men in each town formed a train-band; but they lived so widely apart, and there were so many points to guard, that they could offer but little protection against the desultory and rapid attacks of their subtle enemy.

The first visitation of their vengeance was upon the family of Thomas Wakely of Falmouth, about a week after the affray before mentioned. This unsuspecting family was composed of Thomas Wakely and his wife, his eldest son, John, his wife, who was far advanced in pregnancy, and their four children. They killed the old man and his wife, his son John and wife, with three of their children, in a cruel manner, and carried one daughter, Elizabeth, about eleven years old, into captivity. Next day Lt. George Ingersoll, who had perceived the smoke, repaired to the place with a file of soldiers to learn the cause. He found the body of John's wife and the three children with their brains beaten out lying under some planks, and the half consumed bodies of the old man and his wife near the smouldering ruins of the house.

Why this family was selected for a sacrifice we have no means of determining; the Indians committed no further violence, but immediately withdrew to a distant place. The daughter Elizabeth was some months after carried by Squando, the Saco Sachem, to Major Waldron at Dover, where she subsequently married Richard Scamman, a quaker. The Wake-lys came from Cape Ann, and had originally settled in 1661, at Back Cove, on the west side of Fall Brook, where a son-in-law, Matthew Coe, died. The eldest son, John, had removed to the east side of Presumpscot river several years before the melancholy event which terminated his life; his farm was about three-quarters of a mile below the falls, and between the farms of Humphrey Durham and Jenkin Williams; his house

fronted the river "and stood within about a gun shot of said Durham's house."<sup>1</sup> His father and mother from their advanced age had probably taken up their residence with their eldest son, or had gone there at this time in consequence of the general alarm. He is spoken of by Mather as a worthy old man, "who came into New England for the sake of the gospel," and had long repented moving into this part of the country so far out of the way of it.

The inhabitants in the immediate vicinity had probably drawn off at this time to a more secure place, as it appears that Ingersoll who lived at Capisic was the first to visit the scene, drawn there by discovering the smoke.

The enemy next made an attack upon Saco, where they burnt the house of Capt. Bonython and the mills of Major Phillips, with the house of one of his tenants. They were prevented doing further mischief at that time, by the resolute manner in which the Major defended his garrison. His force consisted of but ten able-bodied men, while the Indians numbered from sixty to one hundred. They went from Saco to Blue Point, where they killed several persons, one of whom was Robert Nichols, and returning to Saco they committed further depredations. They then moved westward marking their way by blood and rapine. They afterward, in October, returned to this neighborhood, killed Arthur and Andrew Alger, in Scarborough, with several others, and burnt seven houses there.<sup>2</sup>

<sup>1</sup> Hallom's deposition.

<sup>2</sup> The Algernons or Augurs early settled in Scarborough, where they purchased of the Indians a tract of one thousand acres about 1651. To this they gave the name of Dunston, from the town in England where they originated (Boden's deposition). The town referred to was probably Dunster or Dunstorne, in Somersetshire. Arthur, in the division of the estate, took the northern part, which was the highest English settlement in this region; it was separated from his brother's by a creek or brook; he died without issue. Andrew had six children; three sons, John, Andrew, and Mathew; and three daughters. Elizabeth married to John Palmer, Joanna married first Elias Oakman, and second John Mills, who

Falmouth about the same time was again visited, and a son of George Ingersoll and another man, as they were fowling, were both killed. The Indians also burnt Lt. Ingersoll's house and others in that neighborhood, whose owners are not mentioned. The number of houses burnt cannot be ascertained; the last attack was probably confined to the vicinity of Capisic, and we have no notice of any houses having been burnt but Wakely's, those at Capisic, and Robert Jordan's at Spurwink. They were generally spared it may be conjectured this year, as we find the inhabitants still lingering among them and becoming the victims of more severe calamity the ensuing year. At what time the attack was made on Spurwink, we nowhere find an account; but Mr. Jordan had barely time to escape from his dwelling house, when it was destroyed with all its contents; Ambrose Boaden, Sen., was probably killed at the same time; administration was granted on his estate the next July; he lived on the west side of the river opposite Jordan's house. Jordan moved to Great Island, now Newcastle in Piscataqua river. It is estimated that from the beginning of August to the end of November, 1675, there were killed in the province about fifty English and over ninety Indians.

In November the government of Massachusetts made preparations to carry the war into the enemy's country, and a force

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dwelt in Boston, where she died, and the third married John Austin. John, son of Andrew, had several daughters, one of whom, Elizabeth, married John Milliken, first of Boston, then of Scarborough, housewright. After the two brothers were killed, and their houses, barns, and crops destroyed, the family moved to Boston. Andrew, Jr., was master of a vessel and was killed in Falmouth in 1690, leaving one daughter, wife of Matthew Collins. Matthew was master of one of the transports in Sir William Phipp's expedition to Canada, and died of the fleet fever soon after his return; he was the last surviving male of that race, and the name in this branch is extinct in this country. The widow of the first Andrew married Samuel Walker. Several of Andrew's children were married and settled near him before his death; first John, then Palmer; the others followed fronting the marsh in the neighborhood of Dr. Southgate's house, whose farm is part of the Alger estate.

was organized to attack the remote settlements at Ossipee and Pequawkett with a view of disabling them from renewing their depredations in the spring. But the winter closed in so early and severely, that it was impossible to make any progress through the forest, and the enterprise was abandoned. By the 10th of December the snow was four feet deep in the woods, and was accompanied by such extreme cold weather that the Indians were driven by their sufferings to sue for peace. For this purpose a body of them repaired to Major Waldron at Dover, and terms were mutually agreed upon for the suspension of hostilities and for a permanent peace. But the encouragement afforded to the people by this treaty was of short duration, and the next summer the dreadful tragedy was renewed with more violence and greater loss of property and life than during the previous season.

The Indians engaged in these expeditions were from the Saco and Androscoggin tribes, joined with the wandering sons of the forest who inhabited the intermediate territory, and acknowledged subjection to neither of those more considerable tribes. The Sacoës were under the command of Squando, one of the most artful and daring leaders in the war. The Androscoggin tribe was under the guidance of Robinhood, a very prominent Sagamore. The Penobscots were subsequently engaged in the war, and, under the direction of Madockawando and Mugg, performed their full share in the work of desolation and death which were dealt out so freely to this devoted province.

At the commencement of the year 1675, there were rising forty families in town, which were distributed in the different sections as follows: On the east side of Presumpscot river, James Andrews, Humphrey Durham, George Felt, Jane Macworth, Francis Neale, Richard Pike, John Wakely, Jenkin Williams, and we may add Rebecca Wharff, who had recently lost her husband. On the west side of the river, were Benjamin Atwell, John Cloice, Sen., Robert Corbin, Peter Housing, Robert Nicholson, John Nicholson, and John Phillips. Around

Back Cove, Anthony Brackett, George Lewis, John Lewis, Philip Lewis, Phineas Ryder, James Ross, Thomas Skillings, Nathaniel Wallis, Thomas Wakely, and Matthew Coe's family. At Capisie, Thomas Cloice, George, George, Jr., John, and Joseph Ingersoll, and Richard Powsland. On the Neck, Thomas Brackett, Thaddeus Clark, George Munjoy, and John Munjoy; Elizabeth Harvey at this time was a member of Thomas Brackett's family. On the south side of Fore river, Lawrence Davis, probably Isaac Davis, Joel Madiver, Sampson Penley, Joseph Phippen, John Skillings, Thomas and Robert Staniford, Ralph Turner, and John Wallis. At Spurwink, Walter Gendall, Robert Jordan, and probably John Guy, a faithful vassal of Jordan. We cannot fix with certainty the location of several persons whose names follow, Nathaniel and John Cloice, Jr., Henry Harwood, a shoemaker; we are not certain that he lived here in 1675, but circumstances favor the conjecture; John Rider probably lived at Back Cove. We have also some doubt whether Josiah and Nathaniel White, who lived at Purpooduck, came until after the war. With respect to George Burroughs, for a number of years minister of this place, we were for a long time undetermined upon the question, whether he had settled here before the destruction of the town or not; but the discovery of additional evidence has satisfied us that he must have preached in town before that event. The following record would seem to determine the question: "At a general meeting of the inhabitants of the town of Falmouth held the 20th of June, 1683. Whereas there was formerly given to Mr. George Burroughs, minister, a parcel of land, judged to be about two hundred acres, and we being driven off by the Indians for a time, and in time reinhabiting; therefore for to give people encouragement to come and settle down among us in a body, we took part of said Burroughs' land formerly given him by the people of Falmouth for the end before express." This two hundred acres was on the Neck, east of Robinson's Point, part of which was taken up on the resettlement in 1680

by the inhabitants. It seems evident from the phraseology of the instrument that the grant was made previous to the people having been driven off by the enemy, and unless Burroughs had been a settler before that event, there would have been no propriety in saying that a part of his two hundred acres had been taken for the encouragment of new settlers.<sup>1</sup> Burroughs was graduated at Harvard College in 1670, and probably commenced his ministry here about 1674, and lived upon the Neck; but no church was then gathered.

After the war broke out in September, and probably not until after the destruction of the Wakely family and the slaughter of young Ingersoll, many of the inhabitants sought refuge in more settled and secure parts of the country. The Jordan family went to the Piscataqua, James Andrews and his mother Macworth went to Boston, and John Phillips to Kittery. But the greatest number fled to Salem, where, January 11, 1676, by a vote of the town, they were "admitted with their families," "inhabitants during the time of the Indian wars, according to law." These persons were George Ingersoll, George Ingersoll, Jr., John Skillings, Goodman Standford, John Wallis, Francis Neale, and Jenkin Williams, besides a number from Saco and other towns in the province, to the number of twenty-one. The record in relation to their admission in Salem is as follows:<sup>2</sup> "These persons above named, being driven from their habitations by the barbarous heathen, are admitted as inhabitants into the town, they most of them informing they have provision for themselves and families one year."

By this withdrawal from the scene of action of so many inhabitants, the victims of the tomahawk were considerably

<sup>1</sup> This conjecture has been rendered still more satisfactory and conclusive by a letter from B. Pendleton, of Saco, August 13, 1676, which will be found in a note in a subsequent part of this chapter. This speaks of "a brief letter written from under the hand of Mr. Burras, the minister," from the island in Casco, to which the inhabitants of the town fled. See p. 221.

<sup>2</sup> From Salem town records, by the favor of William Gibbs, Esq.

reduced, but still enough were left to keep the knife of the sacrifice deeply tinged.

In the summer of 1676, the war was renewed, and all the tribes from the Piscataqua to the Penobscot were engaged in it. Several causes have been assigned for the outbreaking at this time; one was the death of a child of Squando, supposed to have been occasioned by the folly of some English seamen; another was that some Cape Sable Indians were enticed away by a few Englishmen and sold for slaves. Another still, was a general complaint among all the tribes, that the English were prohibited selling ammunition to the natives, without which they could not live. None of these causes is sufficient in itself to account for such a universal rising as occurred at this time. Some of the Narragansett Indians having been driven from their own retreat, had fled eastward, and probably brought with them all the feelings of hostile partisans, stimulated by revenge, and smarting under the loss of property, country, and friends. It is probable that these wanderers had promoted a spirit of hostility among the Indians here. And when they looked back upon the successes of the previous year, the ease, and almost entire freedom from danger, with which they spread desolation over the country, they were probably ready to seize slight pretexts to break their engagements and renew scenes so congenial to their minds.

The bloody tragedy was commenced on the 11th of August, at the house of Anthony Brackett, in Falmouth. The leader in this enterprise was Simon, who had not long before escaped from Dover prison, where he had been confined for his former murders, and found his way here by a counterfeit pass. He had made himself familiar with Brackett and insinuated himself into his confidence. On the 9th of August, some neighboring Indians had killed one of Brackett's cows, and Simon promised that he would bring the offenders to him. Very early on the morning of the 11th, he returned with a party of his comrades and told him, they were the Indians who had

killed his cow ; this party immediately went into the house and took all the guns they could find. When Brackett asked the meaning of this, Simon replied that "so it must be," and gave him his choice to serve them or be killed. Brackett of course preferred the former alternative, and was bound with his wife and a negro servant and carried away with their five children. Nathaniel Mitton,<sup>1</sup> brother of Brackett's wife, who was then there, offering some resistance, was killed upon the spot.

Brackett lived upon the large farm at Back Cove now (1831) owned in part by Mr. Deering, and his house was on the ridge a short distance from the mansion occupied by that gentleman, now, 1864, by a portion of his children. From Brackett's they passed round the cove to Presumpscott river, where they killed Robert Corbin, Humphrey Durham, and Benjamin Atwell, who were making hay on Corbin's farm. The women and children in one of the neighboring houses hearing the alarm escaped in a canoe. Corbin's wife with the wife of one of the others, and the children of the third, were taken captive, as was also James Ross, the constable of the town, with his wife and children. They proceeded to other houses in the vicinity, where they killed some of the inhabitants and made prisoners of others ; their names are not mentioned. Atwell and Corbin were brothers-in-law, and lived on adjoining farms ; Durham lived on the other side of the river. The alarm was immediately communicated to another part of the town by "one Pike,"<sup>2</sup> who, with another man, was in his boat on the river a little above Corbin's house. When they heard the report of the guns they suspected some mischief, and immediately turned back ; they soon saw an English boy running toward the river in great haste, and a volley of shot was fired which passed over their heads. Simon presently appeared and called to them to come ashore, "but they liked not his curtesy,"

<sup>1</sup> He was the only son of Michael Mitton, and died without issue.

<sup>2</sup> Richard Pike lived on the west side of Muscle Cove ; he had a son Samuel. A Captain Pike commanded a coaster between Boston and Falmouth in 1688.

and passing down the river with all speed, when they came near to their own house they "called to the people to make haste away toward the garrison-house, and bid the rest look to themselves and fire upon the Indians that were coming against them."

These Indians, or some of their party, went over upon the Neck, where they shot John Munjoy, the eldest son of George, and Isaac Wakely, probably a son of Thomas. Three men who were going to reap at Anthony Brackett's, having heard from Munjoy and Wakely of the transaction there, left them to return, when hearing the guns, they turned toward Thomas Brackett's, who lived near Clark's Point, where they had left their canoe, having probably crossed over from Purpooduck. Here they saw Thomas Brackett shot down, and his wife and children taken; they then made their escape to Munjoy's garrison at the lower end of the Neck, which had become a place of refuge. Megunnaway, "a notorious rogue," who had been engaged with the Indians in Massachusetts, in 1675, was one of the murderers of Thomas Brackett, and probably instigated them to the bloody deeds of that day.

The persons who had found an asylum in Munjoy's garrison, not willing to trust the security of the place, fled the same day to "James Andrews' Island,"<sup>1</sup> which lies at the mouth of the harbor. From this place Mr. Burroughs immediately wrote to Henry Jocelyn, of Black Point, for succor. After they had secured themselves upon the island, they recollected that a quantity of powder had been left in one or two places in town, which they were desirous of obtaining, as well for their own protection as to keep it from the hands of the enemy. They resolved therefore to take measures in the night to recover it. They succeeded in the attempt, and brought away a barrel from the house of Mr. Wallis,<sup>2</sup> and a considerable quantity

<sup>1</sup> Now Bangs' Island.

<sup>2</sup> It is not said which Wallis; Nathaniel lived at Back Cove, and John at Purpooduck.

from a chest in a store-house ; the Indians had ransacked the chest, but had overlooked the powder.

Next day George Lewis, who had remained in his house with his wife, without interruption, got safe to the island, together with two men who had been sent by the inhabitants some days previous to Major Waldron of Dover, to complain of Simon, against whom suspicion had begun to be aroused. George Felt also, who lived near Muscle Cove, having seen the smoke which arose from the burning houses and barns here, had suspicions of the cause, and took his wife and children in a boat to ascertain the truth ; but when he came to a point of land, probably at the mouth of Presumpscot river, he saw a quantity of his neighbors' goods lying there, which warned him of his danger, and he sought safety upon the island with the other inhabitants.

In this attack upon the town, Hubbard says there were thirty-four persons killed and carried into captivity. The names of those who were killed as far as we can ascertain, were Benjamin Atwell, Thomas Brackett, Robert Corbin, Humphrey Durham, Nathaniel Mitton, John Munjoy, and Isaac Wakely ; the prisoners were Anthony Brackett, his wife, five children, and a negro servant, Thomas Brackett's wife and three children, Corbin's wife, the wife of Atwell or Durham, and the children of the other, and James Ross, with his wife and children, making seventeen prisoners, exclusive of the unknown number of children in the families of Ross and of Atwell or Durham. Others were killed and captured whose names are not mentioned. All upon the Neck probably escaped by the timely notice they had received, except Munjoy, Wakely, and the Brackett family. No mention is made of any lives having been lost at this time on the south side of Casco river ; they were undoubtedly admonished of their danger, by the burning dwellings of their neighbors, in season to save their lives if not their property.<sup>1</sup>

<sup>1</sup> The following letter written by Brian Pendleton, of Saco, two days after the

To what extent the buildings were destroyed, we have no means of ascertaining. It seems that the houses of Lewis and Wallis were not burned the first day, as one was visited in the

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transaction, with which I have been favored through John Farmer, Esq., who has the original in his possession, will be read with interest in this connection. It is superscribed "ffor the Honored Governor and Counsell for the Matacusets at Boston, With all speed." "Honored Governor together with the Counsell."

"I am sorry my pen must bee the messenger of soe greate a tragedye. On the 11 of this instant wee heard of many killed of our naybors in Falmouth or Casco bay, and on the 12 instant Mr. Joslin sent mee a brieffe letter written from under the hand of Mr. Burras, the minister. Hee gives an account of thirty-two killed and carried away by the Indians. Himself\* escaped to an island—but I hope Black Point men have fetched him off by this time—ten men, six women, sixteen chldren. Anthony† and Thomas Brackett and Mr. Munjoy his sonne onely are named. I had not time to coppye the letter, persons beinge to goe post to Major Walden; but I hope he hath before this sent the originall to you, How soon it will be our portion wee know not. The Lord in mercy fit us for death and direckt ye harts and hands to ackt and doe wt is most needful in such a time of distress as this. Thus in hast I commit you to Gidance of our Lord God and desire your prayers alsoe for us.

Yours in all humility to serve in the Lord

Winter Harbour at night }  
the 13 of August 1676" }

BRIAN PENDLETON."

On the 20th of August, George Munjoy was sent to Falmouth from Boston, with fifteen hundred pounds of bread, for the relief of persons there. In their instructions to Mr. Munjoy the government say, "Considering the distress the soldiers may be put into for want of their provisions as also the distress of the people on Mr. Andrews' Island, you are hereby required forthwith to dispatch said vessel away without delay and deliver the said bread according to the order from Mr. Rishworth for the ends aforesaid and for the speedy relief of those on the island, the charge whereof is to be borne by that county." by order of Council.

Munjoy rendered this service, but not receiving compensation from the expected source, he petitioned the General Court for allowance in October, 1679.

The following letter from] Richard Martyn of Portsmouth, to Gen. Dennison, contains interesting information relative to this period.

"Honored Sir,

This serves to cover a letter from Capt. Hathorn from Casco Bay, in which you

\* Burroughs.

† His information with respect to Anthony Brackett was not correct as we have seen; the letter was no doubt written before his fate was ascertained.

night and the other continued to be occupied until the next day. Hubbard mentions generally that the houses of those killed and taken prisoners were burned, we therefore conclude that those of the two Bracketts, Corbin, Atwell, Ross, and Durham at least, were destroyed. The houses no doubt, like most of those of the first settlers in every new country, were of very ordinary description, probably one story with thatched roofs and wooden chimneys, many of them mere temporary shelters built of logs filled in with clay.

The Indians proceeded with their captives from Falmouth to the Kennebec river. On the 14th of August the war begun

will understand their want of bread, which want I hope is well supplied before this time; for we sent them more than two thousand waight; which I suppose they had last Lord's day night: the boat that brought the letters brings also word yt Saturday night the Indians burnt Mr. Munjoy's house and seven persons in it, yt is his house at ye fishing Island. The Sagamore of Pegwackuk is taken and kil'd and one In. Sampson by our army; but the enemy is doing mischief apace. On Sabbath day a man and his wife namely one Gouge were shot dead and stript by ye Indians at Wells. Yesterday at 2 of the clocke Cape Nedick was wholly cut off only two men and a woman with two or three children escaped, so yt we expect now to hear of farther mischief every day. They send to us for helpe both Wells and Yorke but we had so many men out of our town yt we know not how to spare any more. Your speciall speedy order for the impressing some from the Shoales will be of good use at present. Sir please to give notice to ye Councill yt supply be sent to ye army from ye Bay for they have eatin us out of bread, and here is little wheat to be gottin and lesse money to pay for it. Supplismay as easily be sent ym from Boston as from hence, and should there be another army come among us as I suppose there must speedily be wee shall be very hard put to it to find bread for them, the Lord direct you and us in ye great concerns that are before us, which dutifull service presented in haste I rem ain

Sr your servant,

Portsmouth Sept. 26, 1676.

RICHARD MARTIN.

Directed,

To ye Honored Maj. Generall Daniel Denison these present

In Ipswich.

Hast Post Hast.

By an Indian yt was taken the army was informed yt at Pegwacket there are wenty captives.

D. DENISON."

in that quarter, in the first scenes of which, our Indians were probably not concerned; Richard Hammond's house was attacked on that day, and himself with Samuel Smith and Joshua Grant were killed. The Indians then divided, eleven went up the river and captured Francis Card and his family, the remainder went down to Arrowsic Island, now Georgetown, took the fort by surprise, killed Capt. Thomas Lake, one of the chief proprietors, with many others, and wounded several, among whom was Capt. Silvanus Davis, afterward a prominent inhabitant of Falmouth. Here they were joined by the Indians from Falmouth and those who went up the river, and laid plans of future depredations.

It was on this occasion that Anthony Brackett and his family escaped out of their hands by means of an old birch canoe which his wife repaired with a needle and thread found in a deserted house. Their captors were so anxious to press forward and share in the success of their friends on the Kennebec, that they left Brackett and his family to follow after them. Hubbard says, "In that old canoe they crossed a water eight or nine miles broad, and when they came on the south side of the bay, they might have been in as much danger of other Indians that had lately been about Black Point and had taken it; but they were newly gone; so things on all sides thus concurring to help forward their deliverance, they came safely to Black Point, where also they met with a vessel bound for Piscataqua, that came into that harbor but a few hours before they came thither, by which means they arrived safe in Piscataqua river soon after."

The Indians who had collected on Arrowsic in the beginning of September were about one hundred, who having laid waste the country round, one division went to Sheepscott and Pemaquid, another made an attack on Jewell's Island. Many of the inhabitants had fled from the main to this remote island, as a place of safety, and had trusted too securely in its distance, without taking sufficient precaution against a sudden invasion.

There was at this time a fortified house upon the island, but it was almost without occupants and feebly guarded. Many of the people were absent procuring provisions for their families, when the enemy suddenly made their appearance. The occupants of the garrison resolutely defended it, until some who had been abroad returned "and desperately broke in through the Indians" to the fort, and prevented its being taken. The Indians soon after drew off and the inhabitants were relieved by a government vessel, which was called to their assistance by some who escaped from the island at the time of the attack. Several of the Indians were killed, and three of the English; two women and two children were taken captives. The wife of Richard Potts, who was washing by the water side, was taken with her children in sight of her husband, who was unable to afford his family any relief.

On the 23d of September, a number of those persons who had been driven from Casco and the vicinity, whose names are not given, except George Felt's, being driven by the distress which their families were suffering for the necessaries of life, ventured to go upon Munjoy's Island<sup>1</sup> to procure provisions, there being a number of sheep there. They had scarcely landed six or seven men, when the Indians fell suddenly upon them; and although they defended themselves with desperate courage from the ruins of a stone house, to which they had retreated, yet they were all destroyed. Felt was much lamented; he was a useful and enterprising man, and had been more active against the Indians than any other in this vicinity. He left a family, who moved to Chelsea, in which neighborhood his descendants are yet living. His wife was a daughter of Jane Macworth, by whom he had three sons, George, Samuel, and Jonathan.<sup>2</sup>

<sup>1</sup> I think this is what is now called House Island. This unfortunate event is referred to in Martyn's letter, ante, p. 222, note.

<sup>2</sup> The father of George Felt was born in 1601; he lived in North Yarmouth [three years]. He was one of the Malden settlers, where he died in 1693, aged

As soon as news of the commencement of hostilities reached the government of Massachusetts, measures were taken to afford protection and assistance to the inhabitants. One hundred and thirty English and forty friendly Indians were dispatched under the command of Captains Hawthorn, Sill, and Hunting, who were to be joined with such forces as could be raised in the province. They proceeded by the coast to Falmouth, where the head-quarters of the enemy were supposed to be. They arrived at Casco Bay, September 20, and although every plantation west of it had suffered depredations from the enemy, they met with but two Indians on their march. One they killed and the other escaped at Falmouth to Back Cove and gave notice of the approach of the forces to his comrades, who had been heard a short time before threshing in Anthony Brackett's barn. They were thus enabled to escape. This expedition produced no permanent advantage; wherever the troops appeared, the enemy fled from their presence, and nothing could be found of them but the desolation which they had caused. They left this part of the country in the beginning of October, and about a week afterward, the Indians rallied their forces, one hundred strong, and, October 12, made an assault upon Black Point. The inhabitants had collected in the garrison of Henry Jocelyn, who endeavored to negotiate a treaty with Mugg, for their safe retreat. When he returned from this service to the garrison, he found the inhabitants had fled to their boats and carried their property with them, leaving Jocelyn alone with his family and servants; he was consequently obliged to surrender at discretion.<sup>1</sup>

<sup>1</sup> Mr. Farmer has favored me with the following document. "A list of the inhabitants at Black Point Garrison October 12 1676.

In ye	Garison	Daniel Moore	Living muskett	Ralphe Heison
		John Tenney	shott from ye	Mathew Heyson
		Henry Brookin	Garison	Joseph Oliver

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ninety- two. His wife died the same year. The Rev. Joseph B. Felt of Salem, the distinguished antiquarian and historian, is of this family.]

They next proceeded to Richmond's Island; a vessel was lying here belonging to Mr. Fryer, of Portsmouth, which had been sent, by the solicitation of Walter Gendall, to preserve the property upon the island. While they were engaged in this duty, they were attacked by a multitude of the enemy. Owing to the unfavorable state of the wind, they were unable to get their vessel out of the harbor; the enemy seized this advantage and proceeded to cut the cable of the vessel, while part of them stood ready to shoot down every man who appeared on her deck to render any assistance. Under these circumstances the vessel was driven on shore, and the crew, consisting of eleven persons, were taken prisoners. Among them was James Fryer, son of the owner, a respectable young man of Portsmouth, who afterward died of wounds received in that engagement; also Walter Gendall, who became of service to the enemy as interpreter and messenger.

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	Nathaniell Willett		Chris'r Edgecome
	Charles Browne		John Edgecome
	Edward Fairfield		Michael Edgecome
	Hampton & Salisbury	Living thre mus-	Robert Edgecome
	soldiers.	kett shott from	Henry Elkins
In ye hutts wth	Francis Sholet	ye garison	John Ashden
out ye Garison	Anthony Roe		John Warrick
but joining to it	Thomas Bickford		Goodman Luscome
	Robert Tydey		Tymothy Collins
	Richard Moore		Andrew Broune sen.
	James Lybbey		Andrew Broune
	John Lybbey		John Broune
	Anthony Lybbey		Joseph Broune
	Samuel Lybbey		Ambrose Bouden
	George Taylor		Constable
	James Ogleby		Tho. Cuning
	Dunken Chessom		John Herman
	William Sheldon		Sam'l Oakman sen.
	John Vickers		John Elson
	Rrd. Bassen		Peter Hinkson
	Ro'rt Elliott		Ried. Willin
	Francis White		John Symson
	Richard Honeywell		Tho. Cleaneley
	John Howell		John Cooke
			R'd Burroughs
			James Ogleby
			John Cocke
			Daniel Moore
			Dunken Chessom
			Richard Burrough
			William Burrage.

A list of ye names of those yt ware prest by vertue of Capt. Hartherne's order to be for ye service of ye Garison of ye inhabitants aforesaid.

Francis Shealett  
Edward Hounslow

The affair at Richmond's Island was the last in Falmouth, during the war; and the war here may be said to have ceased for the want of victims. Mugg, who had led the Indians in the two last attacks, seemed now to be desirous of peace, and for that purpose went to Portsmouth on the first of November, carrying James Fryer, and offered to enter into a treaty. The commanding officer there, not being authorized to negotiate, sent him to Boston, where on the 6th of November, articles of pacification were entered into with the government, by Mugg, in behalf of Madockawando and Cheberrina, Sachems of Penobscot. Mugg, as a pledge of his fidelity, consented to remain a hostage until the property and captives were restored.

There was a great reluctance on the part of the Indians to comply with the terms of the treaty, and on one pretext and another they evaded the principal articles. They had no reason thus far to be dissatisfied with the war; they had taken at least sixty prisoners and a large amount of property, and had lived upon the best fruits of English industry, while they had lost but very few men. Their range over the country was now unimpeded, and they had nothing but a dread of future retribution from the English, to induce them to lay down their arms. That so small a number of Indians should have been able to have committed so great depredations and outrages upon such a long line of settlements, can only be accounted for by supposing the energy and judgment of the people to have been overcome by panic. Although their habitations were scattered and their preparations for defense feeble, still had they in the first onset made a resolute resistance, they would have inspired terror into the enemy instead of feeling it themselves. It appears from an estimate presented to the committee of the colonies in England, in 1675, that the militia in Maine, including Sagadahock, amounted to seven hundred, of which eighty were in Casco bay, eighty in Sagadahock, one hundred in Black Point, one hundred in Saco and Winter Harbor, eighty in Wells and Cape Porpus, eighty in York, and one hundred

and eighty in Kittery.<sup>1</sup> The Indians never had fighting men to be compared with this number, and yet they entirely destroyed most, and for three years harrassed the remainder of the settlements in the province.

Maddockawando and Squando were the most powerful chiefs during this war; they are described by Hubbard as "a strange kind of moralized savages; grave and serious in their speech, and not without some show of a kind of religion." "It is also said they pretend to have received some visions and revelations, by which they have been commanded to worship the great God and not to work on the Lord's day." These notions are attributed to their intercourse with Catholic priests. These two celebrated persons held in their hands for a time the destinies of the eastern country. Mugg was the prime minister of the Penobscot Sachem, an active and shrewd leader, but who by his intimacy with English families, had worn off some of the ferocities of the savage character.

The attempts at peace in the latter part of 1676, proving unsuccessful, the war was continued through the next year; spending its force principally in the western part of the State. Simon who commenced the tragedy at Casco, was not idle in its closing scenes. On the 16th of May, a party under Mugg, attacked the garrison at Black Point, which was resolutely defended for three days; in the latter part of which, the active leader of the besiegers having been killed, the siege was precipitately abandoned. This ill success was however revenged on the same spot in the following month, when a large force having been sent to that place, without experience in the kind of warfare, were drawn into an ambuscade and nearly all destroyed.

<sup>1</sup> The daily pay of the militia who served in this war was for a general, six shillings; captain, five shillings; commissary general, four shillings; surgeon general, four shillings; lieutenant, four shillings; ensign, four shillings; sergeant, two shillings six pence; corporal, two shillings; private, one shilling six pence.—*Chalmer's Annals*, Indian corn was from two shillings six pence to three shillings a bushel. A cow, forty-five shillings.—*Morton's Memorandum*, p. 460.

In the summer, the enemy were checked near the seat of their power by the interference of Major Andross, Governor of New York, who sent a force to protect the interest of the Duke of York in his province. He established a strong garrison at Pemaquid, which overawed the Indians of that neighborhood; the next spring they made proposals to the government for peace, and commissioners were appointed to treat with them. The commissioners, Messrs. Shapleigh and Champernoon, of Kittery, and Fryer, of Portsmouth, proceeded to Casco, where they met the Indians, and mutually signed articles of peace on the 12th of April, 1678. By this treaty the people were permitted to return to their habitations, and it was agreed that they should occupy them without molestation, paying annually to the Indians one peck of corn for each family, except Major Phillips, of Saco, who having a larger estate, was required to pay one bushel annually. The captives were all restored, and an end was put to a relentless war, in which whole families were sacrificed, human nature exposed to detestable cruelties, and property wantonly destroyed. The doom of Falmouth was pronounced at once; it was not called to transient and often repeated suffering, but after the unhappy fate of the Wakely family it was crushed by a single blow, and I do not find one trace of its having been reoccupied until the peace. Some of the persons from Falmouth who were taken captives, will be briefly noticed; we have already spoken of the escape of Anthony Brackett and his family; the wife of Thomas Brackett perished in the first year of her captivity;<sup>1</sup> her three children survived, and afterward lived in Greenland. James Ross and his family were restored and afterward lived in Falmouth.

<sup>1</sup> She was Mary, a daughter of Michael Mitton; her children were Joshua, who died in Greenland, and was father of our townsmen, Anthony and Joshua, who owned the large tract of land extending from Clark's Point across the Neck to Back Cove. Her other children were Sarah, who married John Hill of Portsmouth, and Mary, married to Christopher Mitchell, of Kittery. They did not return to Falmouth. [Anthony and Joshua, Jr., returned on the resettlement of the town and died here, leaving large families.]

Walter Gendall was subsequently an inhabitant of Falmouth, and then of North Yarmouth, where he was killed. He had exposed himself to suspicion, while a prisoner among the enemy, of having betrayed the English, and was tried for the offense at Boston in September, 1677. The record is as follows: "Walter Gendall of or near Black Point being presented and indicted by the grand jury, and left to trial, was brought to the bar and was indicted by the name of Walter Gendall, for not having the fear of God before his eyes, and being instigated by the devil, in the time of the war with the Indians, in a perfidious and treacherous way, against the inhabitants of this colony's peace and safety, sought to betray them into the enemy's hands, by his endeavour and counsel, contrary to the peace of our sovereign lord the king, his crown and dignity, and the law of this commonwealth—To which indictment he pleaded not guilty, and referred himself for his trial to the bench. The magistrates having duly weighed the indictment, and the evidences in the case produced against him, found him guilty of the indictment, and do therefore sentence him to run the guantelope through the military companies in Boston on the 10th inst. with a rope about his neck; that he forfeit all his lands to the country, and be banished out of this jurisdiction, to be gone by the 6th day of October next, on penalty of perpetual imprisonment if he return again, and discharging the costs and charges of this prosecution." What was the nature of the offense for which this severe punishment was inflicted, does not appear; that there was some misinformation to the court about it, may be inferred from the fact that he was soon after restored to the possession of his lands and to public confidence. In July, 1680, we find him acting as one of the commissioners of Falmouth; in 1681, he was appointed by President Danforth to regulate the settlement of North Yarmouth; in 1683, Fort Loyal, in Casco, was committed to his care, and in 1684 he was deputy to the General Assembly of this province. Gendall's name occurs first in Falmouth, as a juryman, in 1666;

in 1669, he exchanged farms with Michael Madiver, of Black Point, and is then called "Planter, dwelling in the town of Falmouth." June 3, 1680, he bought of George Felt, Sen., of Casco, planter," one hundred acres "on the westward side of George Felt's ould house in Casco bay;" this tract adjoined Falmouth line, and was afterward occupied by Gendall. [He was killed in the subsequent war, as will be seen hereafter.]

Among the persons who were driven from Falmouth and did not return, was the Rev. Robert Jordan. This ancestor of the numerous race of Jordans, ended his active and uneasy life at Portsmouth, N. H., in 1679, in the sixty-eighth year of his age. His will was made at Great Island, in Piscataqua river, January 28, and proved July 1, 1679. He had lost the use of his hands before his death and was unable to sign his will. He left a widow, Sarah, the only daughter of John Winter, and six sons, viz: John, Robert, Dominicus, Jedediah, Samuel, and Jeremiah. In his will he confirmed to his sons John and Robert, the land that he had previously conveyed to them, which was situated at Cape Elizabeth; John had Richmond's Island.<sup>1</sup> He bequeathed to his wife "the ould plantation" in Spurwink, containing one thousand acres, and lying between the lands of his sons John and Dominicus; and also the Nonsuch farm in Scarborough, containing two thousand acres. To Dominicus he bequeathed one thousand acres at Spurwink, adjoining the old plantation; to Jedediah, one thousand acres, and to Samuel eleven hundred acres, both at Spurwink. The particulars of the various bequests may be found in the will which we have reserved for the Appendix.<sup>2</sup>

Jordan has been so often noticed in the preceeding pages, that it will not be necessary to speak particularly of him now. For

<sup>1</sup> Robert Jordan conveyed "Richman's Island" to his son John, January 25, 1677, in consideration of ten pounds, a legacy from his grandfather Winter; he made the conveyance as administrator of Winter.

<sup>2</sup> See Appendix, No. 6.

more than thirty years he occupied a large space in the affairs of the town, and of the province. He was an active, enterprising man, and placed by education above the mass of the people with whom he connected himself. Although he came as a religious teacher, the affairs of the world and gratification of ambitious views appear soon to have absorbed the most of his attention and to have alienated him from his profession.\* His posterity for many years exercised very great influence in the concerns of the town, and long maintained a high standing in the province. They are still very numerous and respectable. John and Robert did not fix their permanent residence here; the former married Elizabeth, daughter of Elias Stileman, of Portsmouth, in 1677 or 1678; and Robert conveyed to Nathaniel Fryer, of Portsmouth, July 14, 1679, "the land in Cape Elizabeth which he received of his father." Part of the "ould plantation" is now owned and occupied by Dominicus, the great grandson of Dominicus, the third son of the first Robert, who from his great age and activity being now (1831) ninety-one years old, is called by way of distinction "Old Stuff."<sup>1</sup> He

\* [I am fortunately able to furnish from an original document in my possession, a specimen of the hand-writing and signature of this very prominent man.

(Robert Jordan with date, etc.)

*witness my hand & Seale*

*this Nineteen of July 1660*

*By me Robert Jordan*

<sup>1</sup> This family is rather peculiar for distinctive epithets, which have been applied to its members, probably from the number who have borne similar names. Jeremiah, a grandson of Robert was called French Jeremy, from his having been taken a prisoner by the French; another was called "Cock Robin" Jordan. Within a few years there were nine by the name of Nathaniel Jordan, living at the same time, in Cape Elizabeth, who were distinguished by divers epithets,

points with pride to the scenes around him, dear to his affections by being associated with the feats and names of his ancestors. The first Dominicus was killed in 1703, by the Indians, with a hatchet, and his wife and children carried to Canada; his eldest son Dominicus was thirteen years in Canada, and then ran away; his name frequently occurs in the later transactions of the town; he attained the rank of Major and died in 1749, aged sixty-six; his son Dominicus, died in 1788, aged seventy-two; the fourth Dominicus, eldest son of the last, is still living, the oldest man in the town, having been born April 19, 1740, old style. The first Dominicus married Hannah, a daughter of Ralph Tristram of Saco, and some of their posterity have for many years filled a respectable place in the annals of that town.\*

\*[After a period of a third of a century since the original publication of this work, we have little to add to what has been already said of Robert Jordan, one of the most prominent and influential gentlemen in the early annals of western Maine. The name is quite common in Great Britain; it exists in Ireland, Wales, and several counties in England, as it is written here; and there are also families who spell it Jordaine, Jordayne, Jorden, Jordin, and Jordqn. The Jordan who first settled in Wales was of Anglo Norman origin, one of the companions of Mertine de Tours in the time of the conquest. It is probable that Rev. Robert Jordan came from Dorsetshire or Somersetshire, the hive from which so many of our settlers came; there the name is quite common. A Robert Jordan married a Cokers in Blandford, county of Dorset, and had Robert Jordan, who became a merchant in Melcomb, also of Dorsetshire, and married, it is supposed, into the Fitzpen or Phippen family; their coat of arms was nine daggers on a shield, a lion rampant in the center, etc. The Dorsetshire and Somersetshire families have on their shields a lion rampant; the Wiltshire family have a bent arm holding a dagger. The residence of Jordan here, may have attracted the Phippens to the same place. Mr. Jordan was born in 1611; the precise time of his coming over we do not know; he was here in 1640; he was then a surety for T. Purchase, at which time he was twenty-nine years old. In 1641, he was one of the referees between Winter and Cleeves, from which we infer he was not then married to Winter's daughter. He probably came in one of Mr. Trelawny's regular traders to Richmond's Island; the bark Richmond came in 1639, the Herculesin, 1641, and the Margery in 1642, and perhaps before. All his sons were born before 1664. His wife survived him and was living at Newcastle in Portsmouth harbor in 1686. Edward Godfrey, the first settler of York and sometime governor of the western

A notice of the second marriage of Anthony Brackett which occurred in 1679, carries us back to his first wife, Ann, the daughter of Michael Mitton. The skillful escape of herself and family from captivity, which Hubbard ascribes to her penetration and fortitude, places her in the rank of heroic women. The language of Shakespeare is not forcible enough to describe the canoe with which the family crossed Casco bay.

"A rotten carcase of a boat, not rigg'd,  
Nor tackle, sails, nor mast; the very rats  
Instinctively had quit it."

The time of her death is not ascertained; the escape was in August, 1676, and the subsequent marriage was before September 30, 1679. Her children were Anthony, Seth, Mary, Elinor, and Kezia; the latter was an infant when they were captured; it does not appear that she had any other.

The notice to which we have referred is an agreement between Brackett and Abraham Drake, to which, from its unusual character, we have given place. "Articles of agreement made and concluded on between Anthony Brackett, Jr., of Casco bay, on the one party, and Abraham<sup>r</sup> Drake, Sen., of Hampton,

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part of the state, and who was long associated with Jordan as a magistrate, speaks of him in a letter to the government at home, March 14, 1660, as having long experience in the country, "equal with any in Boston," and adds "an orthodox devine for the church of England, and of great parts and estate."

Of his six sons, John was appointed by Governor Andrews in 1680, a special justice for Pemaquid, although he was then residing at Richmond's Island, for Andross addressed a letter to him September 15, 1680, as follows: "To Justice Jordain att Richmond Island neare Casco Bay." Robert the second son, in a deed dated December 18, 1695, to Robert Elliott, styles himself of Great Island in New Castle. In a deed, November 12, 1685, he and his wife Eliza, join in a conveyance and call themselves of Cape Elizabeth; he probably remained here till the second Indian war, and then left not to return.

The family of Dominicus, third son of Robert, is the only one, so far as I have been able to ascertain, who remained on the soil of their fathers; his descendants still continue to cultivate the paternal acres. His great-grandson Dominicus, mentioned in the text as "Old Stuff," and living in 1831, died in 1834, at the age of ninety-four, having had a family of ten children, five sons and five daughters, all of whom lived to maturity. His wife was Susanna Simonton.]

in the county of Norfolk, N. E.—Whereas the said Anthony Brackett, widower, is lately joined in marriage with Susannah Drake, single woman, and the eldest daughter of the said Abraham Drake, of Hampton, therefore know ye, that I, the said Anthony Brackett, have covenanted and agreed, and by these presents do covenant and agree to and with the said Abraham Drake, as a feoffee in trust for and in behalf of the said Susannah, my present wife, that I do by these presents instate the said Susannah by way of jointure one half of all my lands and housing, which I have in Casco bay, or shall have according to the true estimation and value thereof, for her free jointure during her natural life, and to be and to remain to her and her male heirs begotten of her body by me, said Anthony Brackett, her present husband. Having made this promise before marriage, I do consent to it with my hand and seal, and what the Lord shall add unto my estate during our natural lives together; made at Black Point, September 30, 1679. Witness, Thomas Scottow.”\*

\* [Robert Drake, the ancestor, came to this country from Devonshire, England, where he was born 1580. He settled in Exeter, 1635, Hampton, 1649, and died there 1668. His son Abraham, the person above mentioned, was born in England, 1620. He lived in Hampton and by his wife Jane had Susannah, Abraham born 1654, died June 1714, Robert, Sarah, Elizabeth, Mary, Hannah. Susannah married Anthony Brackett and had Jane, Zipporah, Zachariah, Ann, and Susannah. The last Susannah married Samuel Proctor.]

NOTE—The following persons were living in Casco bay, out of the limits of Falmouth in 1675; we do not avouch the catalogue to be complete, but it contains all the names that we have met with. Richard Bray and John his son, John Cousins, Wm. Cocke, Henry Donnell, Nicholas Cole, George Felt, Moses Felt, John Holman, Wm. Haynes, Thomas Haynes, Robert Gutch, James Lane, John Maine, James and John Mosier, Richard Pattishall, Richard Potts, Thomas Purchase,<sup>1</sup> James Purrington, Elinor Reading, widow of Thomas Reading, Wm. Royall and his sons, William and John, John Sears, Thomas Stevens, Alexander Thwoit,<sup>2</sup> Thomas Wise, and Nicholas White.

<sup>1</sup> Purchase lived at Brunswick.

<sup>2</sup> Thwoit lived on the point formed by Merrymeeting bay and the Kennebec. [Royall and his sons lived in North Yarmouth on an island belonging to that town. The father was ancestor to the wealthy refugee of the same name in Medford, 1775.]

A dispute arose between the children of the two marriages respecting this property; one claimed it by virtue of the jointure, while the other contended that it belonged to their mother, and consequently that their father had not power to alienate or entail it. It was finally adjusted by an amicable division.

## CHAPTER VIII.

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PURCHASE OF MAINE BY MASSACHUSETTS—GOVERNMENT—RESETTLEMENT OF FALMOUTH—DANFORTH'S GRANTS, OTHER TITLES ON THE NECK—GRANTS BY THE TOWN—SILVANUS DAVIS—MUNJOY'S DEATH AND FAMILY—FIRST TAVERN, SEACOMB, JONES, CLOICE—DEATH OF MRS. HARVEY AND GEORGE LEWIS—GEO. BURROUGHS.

While the government of Massachusetts was engaged in resisting the incursions of their savage foe upon their whole frontier, they were summoned to defend their civil privileges and the integrity of their territory. Their enemies in England had besieged the ear of the king and so far abused it as to create a prejudice in relation to that colony, which occasioned its friends no little anxiety. A *quo warranto* was issued, and they were required by a letter from the king, dated March 10, 1676, to send over agents to answer the charges exhibited against them. This command was complied with, and the agents sailed in October, 1676. They were so far successful as to procure a confirmation of the charter with its original bounds, but the jurisdiction of Massachusetts over Maine and New Hampshire was annulled, and those provinces respectively restored to the heirs of Gorges and Mason.

When this decision reached the colony, its government ever watchful over its interests, immediately took measures to secure the province of Maine, of which this decision deprived them. For this purpose they employed John Usher, a merchant of Boston, to negotiate with Mr. Gorges, a grandson of Sir Ferdi-

nando, for the purchase of his propriety. This undertaking was successfully accomplished, and Usher received a deed of the whole province from Piscataqua to Sagadahoc, in 1677, which on the 15th day of March, 1678, he by indenture conveyed to the government and company of Massachusetts for twelve hundred and fifty pounds sterling.<sup>1</sup> This ended all controversy between Massachusetts and the Gorges family respecting the soil and government of Maine; but not so with the English government, to whom the transaction gave great offense. The latter contended that the jurisdiction over a colony or province was inalienable, and that by the conveyance, although Massachusetts might have acquired a right to the soil, she acquired none to the government, which consequently reverted to the crown. And they went so far as to require an assignment of the province from Massachusetts on being paid the purchase money. But the government of the colony kept steady to their purpose, justified their purchase as having been done by the desire of the inhabitants, and were wholly silent on the subject of the reconveyance.<sup>2</sup> The subject was continually agitated, until it was finally settled by the charter of 1691, which not only included the province of Maine, but the more remote provinces of Sagadahoc and Nova Scotia.

After the purchase of Maine, many persons in Massachusetts were desirous of selling the province to defray the expense of defending it during the late war, which was estimated at eight thousand pounds. A committee of the General Court was appointed for this purpose, but the vote was reconsidered, before any further measures were taken on the subject.

<sup>1</sup> Hutchinson says the price was twelve hundred pounds, but Usher's deed to Massachusetts, on York Records, expresses the sum of twelve hundred and fifty pounds, as the consideration. Richard West's report in "Chalmers' opinions of Eminent Lawyers."

<sup>2</sup> The agents in 1682 were authorized to give up the deeds of Maine, if it would be the means of saving the charter, otherwise not.—*Hutchinson*, vol. i. p. 303. The sacrifice did not become necessary.

It now became necessary to adopt a new form of government for the province, since the jurisdiction was no longer claimed as a matter of right under the patent of Massachusetts, but as proprietor by right of purchase. She was no longer to be represented in the General Court as an integral part of her chartered territory, but a local proprietary government was to be established over the province, such as was authorized by the charter to Gorges.

In pursuance of this plan, Thomas Danforth, then exercising the office of deputy governor of Massachusetts, was appointed President of Maine in 1680, and invested with powers for its government in subordination to its new proprietor. He repaired to York in March, 1680, proclaimed his authority, exhibited his commission, and constituted a government composed of a deputy president, a council, and an assembly consisting of the representatives of the people. The first General Assembly was held March 30, 1680, at York.

It cannot be disguised that this state of things was not agreeable to many persons in the province, and they did not cordially submit to it. In 1680 a petition was transmitted to the king signed by one hundred and fifteen persons living in different parts of the province, remonstrating against the new government, and praying to be restored to his immediate authority. Sixteen at least of the petitioners lived in Falmouth. They complain of the imposition of a tax of three thousand pounds upon the three towns of Wells, Kittery, and York, as an intolerable burden after the heavy losses sustained during the late Indian war.<sup>1</sup> [The General Court at their sessions in May, 1680, addressed a letter "To the inhabitants of Casco, within the province of Maine," to calm the agitation which was existing there. They say, "Gentlemen and loving friends. We are informed that some disturbance hath been given you in

<sup>1</sup> This document is in the 1st vol. of the collections of the Maine Historical Society.

your resettling by the threatenings of some persons, whose practises cannot be warranted by his majesty's royal charter, granted to Sir F. Gorges, Knight, who was the first proprietor of said province, and the right whereof is now invested in ourselves. These are to signify unto you, that as we have taken order for the settling government according to the charter, so our care will be for the protection, etc. And for the better government and security, have made a grant of a township upon the north side of your bay (North Yarmouth) and are consulting the peopling and improvement of the islands adjacent." They add, that on being informed they will do whatever "is necessary for the security of your peaceable settlement," and close their conciliatory epistle by commending them to Almighty God "and are your loving friends."]

In the first General Assembly all the towns in the province were represented but Cape Porpus, Scarborough, and Falmouth; Walter Gendall appeared from the latter town, but having no certificate of his election was not allowed a seat. Anthony Brackett was appointed by the court, Lieutenant of Falmouth, and Thaddeus Clarke, Ensign.

Soon after the peace concluded at Casco, April 12, 1678, the inhabitants begun to return to their desolate lands. On the 13th of November of that year, Edward Allen, of Dover, N. H., conveyed to George Bramhall, of Portsmouth, all that tract of land, which George Cleeves had sold to his father, Hope Allen, in 1660, except fifty acres which he had previously disposed of. The whole tract contained four hundred acres, extending westerly to Round Marsh at the narrow of the Neck, and included the hill which now bears the name of its old proprietor. Bramhall was a tanner; he moved here in 1680, and established a tannery upon the flat under the hill near the entrance upon Vaughan's bridge, where the remains of the vats may still be traced.

Anthony Brackett, as we have seen by the extract relating to his second marriage, had returned in 1679; and it is proba-

ble that most of the ancient settlers whose property and means of support were here, came back on the conclusion of peace. A fort was erected on the point at the foot of King<sup>1</sup> street, called Fort Loyall. At this fort President Danforth held a court in September, 1680, for the purpose of settling the inhabitants in a more compact manner than heretofore, the better to enable them to resist future attacks of the Indians. The record of his proceedings at this time, although imperfect, we shall borrow entire from York Registry; his grants covered that part of Portland now of the most value, and the center of trade. He appropriated the soil under Massachusetts as chief proprietor, and we have met with but one instance which will be hereafter noticed, the case of the Munjoy title, in which compensation was demanded and awarded. The record is as follows; "At fort Loyall in Falmouth 23 7br 1680 Granted unto the persons whose names are hereunder written, houselots upon the neck of land near the fort viz:

1. To Mr. Bartholomew Gedney on the westerly side of the cove one lot in breadth against the cove about six rods more or less as now marked, reserving for a highway against the cove four rods in breadth, and the said lot to be in length twenty rods and on the southerly side of the highway to have the privelege of the cove for wharfing.<sup>2</sup>

"2. To John Ingerson one lot lying next to Mr. Gedney's westerly, of like breadth, length, and conditions in all respects.

3. To George Ingerson one lot.

4. " John Marston " "

5. " Isaac Davis " "

6. " Francis Nichols " "

<sup>1</sup> Now India Street.

<sup>2</sup> Gedney never was an inhabitant; he was a great land speculator here and at North Yarmouth; he lived in Salem. He afterward sold his grant to Silvanus Davis. The lot extended back to what is now called Sumner street, originally named Fleet street, afterward Turkey lane. The cove here mentioned is Clay cove.

7. To Thomas Mason one lot.

8. " Samuel Ingerson " "

All these on the west side of the cove, breadth and length as the others. Further it is granted to Mr. Gedney, George Ingerson, and John Ingerson, that instead of sixty acres apiece accomodation on some of the islands, they shall be allowed the like quantity in the place where George Ingerson's corne milne standeth. The like grant is made to Francis Nicholls, Thomas Mason and Joseph Ingerson, Lt. George Ingerson, Samuel Ingerson, and John Wheelden.

9. To John Skillin his house lot as now marked.

10. " Joseph Ingerson one house lot.

11. " Lt. George Ingerson his house lot.

Memo. Highways are to be allowed sufficient to the milne and between each lot, etc.

"Lots granted on the east side of Broad street.<sup>2</sup>

1. To Daniel Smith, the first lot next to the fort.\*

2. " Wm. Clemens the second lot.

3. " John Lowell (or Powell) the third lot.

(4th and 5th are blank.)

6. " Henry Ingalls<sup>3</sup> the 6th lot.

"And it is granted liberty of wharfage and building warehouses on the east of the fort under the rocks, not prejudicing the benefit of the fort for the security of the water; Daniel Smith to begin and the rest in order.

Lots laid out on the west side of Broad street.

To Capt. Edward Tyng the first lot.

<sup>1</sup> The mill here noticed was probably at Capisic, and is no doubt the same before noticed as George Ingersoll's. Ingersoll afterward had a corn mill on Barberry Creek in Cape Elizabeth.

<sup>2</sup> Now India street.

\* [The fort was on the point which the Grand Trunk Station-house now occupies, and called Fort Loyal.]

<sup>3</sup> Two persons, Henry Ingalls, Sen. and Jun., were living in Salem in 1696.

To Henry Harwood the second lot.

“ Michael Farley jr. the third lot.

“ Augustine John the fourth lot, with liberty in the cove *arment* for a brick yard.<sup>1</sup>

Lots granted against the Great Bay.<sup>2</sup>

To Capt Silvanus Davis the first lot westward.

“ Mr John Jacob the second lot.

“ Ensign Nathaniel Jacob the third lot,

“ Robert Greenhaugh the fourth lot.

“ These are to run up as high as the north side of the sixth lot against Broad street and to divide the land at the north end between the said lots and Mr. Munjoy's equally as to breadth.

“ To Mr. Munjoy the 5th lot, being twenty rods front upon the water side and to run up the same breadth twenty rods on north side of his barne, the highway cross excepted.

“ It is also ordered that there shall be an highway three rods wide left against the water side toward the meeting-house,<sup>3</sup> and

<sup>1</sup> John or Jean was a Frenchman and purchased of widow Housing a small lot west side of Presumpscot river, where he lived. I had some doubt whether John Gustin and Augustine John were not the same person; the descendants of John Gustin are numerous here. The word *arment* is so in the record; it was probably incorrectly copied. As this lot extended down to Clay Cove, the grant was doubtless intended to convey a privilege on the cove in the rear of the lot for the purpose of making bricks. [I am informed by the learned antiquary, James Savage of Boston, that Augustine John or Jean, as it is first written, was not a Frenchman, but a native of the Isle of Jersey, where his parents died. He sold his estate in Jersey in 1677. He came first to Reading, Mass., and was a soldier in the latter part of Phillip's war. In January, 1678, he married Eliza, a daughter of John Brown of Watertown. The name was gradually changed from Augustine Jean to Augustine John first, and then to John Gustin, by which his numerous descendants in Portland and vicinity are now called. He left a widow and seven children.]

<sup>2</sup> The bay between fort point at the foot of King street and Jordan's point; at the north-westerly part of this bay was the town landing; the beach was in later times called Moody's beach.

<sup>3</sup> The meeting-house stood on the point then called meeting-house point, now Jordan's. [The site is now occupied by the Railroad Co's works.]

the land between said highway and low-water-mark shall belong to the owners of said lots. Also it is ordered that the landing place at the head of great cove shall remain in common to the town as it is now staked out; and the line on the south side of the highway between said lots shall run parallel to the bounds of the cove reserved in common.

To Mr. Saltonstall<sup>1</sup> for Meshac Farley, the next lot eastward to Mr. Munjoy.

To Mr. Saltonstall one lot more adjoining to Meshac Farley.

These last two lots to be in length northward twenty poles.

"23 September, 1680, by Thomas Danforth, President, Fort Loyall 23 7h. 1680. These within and above written orders being read to the selectmen of the town of Falmouth, they manifested jointly their full and free consent thereto. Present Lt. Anthony Brackett, Mr. John Walley (Wallis), Lt. George Ingerson, Ensign Thaddeus Clarke.

"Also there is granted to John Skillin one house lot on the west side of the lot where his house now standeth and is staked out, and also the lands that were his father's at Back Cove are confirmed to him; also a parcel of meadow land about three acres more or less situated above a milne at Capisie river is confirmed to him, the which land he was to have had by purchase of Nathaniel Wallis."

It was Danforth's object to prepare a settlement here which should contain within itself the means of defense, and having accomplished this point, as he supposed, by making grants around the fort in every direction, he paid no regard to the outlands. It was one of the conditions of each grant of a house lot, that the grantee should make improvements upon it by building; we consequently find that a village arose at once, where before was little else than an unfrequented forest. The grantees whose names follow, did not reside here, viz: Gedney,

<sup>1</sup> Nathaniel Saltonstall was one of the magistrates of Massachusetts, and was here at this time with Danforth.

John Marston, Mason, Smith, Clemens, Lowell, Ingalls, John<sup>1</sup> and Nathaniel Jacob, Robert Greenhaugh, and Farley. Gedney and Mason lived in Salem, the former sold his house lot to Silvanus Davis, the latter to Peter Morrill, who respectively improved them; John Jones improved Farley's on India street.

The eleven lots laid out on the west side of Clay Cove are supposed to have extended about seventy rods, which would carry them to about where Union street now is, and back to Middle street, which was not then laid out, but was probably the place reserved for a highway to the mill. We are able to locate but a part of the eleven lots; Gedney's is sufficiently described in the grant as lying next to the cove, and John Ingersoll's next. George Ingersoll's extended westerly to where Willow street now is; his son Daniel occupied it and sold it to Moses Pearson, whose heirs or assigns now improve it. The lot of Lt. George Ingersoll, the father of the before named George, was situated on the east side of Exchange street; Samuel Ingersoll's adjoined it, on the east, and Joseph Ingersoll's on the west. The lots of Marston, Isaac Davis, Mason, and Nicholls, undoubtedly lay between John Ingersoll's, the second from Clay Cove, and George Ingersoll's on Willow street. Marston's heir living in Salem, sold his ancestor's lot to Samuel Moody in 1719, and described it as adjoining Isaac and Silvanus Davis's.

On the west side of India street, the first lot was Capt. Edward Tyng's, nearly opposite the fort, of which for a time he was commander, and extended from India street to Clay Cove; the next was Henry Harwood's, who was a Lieut.; next came Michael Farley, Jr., who does not appear to have lived here, John Jones improved the lot, Farley was living in Ipswich in 1730; Augustine John's lot came next, which was improved

<sup>1</sup> A John Jacob was the first deacon of the church in Cohasset in 1721, an aged and very worthy man.—*History of Cohasset*. In the war of 1688, a person of the same name was commissary for the troops in Maine. A family of this name was implicated in the witchcraft tragedy of Salem, in 1692. Ephraim Marston settled here; he afterward lived in Salem; he may have taken John's place.

by Wm. Pierce.<sup>1</sup> These four lots bring us to Middle street, on the opposite side of which was the land of Thomas Cloice, extending north to Fleet street, [now, 1864, Sumner street,] he had a house on the lot. From Fleet to Queen, now Congress street, Silvanus Davis had a tract containing two and a half acres which was surveyed to him in 1687.

We have not been able to ascertain that the lots on the east side of India street were occupied by the persons to whom they were granted. Their names are not familiar in our history, and we conjecture that they and some others who received grants, were persons who accompanied Danforth in his expedition and received lots as gratuities or under the expectation that they would settle here. The lots lying on the great bay, as it was called, east of India street, which at this time and long afterward were the most valuable spots in town, were occupied as follows: 1st. Richard Seacomb, who may possibly have taken the lot granted to Daniel Smith or William Clemens on India street. Jonathan Orris, blacksmith, and John Brown adjoined Seacomb, and probably extended up India street; but next, and the first on the bay came Silvanus Davis, whose lot was one hundred and forty-seven feet front and extended back six hundred and thirty feet, to the burying-ground, which occupied a small spot in the south-westerly part of the present eastern cemetery. On this spot Davis had a dwelling house in which he lived, and a warehouse, the most extensive in this part of the country in 1687. The Munjoy family occupied that part of the Neck east of Davis's, and Robert Lawrence who married Munjoy's widow, built a stone house upon the brow of the hill near the old breast work, where he lived until the second overthrow of the town, in which he perished.

In looking at the upper part of the Neck, within the present

<sup>1</sup> Pierce was heir of Lamecelot Pierce of Pejepscot; his mother was daughter of Thomas Stevens of the same territory; he bought the lot above mentioned of Samuel Webber, November 24, 1683. After the destruction of the town, he lived in Milton, Mass.

limits of Portland, we find Bramhall's large farm covering nearly the whole western extremity; next on the eastern side were forty-five acres, part of the estate of Nathaniel Mitton, which his administrator, John Graves, sold to Silvanus Davis, John Phillips of Charlestown, John Endicott, and James English of Boston, in 1686;<sup>1</sup> it extended from Fore river across the neck. It is now occupied under the original title. Next came the large tract extending down the river to Robison's point,\* occupied by Mrs. Harvey, Michael Mitton's widow, and her son-in-law Thaddeus Clarke, whose house was on the bank of the river just above the point which bears his name and where the cellar may still be found, 1831. Clarke subsequently conveyed to Edward Tyng, who married his daughter Elizabeth, forty-four acres of this tract, which extended from the river north-westerly across where Congress street now is. Tyng had this lot surveyed in 1687, and then had three houses upon it, in one of which he lived. Next were three acres which Mrs. Harvey sold to Richard Powsland in 1681; then Anthony Brackett had five acres, which he sold to Peter Bowdoin in 1687; next came a lot belonging to Nicholas Bartlett, the extent of which we have not succeeded in ascertaining; then three acres belonging to Capt. Tyng; next two acres belonging to Joseph Hodgdon, sold to James Mariner in 1686. After these came the thirty acres confirmed by the town to George Burroughs, the minister, in 1683. Of this thirty acres Burroughs sold twenty-three to Peter Bowdoin in 1688, lying between Fore river and Back Cove a few rods above Center street; the remaining seven acres extending about Cotton and Center streets, he conveyed to John Skillings in 1683, in ex-

<sup>1</sup> This was a company which engaged in very large speculations in this town between the years 1680 and 1690.

\* [This point is at the foot of Park street and was known in subsequent conveyances as the "Point of rocks," from the ledge which extended there. It was afterward owned by Capt. Thomas Robison, who built the two-story house now standing corner of Canal and Park streets.]

change for the house lot granted by Danforth to the latter. Each lot had a house upon it. That of Burroughs was erected by the town and stood on Congress street, near where Preble street now joins it. The description of the seven acres in this agreement is as follows: "Imprimis it is agreed that the said George Burroughs doth make over and confirm unto the said John Skilling, carpenter, and his heirs forever, his house built and given him by the people of Falmouth, with seven acres of land joining to the said house; laid out and bounded, viz: lying from the edge of the swamp behind the house, from thence running four-score poles southerly, fronting upon the river fourteen poles." The land from Congress street to the river where Cotton street now is, was formerly a swamp. We are able to fix upon the location of this tract with more certainty by conveyances subsequently made by Samuel, son of John Skillings, from whom the Cotton title on Center and Cotton streets is derived. The site of the house is determined by an ancient plan. [The reason of the exchange on the part of Burroughs was the distance of his house from the meeting-house, and Skilling's house was near the meeting-house, which stood on the point below King street.]

Joseph Webber, Samuel Webber, Richard Broadridge, Dennis Morough, and Francis Jefferds had lots on Queen, now Congress street: Morough's was three acres lying where School, now Pearl street is; he sold it to Anthony Brackett. Broadridge's was next above and Jefferd's next below. John Ingersoll and Francis Nichols had a lot on the south end of Morough's, which extended to Middle street.

It appears by the record of Danforth's proceedings here, that the town was reorganized under a municipal government previous to his court in September, 1380. That document presents us only the names of the inhabitants who had grants around the fort, other of the former settlers returned to their farms in

other parts of the town.<sup>1</sup> Some however never returned as Francis Neale<sup>2</sup> and Jenkin Williams, the former continued to live in Salem, the latter is subsequently found in Manchester, in the county of Essex. Nor do we meet, after the war, with the names of John Cloice, John Lewis, Phineas Rider, Thomas Skillings, and John Phillips; some of them were probably killed during the war. Other settlers however flowed in rapidly and the places of those who did not return were soon more than supplied.

The most enterprising of the new settlers was Silvanus Davis. In October, 1680, he and James English addressed a petition to the selectmen of Falmouth, in which they stated that they were desirous of settling in town, if they could receive certain grants and privileges which are set forth in their petition as follows: "Imprimis, that we may have the free privelege of ye falls of Capissicke to build a sawmill and to make a damm or damms. (2) That we may have a grant of timber both oak and pine within three miles of the falls on both sides not infringing upon any lots already granted by the town. (3) That we may have sufficient land laid out on both sides of the Falls and river for pasture of oxen and settling some farms near the mills for employing workmen in time when the mill stands still for want of water or timber, and that such lands shall remain free to the mills as free land a mile square. (4) That we may have the privelege of swamps or fresh marsh within a mile of the Falls to produce hay for our oxen and that we may have it as free land. (5) That we may have privelege to cut timber upon all commons within the township that is not already

<sup>1</sup> "Upon the peace the English returned unto their plantations; their number increased; they stocked their farms, and sowed their fields; they found the air as healthful as the earth was fruitful; their lumber and their fishery became a considerable merchandize; continual accessions were made unto them." *Mather's Mag. vol. ii. p. 505.*

<sup>2</sup> Mrs. Macworth, Neale's mother-in-law, died in Boston, in 1676. Neale sold his land in Falmouth to Joseph Holmes, who, April 16, 1681, mortgaged it to Joshua Scottow, and styled himself "late of Cambridge, now resident in Casco."

granted to any persons. (6) That we may have equal divisions of all meadows with others according to our publick work. (7) That we may have a tract of good land appointed us for settling our farms.

“Gentlemen according to your encouragement to us we shall be ready to bear part of town charges with you and subscribe ourselves your humble servants Oct. 28, 1680.”

To this petition the following answer was returned: “3. 10. 1680. The above articles are granted with a mile square free land unto Capt. Davis and Mr. Ingles as Test. Anthonie Brackett Recor. And it is agreed that Capt. Davis shall let the inhabitants that are now here have boards at five shillings in a thousand under price currant for provisions for their own proper use for building houses for themselves.”

At the same time the following grants were made by the selectmen, which with the foregoing is one of the few scraps of the town records which have escaped destruction and found its way to the York registry. It was probably rescued by the avidity of some of the speculators, who at a later day were purchasing all the old titles to land in this town that they could procure.

“It is concluded that Mr. Gendall shall have a grant of one hundred acres of land to begin at our outmost bounds, and so to come this way till one hundred acres be ended. Thomas Daeve (or Daebe) it is agreed shall have a lot granted him. John Ingersoll one hundred acres of land. Goodman Sanfort and his son granted sixty acres of land about the great marsh. Joel Madefer twelve acres of land adjoining to Goodman Sanfort’s land on the north side upon a square. Fifty acres granted to John Wallis on the rocky hill. Joseph Daniel granted fifty acres of land adjoining to Robert Stanfort, twenty poles in breadth by the water side. Granted to Robert Haines fifty acres of land on the plains toward the great marsh.<sup>2</sup> Granted

<sup>1</sup> December 3.

<sup>2</sup> The Stanifords, Madefer, Wallis, and Haines all lived at Purpooduck, and the grants were probably of land there.

to Capt. Edward Tyng one hundred acres of land. It is agreed that Capt. Davis shall have a mile square of upland at Capisick Falls, a quarter of a mile on this side of the falls, and three-quarters of a mile on the other side the falls. Also Nonsuch point is concluded shall be divided between Capt. Davis and Mr. Ingles and Joseph Hodsden, one hundred acres a man, and if the point will not do it, to have it elsewhere. It is concluded Thomas Cloys shall have sixty acres of land granted to him at Capessack. Granted to Lt. George Ingersoll forty acres of land to make up his hundred."<sup>1</sup>

We will here introduce the record of another meeting of the town, which has a connection with the preceding. "At a town meeting August 10, 1681. There was granted to Samuel Webber the falls which is above Mr. Munjoy's land in Long Creek, to erect and set up a saw-mill in, and to finish the said saw-mill within six months. Also it is granted unto the said Samuel Webber one hundred acres of upland for his accommodation to his mill,<sup>2</sup> with ten acres of some swamp to make meadow of, with the privelege of cutting timber, both oak and pine, upon the commons from his mill down so far as Ralph Turner's, as also to cut timber about Presumpscot, both oak and pine, and the said Webber is to cut Boords for the inhabitants of this town to the halves for their own proper use, and what Boords they have occasion for of said Webber for

<sup>1</sup> All the persons mentioned in the preceding record, except Daeve, of whom I know nothing, and Ingles, were inhabitants. There were persons of the name of Davie of respectable standing about the Kennebec, but I have met with no other notice of any one in this town. Ingles or as the name is now universally written, English, resided in Boston, where, or in its vicinity, his posterity continue to live. He was a mariner, and commanded a vessel which coasted between Boston and the towns in this bay. He died in 1703, leaving a widow, one son and three daughters, of whom one, Joanna, married James Grant, Jane, John Smith, and Elizabeth, Benjamin Bream. The daughters were principal legatees of Silvanus Davis.

<sup>2</sup> One half of this lot Webber sold to John Skillings, 1685, with half the mill. The mill was probably situated near the spot where a grist-mill now stands on Long Creek, on the road from Stroudwater to Scarborough.

their building, they are to have them half a crown under price current for provisions. Anthonie Brackett, George Ingersoll, Jno. Wallis, Thaddeus Clarke."

In 1680, George and John Ingersoll petitioned the General Court for confirmation of their land on Capisie river, and for certain privileges. The court confirmed to them "sixty acres a piece granted them as expressed in their petition, and refer it to the President of the province" to grant accommodation, etc. Danforth, under the above order, March 3, 1682, granted "to George Ingersoll, Jr., and John Ingersoll, the privelege of the stream where the old mill stood, for erecting a new saw and grist-mill and to cut such timber as may be conveniently brought down that stream, paying to the head proprietor five pounds per ann. in good merchantable timber." In 1684 these persons conveyed all their interest in the saw-mill on mill river to Silvanus Davis & Co.

Davis for several years before 1676, had lived in the neighborhood of the Kennebee. He purchased land at Damariscotta of the Indians as early as June, 1659. He bought other large tracts in that country and continued to reside there, having considerable influence, until the attack upon the fort at Arrowsic in August, 1676. He then fled with Capt. Lake, but they were sharply pursued and he escaped with a severe wound, while Capt. Lake was killed. Early next year he accompanied the expedition under Major Waldron, and was left in command of a garrison on Arrowsic Island; but the government perceiving little prospect of their rendering service to the country in this situation, the garrison was soon after recalled.

On the conclusion of peace, Capt. Davis turned his attention to Falmouth, and finding it possessed great advantages for fishing, lumbering, and trading, he resolved to abandon his former residence and establish himself here. In September, 1680, he received from President Danforth, a grant of one of the most eligible spots for trade in town, being on the bay east of India street, at the head of the town landing. Following up this

acquisition, he procured from the town, as we have already seen, some of the most valuable mill sites, with greater privileges and accommodations than were ever granted here to any other individual. The town had been entirely prostrated under the most calamitous circumstances, and the returning exiles were undoubtedly desirous of availing themselves of the enterprise and capital of Mr. Davis and the company which he represented. And to these advantages may, in a great measure, be attributed the rapid prosperity of the town, until the period of its second destruction. The subsequent events in the biography of this enterprising man, will be noticed in the progress of the work.

In 1681, Mrs. Munjoy, the widow of George, having made complaints that President Danforth had appropriated her land without authority, for the settlement of the town, an arrangement was entered into between her and the government on the 10th of June of this year. After reciting that President Danforth, by commission from Massachusetts, had "ordered the settlement of a town at Casco, erecting fort Loyall thereon, and disposed of house lots for the furtherance and encouragement of the said settlement," and that said Mary "doth lay claime to a neck of land lying about said fort," but had "not entered upon any possession or improvement thereof since the devastation made by the Indian war;" to end all differences it was therefore agreed that said Mary "shall have, retain and enjoy the easterly end of said Neck of land whereupon her husband's house formerly stood, bounded by a strait line from the mouth of a Runnet of water on the easterly side where Mr. Cleeves' house formerly stood, and so to pass by the old barn on the top of the hill, and from the barn the shortest line to the salt water, excepting and reserving to the said township and fort, for the laying out of house lots, the lands all along the southerly side of said Neck of land as far as the meeting-house, to extend twenty poles backwards in length, reserving only twenty poles front of her own house lot, adjoining to said

runnet. Further that the said Mary Munjoy shall have and enjoy the island called House Island, which her said late husband formerly purchased of sundry of the inhabitants there. And more the said President doth yield and grant unto her two hundred acres of land upon the nearest of the islands that remain free and undisposed of, by way of exchange and in full compensation for the land hereinafter mentioned by her released." The land released was the remainder of the Neck east of Clay Cove, "to be disposed of according to the present settlement made by said President."

On the 30th of August the same year, the selectmen of the town also entered into articles of agreement with Mrs. Munjoy relative to her outlands, by which she relinquished her claim to all lands in the town, whether derived from the Indians or otherwise. In consideration of which the town confirmed to her two hundred acres at Ammoncongong, the plantation at Long Creek which Mr. Munjoy bought of Anthony Brackett, also all her marsh at Capisie, and "that long marsh adjoining to Thomas Cloice's point of land which he bought of Mr. Munjoy;" also five hundred acres of upland, to begin next to Samuel Ingersoll's land, to run in breadth on the west side of Capisie river to the little falls and so into the woods. They also confirmed to Mary, daughter of George Munjoy, Sen., deceased, all that island given her by her grandfather, Mr. J. Phillips, known by the name of Pond Island or Mr. Munjoy's Island."

It appears by the foregoing record, that the elder Munjoy was now dead. He died in 1680, at the age of fifty-four. His last appearance in our records is as one of the associates of the county court held at Wells, July 4, 1676.<sup>1</sup> During the Indian troubles he probably lived in Boston, where his wife's family resided. In 1680, Danforth names him as a grantee of land

<sup>1</sup> After the destruction of the town in August of this year, he was sent with supplies for the inhabitants and troops from Boston.

on the Neck. He was an intelligent and enterprising man, and had enjoyed for many years the confidence of the government of Massachusetts, and of the people among whom he lived. He had a sister who came to this country and married John Saunders, of Braintree. He left five children, Mary, George, Josiah, Pelatiah, and Hepzibah; his eldest son, John, was killed in the attack upon the town, August 11, 1676. John left a widow and one daughter, named Huldah. He was George Munjoy's eldest son and was born in Boston, April 17, 1653. Mary married John Palmer,<sup>1</sup> who lived here after the war; she left no issue. George, Jr. was born April 21, 1656, and died in Braintree in 1698, leaving a son and two daughters; the son died without issue, as did also the other sons of the elder George; his daughter Mary married Philip Thompson, a physician in Roxbury; the other, Susanna, a man named Gwynn. [Josiah was born in Boston, April 4, 1658. His daughter Martha, born in Charlestown, 1710, married John Pulling of Boston, 1740. His daughter Mary married Capt. James Hornby of Boston; he also had a son John.] The name is extinct in this country, and no monument remains to perpetuate the name of Munjoy, but the hill in this town, on which he first fixed his residence.<sup>2</sup> An inventory of his estate was returned in 1685 by Anthony Brackett and William Rogers, described and valued as follows: a tract of land at Capisic,

<sup>1</sup> There appear to have been about this time three persons in Maine bearing the name of John Palmer; one married Elizabeth, the eldest daughter of Andrew Alger, and lived in Scarborough in 1676. Another married the eldest daughter of Munjoy, and was living in Falmouth between 1680 and 1690; the third was commissioner in 1686 in the Duke of York's province east of Kennebec, and was a counselor of Gov. Andross. Whether these were three distinct persons or not, I am unable to say. It is very clear that the commissioner was a different person from either of the others.

<sup>2</sup> This hill was formerly called Mount Joy; the family name was sometimes in later days written Mountjoy; but the true mode as invariably used by the head of the family, who wrote a beautiful hand, was Munjoy, which is the proper name of the hill.

thirty pounds ; one tract of land bought of Thomas Brackett,<sup>1</sup> twenty pounds ; a tract of land lying at Long Creek with the marsh to it, one hundred and ten pounds ; an island called House Island, thirty pounds ; a tract of land at Piscataqua, forty pounds ; an island called Bastine's Island, twenty pounds ; a tract of land on the other side of Ammoncongong river, twenty pounds. There was also an inventory of debts amounting to seventy pounds.

Munjoy's youngest children, Pelatiah and Hepzibah, in 1686 nominated guardians for themselves ; Pelatiah selected his brother-in-law, John Palmer, and Hepzibah her father-in-law, Robert Lawrence ; she afterward married a Mortimore. The widow married Robert Lawrence, and after his death, in 1690, Stephen Cross, of Boston ; she died at that place in 1705.

Lawrence improved the farm at Ammoncongong for several years until the second war. The following extract from an ancient deposition will explain the manner of conducting the business. "The deponent<sup>2</sup> further saith that he also remembers the said George and Mary Munjoy having a house and some improvements on the south-west side of Ammoncongong, in the great river Presumpscot, where the said Munjoy and his servants used to go in planting and reaping times, and often at other times, where they usually tarried about a week at a time ; and this deponent further saith that the house last mentioned was opposite to part of the said Munjoy's planting ground on the north-east side of the river Ammoncongong, where this deponent saith the said Munjoy had a very large tract, which said Munjoy, to this deponent's certain knowledge, improved many years, sowing peas and wheat without interruption, and this deponent heard his right esteemed by all old proprietors,

<sup>1</sup> This was fifty acres extending from Deering's bridge up the south side of the creek toward the alms-house, which was conveyed to Brackett by his mother-in-law Mitton in 1667.

<sup>2</sup> Elisha Corney, of Gloucester, 1742, "aged upwards of 73."

a very good one. He has often seen Munjoy's servants at work, and said Munjoy's oxen ploughing on said tract on the north-east side of Ammoncongan, and he never heard of any body else improving on the north-east side until after Munjoy's death; after which, Mr. Lawrence improved for several years the land on the north-east side, and lived on the south-west side in the manner Mr. Munjoy did, and said Lawrence rebuilt the house on the south-west side after it was burnt by the Indians, and he has often seen said Lawrence and his servants ploughing and sowing the land on the north-east side of Ammoncongan, and making more improvements than Mr. Munjoy had done, and he made considerable improvements before and at the time President Danforth resettled the town and some years after, until his being drove off by the Indians."\*

[George Munjoy was the son of John Munjoy or Mountjoy of Abbottsham in the county of Devon, and was born in 1626. At the age of twenty-one, in 1647, he was admitted freeman in Massachusetts, and in four or five years after he married Mary daughter of deacon John Phillips of Boston. He had a sister Mary who married John Saunders of Braintree. The family still exists in Devonshire, England, but uniformly spell the name Mountjoy.]

In September, 1681, Richard Seacomb was licensed to keep an ordinary in Falmouth. The order of court is as follows: "In answer to the desire of the selectmen of Casco in Mr. Seacomb's behalf for license to keep an ordinary there, the court considering the necessity thereto do grant a liberty and license to be granted unto said Seacomb to keep a public house of entertainment for said town for the year ensuing; he providing

\* [Ammoncongan, Amonecongin, Ammoscoggin, Amoncongon, now universally called Congin, was applied to a portion of Presumpscot river around the falls next below Saccarappa. Mr. Ballard and Dr. Potter both agree in its interpretation as "A fish place," or "Fish drying place," or "High fish place," as Dr. Potter says, from *Namaas*, fish, *Kees*, high, *Auke*, place, It was probably the resort of alewives and perhaps salmon.]

for it as the place requires by suitable accommodations for strangers or others, of drink, victuals, and keeping good order and rule by his retailing strong drinks, to ye performance whereof Wm. Rogers with said Seacomb stand equally bound in a bond of twenty shillings."

This is the earliest notice that we find relating to the establishment of a public house here, and it is probably the first of the kind that was opened. Munjoy, nearly twenty years before had been licensed to retail strong liquors, but that doubtless was as a trader. The intercourse with the town before this period was so limited and the habitations so scattered, that a tavern was neither needed nor could be supported.

Seacomb's house was near the town landing-place, a few rods east of India street. In May, 1682, he was fined fifty shillings for selling liquors to the Indians. Seacomb came from the west of England and settled at Lynn as early as 1660; his children were Noah, Richard, and Susannah. There was also here at the same time a John Seacomb, who joined Richard, in 1683, in a conveyance of land near Barberry Creek. Richard was constable in 1684, and was sometime a selectman: he purchased of George Lewis's children the land at Back Cove which had belonged to their father, on which he subsequently lived; the neck extending down to Back Cove bridge, was called from him Seacomb's Neck, which name it still retains; he died in 1694.<sup>1</sup> His son Richard lived in Portsmouth, R. I., in 1715.

John and Isaac Jones, of Charlestown, probably came here in 1681; in November of that year, Thomas Cloice and Susannah, his wife, sold to them a tract of land on the Presumpscot river, formerly conveyed to them by their father, John Cloice, "with the new dwelling-house and barn." This was the homestead of John Cloice before the war. John Jones lived on the Neck west side of India street.

<sup>1</sup>The name Seacomb's Neck is not in general use, but it is not obsolete; it is mentioned in the act incorporating the proprietors of Back Cove bridge in 1794.

We find this year a conveyance in Wells from Thomas Mills to his sons-in-law, John and Nathaniel Cloice; Peter Cloice was living there before; these persons were probably the sons of John Cloice, formerly of this town, and it may be inferred that after the flight from Falmouth, they established themselves in that place.

In 1682, died Elizabeth Harvey, the only daughter of George Cleeves. She came from England with her father probably in 1637, and was either then or soon after married to Michael Mitton. She was the last survivor of the first settler, and had been through scenes of great suffering and sorrow. She had buried two husbands and three adult children, one of whom, her only son, was killed by the Indians, and the lives of two of her daughters, the wives of the Bracketts, were probably shortened by their captivity. Two daughters only survived her, Elizabeth, the wife of Thaddeus Clark, and Martha, the wife of John Graves,\* neither of whom, that we are aware of, has posterity now residing here. The descendants of her daughter Mary, the wife of Thomas Brackett, are numerous among us. Mrs. Harvey had seen the town which on her first visit was an entangled forest, inhabited by wild beasts and savages, become the seat of civilization and prosperity, and holding forth the promises of future greatness.

About the same time died also George Lewis of Back Cove. In July, 1683, the following deposition relating to him and his family was given: "Nathaniel Wallis<sup>1</sup> aged fifty-two or thereabouts testifies that sometime before the first Indian war began, I being at George Lewis's house, said Lewis showed me his will and this deponent heard said Lewis's will read and there was in the will that his two sons should have twelve pence apiece, but for his land he had given it to his three youngest daugh-

\* [Graves was living in Kittery in 1712, aged about sixty-seven. He moved to Little Compton, R. I., where he died, leaving one son and two daughters.]

<sup>1</sup> Nathaniel Wallis was the nearest neighbor of Lewis; he bought of John Lewis the adjoining farm.

ters and all his goods, and said Wallis asked said Lewis why he gave his land to his daughters, said Lewis replied he had given his sons enough already—before Anto. Brackett com'r.”

Lewis’s sons were John and Philip ; he had four daughters, Ann married to James Ross, a shoemaker ; Susannah to Thomas Cloice ; Mary, first, to Thomas Skillings, second, Jotham Lewis, and third, to Wilkins ; she was born at Falmouth, 1654, and was living in Salem, 1732 ; the fourth daughter Hannah, married James Darling. John sold one hundred acres in Back Cove to Nathaniel Wallis, in 1674 : he continued to live here until the commencement of the Indian war, but we do not find him mentioned afterward ; his wife’s name was Ellinor. George, as we have before intimated, was probably the son of George Lewis, freeman in Scituate, Plymouth colony, 1636.

George Burroughs returned to the ministry here in 1683. The first notice of his return that we find, is in June of that year, when at the request of the town he relinquished one hundred and seventy acres of land which had been granted to him previous to the war. In their application for this purpose they offered to give him one hundred acres “further off,” for the quantity relinquished, but Burroughs replied “as for the land already taken away, we were welcome to it, and if twenty acres of the fifty above expressed would pleasure us, he freely gave it to us, not desiring any land any where else, nor any thing else in consideration thereof.\*

This disinterestness places the character of Mr. Burroughs in a very amiable light, which nothing can be found during the

\* [I find on a tax list rescued from the destruction of the town in 1690, the following items of town charges.

“Richard Powsland for money lent the town to go for Mr Burroughs	}	£1.10.
20 or 30 shillings in good pay		
Anthony Brackett to pay part of Mr Burroughs’ passage		5.
Passage and boards and nails for ye minister’s house and workmen		5.05.
To George Ingersoll and John Ingersoll for 1000 boards to floor	}	1.10.
the meeting-house		

This document is dated October 7. 1683.]

whole course of his ministry here to impair. The large quantity of land which he relinquished was situated upon the Neck, which was then daily becoming more valuable by the location of the town upon it. All this, except thirty acres, he freely returned without accepting the consideration offered by the town.

The unhappy catastrophe, which terminated the life and usefulness of Mr. Burroughs, has cast a shade upon many facts relating to him, which it would be interesting to us to know. We have no means of ascertaining whether he was regularly settled, and had gathered a church here or not; we have however sufficient authority for asserting that he preached to our predecessors a longer period than any other person prior to the Rev. Mr. Smith. We must be understood to except from this remark the Rev. Robert Jordan, who lived in town, occasionally preaching and administering the ordinances under the episcopal form, for thirty-six years, except when "silenced" by the government of Massachusetts.

There has nothing survived Mr. Burroughs, either in his living or dying, that casts any reproach upon his character, and although he died the victim of a fanaticism as wicked and stupid as any which has ever been countenanced in civilized society, and which for a time prejudiced his memory, yet his reputation stands redeemed in a more enlightened age from any blemish.

In November, 1680, he was employed to preach in Salem village, now Danvers, on a salary of sixty pounds a year, one-third in money, and two-thirds in provisions at the following rates, viz: rye, barley, and malt at three shillings a bushel; corn, two shillings; beef, one and a half pence a pound; pork, two pence, and butter six pence.<sup>1</sup> He continued there probably until 1683, when in May, Mr. Lawson was invited to preach to them; from Salem, it may be supposed that he came directly here.

<sup>1</sup> Annals of Salem, p. 268.

A work entitled "European settlements in America," in speaking of Mr. Burroughs as a victim of the Salem witchcraft says, "that he was a gentleman who had formerly been minister of Salem; but upon some of the religious disputes which divided the country he differed from his flock and left them." Mather in his "Wonders of the invisible World," countenances this idea; he says, "he had removed from Salem village in ill terms some years before."

He was tried for witchcraft in Salem, May 8, 1692, and condemned upon testimony which nothing but the most highly wrought infatuation could for a moment have endured. His great strength and activity for which he had been remarkable from his youth, were enlisted against him, as having been derived from the prince of evil; it was in evidence that he had lifted a barrel of molasses by putting his fingers in the bung-hole, and carried it round him, that he had held a gun more than seven feet long, at arms length with one hand,<sup>1</sup> and performed other surprising feats above the power of humanity. Some evidence was also exhibited against his moral character, in relation to his treatment of his wives and children, but the source from which it proceeded renders it unworthy of credit. He was executed on the 19th of August, 1692. The writer before quoted, on this case says, "Yet by those judges, upon that evidence, and the verdict founded upon it, this minister, a man of most unexceptionable character, was sentenced to die, and accordingly hanged." He had been three times married, his third wife was the daughter of Thomas Ruck, who survived him. His children were Charles, George, who lived in Ipswich, Jeremiah, who was insane, Rebecca married a Tolman of Boston, Hannah married one Fox and lived near Barton's Point, in Boston, Elizabeth married Peter Thomas of Boston, and Mary married to a man in Attleborough. George and Thomas

<sup>1</sup> This gun is said now to be in the museum of Fryeburg Academy, but upon what evidence we do not know. For further particulars of this interesting case, Calef's "Salem witchcraft" and Sullivan's history may be consulted.

Burroughs of Newburyport, the former a tanner, conveyed to N. Winslow in 1774, the right of George Burroughs in proprietary land in Falmouth,<sup>1</sup> These were probably descendants of our minister.<sup>2</sup> [Savage thinks that Burroughs was son of that "Mrs. Rebecca Burroughs who came from Virginia that she might enjoy God in his ordinance in New England." She united with Eliot's church in Roxbury, July 19, 1657, and George in 1674. His daughter Rebecca was baptized April 12, 1674, and George, November 21, 1675, both at Roxbury. His daughter Hannah was born at Salisbury, April 27, 1680, by wife Hannah; Elizabeth at Danvers, 1682. He was sent to Boston, May 8, 1692, charged with witchcraft, and kept nine weeks in prison, previous to his trial. Our fellow citizen, Elias Thomas, of Portland, born January 14, 1772, and living 1864, is a descendant in the fifth degree from George Burroughs through his daughter Elizabeth, who married Peter Thomas.]

<sup>1</sup> Cumberland Registry of Deeds.

<sup>2</sup> Bentley in his history of Salem published in the Collections of the Massachusetts Historical Society, says, that Burroughs was about four score years old at the time of his death. But strong circumstances oppose this statement; his great strength, his going to a new country to preach, the entire want of evidence relative to him previous to the facts which we have noticed, lead us to the conclusion that he was the graduate whose name stands in Harvard Catalogue for the year 1670, and consequently a much younger man than Bentley supposed. Upham's lectures on witchcraft which have just issued from the press, confirms the favorable opinion above expressed of Mr. Burroughs.

## CHAPTER IX.

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FORT LOYAL—SAW MILLS TAXED FOR ITS SUPPORT—DEED OF FALMOUTH TO TRUSTEES—GOVERNMENT OF ANDROSS, NEW PATENTS FOR LAND REQUIRED—FRENCH EMIGRANTS—ROADS AND FERRIES—BUSINESS OF THE TOWN AND ITS INTERNAL CONDITION—QUARREL BETWEEN LAWRENCE AND DAVIS.

As soon as the inhabitants were quietly settled upon their possessions, it became an object of deep interest with them, in which the government also partook, to provide for the security of the settlement. It was in some degree a frontier post, and the safety of all the plantations in the province depended upon its preservation. The General Assembly in 1681, made application to the General Court of Massachusetts to make further provision for its security. In answer to this petition the court granted that in case of a defensive war, the whole revenue accruing to the chief proprietor should be appropriated for the safety of the inhabitants. And "that the annual revenue arising by the trade with the Indians shall be allowed toward the maintenance of Fort Loyal. The appointment of the captain as well as the other militia being still reserved as the charter appoints, in the power of the chief proprietor. Further it is ordered that the arrears of the Capt. and garrison at Fort Loyal be forthwith passed by the President to the Treasurer for payment." This order was laid before the council of the province, who authorized the treasurer, Capt. Hooke, of Saco, to pay Capt. Tyng his salary as commander of Fort Loyal, at

the rate of sixty pounds per annum for himself and servant, till May following, and to furnish necessary supplies for the garrison. They also ordered six men to be raised for the present supply of the garrison, two from Kittery, one from each of the towns of York, Wells, and Falmouth, and one from Saco, Scarborough, and Cape Porpus. In pursuance of the grant of revenue arising from the Indian trade, Walter Gendall, the Indian agent, was called upon to pay to the treasurer "twenty pounds or as much as he has." The whole garrison consisted of thirteen men, part of whom were supported by Massachusetts.<sup>1</sup> At the same session it was ordered that "for the better

<sup>1</sup> From the General Court Files, May 31, 1681.

"Maj. Pinchon, Maj. Savage, and Mr. Nowell are nominated by the magistrates to be a Com. to joyn with some of our Breth. the Dep. to inquire concerning the present state of ye Province of Maine and ye settlement of Fort Loyal and to consider what is farther necessary to be done for the maintainance thereof and to present ye same to ye Court in ye afternoon.

The magistrates have past this order  
our brethren the Deputies consenting.

J. DUDLEY, per order.

The Deputies have chosen Maj. Pike

Capt. Sprague, Capt Waite, and Lt. Johnson to joyne

with our hon. magistrates to be a Committee as in the above bill. May 31. 1681.

ELISHA HUTCHINSON, Speaker.

The retorne of the Committee appointed by the Gen. Court to enquire into the state of the Province of Mayne and what was further needfull to be done for the settlement of Fort Loyal and the maintaintance thereof

1. For the province itself we cannot as yet by any enquiry satisfy ourselves so as to give information to the Court what it may produce.

2. For the Fort we apprehend needful that it should be continued or defended both for the securing of the people in those parts against the Indians and any bad neighbours and also from the encouragement that people take from it to replant themselves there.

3. In order to the maintaining or defence of that fort and place we judge there cannot well be less than thirteen men viz. a Capt. a Serj. a Gunner, and ten private soldiers.

4. We are informed that the people of that Province are so sensible of the benefit to themselves that they are willing to maintain six private soldiers.

5. The remainder of the charge for the captain's salary, Serj., Gunner, and

settling and preserving of order and peace in our eastern towns of Saco, Scarborough, Falmouth and North Yarmouth, that these towns do choose in each place one commissioner for ending small causes, civil and criminal, who being first sworn by Capt. Scottow or by some other in authority either Capt. Tyng or who nearest to them, have liberty and power, with any one of the justices of this Province to hear and determine any action (without a jury) or case not exceeding ten pounds and punish with ten stripes at their discretion."

The next year, 1682, a further provision was made for the support of Fort Loyal and a tax was laid upon the saw-mills in the province for the purpose. The following document will exhibit the number of mills and the amount of the tax. "In answer to an act and order of the council made the last court of sessions at Wells, the 12th of April 1682, viz. Major John Davess Dep. Pres. Capt. John Wincoll, Mr. Samuel Wheelwright, Mr. Francis Hooke, Capt. Charles Frost, and Edward Rishworth, recorder, Justices.

"The Trustees or Representatives,

"Major Nicholas Shapleigh, Left. Abra. Preble, Wm. Hammond, John Puddington, John Harmon, Mr. Benjamin Blackman and Left. Anthony Brackett.

"An agreement made with Left. Brackett about keeping fort

four soldiers with a magazine will amount to four hundred pounds per annum country pay.

6. We hope something to ease this burthen may be raised out of the Beaver trade and from the saw mills and some other ways, which may in a little time wholly ease this Colony of the present burthen.

JNO. PRYCEON, in ye name of  
ye Committee.

The Deputies have perused this returne of the Committee and doe approve of it and order that Fort Loyal bee maintained at ye charge of this Colony provided ye Province maintain six soldiers and the Hon. President is desired to take care yt it be maintained with as little charge as may be. Past by the Deputies, our hon. magistrates consenting 1 June 1681.

ELISHA HUTCHINSON Speaker."

Loyal for the term of a year's time, beginning the 24th of May next ensuing, 1682. Province of Maine. It is hereby mutually agreed and concluded by the council and the representatives of the several towns now assembled at York, on the one party and Left. Anthony Brackett, on the other party, of Casco. That for the present and more easy carrying on and settling of fort Loyal that said Left. Brackett stands engaged from the time above mentioned to be the sole officer taking the charge and care of fort Loyal by continual watch and ward to keep it as a fort ought to be kept, with all necessary supplies of men, six efficient men constantly during the summer season and four men in the winter, with sufficient arms, ammunition and provisions and whatever else shall be needful for that service for the term of one whole year. In consideration of said Anthony Brackett his performance of the premisses, the council and the representatives in the behalf of this province do promise and stand engaged in the province behalf to pay or cause to be paid unto said Anthony Brackett or his order, the just sum of one hundred and sixty pounds in money or pay equivalent. In order to the performance of this agreement to Left. Brackett of one hundred and sixty pounds, we have calculated the value of the mills in several towns arising by an indifferent proportion as follows, boards at thirty shillings per M.

*Mills at Kittery.*

Mr. Hutchinson's	£10.
Salmon Falls	10.
Humphrey Chadbourn's	4.
Major Shapleigh's	1. 10.
	<hr/>
	£25. 10.

*Wells Mills.*

Left. Littlefield's	£4
Jos. Littlefield's	2
Wm. Frost's	1
Mousum Mill	6
Kennebunk Mill	4
	<hr/>
	£17

*York Mills.*

Mary Sayward's	£5.
Cape Nuttacke	1. 10
	<hr/>
	£6. 10.

*Cape Porpus.*

Phanea Hull's	£2
Gilbert Endicott's	1
	<hr/>
	£3

*Saco Mills*

Mr. Blackman's	£4.
Thomas Doughty's	5.

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£9.

*Black Point.*

Mr. Blackman's Mill	£1
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*Casco Mills.*

Samuel Webber's	£2. 10.
Walter Gendall's	6.

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£8. 10.

Total is £70. 10

“A new addition of some other saw-mills to pay those rents as follows :

Casco Mill, Capt. Silvanus Davis', mill rent £4.

Cape-Porpus Mills, John Barrett's 40s.

John Batson's 30s. 3. 10.

Wells, Jonathan Hammond's and Wm. Frost's mill, 4.

York mill, being John Sayward's mill 20s. 1.

Kittery Spruce mill, Mr. John Shapleigh, 4.

Quamphegan mill that is in Thomas Holmes' hands 6.

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£22. 10”

The whole number of saw-mills in the province appear by this table to have been twenty-four, of which six were in Kittery, which then included Elliott, Berwick, and South Berwick. It appears that the lumber business was then carried on to a greater extent in that place than in any other in the province. Wells was next and Falmouth the third, if Gendall's mills may be included, of which we have some doubt. They were either at the lower falls on Presumpscot river or on Royall's river in North Yarmouth. Webber's mill was on Long Creek, and Davis's at Capisic. There was also a grist-mill at Capisic ; and in 1682, George Ingersoll built a grist-mill at Barberry Creek in Purpooduck. It can hardly be presumed that the falls on the Presumpscot, which had been improved before the war

for mills, should now be entirely destitute, and as no others are mentioned, although North Yarmouth was then existing as a town, it may reasonably be inferred that Gendall's mills were on those falls, more especially as North Yarmouth could not be considered as within the limits of Massachusetts at that time. If this conjecture be correct the mill rates in Falmouth amounted to twelve pounds ten shillings.<sup>1</sup>

The next year, 1683, the General Assembly of the province on the petition of Henry Harwood, discharged him from the command of the foot company in Falmouth and empowered "Capt. Anthony Brackett" to take charge of it: "Requiring all the foot soldiers to obey him as their captain, till further order, and in case said Anthony Brackett accept not thereof, then Mr. Walter Gendall, or whom he shall appoint is hereby empowered to take the command of the foot company of Casco; and all the soldiers therein are required to yield obedience to him or his order as their commander during the court's pleasure." Gendall is also authorized to take charge of Fort Loyal, if Brackett declined the appointment: Harwood soon after this moved to Boston and sold his property here to Bozoun Allen of that place, a tanner,

In 1684, the General Assembly appointed Capt. Joshua Scot-tow of Black Point, Capt. Edward Tyng, Mr. Nathaniel Fryer, who probably then lived at Spurwink, Capt. Silvanus Davis, and Mr. Walter Gendall "to take care of the repairing and well ordering of fort Loyal in Falmouth and settle a chief officer there." And next year they order that the fort "be appointed a prison or jail to the four associate towns and that the several justices in the respective towns shall direct their mittimusses

<sup>1</sup> Bartholomew Gedney of Salem, had a mill on Royall's river in North Yarmouth, in 1680, which he afterward sold to Gendall. A petition was made to the Gen. Court in 1680, for liberty to cut timber on three thousand acres in the vicinity to feed the mill.—Massachusetts Files. See also Gedney's petition, 1687, to Andross for confirmation of his title. The mill rents were annually granted for the support of Fort Loyal until the arrival of Andross.

to the keeper of his majesty's jail at fort Loyal, and that there shall be a committee appointed for ye settling of said jail and the keeper thereof," the charges to be paid by the common treasury. The associate towns referred to were Saco, Scarborough, Falmouth, and North Yarmouth.

After Massachusetts acquired a right to the soil of Maine by purchase, some fears seem to have been entertained by the landholders in regard to the security of their titles. That government early took measures to quiet these apprehensions, and in 1681, the General Court empowered "the President of said province to make legal confirmation to the inhabitants respectively of their just proprieties in the lands there under his hand and seal according to the directions of their charter; and do further grant that they, making their annual acknowledgment of the right of the chief proprietor to the soil and government, shall then be acquitted and discharged from any further subsidies to the chief proprietor, further than shall be necessary and orderly levied, for their own protection and government."

In pursuance of this authority, Danforth on the 26th of July, 1684, executed an indenture of two parts, interchangeably to "Capt. Edward Tyng, Capt. Silvanus Davis, Mr. Walter Gendall, Mr. Thaddeus Clark, Capt Anthony Brackett, Mr. Dominicus Jordan, Mr. George Brimhall and Mr. Robert Lawrence, trustees on the behalf and for the sole use and benefit of the inhabitants of the town of Falmouth within the above named province of Maine," in which he granted and confirmed to them in trust "all that tract or parcel of land within the township of Falmouth."

This is recited in the deed to have been the result of a mutual agreement between Massachusetts and the General Assembly of the province, concluded at York in June, 1681, and it is covenanted on the part of said trustees that the inhabitants shall pay to that government a quit rent, as an acknowledgment of proprietorship of "twelve pence for every

family, whose single country rate is not above two shillings," and three shillings for every family whose single rate exceeds two shillings, annually, in money to the treasurer of the province for the use of the proprietor.<sup>1</sup> A similar conveyance was made of North Yarmouth, September 6, 1684, and of Scarborough. Under this deed the trustees or committee of Falmouth, proceeded to lay out many lots of land, and "granted them to sundry persons, who builded thereon, and made improvement."<sup>2</sup> This policy produced a state of repose among the people in regard to their titles, after the long and numerous conflicts, which had taken place for the proprietorship.<sup>3</sup> These contests had occasioned great inconvenience to the tenants of the soil, who had been continually harrassed by contested claims.

The trustees named in the deeds were probably appointed by each town; those of North Yarmouth were Jeremiah Dummer Walter Gendall, John Royall, and John York.

The quit rents reserved in the conveyances by Massachusetts were soon found to produce dissatisfaction, although they were apparently light; and they became the subject of complaint to Sir Edmund Andross immediately on his arrival about two years afterward. Edward Tyng, who had been appointed one of the counselors of that governor on the 10th of January, 1687, twenty days after his arrival in Boston, presented the

<sup>1</sup> For this deed *in extenso*, see Appendix VII. A single rate was twelve pence on each poll, and one penny upon twenty shillings estate, and six years' income of real and personal estate and faculty, as it was then styled, were considered as principal in the tax.

<sup>2</sup> Petition of old proprietors to the General Court, 1728. In this they state, that in consequence of the loss of the town book they "cannot find out the whole number that were admitted settlers by the Trustees."

<sup>3</sup> That the possession of Maine had been attended with no pecuniary advantage to its successive proprietors, was fully evinced by experience. Sir F. Gorges had expended twenty thousand pounds in his various enterprises here, from which he reaped no benefit, and it had cost Massachusetts eight thousand pounds for its defense in the war of 1675.

following petition to him in behalf of the whole province, in relation to this subject: "May it please your Excellency. The late Govr. of the Massachusetts colony having purchased the land and title of Sir F. Gorges in the province of Mayne and upon such purchase intending and designing to give all encouragement to all persons inclined to goe and set down and settle themselves and famalyes in and upon the said province of Mayne. The said late Government did by commission under the seale of the late Government empower Thomas Danforth, Esq., to lay and appoint places for such townships in the said province and also to grant power unto such townships to give and grant lands to any persons whatsoever, that would settle themselves and famalyes in the said province under such Quitt rent as did then seeme good unto the said Tho. Danforth. In pursuance whereof several persons and their famalyes have satt down in several townships, in and upon the said province with great charge, trouble and expence and many more in probability would, had not the burden of Quitt Rents discouraged.

"It is therefore humbly prayed of your Excellency that such townships and settlements so made as above may have your Excellency's confirmation of their titles obtained as above, and the Quitt rents appointed to be paid as above for such lands being experimentally found to lye heavy upon the inhabitants there residing, may receive some abatement."<sup>1</sup>

The repose which the people of Maine had hoped to enjoy under the dominion of Massachusetts, was again interrupted by the dissolution of the charter of that colony in 1684. The death of Charles II. soon after (Feb. 6. 1685) delayed the formation of a new government until 1686, and in the meantime the authorities in the colony continued to conduct affairs, but with great sluggishness and indifference until May, 1686, when a commission arrived to Joseph Dudley as President of New England. This was followed in December by the arrival

<sup>1</sup> Massachusetts Files.

of Sir Edmund Andross as Governor of New England and New York. On this occasion the local government in Maine ceased and was not again introduced until the final separation from Massachusetts, in 1820.<sup>1</sup> Sir Edmund exercised his office by the advice of a council without the intervention of an assembly of the representatives of the people. The people were made to feel the effects of this change in affairs in a variety of shapes, not the least of which was through the purse. One of the most grievous expedients resorted to, a gross act of rapacity and tyranny, was that of requiring the owners of land to procure new patents for their possessions, it having been assumed that on the dissolution of the charter, their former titles had become invalid. The fees for these patents were exorbitant, in some cases amounting to fifty pounds. To avoid vexatious collision with the ruling powers, landholders generally complied with this requisition. To give plausibility to this scheme of extortion certain forms were adopted; a petition was required to be filed describing the land and praying for confirmation; this was referred to a committee to ascertain facts and then a warrant was granted for a survey; for each step in the process fees were exacted. Numerous tracts were surveyed in Falmouth under this system in 1687 and 1688. Edward Tyng, of the council, was one of the first from this quarter, to comply with the arbitrary edict; his petition is dated August 30, 1687; others immediately followed the example until most of the large proprietors here had procured surveys. Tyng and Sylvanus Davis made themselves active in persuading the people to comply with this severe requisition of the government, by which they drew upon themselves the odium of the inhabitants. And although the people generally complied with the decree, they took the earliest opportunity to express their resentment against those whom they considered as having had

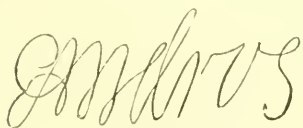
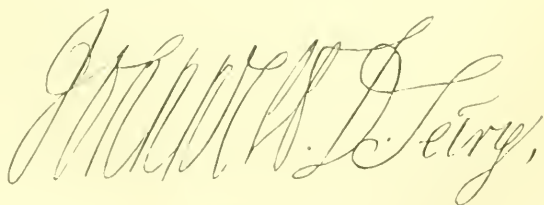
<sup>1</sup> The Deputies from Falmouth in the assembly of the province had been Antho. Brackett for 1681 and 1682. Lieut. George Ingersoll for 1683 and 1685, and Thaddeus Clarke for 1684.

any influence in procuring the measure. They even made some opposition to the proceedings of the surveyor when he first commenced his duties. Davis, in a letter to John West, the secretary of Massachusetts, as early as November 16, 1687, thus notices the state of feeling here: "Mr Clements is following his warrant but meets with continual disturbance from Mr. Lawrence who will not be satisfied till he makes all the town his tenants;"\* he adds that "he thinks all the settlers will petition." It appears from a memorial of the inhabitants two years afterward that his conjecture was right; they say "Capt. Davis did persuade the inhabitants of our town to patent their lands and he drew petitions for them near fifty, and now he chargeth them six shillings for every petition."<sup>1</sup>

From the time peace was proclaimed, in 1678, until the commencement of hostilities by the Indians, the town had been continually increasing in population and the development of its resources. Fishermen settled upon Cape Elizabeth and the islands which were convenient stations for successfully pursuing

\*[It may be gratifying to the curious reader to see the signatures of the noted Governor of Massachusetts, and his Secretary, West, which I annex.]

(Andross and West.)

<sup>1</sup> This petition is recited at length in a subsequent part of this chapter. It was occasioned by difficulties which existed between Davis and Tyng on the one hand, and Lawrence and the principal part of the inhabitants on the other, originating chiefly in a spirit of jealousy against those two prominent men.

that branch of business. The mill sites were constantly demanding attention from their peculiar advantages, and the forests were resounding to the stroke of the woodman's axe, and were falling before the march of improvement. In addition to the immigration from neighboring colonies, which was considerable, the town received an accession in 1686, by the arrival of a small company of French protestants, who sought refuge on our shore, from the persecutions which followed the revocation of the edict of Nantes on the 8th of October, 1685. The number of persons who came to this town on that occasion we are unable to ascertain, we have succeeded in tracing but four, viz: Peter Bowdoin, Stephen Boutineau, Philip le Bretton, and Philip Barger.

Peter Bowdoin, or according to French orthography, Pierre Baudouin,<sup>1</sup> was a physician of Rochelle, in France, from which place he fled to Ireland on the revocation of the edict, with his wife Eliza and several children; from Ireland he came to Falmouth, and we have found his name for the first time in the records April 7, 1687, when he purchased five acres of land on the Neck near Robison's Point, of Anthony Brackett. Le Bretton, who was undoubtedly one of the company, is found purchasing land as early as September, 1686. [October 8, 1687, government issued a warrant to Bowdoin for one hundred acres of land on Casco bay. This was probably in answer to a petition from him without date, in the French language, stating that he brought to this country his family, consisting of six persons, of whom four were young children, and wishing land surveyed and confirmed.] April 1, 1688, Bowdoin bought of George Burroughs twenty-three acres extending across the Neck about where South street now is; he had also another tract at Barberry Creek.

<sup>1</sup> He however adopted the English mode of spelling, immediately, as appears by an original signature in my possession, as a witness, dated March 6, 1688. [A fac-simile of this signature may be seen on a future page.]

It appears by an original letter from him, August 2, 1687, now in possession of the Winthrop family of Boston, descendants in the female line, that his family at that time consisted of six persons.<sup>1</sup> He had two sons, James and John, and two daughters; Mary married to Stephen Boutineau, 1708, and Elizabeth married to Robins. He escaped to Boston just previous to the destruction of the town in 1690, where he became an active and enterprising merchant. He died September, 1706; his will was dated June 16, 1704, but was not proved until 1719, although his widow Elizabeth's will was proved in 1717.<sup>2</sup> The family became distinguished in Massachusetts, and one of his descendants was a munificent patron of the college in this State, which bears his name. The male branch is now extinct, but the name is revived by a descendant in the female line. [This gentleman, James Bowdoin, son of the late Hon. Thomas L. Winthrop, of Boston, died without issue, in 1833; so that the name in Massachusetts is now passed away. John, the son of Peter, was a mariner and settled in Virginia, where his posterity remain.]

Le Bretton, who subsequently dropped the French article from his name, was born in 1660; he was a rigger by trade, and moved to Boston during the Indian troubles, where he died in 1737, leaving eight children, viz: Peter, David, Mary, Elizabeth, Rachel, Sarah, Jane, and Ann; his daughter Elizabeth married John Young of Boston, joiner, another married Edward Dumaresque, and a third Henry Venner.<sup>3</sup> [Philip Barger died in 1703, leaving a widow, Margaret, and probably a son Philip, who died 1720. Boutineau had six sons and four daughters. He was living in 1748 in Boston.]

<sup>1</sup> Massachusetts Historical Collections, vol. ii. 3d series, p. 49. Dr. Holmes' account of the French protestants. In a petition to Gov. Andross for confirmation of his title in Falmouth, he says, "his family consisted of six persons, of whom were four children not of an age to procure their living."—*Massachusetts Files*.

<sup>2</sup> Suffolk Probate Records. The ship John arrived at Salem, September 9, 1687, with French protestants.—*Massachusetts Files*, 1687 *pet.*

As the population and business increased, it became necessary to increase the facilities of traveling. A water communication had always been kept up with neighboring towns, and also with those more remote; the coasting trade between Falmouth and the towns in Massachusetts was successfully carried on, and our fish and lumber, as well as agricultural products, at that early period found a market there, for which returns were made in English goods and groceries. It is believed that two sloops commanded by Captains English and Phillips, plied regularly between this bay and Boston. The communications were not however as they had formerly been, wholly confined to the water; a road, several years previous to the time of which we are speaking, had been laid out from the ferry-way in Cape Elizabeth, near where it is now established, which passed round Purpooduck Point by the water and joined the present road near Simonton's Cove; then passing by the light-house and the head of Pond Cove as the road is now traveled, it bent westerly and crossed the cape directly to Spurwink river, which travelers crossed by a ferry, about a mile from its mouth. It then kept by the shore the whole distance to Piscataqua, crossing the several rivers by ferries, near their mouths. This road passed through all the settlements, as they then clustered upon the coast, but was circuitous and long. It was soon found expedient to strike out shorter paths at the expense of going greater distances through the woods. In 1686, the Court of Sessions at York granted a ferry at Nonsuch Point to Silvanus Davis "for passage of man and horse over Casco river for the benefit of travelers." This point was on the south side of Long Creek and between that and Nonsuch Creek; the landing on this side must have been a little above Vaughn's bridge. A road was laid out from Scarborough to the ferry, which shortened the distance between the Neck and that place several miles.

In addition to this route, there was a road to Stroudwater and Capisie which passed along on the bank of the river to

Round Marsh, and thence probably as the road is now traveled to those places. Another road or path was laid out by the settlements on Back Cove to the Presumpscot, crossing Weir Creek at the foot of the hill near the almshouse. As carriages were not then in use here, these roads may properly be considered merely foot-paths through the woods, which then covered the whole territory and overshadowed the settlements.

In April, 1688, Richards Clements, a surveyor, was required by the government of Massachusetts to make a survey of land from Kennebec, "so as to head the several rivers of Casco bay, and see where they may be best passed in order for settling a county road as far westward as Capisie, or any other remarkable place thereabouts toward Saco, and also observe what places were proper for cross-roads to each town or settlement." A like warrant was given by Nicholas Manning, chief magistrate of the Duke of York's province, for a survey from Pemaquid and New Dartmouth to the Kennebec.<sup>1</sup>

The only place of business in town at this time was on the bay below India, then called Broad street; here Silvanus Davis had a warehouse, large for those times. In 1687, he was licensed by the court, "to retail liquors out of doors in the town of Falmouth," paying duties and imposts. It does not appear that there was any other store in town; Seacomb, who had been licensed to keep an ordinary, several years before, had moved to Back Cove and occupied the farm which he bought of the heirs of George Lewis, situated on the point where Back Cove bridge now lands; this point was for many years called Seacomb's Neck. The business which had been conducted on a large scale at Richmond's Island, in the early days of our history, had wholly ceased, and a proportion of it, we may suppose to have been transferred to the Neck; it consisted probably in furnishing supplies to fishermen and other similar dealing. It

<sup>1</sup> July 11, 1688, Nicholas Manning was appointed by Andross, Judge of the Inferior court in Cornwall; this was a county in the Duke's province.—*Massachusetts Files*.

does not appear that at this time any foreign trade was carried on, as there formerly had been at Richmond's Island; when the interest of the proprietors in England ceased in lands here, their foreign intercourse was wholly suspended.

The town at this period was agitated by a violent internal commotion. A dispute had arisen among the principal men respecting titles to land, in which the other inhabitants took sides. The assumption of title by the government and their distribution of the lands in town, although submitted to, was never quietly acquiesced in. The ancient inhabitants who had been driven from their possessions by the war, felt themselves injured, when the government undertook to bestow upon strangers the soil which they had labored to subdue, and from the fruits of which they had been driven by an irresistible violence. This spirit of opposition was most loudly expressed by the large landholders against those who had received the largest share of favor under the new order of things. We find therefore that Davis and Tyng became the objects of popular odium while Robert Lawrence led the crusade against them. Lawrence complained to government that a grant had been made to Davis of a mile square at Capisie, which embraced his land; in his memorial he represented that Davis had erected a saw-mill on a small brook that was dry most part of the year, for no other purpose than to deprive the petitioner of his marsh, and if Davis's claim should be allowed, the petitioner would have "to starve his cattle for such a person who seeks nothing but the ruin and destruction of all his neighbors, as is well known to all ye inhabitants, for whom it would have been happy had he not come amongst them, seeking to enjoy that for which other men have honestly paid and spent their time and labor and estates and lives upon, when he run away from his own at Kennebeck, where he pretendeth he hath land and marsh enough." Lawrence, for the purpose of a decision on the title, undertook to take grass from this marsh which Davis had cut; upon which Davis procured a warrant from Tyng to arrest him

for stealing his thatch ; this, Lawrence refused to obey, and in the course of the controversy he called Tyng “a hypocritical rogue.” The case now assumed an unexpected shape, and he was carried before the court for scandal upon a counselor of the governor. The people became enlisted in the quarrel, and the town was kept in a ferment by it, until the more absorbing interest of personal danger from Indian hostilities ended the unhappy controversy.

The question however of title to the land was discussed before the Governor ; Lawrence claimed under Munjoy from an Indian title, which we have before noticed ; Davis resisted this title, and offered the following considerations “to prove that Indian grants are not sufficient to eject a present possessor.”

“1. Because of the king’s patent to Sir F. Gorges in the year 1622 or 1629.

2. The former government made several publications after the land was conquered from the Indians, that all should bring in their claims in such a time as was therein expressed and limited, or that otherwise the land should be disposed of to any of his majesty’s good subjects that would present for the settling of the country.

3. If Indian titles be of force, that Mr. Lawrence’s title cannot be good, being not obtained from the right Sagamore, as several of the Indian Sagamores did declare before Capt. Tyng, Capt. Joshua Scottow, Capt. Gendall, and others, that Cheber-rina<sup>1</sup> was the the right Indian Sagamore of all these lands.

4. If the Massachusetts government have confirmed the title to the said lands to the said Lawrence or his ancestors, yet not legal, because they did not confirm the said lands in a legal and requisite way,

5. Mrs Mary Munjoy did make an agreement with Mr. Thomas Danforth, late President of said province of Maine, to divest herself of all claims to lands within the town of Fal-

<sup>1</sup> A Penobscot chief.

mouth, excepting what was reserved in that instrument.”<sup>1</sup>

The latter seems to be the better ground of defense and probably the one on which Mr. Davis succeeded. The tract was confirmed to him and surveyed by Clements in 1687 or 1688.\*

Davis and Tyng were in favor at court during the administration of Andross, and consequently carried all their points. After his downfall the inhabitants hoped to have prevailed against them, and on the 24th of May, 1689, addressed the following petition: “To the right Hon. President, Simon Bradstreet and Hon. Council,” “The petition of ye inhabitants, of ye town of Falmouth, in Casco bay, whereas our town hath been under the command of Lt. Col. Tyng and Capt. Silvanus Davis and Lt. Thaddeus Clarke, an Irishman, who had their commissions from Sir Edmund Andross, who have done our town a great deal of damage to the loss of many of our men, as far as we know the abovesaid Col. Tyng and Capt. Davis did inform Sir Edmund Andross that the people of our town were an unsubdued people, for they would obey no orders, and that he would take some course with them; then Sir E. Andross said that he would set up a court of guard and that

<sup>1</sup> Massachusetts Files.

\* [The following is a copy of the original notice from Andross to Lawrence, in my possession.

“By his Excellency,

Whereas Capt Silvanus Davis hath by his petition among other things desired his majesty's grant and confirmation for a parcel or tract of land att Kippiseck containing about one mile square, to which I am informed you make some clayme or pretence; these are therefore to require you forthwith, after receipt hereof to make known unto Edward Tyng Esq. one of his majesty's councill what clayme or pretence you make,” &c. “On default whereof the said land will be granted to said Silvanus Davis as desired. Dated att Boston the 30th day of August, 1687.

E. Andross

To Mr. Robert Lawrence  
att Casco Bay

By his Excellency's command  
John West Dy Secy”]


they should be upon the watch every third night and day, which hath been the loss of many of our men, being thin clothed and lying upon the hard floor this long winter nights, and also a great loss of our \* \* \* \* both of wheat and peas, watching the third part of our time and then being in our arms as often as they please to call us, sometimes every other day that it hath so disabled us about our employment in providing for our families that it hath very much impoverished our town. We suppose that Col. Tyng can turn his coat when he pleases, when he was with the army he could D—— with the worst, but now we hear he can comply and profess like the best and all for profit like Jehew. Capt. Davis did persuade the inhabitants of our town to patent their lands and he drew petitions for them near fifty and now he chargeth them six shillings for every petition and said he would make the inhabitants poor, he will not subscribe to pay our minister, since Sir Edmund came; we have a great many things that we can speak that be of high concern but we shall forbear at present. The humble request of your petitioners is that you would be pleased to grant commissions to such men as we shall name for captain and commissioned officers and your petitioners shall ever pray.”<sup>1</sup> To this was added, “The commissioned officers

<sup>1</sup> To this petition were subscribed the following names:—Samuel Pike, John Palmer, Andrew Alger, George C——, Jona. Orris, Anthony Brackett, Francis Nicolle, Joshua Brackett, Henry Crosby, Henry Bailey, Wm. Pearce, Robert Oliver, Joseph Ingersoll, Robert Morrell, Thomas Enow, Eben'r Davenport, Richard Seacomb, John Brown, sen. Ephraim Marston, Joshua Lane, Lewis Tucker, John Wallis, Francis Haynes, George Felt, Nath'l Webber, James Webber, Matthew Paulling, Joel Madefor, sen. Josiah Wallis, Joseph Wallis, John Lane, Joel Madefor, Nathl. White, James Wallis, Henry Harwood, Job Runnells, Philip Eeds, Philip Gammon, John Randall, John Jordan, Reuben Haines, (?Robert) Wm. German, (?Jameson,) John Frizell, Samuel Skilling, Richard Thomling, George Adams, John Marshall, John Branford, Henry Langmaid, John Ham, Wm. Mansfield, Thomas Roby, John Flea, Andrew Creach, Robert Shores, James Randall, Thomas Baker, John Brown, jr. Thomas Brown, Gustan John, Robert Greason, John Nicholson, Wm. Rogers, Andrew Shaw, Peter Shaw, Thomas Paine. Although these persons in the petition, style themselves inhabitants of

chosen by the consent of the town are these, Anthony Brackett Capt. Mr. Robert Lawrence Left. and Samuel Pike Ensign.”\*

This memorial produced a letter from President Danforth, exhorting the people to live in peace, to bury their quarrels, and unite in the common defense of the country. To this communication both Davis and his adversaries replied. Davis repelled the charges made against him, said he was absent on public duty when the petition was got up, regretted the divisions in the town, and was willing to leave the service, but did not wish to be driven out.<sup>1</sup>

\* [I annex copies of the signatures of Anthony Brackett and Silvanus Davis.]

as witness  
 this sixteenth<sup>th</sup> of may 1685  
 Anthony Brackett  
 Received for  
 Sil Davis Capt  
 August 1689

<sup>1</sup> Davis states in his letter that he had but four men in the fort, with one serjeant and one gunner, and that he had supplied it ever since Capt. Lockhart had left.

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Falmouth, I have met with the names of many of them on no other occasion; I have therefore thought that the names of persons who were on service here for a temporary period may have been enlisted in the cause to give a show of strength. It is very evident that we do not find among the subscribers, the names of many persons of known respectability and property in town.

Lawrence, on behalf of the town, replied the same day, June 12, 1689, as follows: "Hon'd Sir I am by the whole town desired to acquaint you that they received your letter and being met together unanimously resolved to agree to be commanded by all their old officers here present, until further orders from ye hon'd court excepting Capt. Davis, whom they are utterly set against and will by no means be commanded by him for divers reasons, which, if called to, are as they say ready to give, sufficient to exclude him from any publick office and earnestly desiring ye hon'd court that they may be commanded by such persons as they shall approve of:" "by request of ye people."

That Davis had a strong party we may infer from the absence of the names of many respectable persons of the town from the petition of his opponents, and also from the fact that he retained the confidence of the government unto the last.<sup>1</sup> Davis certainly settled here with the approbation of the town, from which he received large grants of land and extensive privileges; these undoubtedly excited the envy and jealousy of some who took advantage of the political changes to ruin him in public favor. Lawrence was undoubtedly stimulated in his pursuit of him by motives of private interest and revenge, and was able by his standing and property to rally a party in his service. There is, we think, no good reason to pronounce an unqualified condemnation against such men as Davis and Tyng, whose capital and enterprise for several years promoted the prosperity of the place. It must not however be denied that in the time of Andross, their ambition prompted them to support the cause of arbitrary power against the rights and interests of the people.

<sup>1</sup> He was appointed a counselor by the charter of 1691.

## CHAPTER X.

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POPULATION IN 1689—COMMENCEMENT OF THE SECOND INDIAN WAR—ANDROSS VISITS MAINE—HIS  
AUTHORITY SUBVERTED—RENEWAL OF HOSTILITIES—ATTACK ON FALMOUTH RESISTED—SECOND ATTACK  
AND DESTRUCTION OF THE TOWN.

We have now arrived at a period in our history, when all the fair prospects which the prosperity of our town afforded, were suddenly overcast by the hostility of the Indians.

The population had been gradually increasing since 1679, and amounted at this time to at least six or seven hundred.<sup>1</sup> We have no means of ascertaining the precise number of inhabitants, but have been able to trace with some degree of certainty over eighty families; and it may be presumed that there were others, which have eluded our research. Of this number about twenty-five families lived upon the Neck; nearly forty at Purpooduck, Stroudwater, and Spurwink; the remainder at Capisie, Back Cove, on the Presumpscot, and the bay east of that river. Several persons who lived on the Neck, had farms in more remote parts of the town, which they made their occasional residence during the seasons of planting and harvesting.

<sup>1</sup> The whole population of New England was estimated in 1689, to have been 200,000. *Massachusetts Historical Collections* vol. i. 3d ser. p. 94. The same year the number of Indians from Massachusetts to Canso was estimated at four thousand three hundred and ten souls. *Massachusetts Historical Collections*, vol. ix. p. 334.

Several causes have been assigned for the second Indian war; those which the Indians themselves offered, were rather the ostensible than the real foundation of the general rising. They complained that the English refused to pay the yearly tribute of corn as stipulated in the last treaty; that they stopped the fish from ascending the Saco river, by seines and weirs; that their lands were taken by surveys under patents from the government,<sup>1</sup> etc. But we must look beyond these motives for the destructive events which ensued. The French missionaries and other active men of that nation residing among the Indians in the eastern part of the State, had acquired an absolute influence over their minds by addressing them through the terrors and hopes of religion, as well as by appealing to their temporal interests. The French were more bitterly hostile to the English, than were the savages themselves, and though they could not impart to their allies the same jealousies and the same motives of action, yet they could stimulate them by the hope of plunder, the love of revenge, and religious prejudices, to stain their tomahawks in the blood of an inoffensive population.<sup>2</sup>

Among these active and cruel agents at this period, were the Baron de St. Castin and the missionary Thury, both residing on the Penobscot. Castin who had connected himself by marriage with the chief Sachem of the country, was roused to vengeance by a personal injury committed upon him in the plunder of his property, and a claim of jurisdiction over his estate, by the English. And Thury in his missionary zeal for the Catholic faith, labored to persuade his flock that by exterminating the whole race from the soil, they would recover their former importance as sole masters of the land and be doing

<sup>1</sup> Mather's *Magnalia*, vol. ii. p. 505. Hutchinson, vol i. p. 325.

<sup>2</sup> Bomazeen, a noted chief, told one of the Boston ministers that the French had taught the Indians "that the Lord Jesus Christ was of the French nation; that his mother, the Virgin Mary, was a French lady; and that it was the English who had murdered him."—*Mather's Magnalia*.

God service. It is not to be supposed that the Indians themselves were unwilling hearers of this preaching, or reluctant doers of the work which was recommended; and they entered upon the task alike ignorant and careless of the consequences.

[Biard, the French missionary, in the "Relation of the Jesuits," 1611, states the number of Indians at that time, from the account of the savages, to have been as follows, viz: "From the great river of the New Lands (St. Lawrence) to Chouacoët (Saco) from nine to ten thousand souls:" thus the Souriquois three thousand to thirty-five hundred; the Eteminquois to the Penobscot twenty-five hundred; the Penobscots to Kennebec, and from Kennebec to Chouacoët, three thousand; La Montagrets, one thousand.]

They commenced their operations in August, 1688, by killing cattle in the eastern plantations, and threatening the lives of the people; the promise of assistance from the French in Canada, made them menacing and forward in their deportment, and they entered the houses of the inhabitants in an insolent and offensive manner. "They gave out reports that they would make war upon the English, and that they were animated to do so by the French."<sup>1</sup> These hostile indications created alarm through the whole line of eastern settlements, and led to some precautionary measures. In September, 1688, Captain Tyng wrote from Falmouth that he was in treaty with the Indians, but feared that Casco would be the center of trouble. The magistrates in Saco seized between sixteen and twenty of those who had been principal actors in that quarter during the last war, with a view of bringing their followers to a treaty, and preventing the dreaded catastrophe. Among these were Hopehood, the Higuers, and the Doney's, "all being cruel and

<sup>1</sup> For many facts relating to the commencement of the war and the destruction of the town, we rely upon the account of our townsman, Silvanus Davis, who was a prominent actor in the scenes, which he relates. It is preserved in Hutchinson's papers, published by the Massachusetts Historical Society, and is on file in the office of State, Massachusetts.

murderous rogues," who were sent under guard to Falmouth. This step, which was perhaps incautious, led to reprisals on the part of the Indians, who robbed the English and took some prisoners. Gov. Andross was at this time in New York, and those who had charge of the government sent some troops to Falmouth accompanied by Mr. Stoughton, one of the council, with a hope of compromising the existing differences without the effusion of blood. He was unsuccessful in his pacific purpose and returned to Boston, having left orders that the prisoners should be sent thither, and that the people should secure themselves in garrisons. To accomplish this last order, Captain Gendall proceeded to North Yarmouth with a company of soldiers in September, to construct stockades on each side of Royall's river for the defense of that place; while there, he was attacked by seventy or eighty Indians, whom after a severe conflict he succeeded in chasing away, with the loss of several lives on both sides. This was the first blood spilt in the war. In the evening after the skirmish, Capt. Gendall and his servant crossed over the river and were both killed in an ambuscade;<sup>1</sup> the same evening, John Royall and another person were taken prisoners, the latter of whom was barbarously killed, but Mr. Royall<sup>2</sup> was ransomed by Castin.

<sup>1</sup> The previous incidents in Capt. Gendall's life have been already adverted to. He appears not to have left any male issue, at least we do not meet the name again, and it is believed to have died with him.

<sup>2</sup> Wm. Royall, the first of this family in this country, was settled in Casco bay as early as 1636, and is probably the same person who is mentioned in a letter from the Governor of the New England Company to Endicott (Hazard, vol i. p. 265) as having been sent over to him in 1629. He was "a cooper and cleaver." In 1644, he purchased of Thomas Gorges the point of land on the east side of the river, which bears his name, and on which he then lived. He was one of the General Associates of the province in 1648. In 1673, he conveyed to his two sons, William and John, his land and buildings on Westenstogo river (Royall's) in consideration of support for himself and his wife Phebe. His son John married Eliza Dodd, granddaughter of Nicholas Davis of York, and was living there in June, 1680. His son William was born in 1640, and died November 7, 1724, in his eighty-fifth year. The Hon. Isaac Royall, son of the second William,

Gov. Andross on his return from New York, hoping by mild measures to avert the pending calamity, released the Indians who had been arrested and restored to them their arms, without any condition as to the prisoners and property which had been taken in retaliation. On the 20th of October, he issued a proclamation requiring them to deliver up their captives, and surrender for trial those persons who had been concerned in the murder of Englishmen. The measures of conciliation and the proclamation were alike ineffectual, and early in November the governor raised a force of about seven hundred men and marched through the country as far east as Pemaquid. In the latter place he established a garrison of thirty-six men of the standing forces under command of Capt. Anthony Brockholst and Lient. Weems, and left two new companies of sixty men each, under the command of Captains Tyng and Minot, for its defense. He also stationed garrisons at each of the settlements on the coast; that for Falmouth consisted of sixty men under command of Capt. George Lockhart. The whole number of troops disposed of in this manner in Maine and the province east of the Kennebec, was five hundred and sixty-eight; a force sufficient to have protected the frontier had it been permitted to occupy the stations into which it had been distributed. The expedition was fruitless of any other good consequences; not a single individual of the enemy was met with, and the troops suffered severely on their march by fatigue and exposure.

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was born 1672, resided in Antiqua, nearly forty years, returned 1737, and died June 7, 1739. The Royall who was taken prisoner, was John, son of the first William; his house was used as a garrison by order of Col. Tyng and Judge Stoughton. [A daughter of the second William, married Amos Stevens of North Yarmouth. Isaac, son of Isaac, was chosen a councilor of Massachusetts, and was long a representative from Medford, where he lived in lordly style. On the breaking out of the revolution, he adhered to the loyal side and went to England where he died in October, 1781. He endowed the "Royal Professorship of Law," in Harvard College by a gift of more than two thousand acres of land in Worcester County, Massachusetts.]

In April, 1689, the authority of Andross was subverted by a popular excitement, and was succeeded by an irresolute and inefficient government. The revolution, although it destroyed an oppressive exercise of power, undoubtedly had a prejudicial effect upon the existing war. As soon as information of the movement in Boston reached the garrisons, they revolted from their officers, many of them abandoned their posts, and they all were more or less weakened. Andross in a report upon the disposition of the forces, at the time of the subversion of his government, and the influence of it on his defensive preparations, subjoins a note in relation to each garrison. Of Pemaquid he says, "Upon the insurrection, the forces being withdrawn, and only eighteen of the standing company left in garrison, the fort is since taken by the French and Indians and the country destroyed." Of the fort at New castle he says, "Most of the men drawn off, and others debauched, they seized their officer and carried him prisoner to Boston, and thereupon the fort was deserted." Of Falmouth he remarks, "The commander seized and forces withdrawn."<sup>1</sup>

In April, 1689, the Indians renewed their hostilities at Saco, but without doing much injury. In June, Dover was surprised and Major Waldron was cruelly slaughtered, with several other inhabitants. In the course of the summer the Indians on the Penobscot were joined by the French, and systematic operations were commenced on the settlements east of Casco bay; Pemaquid was taken, and all the inhabitants in that region were driven from their homes and sought protection under the fort at Falmouth.<sup>2</sup>

Notwithstanding the importance of Casco fort to the lives

<sup>1</sup> Hutchinson Papers, 1 Massachusetts Historical Collections, 3d ser. p. 85. Some suspicions had been entertained by government that Capt. Lockhart had communicated with the enemy, but this was repelled by a letter from Falmouth, signed by A. Brackett and several others, April 26, 1689, in which they say that he conducted with skill and fidelity while at Falmouth.

<sup>2</sup> Mather's Magnalia, vol. ii. p. 512.

and property of a large number of people, the government seem thus far to have left its defense almost wholly to the care and resources of private individuals. In June, 1689, Brackett, Lawrence, and Ingersoll wrote to government urging immediate assistance; they represented that there were but few men in the fort and those almost worn out with watching, that they had on hand but three and a half pounds of powder, twenty-four hand grenades, and two and a half pounds of musket shot, about twenty balls for the great guns, a small quantity of match, about thirty cartridge boxes for small arms; not one musket belonging to the fort, and no provision. Silvanus Davis wrote on the same day that he had supplied the fort from his store ever since Capt Lockhart had left.

The government was roused from its lethargy by these representations and alarming movements, and in August they sent Major Swain by land with seven or eight companies to protect the eastern towns. In September they procured the services of Major Benjamin Church, of Plymouth colony, who had been a skillful officer in Philip's war; he raised from among his old soldiers, volunteer troops of English and friendly Indians, and proceeded by water to the headquarters in Falmouth. His instructions were signed by President Danforth, who had been restored to his government June 28th, and the commissioners of the United Colonies, September 18, 1689; in which were the following directions: "You are with all possible speed to take care that the Plymouth forces both English and Indians be fixed and ready, and the first opportunity of wind and weather, to go on board such vessels as are provided to transport you and them to Casco, where if it shall please God you arrive, you are to take under your care and command the companies of Capt. N. Hall and Capt. S. Willard;"<sup>1</sup> and again, "we have ordered two men-of-war sloops, and other small ves-

<sup>1</sup> These companies were part of the forces sent under Swain, but it does not appear that Willard's company was here at the time.

sels for transportation to attend you." It was agreed that his soldiers should "have the benefit of the captives, and all lawful plunder and the reward of eight pounds per head for every fighting Indian man slain by them, over and above their stated wages." He was further instructed to consult with Captain Davis, of Falmouth, who they say, "is a prudent man and well acquainted with the affairs of those parts, and is writt unto to advise and inform you all he can." On his arrival at Falmouth, it appeared that the enemy, the day before, had landed in large force upon Peak's Island, at the mouth of the harbor.<sup>1</sup> He found here Mrs. Lee, a daughter of Major Waldron, of Dover, on board of a Dutch vessel, who had just been ransomed from the enemy; she informed him that the company she came with had fourscore canoes, and that there were more of them whom she had not seen, which came from other places, and that they told her that when they came altogether, should make up seven hundred men."<sup>2</sup> The preparations of the place were miserably insufficient to protect the people from such a number of invaders; but Church with his accustomed zeal immediately concerted with the chief men a plan of operations. From the time he had arrived in sight of the harbor, he had caused his troops to keep concealed, in order to take the enemy by surprise; at nightfall, he ordered them to be landed with as little noise as possible, and to dispose of themselves in the fort and adjacent houses, and be in constant readiness.

Early next morning, an hour before day, he put the troops in motion, and with several of the inhabitants he proceeded "to a thick place of brush, about half a mile from the town."

In the mean time, the enemy had not been idle; in the night they had moved to the upper part of the Neck, either by Fore

<sup>1</sup> Joseph Prout wrote from Falmouth, September 17, 1689, that two hundred Indians were then on "Palmer's Island."

<sup>2</sup> Church's Expeditions. The number here is overrated probably. Davis in a letter to government of September 23, 1689, states the number to have been between three and four hundred.

river or Back Cove, and by dawn of day, September 21, made their appearance upon the farm of Anthony Brackett, whose house stood upon the ground now occupied by the mansion of James Deering, where they were discovered "by virtue of twelve firings." The alarm was immediately given by Brackett's sons; and Capt. Hall's company who were in advance, hastened to the spot. The enemy were in Brackett's orchard, and here the action commenced. Church, on hearing the alarm, proceeded with a reinforcement, and a supply of ammunition, which was transported across Back Cove by one of the friendly Indians. Capt Hall was sustained by the remainder of the English forces stationed on this side of the creek, who galled the enemy by firing over the heads of Hall's soldiers. After maintaining the fight some time in this manner, Church determined to attack the enemy in the rear, and having communicated his plan to Capt. Hall, he proceeded up the creek to the bridge which crossed it, in the same place probably where one now stands, on Grove street. The enemy perceiving his object, immediately retreated, and he, supposing that they had made for the bridge or sought some other passage into the town, returned to the bridge and finding no trace of them there, hastened across the Neck to the south side, by Clarke's point, where finding "the cattle feeding quietly in Lt. Clarke's field," and perceiving no trace of the enemy, he hastily retraced his steps, and passing over the burnt land and through the brush, formed a junction with Capt. Hall's company, which had borne the brunt of the battle. He now gave orders for his whole army to pursue the enemy, but learning that most of the ammunition which was suitable for the guns was spent, he gave over his design and returned with the dead and wounded to the fort. Church closes his interesting account of this affair as follows :<sup>1</sup>

"Capt. Hall and his men being first engaged, did great service

<sup>1</sup> "A Narrative of the several expeditions of Col. Benjamin Church against the Indians from 1676 to 1704. Prepared for the press by his son." Col. Church was born A. D. 1639, and died at Little Compton A. D. 1717.

and suffered the greatest loss in his men. But Capt. Southworth with his company, and Capt. Numposh with the Seconit Indians, and the most of the men belonging to the town all coming suddenly to his relief, prevented him and his whole company from being cut off. By this time the day was far spent, and marching into Town about sunset, carrying in all their wounded and dead men; being all sensible of God's goodness to them, in giving them the Victory, and causing the enemy to fly with shame, who never gave one shout at drawing off."

The field of this rencounter, as has been intimated, was on Brackett's farm, now owned by Mr. Deering, at Back Cove; the orchard extended down toward the point. Capt. Hall must have forded the creek or cove, in order to have attacked their front. Church gives as a reason that he did not intercept their flight, that "the thick brushy ground" impeded his march. The enemy were judged to be three or four hundred strong and the engagement continued about six hours before they retreated.

The timely arrival of this succor saved the whole population of the town from the merciless hands of their savage enemy; had Church arrived a day later, he probably would have been called to bury the bodies of his slaughtered countrymen and to mourn over the ruins of their settlement.

The loss on the part of the English in this action was eleven killed and ten wounded;<sup>1</sup> of the enemy's loss not much is known, as according to their custom, they carried their slain

<sup>1</sup> We have fortunately found the original list of the killed and wounded on file in Massachusetts State office, enclosed in a letter from Col. Church and dated on the day of the action, "Sept. 21 1689 a liste of the men that was slain in a fite at Falmouth, and also how many was wounded in said fite; of Capt. Hall's soldiers six slain—Thomas Burton, Edward Ebens, Thomas Thaxter, Thomas Berry, John Mason, David Homes.—Of Capt. Davis' company two, Giles Row, Andrew Alger, belonging to the fort of the town. An Indian, a negro of Col. Tyng's, Capt. Brackett carried away or slain eleven in all—Wounded six friend Indians—of

with them on their retreat ; Davis thought many of them must have been killed.<sup>1</sup>

The enemy met so warm a reception at Falmouth, and found the country so well protected, that they retreated into their forests and committed no further depredations during the year. Church visited the garrisons at Spurwink and in Scarborough, and went up the Kennebec river before he returned. On the 13h of November, 1689, he held a council of war at Falmouth, at which were "present Capt. Davis, Capt. Wm. Bassett, Capt. Simon Willard, Capt. Nathl. Hall, Lt. Thaddeus Clarke, Lt. Elisha Andrews, Mr. Elihu Gullison, Lt. George Ingersoll, Lt. Ambrose Davis, Mr. Robert Lawrence, Mr. John Palmer, and others." "Ordered that sixty soldiers be quartered in Falmouth, beside the inhabitants and the soldiers that shall belong to the fort, which shall be fifteen soldiers beside the commander and gunner." It was also ordered that a sufficient garrison be erected about Mr Gullison's house for a main court of guard, and that and "Mr. Lawrence's garrison are to be supplied from the sixty soldiers left to guard the said town." The chief command was assigned to Capt. Hall.

<sup>1</sup> In relation to the loss by the enemy, Church wrote from Falmouth to the Governor, September 27, 1689, as follows : "We know not yet what damage we did to the enemy in our last engagement, but several things that they left behind them on their flight we found yesterday, which was gun cases and stockings and other things of some value, together with other signs that make us think that we did them considerable damage."—*Hutchinson Papers*.

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Capt. Davis' company James Freeze, Mr. Bramhall, Thomas Browne, Mr. Palmer inhabitants. total twenty-one slain and wounded.\*

\* Freeze and Bramhall died of their wounds and one friendly Indian. The following extract from B. York's deposition in 1759, furnishes some additional particulars : "I well remember that said George Bramhall was shot by the Indians about ye same time in ye fight over on Capt. Brackett's farm, and said Brackett was also killed at the same time at his house on Back Cove, and said Bramhall was brought over after ye fight to ye Neck near fort Loyal and put into Capt. Tyng's house to best of my remembrance, and died the next day of his wounds ; and his son and other help they got, brought a number of hides from ye house and tan pitts to ye said Neck ; and I remember said George Bramhall left three sons, Joseph, George, and Joshua, and I think one daughter, who all moved away with their mother to the westward soon after."

The inhabitants of Falmouth were fearful that vengeance would be visited upon them in the spring by the enemy in retaliation for the late defeat, and were therefore anxious to abandon the settlement on the return of Major Church. He however persuaded them to remain, assuring them that if government would provide the means in the spring, "he would certainly come with his volunteers and Indians to their relief."

This worthy officer labored hard to accomplish his promise; he represented to the government their exposed situation, and "at every opportunity entreating those gentlemen in behalf of the poor people of Casco, informing them the necessity of taking care of them, either by sending them relief early in the spring, or suffer them to draw off, otherwise they would certainly be destroyed. Their answer was, "they could do nothing till Sir Edmund was gone!"<sup>1</sup>

This criminal indifference to the fate of so many people, cannot be too severely reprobated; and it was not until the awful calamity which overwhelmed our settlement burst upon them that they were sensible of their fatal error.

Early in the following year (1690) the enemy renewed their depredations. They consisted of French and Indians; in the language of Mather, "being half one and half t'other, half Indianized French and half Frenchified Indians." In February, they made a descent from Canada upon Schenectady in New York, in which they killed about sixty persons. On the 18th of March another party commanded by Artel, a Frenchman, and Hopewood, "that memorable tygre," destroyed the settlement at Salmon Falls, "with fire and sword."

Capt. Willard, an experienced officer from Salem, who had been stationed in Falmouth,<sup>2</sup> was ordered in February to pursue

<sup>1</sup> The government was preparing to send Sir Edmund Andross and some of his council prisoners to England. Andross died in London, 1714.

<sup>2</sup> Capt. Willard wrote from Salem in November to the Governor that his men at Casco needed supplies, that the parents of his soldiers were much displeased

the enemy to their headquarters; on his departure the command of the fort devolved upon Capt. Davis. It does not appear that there were any regular troops left here, and the defense of the place depended upon the courage and exertions of the inhabitants. While they were in this situation, a party of the French, some of whom had assisted in the affair at Schenectady, formed a junction with the eastern Indians under Madockawando, and were discovered in the beginning of May passing in a large fleet of canoes across Casco bay. From the direction of their course the people of Falmouth entertained hopes that their destination was to a more remote part of the country; but in this they were disappointed. In a few days they were discovered lurking in this vicinity, and Robert Greason, a Scotchman, one of our inhabitants who lived upon the Presumpscot river, fell into their hands. As soon as it was known that they were in the neighborhood, strict orders were given for the people to confine themselves to their garrisons, and to keep constant watch to prevent surprise. There were then in addition to Fort Loyal, four garrison houses in this part of the town, whose local situation we have not the means of accurately determining; one was on Munjoy's hill, near the burying ground, at the stone house of Capt. Lawrence. Sullivan says another stood "where Dearing's house now stands;" this was at the foot of Exchange street, and was probably the house of Lt. George Ingersoll, which occupied that spot: he says another stood on the rocky ground south of where the first meeting-house stands. He cites no authority for determining these localities, and probably derived them from tradition, which we have found a most unsafe guide in inquiries of this nature. It would seem entirely unnecessary to have so many garrisons in the immediate vicinity of

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because they had not returned as promised. He proposed that Dr. Haraden be encouraged to visit the soldiers in Casco and take care of them.—*Annals of Salem*, p. 295.

the fort, and we have thought some of these defenses may have been in the more remote parts of the town for the protection of the inhabitants there. Elihu Gullison's house was established by the council of war in November preceeding, as a principal garrison house, but we cannot determine its situation.

Thaddeus Clark, lieut. of a company of town soldiers, imprudently neglected the precaution which had been given to keep his men within the garrison; being desirous to discover something of the movements of the enemy, he went out with about thirty "of the stoutest young men," to the top of what we suppose was Munjoy's hill, which was then covered with woods. We give the sequel of this unhappy adventure in the language of Mather:<sup>1</sup> "The outlet from the town to the wood was through a lane that had a fence on each side, which had a certain block house<sup>2</sup> at one end of it; and the English were suspicious, when they came to enter the lane, that the Indians were lying behind the fence, because the cattle stood staring that way, and would not pass into the wood as they used to do. This mettlesome company then run up to the fence with an huzza! thinking thereby to discourage the enemy, if they should be lurking there; but the enemy were so well prepared for them, that they answered them with a horrible vengeance, which killed the Lieut. and thirteen more on the spot, and the rest escaped with much ado unto one of the garrisons."

After this disheartening and ominous event, the enemy immediately attacked the garrisons; these were resolutely defended; but at night, their ammunition being nearly exhausted, the besieged abandoned their posts and drew off to Fort Loyal. Next morning, being the 16th of May, the enemy set fire to the houses, and laid siege to the fort with their whole force. The local situation of the fort was highly favorable to their design: it was situated on a rocky bluff fronting the harbor, at

<sup>1</sup> Magnalia, vol. ii. p. 524.

<sup>2</sup> Probably Lawrence's house.

the base of which the enemy could work securely beyond the reach of its guns.<sup>1</sup> The number of the assailants was so much more numerous than that of the English, that the latter deemed it not prudent to leave their defenses. The siege was carried on five days and four nights, when at last, many of the English having been killed and wounded, the remainder capitulated on the 20th of May. The following account of the attack and surrender, by Capt. Davis, the commander of the fort, will not be uninteresting. "Myself having command of a garrison in Falmouth for the defence of the same, a party of French from Canada, joined with a company of Indians, to the number of betwixt four and five hundred French and Indians set upon our fort. The 16th of May, 1690, about dawning, began our fight: the 20th, about 3 o'clock, afternoon, we were taken. They fought us five days and four nights, in which time they killed and wounded the greatest part of our men, burned all the houses, and at last we were forced to have a parley with them in order for a surrender. We not knowing that there was any French among them, we set up a flag of truce in order for a parley. We demanded if there were any French among them and if they would give us quarter. They answered, that they were Frenchmen, and that they would give us good quarter. Upon this answer, we sent out to them again, to know from whence they came, and if they would give us good quarter, both for our men, women, and children, both wounded and sound, and that we should have liberty to march to the next English town and have a guard for our defence, and safety unto the next English town—then we would surrender; and also that

<sup>1</sup> This bluff probably retains the same general features it had then; the fort stood in the rear of the three-story house now situated at the foot of India street. [Since this was written, 1831, the whole aspect of this locality has been changed. The house has been removed, the rocky bluff leveled, and a large tract of flats has been filled with earth, on which has been erected the spacious station-house and the large engine house, of the Grand Trunk Railway Co., and it has become the scene of a busy international traffic.]

the Governor of the French should hold up his hand and swear by the great and ever living God, that the several articles should be performed. All which he did solemnly swear to perform; but as soon as they had us in their custody, they broke their articles, suffered our women and children and our men to be made captives in the hands of the heathen, to be cruelly murdered and destroyed many of them, and especially our wounded men; only the French kept myself and three or four more, and carried us over land for Canada \* \* \*. About twenty-four days we were marching through the country for Quebeck in Canada, by land and water, carrying our canoes with us. The chief of the Indians that came against us was those Indians that we had in hold, that Sir Edmund Andross ordered to be cleared, and Sieur Castine and Madockawando, with their eastern forces. The French that took us came from Canada, in February last past, designed for the destruction of Falmouth, by order of the Governor there, the earl of Frontenac. The commander's name was Mons. Burniffe: his Lieut's. name was Mons. Corte de March, who was at the taking of Schenectade. They brought several Indians with them from Canada, and made up the rest of their forces as they marched through the woods from Canada. But I must say, they were kind to me in my travels through the country. Our provisions was very short—Indian corn and acorns—hunger made it very good and God gave it strength to nourish. I arrived at Quebeck the 14th of June, 1690. \* \* \*. I was at Quebeck four months and was exchanged for a Frenchman Sir Wm. Phipps had taken, the 15th of October, 1690.”<sup>1</sup>

The names of but few of the persons who perished in the unhappy fall of Falmouth are preserved, and those incidentally. Among the killed were Lieut. Clarke and the thirteen young men of his company, who were left dead upon the spot as before noticed. [John Parker and his son James were also killed.

<sup>1</sup> The original paper is on file in the Massachusetts office of State.

The father was born in 1634. They had sought refuge in Fort Loyal from the attack on his settlement at Parker's Island in Kennebec, a short time before. John, the father of John, came from Biddeford in England to Biddeford in Maine. In 1650, he purchased the island in Kennebec river which bears his name, and died there in 1661. His son John, above mentioned, was a large purchaser of land on the Kennebec, and was carrying on an extensive business there when his property and life were suddenly taken away. He was the ancestor of Isaac Parker, the late honored and distinguished Chief Justice of Massachusetts, who commenced the practice of law in Maine, and was a resident in Portland, when in 1806 he was placed upon the bench of the Supreme Court. The descent from John, who was killed, was through his son Daniel, who moved to Charlestown, Massachusetts, and died in 1694, aged twenty-seven, leaving a son Isaac, who was the grandfather of the Chief Justice.]

Thomas Cloice and Seth Brackett, son of Anthony, were killed, but it is not known whether they were among the slain of Clarke's company or not. It appears by the Danvers records, that Alsop, Edward Crocker, and Geo. Bogwell were killed at Casco, in 1690. Jos. Ramsdell, a soldier from Lynn, was also killed. Capt. Robert Lawrence was mortally wounded, and Anthony Brackett, Jr., James Ross, and Peter Morrell were among the prisoners. [John Gyles in the narrative of his captivity, speaks of meeting on the St. John river a captive, named James Alexander, a Jerseyman, who was taken from Falmouth. There were also taken prisoners James Ross, Joshua Swanton (a boy), Samuel York, Samuel Souter, Sarah Davis (a girl), Thomas Baker (a boy), and George Gray. Ross, Alexander, and Swanton, were returned to Boston in October, 1695.] It is to be regretted that a more perfect record of the sufferers in this catastrophe has not been preserved; we have been indebted to ancient depositions taken to perpetuate evidence, for the few names we have been able to present. In

this disaster the town records were destroyed,<sup>1</sup> together with all other combustible or destructible property in town, and the once flourishing settlement exhibited an entire and melancholy ruin.<sup>2</sup> It was visited by Sir Wm. Phipps and Major Church in August, 1692, on an expedition east, when they buried the bones of the slain, as they were bleaching upon the soil, and removed the cannon of the fort, which had been too large for Indian transportation.

After the capture of Fort Loyal the garrisons at Purpooduck, Spurwink, and in Scarborough, were so disheartened that they abandoned their posts and retreated upon Saco. In a few days after, the people in the latter place drew off to Wells, and left the country east of that settlement wholly depopulated and unprotected.

Major Church was sent to this bay again in September to harass the enemy. The expedition on its return anchored for a night off Purpooduck Point: and the accommodations

<sup>1</sup> It has been intimated that the town records were carried to Canada; but it is not probable that the enemy would take pains to preserve and transport so great a distance, documents which to them had no sort of value. Judge Freeman mentioned the report to me, but he had no authority for it, but tradition. Had there been a reasonable ground for the idea, the subsequent settlers would have obtained them, at a time when their loss was severely felt and produced great confusion in titles.

<sup>2</sup> William Vaughan, Charles Frost, and Richard Martyn wrote to Boston from Portsmouth, May 19, 1690, that they had just heard of the attack on Casco—that two men from Spurwink garrison on hearing the firing at Casco, went to see about it; when they came near, “they saw but two houses standing, the fort on fire and the enemy very numerous thereabout.” On the 22d of May they wrote again that the vessels they had sent, discovered that the enemy three or four hundred strong had possession of Casco, and as they approached the fort, they were fired upon, and while they staid the remainder of the fort and houses were burnt; that three or four hundred people, mostly women and children, had arrived at Portsmouth from the eastward, and that the vessels reported that Black Point, Richmond’s Island, and Spurwink were burning as they passed. The General Court, in October following, ordered a payment for wages to be made to the wives and relations of the soldiers who were slain or taken at Casco.—*General Court Files*.

on board the vessels being limited, three companies of friendly Indians encamped in a deserted house on shore. At the dawn of day the Indians attacked the camp and an obstinate engagement ensued, during which the troops from the vessels were landed; the enemy were driven off with the loss of thirteen canoes. Several were killed and wounded on both sides; one Indian prisoner was taken, "a lusty man who had Joseph Ramsdell's scalp by his side."<sup>1</sup>

Falmouth became the scene of no more engagements during the war; a single anecdote relating to the place, told by Mather with high relish, may close the subject. As the Indians were passing through "deserted Casco," in 1694, the squaws desired the young men to shoot some horses that were straying about Capt. Brackett's orchard, as they were suffering from hunger; but the young men, wishing to have some sport first, caught one of the horses, and making a halter from the mane and tail, a son of the famous Higon mounted the steed for a ride, and to secure him from falling he had his legs tied under the horse's belly. But no sooner was the horse at liberty, than he set out at full speed "through briar and brake," without regard to the feelings or the wailings of his rider. Nothing more was seen of poor Higon but a leg which was buried with great lamentation in Capt. Brackett's cellar.

The war continued until 1698, when a treaty of peace concluded at Ryswick, in 1697, between the English and French, having been announced, and Madockawondo being dead, all obstructions to an accommodation were removed. Articles of agreement were entered into in October, and a treaty was finally executed at Mare's Point in Casco bay, January 7th, 1699. At which time the whole territory of Falmouth, which before the war was covered with an active and enterprising population, was a perfect blank, a thoroughfare for the savage and a resort for beasts of prey.

<sup>1</sup> Church. [Of our forces nine were killed and twenty wounded; the loss fell principally upon Capt. Southworth's company of friendly Indians from Plymouth Colony, of whom fifteen were killed and wounded.]

## CHAPTER XI.

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A BRIEF NOTICE OF SOME OF THE INHABITANTS OF FALMOUTH DURING THE SECOND SETTLEMENT—NAMES OF THE SETTLERS.

In the foregoing pages we have introduced occasional notices of some of the prominent men of the town. We propose now to conclude this part of our history by adding some additional particulars relative to the lives and characters of several of the inhabitants, and furnishing as full a catalogue as we have been able to collect of all who resided here between 1680 and 1690.

James Andrews, son of Samuel Andrews, who came from London, was born in 1635, probably in Saco; but soon after his father's death, which took place about 1638, he removed to Falmouth with his mother on her marriage with Arthur Macworth. He is supposed to have married for his first wife, Sarah, a daughter of Michael Mitton; the christian name of his second was Margaret, we cannot supply the surname. He lived on a farm east of Presumpscot river, which passed by mesne conveyances to the Jones family, and is now, 1831, owned by Capt. Samuel Moody. During the Indian war he removed to Boston, where he died in 1704, leaving a widow, one son Elisha, and three daughters, Rebecca, wife of Jonathan Adams, Dorcas, wife of Ebenezer Davenport\* and Jane, wife of Robert

\*[Davenport was son of Thomas Davenport of Dorchester, Massachusetts, admitted freeman, 1642, died 1685. Ebenezer Davenport was born 1661, his wife

Davis; he is believed also to have had a son James and another, Josiah or Joshua. The last two not being mentioned in his will, probably died before him.

Anthony Brackett, who was killed in 1689, has been so frequently noticed, that but few remarks will now be necessary. He filled a large space in the affairs of the town, and his death at the commencement of the troubles must have been seriously felt by his townsmen. Of his children by his first wife, Anthony was taken prisoner at the capture of the fort, and escaped in September following; he rendered the country very acceptable services during the war and finally settled in Boston: his son Anthony was a rope-maker; his posterity sold their right in lands here and did not return. Seth, the second son, was killed in the attack on the town in 1690. His daughter Mary was unmarried in 1717. [She afterward married Nathaniel Whittier of Salisbury.] Kezia married Joseph Maylem, and Elinor, Richard Pullin, both of Boston. By the second marriage, Brackett had Jane, Zipporah, Zachariah, Ann, and Susannah. The latter married Samuel Proctor. He returned to Falmouth before 1720, when another daughter was born here. He had nine children born between 1709 and 1727, from whom a numerous posterity has spread over the state.

Thomas Brackett, brother of Anthony, married Mary Mitton, and had by her, Joshua, born 1674, Sarah, married to John Hill of Portsmouth, and Mary, married to Christopher Mitchell of Kittery, 1708. He was killed by the Indians in 1676, and his family carried into captivity, where his widow died the same year.

George Bramhall came from Dover, N. H., where he lived in 1670; he was actively employed during the time he lived in town; he carried on the tanning business in addition to his

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1663, He died 1736, she 1723; they had nine children, of whom three daughters, Tabitha married John Cox, Jr., Hepzibah, Thomas Cox, and Thankful, — Cox.]

large farm; some remains of the tannery may still be traced at the foot of the hill near Vaughan's bridge. His family, consisting of his widow, Martha, and children, Joseph, George, Hannah, and Joshua, after his death, which has before been noticed, moved to Plymouth colony.<sup>1</sup> George was living in

<sup>1</sup> I have preserved in the Appendix VIII., copies of some original papers in my possession, which belonged to Mr. Bramhall, as having some interest in this connection. [Annexed is a fac-simile of the signature of George Bramhall to paper No. 3 in Appendix No. IX, together with the signatures of Peter Bowdoin and John Holmes as witnesses. It is interesting to notice that Bowdoin so soon after his arrival as 1688, dropped the French mode of writing his name and assumed the English form.]

*my land this sixth day of march: annexed.*

*Dominic 1688*

*witness*

*Georg Bramhall*

*Peter Bowdoin*  
*John Hoffmann*

Hingham in 1733; Joseph was a wine-cooper in Boston, where he died without issue in 1716. Hannah married Jonathan Hall of Harwich; Joshua returned to Falmouth in 1729, and settled upon his father's farm, where he remained until 1758, when he returned to Plymouth.

Thaddeus Clarke came from Ireland. He married Elizabeth, the second daughter of Michael Mitton, about 1662, which is the earliest notice we have of him. Although a man of standing and enterprise, he had not much education, his signature to instruments was made by a mark. He lived on the bank a little above the point on the Neck, to which he has left his name, where trace of the cellar of his house is still visible, [1831, but now obliterated by modern improvements.] His eldest daughter, Elizabeth, married Capt. Edward Tyng, another married a Harvey, and was a widow in Boston, 1719; his son Isaac was living in Framingham, Massachusetts, in 1718; his widow died in Boston in 1736, aged 92 years.

Thomas Cloice was the son of John and Julian Cloice. He married Susannah, a daughter of George Lewis, by whom he had three children, Thomas, who died in Boston before 1735, without issue; George, who lived in Salem in 1735, and Hannah. He had a house on the north side of Middle street, a few rods west of India street. A Sarah Cloice who was a conspicuous object in the Salem witchcraft in 1692, was probably connected with this family. None of them returned to Falmouth.

John Corney was a laborer; he lived one year in John Ingersoll's house and one year in Samuel Ingersoll's house, both on the Neck; he had a sixty acre lot on Nonsuch Point; he had a son Elisha, born 1668; they both subsequently lived in Gloucester, where the name is written Curney. He married Abigail Skillings, 1670, and had several children. He died 1725, aged 80. His wife died 1722, aged 70.

Ebenezer Davenport came to Falmouth about 1685, when he was about twenty-four years old, and lived on a farm east of Presumpscot river, near James Andrews, whose daughter he

married. On the destruction of the town he settled in Dorchester, where he was living in 1735, aged seventy-four years. (See ante. page.)

Isaac Davis lived on a large farm at Stroudwater, north of Long Creek, but he had a house upon his lot in the village on the Neck. He had several children, of whom John was the eldest, born in 1660, who, with his brother Samuel, was living in Gloucester in 1733; James, another son, and the children of a daughter who married Fitts, were living in Ipswich the same year; another daughter married Smith, whose son Richard lived in Biddeford in 1720.

Lawrence Davis was a settler before the first war; during this war he remained in Ipswich, from which he returned about 1681, and settled upon his farm at Purpooduck. His daughter Rachel, born 1663, married Robert Haines for her first husband, and Wedgewood for her second, and lived with him in Hampton, N. H. Davis's son, Jacob, also settled at Purpooduck, where he had a family.

Silvanus Davis. Of the early part of the life of Mr. Davis and his connection with Falmouth, as much has been already exhibited as is consistent with our limits. On his return from captivity in 1690, he probably fixed his residence in Boston, where he died in 1703. He was appointed by the king a counselor for Sagadahoc under the charter of 1691. He left a widow but no issue; by his will he gave to his wife the use of the "house he lately built at Nantasket," with the furniture, during her life, and to the three daughters of James English, "in consideration of his intimacy and kindness" all his interest in lands in Casco bay, they giving to his wife five pounds each.

Henry Donnell, came from York and occupied Jewell's Island as a fishing stage about thirty years. He married a daughter of Thomas Reading, an early settler in Saco, but who afterward moved into Casco bay, by whom he had sons, Henry and Samuel. They were subsequently inhabitants of York. Samuel became a counselor under the new charter, [a magistrate

and judge of the court of Common Pleas. He died March 9, 1718, aged seventy-two. His son Nathaniel, born November 18, 1689, died February 9, 1780, aged 91.]

James Freeze was killed by the Indians in 1689; probably a son of James of Salisbury, by wife Eliza, 1667; he left a son Jacob, who afterward lived in Hampton. Jonathan, George, and Joseph Freeze are stated to have been his heirs. [He had a three acre lot on the Neck "on the path that goes to Mr. Clark's."]

Philip Gammon was a fisherman and lived at Purpooduck. He married a daughter of John Parrott, also a settler in the same place. He was living in Portsmouth in 1734. There are persons of this name now in Cape Elizabeth, who probably descended from him.

John Gustin<sup>1</sup> bought land on Presumpscot river just above the falls, of Thomas Cloice, in 1686, and lived upon it. After the destruction of the town he lived at Lynn. He returned to Falmouth, where he died in 1719, leaving a widow, Elizabeth, and children, Samuel, John, Ebenezer, Thomas, David, Sarah, and Abigail.

Robert Haines lived at Purpooduck; he married Rachel, daughter of Lawrence Davis, by whom he had one son, Thomas, who was his only heir, and was living in Hampton in 1733. His widow married a Wedgewood after the death of Haines, and was living at Hampton in 1747, aged eighty-four.

<sup>1</sup> I have before intimated an opinion that this person is the same who received a grant from Danforth under the name of Augustine John, who was a Jerseyman. I am confirmed in that opinion by a fact stated by Peter Housing in a petition 1687, that his mother sold one-half of his father's farm on the west side of Presumpscot river to "Gustian John, a Frenchman." Now Housing was connected by marriage with John Cloice, from whom he received land on the Presumpscot; and Thomas Cloice, son of John, who received the principal part of his father's land on the river conveyed to John Gustin sixty acres of it December 14, 1686. John Gustin subsequently claimed and his family occupied it, and his descendants live in that neighborhood to this day. We hear nothing afterward of Augustine John, except as a subscriber to a petition in 1689, in which his name is written "Gustan John." See a previous notice of this settler.

George Ingersoll. The Ingersolls having been repeatedly mentioned in the foregoing pages, and their origin noticed, we shall now add but few particulars relating to them. We have no doubt that all of the name who settled here descended from Richard, who arrived at Salem in 1629. The first George, the lieut., born 1618, survived the second desolation of the town, and was living in Salem in 1694, aged seventy-six. Beside the three children, George, Samuel, and one killed in the first war, he had in Gloucester, by his wife Elizabeth, Joseph, 1646, Elizabeth, 1648, died 1649, Elizabeth 1651, Mary, 1657. In 1694 he sold to Timothy Lindall, of Salem, his house lot on the Neck, lying east of Exchange street and extending to the channel of Fore river. His son Samuel's house lot joined this on the east, and he sold it to Mary Sargent in 1721; Samuel lived at Stroudwater between the river and "Davis's Mills." We do not know the time of George's death nor that of his son Samuel. George, Jr., was a shipwright; he moved to Boston after the fall of the town, but returned on its revival. He did not however long remain here at that time, but returned to Boston, where he died before 1730. In 1687, he was living on one hundred acres at Stroudwater, possessed by him about twenty-six years. His son Daniel occupied his Danforth grant lying east of Willow street, which was confirmed to him by the town in 1721. Daniel was also a shipwright, and moved to Boston after a residence here of a few years. He sold his house lot to Moses Pearson in 1730, describing it as "his father's former possession." Part of this continues in the family of Pearson to this day [1831. It has long since passed into other hands and is now occupied as the Commercial Hotel.]

John Ingersoll, as we have seen, lived at Capisic, was son of George. On the breaking out of the war he moved to Kittery, where he died in 1716, leaving a widow Deborah, then aged seventy-one, and children Elisha, Nathaniel, John, Ephraim, Deborah, born 1668, and married to Benjamin Larrabee, Mary, married to — Low, Rachel, wife of John Chapman, Abigail,

married to — Blacey, another daughter who died before him, who had been married to — Brown. His son Elisha, and son-in-law Chapman, came to Falmouth on the resettlement, and took possession of the farm.

Joseph Ingersoll was a joiner, son of George, and lived at Capisic; he married a daughter of Mathew Coe. Danforth granted him a lot on the west side of Exchange street, on which he built a house. On the resettlement of the town his son Benjamin returned from Gloucester, where his father then resided, took possession of his father's grants, and became an active and useful inhabitant. In 1738, Benjamin sold four acres lying west of Exchange street, including his homestead to Phineas Jones, and moved to North Yarmouth. [Joseph died in Gloucester, March 12, 1718, aged seventy-two.

Samuel Ingersoll was a soldier in Philip's war. He was a shipwright and established himself in his trade in Gloucester. He had two sons by his wife Judith, in Gloucester, Nehemiah, 1705, Joel, 1709; his son Samuel married in Gloucester in 1708.]

Dominicus Jordan, third son of Robert Jordan, married Hannah, a daughter of Ralph Tristram of Saco, as early as 1683, and lived at Spurwink. By her he had Dominicus, born in 1683, Mary Ann, Samuel, Nathaniel, Hannah, married to Joseph Calef of Boston, and Elizabeth married to Humphrey Scammon of Saco. Capt. Jordan was killed in the war of 1703 by the Indians, and his wife and family were carried to Canada. They were all restored but Mary Ann, to whom the name of Arabella was given by her French masters. She married in Canada, where she was living in 1760, and never returned. The eldest son, Dominicus, escaped after a residence of several years at Trois Rivières, and was an active and useful man in the subsequent affairs of our town, as will be hereafter more particularly mentioned; he was the progenitor of a numerous race, part of whom now occupy the paternal estate. Nathaniel also established himself on his hereditary estate,

which was finally divided among the heirs in 1754. Samuel and Elizabeth lived in Saco, where their posterity still maintain a respectable rank.

Robert Lawrence, who was killed in the attack upon the fort in 1690, sustained the rank of captain. [He built a stone house on Munjoy's hill, near the cemetery, in which he lived, and which was used as a garrison in times of peril.] His wife was the widow of George Munjoy, by whom he entered into the possession of a large property here. It does not appear that he left any offspring, and we have not been able to ascertain his origin. A long quarrel growing out of a disputed title, subsisted for many years between him and Silvanus Davis, which was terminated only by his death. His widow married Stephen Cross of Boston, for her third husband, and died in Boston in 1705.

Peter Morrell lived in India street; the date of the first deed to him of land here was in 1681; it was of a house lot from Thomas Mason; he probably came here about that time. After his capture in 1690, his wife and children moved to Beverly, where they subsequently lived. His wife's name was Mary. Their daughter Mary, who married George Tuck, and was residing in Falmouth in 1734, in a deed of that year styles herself the only surviving child and heir of said Peter.

James Mariner probably came here from Dover: or James Marinell, whom I have supposed to be the same, as that name does not afterward occur in our records, came from that place and purchased land on the Neck, of Joseph Hodgson, in 1686. He was born in 1651, and was living in Boston in 1731. Some of the same name, and probably his children, were inhabitants of the last settlement.

Dennis Morough lived at Purpooduck, where he married Jane, the eldest daughter of Sampson Penley, an ancient settler. We find trace of but one son, who bore the name of his father and was living with him in Norwich, Connecticut, after

the war. In 1734, the son was an inhabitant of Coventry. None of the family returned here.

Jonathan Orris was a blacksmith, and lived east of India street. He does not appear to have left any children. His three brothers, Nathaniel of Barnstable, Experience of Braintree, and John of Boston, inherited his property. [He was living in Gloucester in 1691 and 1693.]

John Parrott, a fisherman, was a settler under Danforth. No male issue survived. His eldest daughter, Mary, married Philip Gammon; another daughter, Sarah, married John Green, who lived in Newport, R. I., in 1738. There was a John Parrott in Rowley, 1643.

Sampson Penley was a settler before the first war, as early as 1658, and returned on the restoration of peace. We have been unable to ascertain when and where he died. He left a widow, Rachel, and three daughters: Jane, married to Dennis Morough, Dorcas, to Hugh Willcott, and Mary, to Edward Bailey; the latter was living in Stoughton, Massachusetts, in 1734, a widow. [Dorcas Willcott had a daughter Elizabeth, who married a Pringle, and who inherited her estate.]

James Ross was born in Falmouth, 1662, son of James; he was taken prisoner with his father's family in 1676, and again in 1690. He was a shoemaker by trade and occupied his father's farm or part of it at Back Cove; his mother was Ann, the eldest daughter of George Lewis. On his return from his second captivity he resided in Salem. His father was here about 1657. He was living in Salem, 1724.

John Skillings was the son of Thomas Skillings of Back Cove, the ancestor of all of the name in this neighborhood, who came here as early as 1651, and died 1667, leaving two sons, Thomas, born 1643, and John. During the first war he continued in Salem; at its close he returned and entered with zeal and activity upon the improvement of his former as well as later possessions. He was a carpenter. His principal farm was at Stroudwater where he lived, about a mile north-west of

Long Creek. He also had seven acres on the Neck, where Center street now is, which he obtained, by exchange with Rev. George Burroughs in 1683, on which he had a house. [The lot which he conveyed to Burroughs in exchange, was the ninth west of Clay Cove, adjoining Samuel Ingersoll's lot.] His son Samuel, born in 1677, conveyed the Center street tract, about 1732, in parcels, to William Cotton and others, under whom it is now held. We have it from tradition that John Skillings died before he was forty years old, and that his widow and four children removed to Piscataqua. This would be about the time of the second Indian war, of which he may have been a victim; he was living in 1688. Samuel returned and established himself at Long Creek.

Lewis and John Tucker were brothers, and lived on adjoining farms east of Presumpscot river. The children of Lewis were Hugh of Kittery, fisherman, Lewis of Newcastle, N. H., Elizabeth, married to — Bragdon of Kittery, and Grace, married to Isaac Pierce of Boston, tailor. The first Lewis was born 1643,

Ralph Turner was an ancient settler in Purpooduck; he was here in 1659, and witnessed by his mark, a deed from Cleeves to Phillips in that year; he lived on a farm of two hundred acres between Long and Barberry Creeks, on which in 1687, he had "a faire dwelling house and other improvements." His daughter Hannah, who married Thomas Holman, a shoemaker, was living with her husband at Rehoboth in 1729, and styled herself "daughter and heir of Ralph Turner." He was chosen constable in 1670.

Edward Tyng came here as early as 1680, and soon after married Elizabeth a daughter of Thaddeus Clarke, and great-granddaughter George Cleeves. He was the second son of Edward Tyng, who came to this country with his brother William, about 1636. The time of his birth is not known, probably 1649; his elder brother Jonathan was born in 1642. He owned a number of pieces of valuable land on the Neck, and

several houses; on a tract of forty-four acres, extending from Robison's Point to north of Main, now Congress street, and about seventy rods fronting the harbor, he had three dwelling houses in 1687, when it was surveyed under a patent from Andross, in one of which he lived. The cellar of this house could be seen on York street, a little west of State street, 1840, but now, 1864, is obliterated. In 1680 and 1681, he commanded Fort Loyal, was one of the counselors or magistrates of Maine during the presidency of Mr. Danforth, and in 1686 was appointed by the king one of the counselors of President Joseph Dudley, who married his sister, and of Gov. Andross. He was appointed Lt. Colonel by Andross, and had a command in the province of Sagadahoc, in 1688 or 1689. He was afterward commissioned as Governor of Annapolis in N. S., and on his passage there, was captured by the French and carried to France, where he died. He had four children, Edward, born 1683, Jonathan, who died young, Mary, married to the Rev. John Fox of Woburn,<sup>1</sup> and Elizabeth, married to a brother of Dr. Franklin. Wm. Tyng, late of Gorham, who was grandson of Edward, by his eldest son Edward, was the last survivor of the male posterity of the Tyng family in this country. William's father died in Boston, Sept 8, 1755, and his brother Edward died a bachelor in England.

Wallis. Persons bearing this name in Falmouth were numerous during the second settlement. The first of the name were Nathaniel and John, who were probably the ancestors of all the rest; they were both here before the first war. Nathaniel lived at Back Cove, and John on Purpooduck Point; John was one of the selectmen in 1681. In addition to these in the subsequent settlement, were Josiah, who was born in 1662, and was living in Gloucester, 1734, Benjamin, Joseph, and James, who was born 1670, were brothers, and lived at Purpooduck;

<sup>1</sup> Lineal descendants of this connection are now among our enterprising citizens, who may trace their origin in the male line to John Fox the martyr, and in the female to Cleeves, the first settler of Falmouth.

these were all sons of John ; they went to Gloucester after the destruction of the town, but returned again. Josiah's son John was an inhabitant of Cape Elizabeth in 1768, aged about seventy years ; a few of his descendants remain. Matthew Pauling and John Lane married daughters of John Wallis, and lived near him at Purpooduck Point in 1687. The first Nathaniel was born in 1632, and was living in Beverly, 1701 ; he had a son John, whose son John was a resident in Sherburn, Massachusetts, in 1720.\*

Thomas Walter, with his wife Hannah, moved here from Salem, about 1682, and settled at Purpooduck. His wife was then twenty-five years old, having been born in 1657. In 1732, his son William, then living in Boston, in a deed of his father's property in Falmouth, styled himself "his son and only heir."

Samuel Webber. There were several of the name of Webber inhabiting here during the second period of our history, among whom were Samuel, Thomas, and Joseph. Of the latter, we only know that he had grants of land from the town as a settler. Thomas married Mary, a sister of John Parker, a large landed proprietor on the Kennebec, where Thomas had lived before the first war. His family moved to Charlestown during the second war ; he left a widow and several children, one of whom was named Joseph. Mary Webber was a petitioner to Andross for a patent in 1687, of land granted her by the town six years before. Samuel was here as early as August, 1681, when he received a grant of the mill privilege on Long Creek, on which he erected the first mill which was built on that stream, and which he sold in 1685 to Silvanus Davis and John Skillings. He was a witness on the trial of George Burroughs in 1692 at Salem, and testified to his great strength.

\*[John and Nathaniel Wallis were born in Cornwall, England. Nathaniel, 1632 ; he died in Beverly, Massachusetts, October 18, 1709. Margaret, his widow, died May 14, 1711, aged about eighty-one. Their children were Caleb, Joshua, John, and Mary. Mary married Pike.]

He died in York, 1716, leaving a widow, Deborah, and nine children, viz: Samuel, John, Thomas, Benjamin, Waitstil, Joseph, Mary, wife of Joseph Sayward, Deborah, and Dorcas. [Deborah was born in Gloucester, 1695. Two others, twins, Waitstil and Patience, were born in Gloucester in 1698. After this he moved to York.]

There was also a family of Yorks here; Samuel, born 1678, and Benjamin, born 1680, were children and living here on the destruction of the town, as appears by depositions given by them in 1759; but we do not know who their father was. John York was one of the trustees of North Yarmouth in 1684, and it is not improbable that he was their ancestor. He was living in 1685, "on land which lieth in Casco bay in North Yarmouth, which was once possesed by John Atwell, who bought the same of Richard Bray, Sen., and there he inhabited till drove off by the Heathen." On the breaking up of North Yarmouth, in 1688, he probably took refuge in Falmouth.

[The Yorks who came to Portland were probably descended from Richard York who lived in Dover in 1648. He died in 1674, leaving a widow, Elizabeth; and Savage thinks was the father of Benjamin, Edward, and John. Benjamin was first taxed in Dover in 1677. July 22, 1670, James, Thomas, and Samuel York purchased of the Indians a large tract of land on the east side of the Androscoggin river, and styled themselves planters. A James York lived in Braintree, Massachusetts, where his son James was born, June 14, 1648, but moved to Connecticut, where he was made freeman, 1666. The son James living in Stonington, 1670, sold his estate in Boston, 1672, and died, 1678. Samuel who lived in Falmouth, in his deposition given in 1759, when he was eighty-one years old, says he lived in Falmouth seventy years ago. There was another Samuel in Gloucester, who died March 18, 1718, aged seventy-three, giving for his birth, 1645. He had by his wife Hannah, John, born 1695, and Thomas; in his will, other children are named, as Samuel and Benjamin. This son Sam-

uel was probably the settler in Falmouth, who was born in 1678, as was the Benjamin, born 1680. Samuel is supposed to have moved to Ipswich in 1689 or 1690, and "being arrived at old age," in 1767, made his will. Benjamin married Mary Giddings, 1704, and had six children born in Gloucester before 1728, in which year he was admitted an inhabitant of Falmouth. He had previously lived in Falmouth, before the Indian war of 1690, and was living there in 1759, when he was seventy-nine years old. We find on the Falmouth records the birth of Sarah, daughter of Benjamin and Mary York, April 6, 1724, and Joseph, son of same, August 6, 1728.]

We have not space to give a detailed account of all the settlers in Falmouth between the first and second wars, but we will now subjoin a catalogue of their names as far as we have been able to collect them. In the second war some families were probably entirely destroyed, others lost their male branches: in this way we may account for the fact that so few of the ancient names are found in our subsequent history.

NAMES.	RESIDENCE.
James Andrews,	New Casco, died in Boston, 1704.
*George Adams.	
Elisha Andrews,	New Casco, son of James.
Andrew Alger,	son of Andrew of Scarborough.
Thomas Baker,	Back Cove, was taken prisoner by Indians.
Henry Bailey,	Purpooduck.
Philip Barger.	
George Bartlett,	Spurwink.
Peter Bowdoin,	Neck.
Stephen Boutineau,	Neck.
Anthony Brackett,	Back Cove,
George Bramhall,	Neck.
Philip Le Bretton,	Purpooduck.
John Brown, Sen.,	Purpooduck.
*John Branford.	
Richard Broadridge,	Neck.

\* [Several of the above names I have met with for the first and only time in a petition to the government in 1689, which is copied entire in chapter IX, p. 283. They are styled in the petition "inhabitants of Falmouth," and although their names are not familiar, I am bound to believe that they speak truly; the names of such are marked by an asterisk.]

John Brown, Sen.,	Purpoodyuck.
George Burroughs,	Neck.
Joshua Brackett.	
Thomas Brown.	
Philip Carpenter,	Spurwink.
Thaddeus Clarke,	Neck,
Thomas Cloice,	Neck.
John Corney,	Neck,
John Culliver.	
Abraham Collings.	
*Henry Crosby.	
*Andrew Cranch.	
Ebenezer Davenport,	New Casco.
Isaac Davis,	Stroudwater.
Lawrence Davis,	Purpoodyuck.
Jacob Davis,	Purpoodyuck.
Silvanus Davis,	Neck.
John Davis,	Purpoodyuck.
Joseph Daniel.	
Henry Donnell,	Jewell's Island.
John Durham.	
Moses Durant.	
*Philip Edes.	
John Edwards,	Purpoodyuck.
*Thomas Enow.	
*George Felt,	New Casco.
James Freeze,	Neck.
Jacob Freeze,	Purpoodyuck.
Nicholas Freeby.	
Moses Felt.	
*John Frizell.	
*John Flea.	
Elihu Gullison,	
Edmund Gale,	Back Cove.
Robert Greason	Presumpscot,
Philip Gammon.	Purpoodyuck.
John Gustin or Augustine John,	Presumpscot.
John Graves.	
Robert Haines,	Purpoodyuck.
Peter Housing,	Presumpscot.
Henry Harwood,	Neck.
Philip Horman.	

John Holman,	Purpooduck, lived in North Yarmouth before first war.
Joseph Holmes,	New Casco.
Joseph Hodgedon,	Neck, moved to York about 1686.
Francis Haines.	
John Harris,	Purpooduck.
George Ingersoll,	Capisie.
George Ingersoll, Jr.,	Capisie.
John Ingersoll,	Capisie.
Joseph Ingersoll,	Capisie.
Samuel Ingersoll,	Capisie,
Dominicus Jordan,	Spurwink.
William James,	Purpooduck.
Francis Jefferies,	Neck.
John Jones,	Neck.
John Jordan,	son of Rev. Robert, of Spurwink.
Robert Jordan,	" " "
Samuel Jordan,	" " "
Jedediah Jordan,	" " "
Jeremiah Jordan,	" " "
John Lane,	Purpooduck.
Isaac Larrabee.	
Joshua Lane,	Back Cove.
Robert Lawrence,	Neck.
George Lewis,	Back Cove.
Philip Lewis,	Back Cove.
Anthony Libbee,	Moved to Portsmouth about 1685; he was a carpenter and brother-in-law of A. Brackett.
Thomas Loveitt,	Purpooduck.
*Henry Langmaid.	
*John Marshall.	
James Mariner,	Neck.
Joel Madefor, Sen.,	Purpooduck.
Wm. Mansfield.	
Dennis Morough,	Purpooduck.
Peter Morrell,	Neck.
Robert Morrell,	Neck.
Joel Madefor, Jr.	
Joseph Morgan,	Purpooduck.
Ephraim Marston.	
Robert Nicholls or Nicholson,	Presumpscot.
Francis Nichols,	Neck.

John Nicholson,	Neck, brother-in-law of Geo. Ingersoll, Jr.
Jonathan Orris,	Neck.
*Robert Oliver.	
*Thomas Paine.	
John Palmer,	Neck.
Thomas Page,	Purpooduck.
John Parrott,	Purpooduck.
Matthew Patten or Paullin,	Purpooduck.
Wm. Pearce.	Neck.
John Peadrick.	
Thomas Peck,	Back Cove.
Sampson Penley,	Purpooduck.
Joseph Phippen,	Purpooduck.
David Phippen,	Purpooduck.
Richard Pope,	Spurwink.
Richard Powsland or Powsley,	Capisic.
Samuel Pike,	New Casco.
*John Randall.	
John Rider,	Back Cove.
*James Randall.	
Wm. Rogers,	New Casco.
James Ross,	Back Cove.
*Thomas Roby.	
*Job Runnells.	
Richard Seacomb,	Neck and Back Cove.
*Andrew Shaw.	
John Seacomb.	
*Peter Shaw.	
John Smith,	Back Cove.
Leonard Slew,	Purpooduck.
John Skillings,	Stroudwater.
Thomas Sparke,	Spurwink.
Robert Staniford,	Purpooduck.
Thomas Staniford,	Purpooduck.
John Staniford,	Purpooduck.
Clement Swett,	Purpooduck.
*Robert Shares.	
Samuel Skillings.	
Lewis Tucker,	New Casco.
John Tucker,	New Casco.
Ralph Turner,	Purpooduck.
Edward Tyng,	Neck.
*Richard Thomlin.	

Nathaniel Wallis,	Back Cove.
John Wallis,	Purpoodyuck.
Josiah Wallis,	Purpoodyuck.
James Wallis,	Purpoodyuck.
Benjamin Wallis,	Purpoodyuck.
Joseph Wallis,	Purpoodyuck.
Thomas Wallis,	Purpoodyuck.
Samuel Webber,	Stroudwater.
Thomas Webber.	
Joseph Webber.	
Michael Webber,	Purpoodyuck.
Zachariah White,	Purpoodyuck.
Nathaniel White,	Purpoodyuck. He left only two children, Mary and Dorcas, who married Nathaniel and John Danford of Newbury.
Josiah White,	Purpoodyuck. Josiah had a daughter Meri- am, married Richard Suntay.
Nathaniel Wharff,	New Casco.
John Wheelden,	Stroudwater.
Nathaniel Webber.	
James Webber.	
Samuel York.	
Benjamin York.	

[The following tax list, discovered since the first edition of this work was published, furnishes me with some additional names. The tax for town charges in 1683, was twelve pounds sixteen shillings four pence. The province charges were seventeen pounds seventeen shillings ten pence. In the tax for 1683, were the following items, viz:

“Richard Powsland for money lent the town to go for Mr. Burroughs } £1.10.  
twenty or thirty shillings in good pay.

Anthony Brackett to pay part of Mr. Burroughs' passage, 5.

Passage, and boards and nails for ye ministers house and workmen, 5.5.

To John Ingersoll and George Ingersoll for one thousand boards to } 1.10.  
floor the meeting-house

“A rate made by the selectmen of the town of Falmouth, the 24th of November, 1684, on the real estate, and all vacant lands of the inhabitants of said town.

Mr. Nathaniel Frier, £0.19.5

Mrs. Jordan, Jeremiah's mother, 1.09.10

Robert Elliott, 9,

Wm. Lucas, 2.6

Samuel Sweat, 2.6

Mr. John Clark, 2.6

The warrant is directed to the constable of Spurrwink, Richmond's Island, and Cape Elizabeth : and is signed,

ANTHONY BRACKETT,	} Selectmen.]
WALTER GENDALL,	
GEORGE INGERSOLL,	
THADDEUS CLARKE,	

## II. AN ACCOUNT OF LIMERICK.

BY CHARLES FREEMAN.\*

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LIMERICK contains about fourteen thousand acres, or twenty-three square miles; being small in territory. Its surface is hilly, for the most part, and the hills are abrupt. Their summits are ledgy, but are covered mostly with a thin layer of earth. The ledges are composed of granite of a very coarse grain; too coarse to allow the stone to be used for buildings. The granite employed for underpinning and door-steps, comes almost wholly from Limington; some has been brought from Newfield; but the grain is coarser than that which is found near Portland and in Hallowell. In the ledges in Limerick, there are large irregular veins, where quartz and feld spar exist in small masses; and in these veins schorl is found in great plenty running in a vein of

[ \* The following biographical sketch of Mr. Freeman, the writer of the "Account of Limerick," is from an article in the Christian Mirror of May 12, 1857, prepared by his nephew, Mr. Charles Duren of Bangor :

### FAMILIAR RECOLLECTIONS OF REV. CHARLES FREEMAN.

"The memory of the just is blessed." Though more than three years have elapsed since the death of this excellent minister, yet his memory is cherished by many, and his example is useful to all. A very appropriate and truthful, but brief notice of him was given at the time; but I know not why some recollections of him, may not be as appropriate now as then. At the time of his death, he was one of the longest settled minister of the State. May one who, though he did not reside in the immediate sphere of his influence, yet when a youth had opportunity of familiar acquaintance with him, be permitted to offer this tribute to his memory.

Rev. Charles Freeman, late of Limerick, Maine, was the son of Hon. Samuel Freeman of Portland; where he was born June 3, 1794. His useful traits of character very much resembled those of his estimable father. He graduated at Bowdoin College in 1812. That same fall he entered the law

its own intermixed with quartz and feld spar. The quartz and feld spar are clear and white, except where long exposed to wind and rain. In the ledges are fissures of various directions and of small width, from one-fourth of an inch to one and one-half inches, which are filled with quartz of a reddish brown color; and there are also a few fissures of a dull blue granite of fine grain; these are between six inches and twelve feet in width, and are crossed by no other veins. A substance, thought to be magnesia, has been dug up in the meadow of Mr. Simeon Adams; but the account of it which I have received, does not correspond with the description of native magnesia in Cleaveland's Mineralogy. It has, however, been used medicinally with good effect as an absorbent, instead of magnesia.

Limerick has numerous mill-privileges considering its small extent. Two streams run through the town, one on the east side, and one on the west, and empty into Little Ossipee river. This river skirts the south of the town with a rapid shallow stream on a rocky bed. In the town are six saw-mills, three grist-mills, one carding-machine, and one mill for fulling and dressing cloth, but this last is not at present in operation.

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office of Nicholas Emery. In 1814, January 16, he united with the church with which his parents were connected, and of which Dr. Deane and Rev. I. Nichols were pastors. His mind was at this time much exercised with religious sentiments and experience, and he speaks of much intercourse with christian persons in Portland. So that in a year, January 20, 1815, his relation was transferred to Dr. Payson's church. August 8, 1816, he writes, — "Dr. Payson preached from John xvii. 15. This discourse almost or quite determined me to give myself to God in the ministry of the gospel." In the fall of this year he began the study of theology with Dr. Payson; and in September, 1817, was licensed by the Cumberland Association to preach at Gorham. In the year 1820, January 19, he was ordained pastor of the Congregational church in Limerick, and continued its pastor for thirty-three years and eight months, till his death. The services of ordination were performed by Rev. Edward Payson, D. D., of Portland, Rev. Jonathan Greenleaf of Wells, and Rev. Nathan Douglass of Alfred. He died September 19, 1853, of bronchial consumption. He was able to officiate more or less in the duties of the sanctuary till within one Sabbath of his death.

His wife was Nancy, a daughter of the Hon. Josiah Pierce of Baldwin, who died before him, leaving a family of children. A son, bearing his name, is in the practice of law in Boston.]

The prevalent forest trees are beech, maple, birch, ash, and white pine.

The soil has very little of clay or sand. In the lower part of the valley of the east stream flowing through the town, the ground is composed of round stones, from pebbles to stones six or more inches in diameter, which form a very hard solid mass as you go below the surface. The soil on such land is poor. The best land in the town is on the declivity of the hills.

2. SETTLEMENT, ETC. Limerick was settled about the year 1775. James Sullivan, Esq., afterward governor of Massachusetts, was one of the first settlers; and established their title to their lands. He labored for a while in the town, but did not fix his residence in it. The first settlers came with him from Saco and Biddeford. Some of the early inhabitants were from Ireland, and on this account it was called, in pleasantry, Limerick, after a city of this name in that island, and this name prevailed, and was adopted in the incorporation of the town. Berwick, in the next place, supplied settlers, and a few came from Kittery, York, Kennebunkport, and Scarborough, and at a later period several came from Newbury, in Massachusetts. The town was incorporated in 1787.\*

\* [This was the fiftieth town incorporated in Maine, and then contained a population of about four hundred. Three years after, by the United States Census of 1790, the number of inhabitants was four hundred and eleven. The population gradually increased until 1850, advancing in each decade as follows: 1800, eight hundred and twenty-nine; 1810, one thousand one hundred and seventeen; 1820, one thousand three hundred and seventy-seven; 1850, one thousand four hundred and seventy-three; in 1860, it fell to one thousand four hundred and forty-one. The town took the name which the plantation had previously borne, and this was given to it by James Sullivan, then a resident of Biddeford, and who afterward was attorney general, judge of the supreme court, and governor of Massachusetts, in which latter office he died in 1808. He was one of the proprietors of the plantation, and when the settlement commenced in 1772, and the plantation was afterward organized, his grandson, Thomas Amory, in his interesting biography of this distinguished man, says: "The proprietors honored him with the selection of its name. His father having been born in the city of Limerick, Ireland, this circumstance decided his choice." In 1774, all business being suspended, Mr. Amory remarks that Mr. Sullivan, "took his axe, week's provision, and in his blanket, frock, and trowsers, went to Limerick with the other settlers, most of whom were from Saco, and commenced felling trees to reduce his

3. HISTORY OF CHURCHES, ETC. Rev. John Adams of Newfield, once of Durham, New Hampshire, a graduate of Harvard University, preached in the town at an early period. July 5, 1795, the Congregational church was organized; and in November, 1795, the Rev. Edmund Eastman, a graduate of Dartmouth College was ordained. He died December 9, 1812. During his ministry, forty were added to the church. From this time to the close of 1819, there was occasional preaching, but no settled minister. During this period eleven were added to the church. January 19, 1820, Charles Freeman, a graduate of Bowdoin College, was ordained. From that time to the close of 1830, sixty-nine have been received into the church, and it now embraces seventy-nine members.

In the year 1796, a Calvinist Baptist church was formed, and the Rev. Ebenezer Kinsman was ordained over it. He retained his connection for eleven years, and in 1807 was dismissed; but after some interval he recommenced preaching to them; and has continued in the ministry here to this time, without however being the pastor of the church. The number of professors of this denomination now in town is forty.

The Freewill Baptist denomination commenced about 1780 in New Durham, New Hampshire, and it early began to prevail in the vicinity of Limerick. In 1814, a general excitement existed among them in the parts of Limerick and Newfield, near Dam's Mills. In 1821, they commenced a meeting in the center of Limerick, the first prominent speaker being a woman from New Hampshire. Elias Libby, a citizen of the town, soon took the lead of the meetings. In 1822, a church was organized of thirty members, and Mr. Libby was afterward ordained a preacher, and took the pastoral charge of the church. Various preachers have labored in the society, and in 1830, chiefly under the improvement of Elder Bridges, about seventy from Limerick, were added to the church by immersion, and numbers were added also from other towns, and now they reckon about one hundred in the church from Limerick, and fifty from other towns.

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lands to a state of cultivation, for the support of himself and his family. On Saturday he returned the distance of thirty miles, as black and cheerful as the natives, when they return from a successful hunt." — EDITOR.]

There are in the town a few families of the society of Friends.

4. NUMBER OF EDUCATED MEN. There are four persons in town who have had a collegiate education. These are two lawyers and two physicians, one of whom only practices at present. The academy is now in a flourishing state, and sixty students attend it this fall.<sup>1</sup> The number of scholars is larger at this time of the year than at any other, as many young men attend for the purpose of being qualified to keep school in the winter. Of the seventy-two scholars on the catalogue for the present term, twenty are pursuing classical studies.\*

5. OCCUPATIONS OF THE INHABITANTS, ETC. Nine-tenths of the inhabitants are employed in agriculture. Their money they obtain chiefly by the sale of live stock of neat cattle and horses. The cattle have been sold to butchers near Portland; but more recently they have been sold to drovers who have carried them to Brighton; and several traders have purchased them, and had them driven there for sale. Hay is the most valuable growth of the soil, and for this the land is very suitable. Some cattle are driven in the spring from Scarborough and other lower towns to be pastured in Limerick and other adjacent country for growth or to be fatted. Much of the land cannot be ploughed to advantage from its being very moist, and falling or settling down heavy after being turned up. The higher and better land needs to be broken up or ploughed after bearing grass for several years in succession. Next to grass, corn and potatoes are the principal articles of produce. Oats and rye are raised, but in small quantities. By far the greatest part of the wheat used in the town, is raised in it, but the climate is not so favorable to it as to corn, the summers being too hot for summer wheat, and the winters too cold for winter wheat; but the seasons, when corn fails from the moisture and cold, are usually very favorable to wheat. Butter is made in large quantities, and sold at the country stores, or

<sup>1</sup> Autumn, 1830. [The lawyers were Joseph Howard and John McDonald. The practicing physician, William Swazey.]

\*[The academy was incorporated in 1808. It was one of the last acts of Governor Sullivan's life and administration to sign the act of incorporation, which he took great pleasure in doing, for the early interest he had in the town as proprietor and pioneer, and to which he had given its name. A new academy building was erected in 1851.—*Ed.*]

else is kept till winter by the wealthier farmers, and then carried to a seaport to market. A quantity of cheese is also sold. Orchards do well, and more cider is made than is for the interest of the town.

Fencing is chiefly stone wall for which there is about a sufficiency of stone on the ground. There is no cedar or other durable wood in sufficient plenty in this town or the neighboring towns for fencing. For temporary fences, and for lands occupied by tenants and those who do not choose or are not able to incur much present labor, board fences are generally used. There is still some log fence, but stone walls are prevailing.

LUMBER. Considerable quantities of boards are sawed in town, from timber growing on the land, which are hauled by oxen to Portland. Some square timber is also carried down. Saco and Kennebunk and Kennebunkport are markets to which there is some resort. Shingles also are made, and are sold in small quantities to traders in the town, who afterward send them to market. Some clapboards are made also; but the quantity of shingles made is small, and of clapboards much less.

MANUFACTURES. A flock of sheep is owned in every farmer's family. Some of the wool is sold in fleeces; but it is chiefly made into cloth; and this supplies the wants of the family, assists in paying laborers, and is bartered at the stores; but these two last items are small. Not more than one-eighth of the woolen worn in the town by the men, is from factories foreign or domestic; but a larger proportion is worn by women. Woolen cloth is the most important domestic manufacture; and the work for which young women are hired is principally to spin and weave. Few put out their wool to be manufactured from home.

The next manufacture is of cotton. Though cotton factory cloth is now so cheap, yet some cotton cloth is still made in families; the warp being spun from cotton, and the filling, or woof, being usually factory cotton thread. This cloth is stouter than factory cotton, and wears longer; and therefore is thought by some to be cheaper to them on the whole, though the first cost is greater. For laboring men, or any men who take much exercise, domestic woolens will last nearly twice as long as factory woolens, and will only cost about half the amount per yard;

but the difference is much smaller, and is not perhaps more than one-third in favor of domestic cottons.

Flax is another article manufactured in the family. Most farmers have a patch of flax. This is pulled, and spread on the ground in the fall, to rot the stalk, and then it is bound up in small bundles, and laid by itself in the barn; and in the clear, dry days at the close of winter, when the stalk will break most readily, it is broken and then beaten, or swingled; and it is wrought into cloth, either all linen, or linen and cotton. Only coarse fabrics are made of it. Since shoes and boots are pegged instead of being sewed less attention is paid to the growing of flax. Chaises have been made in the town for six or seven years, and have met with a ready sale. Wagons for a single horse have been made some years longer, and are made in greater numbers. About fifty-four wagons are owned in the town; and about thirty-one chaises, whereas ten years ago there were but about six; and there are, besides, some chaises and wagons owned for sale. Some gigs are also made.

Bureaus, chairs, and other articles of cabinet work are made; and shoes and hats also are made in such quantities, as to be sent abroad into other parts of the country for sale. Leather is made here in a considerable quantity, in part from foreign hides, and a quantity of leather is carried away to market.

COURSE OF TRADE. Portland is the principal market, though there is some resort to Saco, Kennebunk, and Kennebunkport. They who saw boards send them to market generally by their own teams, and they bring back cash, West India produce, or manufactured goods. Cash is obtained principally by boards. In winter sleigh loads of butter and pork are carried by single horses to market. In the spring, summer, and fall, butter is taken to the neighboring stores, and is bartered there; and is then sent to market by the traders in kegs, firkins, or barrels, and sold for money, or given in payment for foreign goods. Different kinds of grain, Indian corn being by far the principal article, are carried to the stores in the same manner, and by the traders are sent to market. Barter is almost the only method of trading. The several mechanics, blacksmiths, shoemakers, and others, are paid chiefly in produce or mechanical articles; and

farmers exchange their productions chiefly for what they consume in their families.

6. MEETING-HOUSES, ETC. There are three meeting-houses, the Congregational, the Calvinist Baptist, and the Free-will Baptist. There is an Academy, which stands on a hill near the village, and visible from the Portland observatory, though probably more than twenty-five miles distant on an air line. There are eight district school-houses. Saw-mills, six; grist-mills, three; carding-machine, one; tanneries, five; taverns, three; stores, five.

#### 7. PUBLIC INSTITUTIONS, ASSOCIATIONS, ETC.

Limerick Female Cent. Society organized	1815.	28 members.
" Female Tract Society "	1823.	32 "
" Congregational Sab. School Society	1827.	30 "
" Temperance Society organized	1828.	35 "
" Branch Bible Society "	1828.	50 "
" Academy Temperance Society	1829.	120 "
" Free-will Bap. Sab. School Society	1829.	

8. OBSERVATIONS ON THE WEATHER — DEATHS. The air is pure and salubrious. The inhabitants are not very liable to fevers. Consumption is the most prevalent disease.

TABLE OF DEATHS IN LIMERICK.

1796.	4, all children,	1813.	12.
1797.	3 "	1814.	3.
1798.	10 — 5 children.	1815.	12.
1799.	25 — 16 "	1816.	13 — 11 children.
1800.	6.	1817.	8.
1801.	5.	1818.	12.
1802.	5.	1819.	21.
1803.	18 — 12 children.	1820.	17.
1804.	13 — 8 "	1821.	8.
1805.	17 — 9 "	1822.	18.
1806.	10.	1823.	11.
1807.	10 — 6 "	1824.	22 — 9 children.
1808.	9.	1825.	24.
1809.	13 — 7 "	1826.	20.
1810.	6 — 4 "	1827.	19.
1811.	13.	1828.	20.
1812.	12.	1829.	22.

In 1799, an unusual mortality prevailed; and the throat distemper carried off many children in a sudden manner. Rev. Ebenezer Kinsman lost four in a few weeks; and four of Mr. John Perry's also died. In 1810, the town contained one thousand one hundred and seventy-seven inhabitants, and in 1820, one thousand three hundred and seventy-seven, so that between these dates, the deaths on an average, will be about one to one hundred and twenty-four of the population yearly. In 1830, the population was one thousand four hundred and twenty.

## DEATHS OF AGED PERSONS.

1802. Elijah Allen, aged	88.	1826. Widow Lewis, aged	95.
1803. Ebenezer Barker,	87.	1827. Betsey Allen,	86.
1818. John Hodgdon,	90.	1827. Sarah Rogers,	97.
1819. Mr. Fogg,	84.	1827. Amos Brown,	87.
1825. Eliza Felch,	90.	1828. Widow Libby,	86.
1825. Margaret Allen,	89.	1829. John Walton,	88.
1826. Judeth Hale,	91.	1830. John Bryant,	86.
1826. Patrick Furlong,	86.		

9. INDIAN HISTORY. Limerick probably was never much frequented by Indians. When the natives infested the settlements on the sea-coast, they came from Canada, by the Kennebec, the Androscoggin, the Saco, or over the lakes of New Hampshire by Dover. Settlements were made in New Hampshire, and in Picqwaket, now Fryeburg, before they were made here. The only trace of former inhabitants that has come to my knowledge is this. Mr. Jonathan Hill, in digging the cellar of his house, where the land had not been before cleared, about three feet below the surface, came to rocks that appeared to have been laid together for a fireplace. Stone fireplaces in new settlements are made thus: large rocks, with their sides fronting, compose the back, and rocks, with longitudinal fronts, form the jambs; but in this fireplace, the ends of the rocks made the front of the jambs. Much ashes lay about the fireplace, and also some pieces of earthen-ware.

The word Ossipee is, I presume, of Indian origin, and from its prevalence may be supposed to have been the name of a tribe in earlier days of Indian history. There are two rivers called Ossipee, Great Ossipee and Little Ossipee. There is a hill in Waterborough adjoining Limerick, called Ossipee. There is a pond

in New Hampshire, the source of the Great Ossipee, and there is a mountain near it, both of which have the name of Ossipee.

10. DESCRIPTION OF THE FACE OF THE COUNTRY, ETC. As you travel from Portland west toward Limerick, a new description of country commences when you cross the Little Ossipee into Limerick. You leave a country generally level, and clayey or sandy, and you enter upon a hard soil, and meet with more rugged hills; and as you travel west from Limerick, you find the hills swelling to mountains, but amidst these mountains are level tracts affording an opportunity for making easy roads. From Limerick the White Mountains are visible in part, distant about forty-five miles in a straight line; and Mt. Washington may be seen with the tracks of its slips, like the avalanches of the Alps, very distinctly marked, when not covered with snow.

11. STATE OF MORALS, RELIGION, AND LEARNING. Within fifteen years there has been a very obvious improvement in morals. The number of professors of religion of all denominations has doubled in this time. The use of ardent spirits has declined so that perhaps not more than one-third the former quantity is drank; and criminal prosecutions have much diminished. The number of people who attend worship in the center of the town, is four times greater than it was fifteen years ago. The Calvinist Baptist church has increased some, and there are now forty professors of this denomination in town. The Congregational church has more than tripled, and now contains seventy-nine members; and the Free Will Baptist professors in town have increased from about forty to about one hundred and forty in the whole town. There is a general desire for learning, and the Academy is well frequented, and numbers of young men and young women from Limerick are employed as school teachers in neighboring towns. There are five young men from the town now in several colleges. Seven young men of the town are practicing physicians in different places. One only has yet entered into the profession of the law. A newspaper is printed in the town, for the Free Will Baptist denomination, which circulates in most States of the Union.

LIMERICK CORNER is a compact village. It contains thirty-seven dwelling-houses and thirty-eight families. In 1824, it con-

tained thirty-two families and twenty-nine dwelling-houses. It has five stores.

Blacksmiths' shops, . . . . .	4
Cabinetmakers', chaise, and wagon shops, . . . . .	4
Shoemakers' shops, . . . . .	4
Tanneries, . . . . .	3
Hatmakers, . . . . .	2
Lawyers' offices, . . . . .	2
Mantuamaker, . . . . .	1
Tailor, . . . . .	1
Harnessmakers and chaise trimmers, . . . . .	2
Housecarpenter, . . . . .	1
Printing office, . . . . .	1
Academy, . . . . .	1
Meeting-houses, . . . . .	3
School-house, with two apartments, . . . . .	1
Congregational vestry and old school-house, . . . . .	1

### III. AN ACCOUNT OF WELLS.

BY JEREMIAH HUBBARD AND JONATHAN GREENLEAF.

*Prepared, July, 1825.*

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**SITUATION AND BOUNDARIES.** This town is situated in north latitude forty-three degrees and twenty minutes, and west longitude seventy degrees and thirty-five minutes. It is bounded on the south-west by a line which divides it from the town of York, beginning at the west corner of Wells bay, and running north-west nearly eight miles to a noted spring, called "Baker's spring,"<sup>1</sup> at the east corner of Berwick; thence by Berwick line about north by west to the south corner of Sanford, thence north-east by Sanford about four miles to a small river, commonly called the Branch river; thence by said river, which divides it from Kennebunk in nearly a south-east direction to the sea, and thence by Wells bay, in a direction nearly south-west, eight miles and a half, to the bounds first mentioned; containing about thirty-five thousand acres. The original grant included the town of Kennebunk, and was nearly double to what is above stated.

**RIVERS AND HARBORS.** The town of Wells is well watered. There are nine small rivers or brooks running through the town in various directions, which have water sufficient to carry mills a part of the year. On these streams there are now in operation, sixteen saw-mills, ten grist-mills, and one fulling-mill. One

<sup>1</sup>The name of this spring is said to have arisen from the following circumstance. A man named Baker, who was active in bringing King Charles the First to the block, fled from England on the accession of Charles the Second, and concealed himself for some time in the wilderness near the spring.—*See Mass. Hist. Col.*, vol. 3, p. 8.

of these streams runs in a south-west direction into Berwick ; the others run south-easterly, and after they fall into the marsh form three rivers which run into the sea. The principal of these rivers is near the center of the town. The Indians called it Webhannet river, but it is now generally called "the town river." At the place where it discharges itself into the sea, a considerable harbor is formed, but a bar of sand renders the entrance into it somewhat difficult. In common tides the depth on the bar at high water is about nine feet, and at low water not more than two feet. Anciently, all the traveling from York to Saco was on the beach, and the river was forded on the bar. In the southerly part of the town, the Ogunquit river forms another harbor which can be entered by small vessels only ; the depth of water there being but about eight feet. There is one remarkable fact respecting this river. Within the memory of men now living, its outlet into the sea has shifted nearly a mile. It formerly ran out about where it now does ; but in a great storm the outlet became somewhat obstructed, and the main river broke through the beach nearly a mile to the eastward. The river having thus found vent, its former channel was wholly filled. However, the river gradually wore away the beach, and with it a small island which lay very near to it, and in a few years regained its former channel, where it has ever since remained.

At the session of Congress in January, 1824, a grant was made to Wells of the sum of five thousand dollars, for the purpose of improving the main harbor in the town. With this aid a pier of eight hundred feet in length was erected in the summer of 1825.

**SOIL AND PRODUCTIONS.** Wells contains a great variety of soil, though its general character is sandy. Without being at the trouble of actual survey, it may be presumed that the following estimate of the quantities of the different kinds of soil in the town may be relied on as tolerably correct :

	ACRES.
Salt marsh, . . . . .	1,800
Natural meadows, . . . . .	300
Very good land, under improvement, . . . . .	5,000
Clay and loam, under improvement, . . . . .	1,200

Low and heathy land, mostly covered with bushes, but capable of improvement, . . . . .	800
Barren heath, . . . . .	600
Ledges and beaches, generally unimprovable, . . . . .	900
Pitch-pine plains, scarce worth improving, . . . . .	5,000
Sandy and gravelly land, rather poor, . . . . .	9,400
Land capable of improvement, but covered at present with wood and timber, . . . . .	10,000
Total, . . . . .	<u>35,000</u>

It will be perceived by the above estimate that about six thousand five hundred acres of land in Wells, being almost a fifth part of the whole town, may be considered waste land, being barren heaths, ledges, beaches, and pitch-pine plains. The plains, however, are still valuable for what wood and timber may remain on them. It will also be seen that nearly one-fourth part of the town is considered as poor land, viz: the sandy and gravelly soils. They are improved, but require much manure, or they will scarce pay for the labor of cultivation. The salt marsh is generally considered poor, some parts of it having failed very much within the memory of the present inhabitants. The average crop of hay on the marsh does not exceed half a ton from the acre, but the hay is considered of a very good quality. The time of cutting the marshes is during the neap tides in August and September. They were formerly cut a month or two later, and it has been thought by some that early cutting has injured them.

The heathy land is capable of being made very productive. Some experiments have been made upon it, enough to show that when subdued, it will become some of the most valuable land in the town. Experiments have also been made on what is termed the fresh marsh, which is a strip of heathy land lying between the salt marsh and the high land. In some places it is ten or twelve rods in width, and is generally covered with alder-bushes. It is seldom, if ever, flowed by the sea. This ground may be ploughed in the dry part of the season, and with considerable labor and expense may be subdued. It will then afford a heavy burden of the best grass, and is not liable to bind out like the higher lands. Had the inhabitants heretofore depended less on their salt marshes, and paid more attention to the cultivation of

their grass lands, their farms would have been far more valuable than they now are. They are beginning to perceive this, and a spirit of improvement is visible.

The productions of Wells are such as are common on the same soils through the country. The sea dressing, of which vast quantities are hauled on to the ground, enables the people to raise Indian corn, and in some cases grain, to good advantage. It is doubtful, however, whether a supply of corn and grain is raised in the town for the use of the inhabitants. The average crop of corn does not exceed twenty bushels from the acre; of wheat, six bushels from the sowing of one; of potatoes, one hundred and sixty bushels from the acre; and of other productions about in the same proportion. Clams in great abundance are dug from the flats.

**TRADE.** The difficulty attending the entrance into the principal harbor in the town has prevented the increase of trade at this place, although there have not been wanting those who have overcome all these difficulties, and rendered merchandising more or less profitable. The principal article of export from the town is wood, which has been sent to Boston, Salem, and Newburyport. It is estimated that not less than fifteen hundred cords of hard wood and fifteen hundred cords of pine are annually exported from Wells; one half of which is supposed to be cut in the town, and the remainder in the towns adjoining. Several of the largest vessels owned here are constantly employed in the West India trade. The total amount of shipping owned in the town is about six hundred tons. Considerable ship timber is cut in the town, and vessels of various sizes are built here from year to year.

Trade has increased considerably in Wells within ten years past. There are now in the town eleven stores, in several of which business is transacted to a very considerable amount. There are also in the town eight houses of public entertainment.\*

\*[The Portland, Saco, and Portsmouth Railroad, which crosses the north-western part of the town, has made a serious diversion in the trade and hotels. Wood and lumber, now, instead of going to the shipping, are transported by rail, and the few travelers on the common roads, render tavern-keeping a profitless occupation. There is a large hotel on the beach, which is much patronized in summer by persons who are in search of sea air and bathing.—*Ed.*]

STATE OF LEARNING. Wells is divided into fourteen School Districts, in which schools are kept from two to six months in the winter season, and as much longer in the summer. The general character of the common schools is low.

There is not a person living in the town who has received a public education at any college, and it is not known that more than seven native inhabitants have ever been thus educated. Hon. Nathaniel Wells and Mr. Josiah Clark were educated at Harvard College, and were both of the class of 1760. Rev. Nathaniel Wells, now the minister of Deerfield in New Hampshire, was educated at Dartmouth College, and was of the class of 1795.

Samuel Morrill, M. D., of Boston, was graduated at Bowdoin College in 1821, and Mr. James Furbish completed his collegiate course at Cambridge in 1825.

Of the six ministers who have been settled in the town, five of them were graduates. Rev. Samuel Emery, Rev. Samuel Jefferts, Rev. Gideon Richardson, and Rev. Moses Hemmenway, D. D., were all educated at Harvard College, and were of the classes of 1691, 1722, 1749, and 1755. The Rev. Benjamin White was from Dartmouth College, and of the class of 1807. In 1792, Dr. Hemmenway received the degree of S. T. D., both from Harvard and Dartmouth Colleges.

HISTORY. The first settlers of Wells came from Exeter, in New Hampshire, but the precise date of their settlement is unknown. It is conjectured to have taken place about the year 1640. There is no evidence that the land was ever purchased of the Indians. One Wawwaw, a noted Indian Chief, lived in the town something more than eighty years, and pretended to claim this and some adjoining towns.

The original charter of the town is preserved in the town record, and is in the following words: "Whereas, Mr. Hutchinson, Mr. Needham, and some others of the plantation of Exeter, have been with me, Thomas Gorges, superintendent of the affairs of Sir Ferdinando Gorges, knight, lord proprietor of the province of Mayne, and have desired in behalf of themselves and others to take a certain tract of land lying between Ogunquitt river and Kennebunk, and for eight miles up in the country; but whereas

a part of the said land (as I heard) is claimed by Mr. Stratton and others, I cannot for the present give any farther answer than this: That all the right and interest Sir Ferdinando Gorges hath in the said land shall be freely granted unto them. Reserving to Sir Ferdinando Gorges five shillings for every hundred acres of land, as well as marsh and uplands that they shall manure, and to me, Thomas Gorges, the priety of Ogunquitt river, of which I have desired a patent, which when I have received, I do promise to surrender upon reasonable demands any thing that may be beneficial to them, not doing myself any notable damage, in the mean while they have free liberty to build and take up any lands that are therein Sir Ferdinando Gorges' power to grant, to have and to hold them, and their heirs and assigns forever. Given under my hand Sept. 27th, 1643.      Tuo : GORGES."

Among the original settlers at Wells, was the Rev. John Wheelwright, who had been banished from Boston for holding Antinomian sentiments. He assisted in founding Exeter, but a dispute soon arose there between him and Capt. Underhill, as they said, respecting religion, but as others said, respecting which of them should be governor. Be this as it may, the contention was so sharp between them that they went asunder, and Mr. Wheelwright came to Wells. The Mr. Hutchinson, mentioned in the charter, was probably Mr. Edward Hutchinson, the husband or the son of the celebrated Ann Hutchinson, the sister of John Wheelwright, whose name stands conspicuously in the religious dissensions of that day.<sup>1</sup>

<sup>1</sup>Gov. Sullivan says this was the husband of Ann Hutchinson, but he states also that this same Mr. Hutchinson died in Rhode Island, in 1642. But the aforesaid charter is dated September, 1643, and if Sullivan's date of his death is correct, the person who came to Wells must have been his son, or perhaps some other relative. But it may have been the husband of Ann, and the date of his death as stated by Sullivan, may be correct. [The husband of the celebrated Ann Hutchinson was William, the eldest son of Susannah Hutchinson, who came over with her family to Boston in 1634, accompanied by Rev. John Wheelwright, who married her daughter Mary. The maiden name of Ann, the wife of William, was Marberry. The other sons were Richard, Edward, and Samuel. In the previous persecution of the Government against this family for their antinomian sentiments, these enterprising and valuable people were driven from the field which they would have cultivated and adorned. William and his wife went to Rhode Island in 1638,

About two months prior to the date of the charter, the following instrument was issued by Thomas Gorges for surveying the town :

“ Witnesseth these presents that I Thomas Gorges, Deputy Governor of the province of Mayne, according unto the power unto me given from Sir Ferdinando Gorges, knight, lord proprietor of the said province, have for divers good causes and considerations in and thereunto moving, given and granted unto Mr. John Wheelwright, minister of God’s word, Mr. Henry Boads, and Mr. Edward Rishworth of Wells, full and absolute power to alot bounds and sett forth any lott or bounds unto any man that shall come to inhabit in the plantation, themselves paying for any land they hold from Sir Ferdinando Gorges five shillings for every hundred acres they make use of, the rest five shillings for every hundred acres that shall be allotted unto them by the said Mr. John Wheelwright, Henry Boads, and Edward Rishworth. The bounds of the plantation to begin from the north-east side of Ogunquitt river to the south-west side of Kennebunk river, and to run eight miles up into the country, and in case differences arise between the said Mr. John Wheelwright, Henry Boads, and Edward Rishworth, concerning the admission of any man into the plantation, or of bounding any land, the said difference shall be determined by the agent or agents or Sir Ferdinando Gorges, to whom full power is reserved of admitting any one into the aforesaid limitt. Given under my hand and seal at Armes this 14th July, 1643. THO: GORGES.”

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and were the founders of that colony ; he was chosen one of the first magistrates, and resided there until his death in 1642. Richard returned to England, and became a wealthy merchant in London. Edward also went back to England, and did not return. Samuel became a retired scholar in Boston, and died, unmarried, in 1667. The mother, Mrs. Susannah Hutchinson, died in Wells in 1642. The “ Mr. Hutchinson ” mentioned in Gorges’ grant above quoted, was no doubt *Edward*, the son of William and Ann. He was born in England about 1608, came over in 1633, and was the nephew of Mr. Wheelwright’s wife. He became a very prominent man in the civil and military affairs of the Colony of Massachusetts, firmly resisted the persecution of the Quakers, and was otherwise distinguished for manly qualities. He died of wounds received from the Indians in 1675, in a treacherous assault by them. It is not probable that he ever resided in Wells, but was desirous of speculating in land there, as he did in several places in the neighborhood of Boston.—*Ed.*]

The following instrument relating to the plantation of Wells has also been preserved, at the bottom of the above grant :

“ Saco—Memo. at a court holden here the 14th day of August, 1644, this grant was here exhibited, and is by us allowed; for further confirmation we have hereunto sett our hands in court the day and year above written.

RICH. VINES, Dep. Gov.

HENRY JOCELINE.

RICH. BONIGHTON.

NICHOLAS SHAPLEIGH.

FRANCIS ROBINSON.

ROGER GARD.”

The Mr. Rishworth, mentioned in the foregoing instrument, is well known in the ancient annals of MAINE. It is, however, doubtful whether he was an inhabitant of Wells for any considerable time. Mr. Wheelwright resided in Wells for a few years, and was useful and active in promoting the settlement.<sup>1</sup> He received a grant of land in the town, known for many years by the name of “ the Wheelwright farm.” It extended from the neck of land south of the meeting-house to the Ogunquit river, and from the road then traveled to the sea. He had two deeds which covered the property. They are as follows :

“ Know all men by these presents, that I, Thomas Gorges, deputy govr. of the Province of Mayne, according unto the power unto me granted from Sir Ferdinando Gorges, knight, proprietor of the said Province, being hereunto especially moved, for divers good reasons and considerations, have given, granted, bargained, sayled, enfeofed and confirmed, and by these presents do give, grant, bargain, sell, enfeof and confirm unto Mr. John Wheelwright, pastor of the church of Exeter, his heirs and assigns, a tract of land lying at Wells, in the county of Summer-sett, to be bounded as followeth, viz: all that neck of land next adjacent to the marsh on the north-east of Ogunquitt river, with sixscore acres of the said marsh, next adjacent to the said neck of land, being bounded toward the sea with a crick of Ogunkigg river; also two hundred and fourscore acres of upland, being next adjacent on the north-west of the said marsh, the said neck being

<sup>1</sup> Rishworth married Wheelwright's daughter; he lived in York many years, and probably died there. [Farmer says he was living in 1683; he represented York in the General Court in 1679, the last year in which Maine had a representation in the Colonial Legislature.—*Ed.*]

included within the said number of two hundred and eighty acres, the said premises to have and to hold unto him the said John Wheelwright his heirs and assigns forever, yielding therefor and paying unto the said Sir Ferdinando Gorges, his heirs and assigns, on the 29th of September yearly, and forever hereafter, the sum of five shillings for every hundred acres that shall hereafter be made use of, either by inclosure or otherwise, for meadow or tillage, by the said John Wheelwright, his heirs or assigns. In witness whereof I have hereunto set my hand and seal at Armes this 17th April 1643. Thomas Gorges dept. Gov. Gorgeana. Signed, sealed and delivered in the presence of us Joseph Hull, Will. Coole.

"Vera copia taken out of the original. Edw. Rishworth, Rec."

The second deed was from Boad & Rishworth, who, with himself, were commissioned by Thomas Gorges to "lot out" the town. It here follows:

"Know all men by these presents, that we Henry Boad and Edward Rishworth, do, according to power given unto us, grant and allot unto John Wheelwright, pastor of the church in Hampton, all that tract of land lying betwixt Ogunquett river and his farme, except that which is already allotted unto John Crosse, which tract of upland is bounded on the south-east side with the marshes, and on the north-west side is to be bounded with a streight line from his, the said John Wheelwright's fence, set up on the northwest side of his farme to the said river of Ogunquett, to have and to hold the said land to him and his heirs forever. In witness whereof we have hereunto sett our hands, Nov. 25th, 1651;

HENRY BOAD.

EDWARD RISHWORTH.

"This deed recorded March 26, 1653."

Mr. Wheelwright remained at Wells but a few years. He then removed to Hampton,\* and afterward to Salisbury, on Merrimac river, where he died suddenly Nov. 15th, 1679. Sev-

\*[Mr. Wheelwright went to Hampton in 1647, as colleague of the Rev. Mr. Dalton. In a few years after, he went to England, where he was in favor with Cromwell. On the accession of Charles II. to the throne, 1660, he returned to New England. He is supposed to have been eighty-five years old at his death.—*Ed.*]

eral families of Mr. Wheelwright's descendants of the fifth and sixth generations are still living in the town. His son, Samuel Wheelwright, Esq., was a man of much respectability in the town, and died here in the year 1700. His grandson was Hon. John Wheelwright, a man much distinguished in the public annals of that day. He died in 1745.

Among the early inhabitants of Wells, was Francis Littlefield, who came from England, and settled here. He was the eldest son of a respectable family, and having been absent several years, his parents supposing him to be dead, named another son Francis. In process of time he also pushed his fortune in what was then called "the New World," and coming to Wells, he here found his long lost brother. Francis the elder had settled on a farm near the present meeting-house, and Francis the younger took a farm a little to the southward of it. Another brother subsequently came to Wells, and from these three all of this name in the country are supposed to be descended. The families are numerous in Wells. No less than sixty-eight legal voters of this name are at present on the town list.

On the 20th of March, 1716, the inhabitants formed themselves into a regular proprietary. Thirty-five proprietors were then numbered. The town suffered much during the Indian wars near the close of the seventeenth and commencement of the eighteenth century, but was not finally broken up. A particular account of these troubles being preserved in Mather's *Magnalia*, is here omitted.

**ECCLESIASTICAL AFFAIRS.** There is good reason to believe that many of the first inhabitants of Wells were religious persons, and there is some evidence of the existence of a church here soon after the settlement of the town. Authentic accounts have been transmitted to this time of difficulties which arose on account of religion when the people submitted to Massachusetts in 1653, particularly as some claimed to be a church. Bellingham, the Deputy Governor, and the other commissioners, took a summary way to end the dispute by pronouncing them no church. Whether the persons referred to had been organized as a church or not, is uncertain, but we hear of nothing more of the kind for nearly fifty years. But the people were not destitute of stated

religious worship. In July, 1661, the county court ordered that Mr. Ezekiel Knight and Mr. William Hammond should take the lead of a religious meeting at Wells on the Sabbath, when they were unprovided with a minister,<sup>1</sup> so careful were those in authority, that the public worship of God should be maintained. But a minister was soon provided. The practice of the people was to agree with a person to preach, and give him a stipulated sum as an annual salary as long as he saw fit to remain. As there was no church in the town, no ecclesiastical forms were observed in the induction of any minister, nor any at his dismissal. The natural consequence of this practice was the employment of many ministers, and frequent changes. Six ministers were employed in this way in the space of about thirty-seven years. The first was Mr. Joseph Emerson, of York. He was hired in 1664, and remained the minister of Wells between two and three years. In April, 1667, the town made an agreement with Mr. Jeremiah Hubbard, he agreeing to remain seven years. His salary was to be fifty pounds a year, with a settlement of thirty-three pounds. The town agreed to give him also one-half of the parish lands, and to assist him in building a house, and in case he found it more convenient to build his house on the parish land, the town agreed to buy the house of him when he removed. But for some reasons, now unknown, Mr. Hubbard staid in Wells but about four months, and in September of the same year, Mr. Robert Payne was engaged as the minister of the town, and remained with the people five years. A house was built for him on the town lot, and he was allowed a salary of forty-five pounds annually. On September 2d, 1672, an agreement was made with Mr. John Buss, who officiated as the minister of Wells at least ten years. His salary was sixty pounds, with the use of the parsonage house and land, and a contribution in labor annually. His salary was to be paid thus: five pounds in money, and the remainder in specific articles at the following prices, viz., wheat at five shillings per bushel, corn at four shillings per bushel, beef at four pence per pound, and boards at four shillings per hundred. Mr. Buss preached afterward at Oyster river, now Durham, in New Hampshire.

<sup>1</sup> Common Pleas Records for the county of York—pamphlet B, page 43.

He was there called Doctor Buss, had the reputation of a very pious and worthy man, and died there at the advanced age of one hundred and eight years. After he left Wells, in 1683, the town agreed with Mr. Percival Greene as their minister, who appears to have remained with them between five and six years. His salary was fifty pounds and the parsonage. On June 21st, 1689, the town agreed with Richard Marten, who was then living in Wells, in the capacity of a school-master, to become their minister. They voted him the use of the parsonage, and a yearly salary of fifty pounds, to be paid in specific articles, thus : wheat at four shillings per bushels, rye at two shillings and six pence, peas at four shillings, pork at two and a half pence per pound, boards at nineteen shillings per thousand, and staves at seventeen shillings per thousand. How long he remained with them, is unknown. Mr. Greene and Mr. Marten were both graduates from Harvard College, and both of the class of 1680, but are not marked as ministers in the catalogue. It is a tradition among the people that the celebrated George Burroughs, who was executed for witchcraft in 1692, was preaching in Wells at that time, and was apprehended in the meeting-house on the Sabbath, but there is no record of any such proceeding.

In the month of October, 1701, the present church was formed. Mr. Samuel Emery had been preaching in Wells several years. In 1698, the ancient record speaks of him as "the minister of the town." He had married in Wells before this, and in August of the same year, the birth of a child of his is recorded. The town had suffered considerably during the Indian wars, and the meeting-houses had been burnt, but it would seem the settlement was advancing. In November, 1699, the town voted to build a new meeting-house on the site of the old one, and at the annual town meeting in March, 1701, an agreement was entered into by the town with Mr. Emery for his subsequent support. His salary was forty-five pounds, one-half to be paid in money and the other in "merchantable provisions" at the following prices: wheat at five shillings per bushel, corn at three shillings per bushel, rye at three shillings and six pence per bushel, pork at three pence per pound, beef at two pence per pound, and to cut and bring to his house twenty-five cords of wood. The use of the town land and

marsh was also allowed him, and an outright gift made to him of one hundred acres of land in the town, and ten acres of salt marsh. Mr. Emery lived in his own house, but the town agreed to repair it at their expense, and to build him a study. In October of that year, the churches of Newbury, Portsmouth, Dover, and York, were invited and met in council, a church of twelve persons was duly organized, and Mr. Emery was ordained. He remained the minister of Wells until his death, which took place suddenly in December, 1724, while he was absent from home, on a visit at Winter Harbor, in Biddeford. His body was brought to Wells and buried. Rev. Joseph Moody, of the second parish in York, has the following note in a manuscript journal of his : October 21st, 1724, "Mr. Wise (i. e. Rev. Jeremiah Wise, of Berwick) returned here from the council at Wells. The difficulties are happily settled there. A sermon was preached there this morning from these words : 'If there be any comfort of love.'" What these difficulties were is wholly unknown, and this is the only fragment of record ever yet discovered concerning them.

After the death of Mr. Emery, Mr. Samuel Jefferds was employed as a preacher, and ordained pastor of the church, December 15th, 1725. In the beginning of his ministry, the parsonage house, now standing, was built. Mr. Jefferds died February 1st, 1752.

The church was vacant about two years after the death of Mr. Jefferds. In the interim, Mr. Samuel Fayrweather was invited to settle in Wells, and had given an affirmative answer, but much opposition was made, and the council when assembled declined proceeding to ordination, advising Mr. Fayrweather to withdraw peaceably, and the people to seek another candidate. This advice was followed, and Rev. Gideon Richardson was ordained pastor of the church, February 27th, 1754. The ministry of Mr. Richardson was short. He died March 17th, 1758. In a little more than a year after, Rev. Moses Hemmenway, D. D., was ordained at Wells, and remained pastor of the church until his death, April 20th, 1811, a period of more than fifty-one years. A little previous to the death of Dr. Hemmenway, arrangements were made for the settlement of a colleague, and Mr. Benjamin

White was invited to settle in that capacity. He returned an affirmative answer, and was ordained about two months after the death of Dr. Hemmenway. The health of Mr. White, naturally feeble, soon declined, and after repeated relaxations from labor, he died at the house of his father in Thetford, Vermont, March 23d, 1814, having had the pastoral charge of the church two years and nine months. In autumn of the same year, Mr. David Oliphant was invited to become the minister of Wells, but declined. The present pastor of the church came to Wells as a candidate in November, 1814, received a call in January, and was ordained March 8th, 1815.<sup>1</sup> It is difficult to ascertain the precise number of members in the church at any time from its organization to the death of Dr. Hemmenway. It began with twelve. At the death of Mr. Jeffers, it would seem from a certain mark that appears in the record, that it consisted of about ninety. When the objections were made to the settlement of Mr. Fayrweather, in May, 1753, forty-eight male members appeared, and others were spoken of as absent. At the death of Dr. Hemmenway, the whole number of members was but forty-nine. At the death of Mr. White, it consisted of seventy-two. Since that time many changes have taken place. The present number of names on the record is ninety-one; eighteen of that number were admitted by Dr. Hemmenway, eighteen by Mr. White, and the remainder by the present minister. From the settlement of the town until the year 1750, the whole town made but one religious society. In 1743, some brethren of the church living at Kennebunk, finding it inconvenient to attend worship with the church, petitioned for leave to hold a separate meeting in the winter season. This was the commencement of the second parish. In 1750, a church was organized at Kennebunk, and Rev. Daniel Little ordained there, March 21st, 1751. In August, 1800, Rev. Nathaniel H. Fletcher<sup>2</sup> was ordained as colleague with

<sup>1</sup>Rev. Jonathan Greenleaf, whose pastoral connection has been dissolved since this account was prepared. [Rev. Wm. Clark succeeded Mr. Greenleaf; he is now Secretary of the N. H. Missionary Society. Rev. Giles Leach, the present pastor, was installed in 1854.]

<sup>2</sup>Mr. Fletcher has since been dismissed, and Mr. Wells of Boston been settled in the same place. [Rev. George W. Wells died after a successful ministry, in 1843. Rev. Joshua A. Swan is the present minister (1864). They were both graduates of Harvard College, 1823 and 1846.]

Rev. Mr. Little, and remains to this time. In 1821, the second parish in Wells became a town by the name of Kennebunk.

About the year 1780, a society of Calvinistic Baptists was gathered in the north-westerly part of Wells, and Rev. Nathaniel Lord was ordained its pastor. He afterward removed to Berwick, and Rev. Joseph Eaton was ordained in his stead.

Since the year 1812, two societies of Free-will Baptists have been formed in the town.

The whole number of families in the town is probably between four and five hundred, about one-half of which belong to the Congregational parish.

The Congregational church in Wells, formed as before noted in 1701, was the second in the State, that of York only preceding it. Since its formation, it has assisted in organizing eleven others, and assisted on councils for other purposes fifty-eight times since the days of Mr. Emery, who kept no record of such things.

The population of Wells by the census of 1820, was	2,660
“ “ “ 1830, “	2,977
Increase 317, or 12 per cent. in ten years.*	

**DISEASES.** Wells is perhaps as healthy a place as any other town in the county containing the same number of inhabitants. Consumption appears to prevail more than any other disease. The cause of this cannot, perhaps, be satisfactorily accounted for. The following summary statement, made from a correct record of deaths in the Congregational parish in Wells for ten years past, will best exhibit what diseases are prevalent :

1815. Total, 27. Of consumption, 6; fever, 6; dropsy, 4; various other diseases, no two being alike, 11.
1816. Total, 52. Consumption, 12; fever, 18; cancer, 4; whooping-cough, 4; dropsy, 2; old age, 3; other diseases, 9.
1817. Total, 32. Consumption, 6; fever, 2; palsy, 2; fits, 3; other diseases, 19.
1818. Total, 14. Consumption, 5; fever, 3; other diseases, 6.

\*[Kennebunk was connected with Wells until 1820, when it was incorporated as a distinct town. The population of the united towns by the United States census was, in 1790, 3,070; 1800, 3,692; 1810, 4,489. In 1820, the population of Kennebunk was 2,415, and Wells, 2,660; in 1850, Wells had 2,945, but fell off, in 1860, to 2,878.—*Ed.*]

1819. Total, 22. Consumption, 4; fever, 3; dropsy, 4; old age, 2; other diseases, 9.
1820. Total, 24. Consumption, 8; old age, 3; other diseases, 13.
1821. Total, 19. Consumption, 4; old age, 2; fever, 3; dysentery, 3; other diseases, 8.
1822. Total, 18. Consumption, 6; fever, 2 dysentery, 3; fits, 2; other diseases, 5.
1823. Total, 28. Consumption, 9; fever, 3; fits, 4; dropsy, 2; old age, 2; other diseases, 8.
1824. Total, 19. Consumption, 5; fever, 2; old age, 2; other diseases, 10.
1825. (Eight months thereof.) Total, 27. Consumption, 4; fever, 2; dysentery, 4; old age, 4; dropsy, 2; other diseases, 11.

In the foregoing summary, the fevers named were of all kinds, and in the diseases undefined are included all the diseases of infants, and the deaths which happened from home, of which there are several every year among the seamen. Taking the ten years and eight months together, the following exhibits a summary view :

Consumption,	69
Various kinds of fever,	44
Lost at sea, or died in foreign ports,	22
Old age,	19
Dropsy,	16
Dysentery,	10
Cancer,	6
Various other diseases, including those of children which could not well be defined,	76
Total,	262

## THE AGES WERE AS FOLLOWS:

Children under one year,	37
Between one year and twenty years,	68
Over twenty and under seventy,	103
Between seventy and eighty,	32
Between eighty and ninety,	18
Over ninety,	3
Over one hundred,	1
Total,	262

Of two hundred and nine adult persons who have died, one hundred and sixteen were females, and ninety-three were males.

[Mr. Greenleaf was the youngest child of Moses Greenleaf, and was born in Newburyport, September 4th, 1785. He is a brother of Hon. Simon Greenleaf, the late distinguished professor of law in Harvard College, who

[I have been favored by the Hon. Edward E. Bourne, of Kennebunk, with some interesting particulars relating to the history of this ancient town, which I add, to give more completeness to the original article.—*Ed.*]

PROBABLY the records of the town of Wells have been as well preserved, as those of most of the ancient towns of New England. But these are imperfect, from the neglect of the proper officer to make the appropriate entries, and from a want of care in the preservation of such as were made. The first entries in the existing records are the deeds referred to in the foregoing narrative from Thomas Gorges to "Mr. Hutchinson, Mr. Needham, and some others," dated September 27th, 1641, which is thus certified: "Transcribed out of the town book, 1st of records for the town of Wells, and compared February 26th, 1714. Attest, John Wheelwright, town clerk." And to John Wheelwright, Henry Boad, and Edward Rishworth, in 1643. So as to records in some subsequent years. No record, purporting to be original, certified by the town clerk, appears until 1658, though there are instruments recorded of an anterior date. There are also certificates of this character: "This is a true

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died in 1853. His father moved to New Gloucester in Maine, when he was quite young, and he was brought up on his father's farm. He studied divinity with Rev. Francis Brown, in North Yarmouth, and was licensed to preach in 1814. While there he prepared this history of Wells, in conjunction with Mr. Hubbard, and "Sketches of the Ecclesiastical History of the State of Maine," which was published in 1821, and is an accurate and most useful work. He took a dismission from Wells, and was settled as pastor of the Mariner's Church in Boston, in 1828. In December, 1833, he was appointed Corresponding Secretary of the American Seaman's Friend Society, and moved to New York. In November, 1841, he resigned that office, and was installed pastor of the Wallabout Presbyterian Church, in Brooklyn, N. Y., March 8th, 1843, which position he now holds, and is the last survivor of his family. In 1814, he was married to Sarah Johnson, of New Gloucester, by whom he has had six children.

The common ancestor of this quite distinguished extensive family was Edmund Greenleaf, who was born in England, in 1600, in the Parish of Brixham, Devonshire; came to Newbury, Massachusetts, in 1635, and died in 1671.—*Ed.*]

copy of the Robert Booth records, as attest Nov. 2, 1662. In the presence of Joshua Barsham. Simon Booth." Again: "This is a true copy from Robert Booth, per me, Joseph Bolles, town clerk."

We cannot, therefore, by any examination of these records, with confidence, settle the question, who were the pioneer inhabitants, or when they first attempted here to plant English civilization. It is said in the foregoing article of Mr. Greenleaf, that the first settlers of Wells came from Exeter. I do not think that there is sufficient authority for this affirmation. I cannot believe that there were not inhabitants here prior to 1642, when John Wheelwright is said to have removed hither, with a part of his church, from Exeter. At that time, there were many inhabitants scattered along the coast.

Strong inducements for a settlement of this territory presented themselves. There were no less than five rivers within the plantation, on all which, near the sea, were eligible sites for the manufacture of lumber. The extensive marshes, spreading nearly the entire length of the town, yielding without culture annually, would afford food for cattle, sufficient at least for the preservation of life, though the settlers, at first, might be unsuccessful in bringing the earth to yield the necessary increase. The sea, also, so easily accessible from these rivers, was always at hand with its bountiful supplies for the laborer, while subduing the wilderness for the purposes of habitation.

Levett, in his interesting account of his voyage to New England in 1623, says of the Cape Porpoise, now called the Mousam river, that it is "indifferent good for six ships, and it is generally thought to be an excellent place for fish, but as yet there has been no trial made, but there may be a good plantation seated, for there is good timber and good ground." It is highly probable that its capabilities for the general purposes of humanity, began to be tested before Mr. Wheelwright went there. In 1631, as appears by the Colonial State papers, a grant was made of two thousand acres, on the south side of Cape Porpoise river, to John Stratton, of Spolly County, and his associates. What occupancy followed this grant, we have no record. Stratton came over to this country, and was one of the committee ap-

pointed to run and ascertain the eastern boundary of Massachusetts. His action here might have had something to do with that matter. Thomas Gorges was in doubt, at any rate, whether the title of Ferdinando would over-ride that of Stratton. Very probably he provided for some kind of a possession. At this time there was a communication between Agamenticus and Saco, and settlers must have been scattered along the road. In 1640, all the inhabitants from Piscataqua to Kennebunk were required, as soon as they had a minister, to bring their children to be baptized. From thence it may well be inferred that there were inhabitants at the eastward of Agamenticus; otherwise, the order would naturally have been limited to York. Cleaves also says that he made grants there in 1641; and as his grants, which appear on the record, are subject to the payment of an annual rent, the grantees probably availed themselves of some use of the land, to fulfil the condition. In Gorges' deed to Wheelwright, he describes the tract conveyed as lying at Wells, in the county of Summerset. I am not aware that plantations, previous to inhabitaney, have ever been designated by name, as usual after occupancy has commenced. It would be an interesting inquiry, When was this name first applied to this territory? and for what reason was it so applied? No grant was made to any one of that name until 1657, when, Thomas Wells, of Ipswich, became a proprietor. But previous to 1643, it had the name of Preston. Who gave it this designation? and by what authority was the name changed? There was one Edward Preston at Plymouth in 1641. He was "a lewd fellow of the baser sort;" and could not have had the honor of giving a name to the town. I know of no other person of that name, then in the country. But the fact that the town had these two names before Mr. Wheelwright came here, indicates that there were settlers then occupying the territory.\*

\*I can have no doubt that the name of the town, *Wells*, was given by Thomas Gorges, in conformity with the usage of the first settlers to apply the familiar names of the old country to their new places of residence here.

Wells is an ancient city in Sommersetshire, the native county of Sir F. Gorges, and where his principal estates were situated. In conjunction with Bath, it is a bishop's See, and from that city it is nineteen miles distant. Ashton Phillips, the manor and birth-place of Gorges, five miles from Bristol,

Mr. Wheelwright, who was banished from Massachusetts in consequence of exercising the liberty which is the natural inheritance of every child of God, of forming his own opinions, and freely expressing them, was, of course, a man of much weight of character and influence; and his removal to Wells probably did much to expedite a settlement. It is said that a part of his church came with him from Exeter, where they had fixed their habitation, supposing that place to be beyond the jurisdiction of Massachusetts. Among the long list of his friends, I find but two or three who came with Mr. Wheelwright to Wells. The number of his church who came with him must have been small. I do not find any grants to Hutchinson or Needham, who had applied to Gorges for them. At any rate, their names have not come down to us as inhabitants. Still some of Wheelwright's adherents were with him; and we may well infer that they were men of resolution, independent in their opinions, and fully conversant of the natural right of freedom of speech. Wells, then, so far as this accession to its population is regarded as initiating the settlement, had an honorable beginning.

At this time, and for several years subsequent, it must have required a good share of fortitude and enterprise, to have attempted a permanent settlement in this vicinity. To whom the territory then belonged of right, or to whom it might be awarded on any final adjudication, neither civilians nor planters could, by the logic of preceding grants or acts of the home government, or by any possession, argument, or assumptions of various alleged proprietors, possibly determine.

Wheelwright, Boad, and Rishworth acceded to the title of Gorges, and were authorized by him to make allotments under it to such persons as they judged suitable to be admitted as inhabitants. Ezekiel Knight and John Baker adopted the Rigby

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is about twenty miles from Wells. A glance at the names of our towns will readily satisfy us of their derivation; Bath, Bridgewater, Taunton, Wells, in Sommersetshire, Newbury, Boston, Falmouth, Bideford, Limerick, York, Berwick, etc., in other counties, show their connection with the mother country. *Preston*, which never prevailed as the designation of the town to any extent, is a city in Lancaster County, England. Perhaps some early settler came from there.—*Ed.*

interest, and were authorized by Cleeves to carry out his wishes, in disposing of the territory. The agents of Gorges were prominent men of the times. Knight, one of Rigby's agents, was also a man of note, and was appointed to various local offices. But Baker was a very different personage, and one who would not be very likely to prepossess inquirers favorably, as to his lord's title. I suppose him to be the same person to whom Winthrop refers, as a member of the church of Boston, grown wealthy from nothing, and becoming disordered, drunken, lying, and reckless, was obliged to flee, and went to Agamenticus; the judgment of the church being, "that he had excommunicated himself, and that Christ had ratified it by giving him up to Satan." He claimed afterward to repent of his iniquities, and the church in Boston forgave him, "but he soon after went back into his old habits." He came afterward to Wells, and "by his speeches abusive of the ministry, and upholding private meetings, to the disturbance of public assemblies, rendered himself so obnoxious, that he was required to give bonds for his good behavior, and to abstain from public preaching in this jurisdiction." The agency of such a man would not bring much popularity to the patent. Though Knight was of a different character, and authorized to conduct the religious services of the sanctuary on the Sabbath, his association with Baker would very much lessen his influence in advancing the interests of his employer.

How large a portion of the settlers at Wells received, and relied on, grants from either of these alleged proprietors, cannot now be ascertained. The agencies do not seem to have been inclined to interfere with each other in their locations. I find no instance in which a grantee satisfied his grant by laying it on land previously taken up by any one else, under Gorges or Cleeves. But the number of grants by either of them was very small. Wheelwright, Boad, and Rishworth do not seem to have been very anxious to carry forward the supposed rights of Gorges. The former left the town in four or five years. I do not see how this grant of the power of allotment is to be regarded as the charter of the town. Certainly the town never acted under it. Neither can I regard the Rigby patent as the

foundation of its subsequent action. No reference is made to either of them, as an authority for proceedings afterward. Some of the settlers had taken grants from each of these claimants. Thus John Sanders, who seems to have been somewhat of a solid man, received grants of adjoining lots from Gorges in 1643, Cleaves in 1651, and the town in 1659. So far as any judgment of the matter is deducible from their action, they regarded a grant from one person as good as from any other; and they went on under a formal title, and their possession afterward was not disturbed, till so long continued as to work out an indefeasible right.

But there is manifest error in the statement, that "there is no evidence that the land was ever purchased of the Indians." It is somewhat remarkable, that, with the records near at hand, such an error should have found its way into the foregoing sketch. It does not appear that the town acquired any title directly from the natives. But I understand the remark to affirm that their rights were never released. Even though so many generations have intervened since the territory was entered upon by the white man, it is some satisfaction to the present holders of these lands, to be assured that their title did not begin in wrong; that the original owners had voluntarily parted with it.

I cannot ascertain that the town ever had any legal title, although they may have acquired it, in some way, from the deed to Wadleigh. In their memorial to Charles II., they allege that it came to them from the natives. That deed is in the following words:

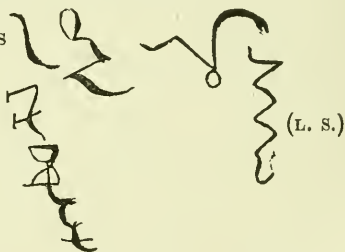
"Whereas Sagamore Thomas Chabinocke, of Nampscoscoke, by virtue of his last will and testament, had given and bequeathed, and for certain good reasons and considerations, him hereunto moving, hath, and by virtue hereof, doth freely and forever bequeath, give, and grant, unto John Wadleigh of Wells, to him, his heirs and successors, and that forever, of his own accord, and with the consent of his mother, Ramanaseho, to whom the said Wadleigh has given a consideration, the premises, considered after the manner of a purchase, bargain and sale, the said Sagamore, and his adherents and survivors, have, for themselves and successors, confirmed and made sure unto the said John Wadleigh

and his successors, to be inherited presently after the death of the said Sagamore, all that the said Sagamore, with his whole right, title, and interest, called by the name of Nampscoscoke bounding between Nogimcoth and Kennebunk, and up as high as Cape Porpoise Falls, and the same with all the profits, commodities, and appurtenances, against all men to warrant and defend.

"Witness our hands and seals this 18th day of October, 1649.

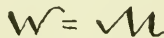
PHILEMON POCHMART.

The Sagamore's mark with his  
own hand.



Sealed, signed and delivered in presence of us.

RAMANASCHO, her mark.



WILL. WARDELL, his mark.

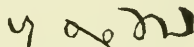


STEPHEN BATSON, his mark.



ROBERT WADLEIGH.

SASAGAHAWAY, his mark.



And they all affirm. Ceasar consents to this.

William Wardell's testimony that this is the act and deed of Thomas Chabinocke, the Sagamore of Wells. Taken before me the 28th of March, '57. Joseph Bowles,  
Commissioner."

In 1650, Ramanascho, the mother of the Sagamore, Thomas Chabinocke, quit-claims to Wadleigh, to confirm and establish the foregoing, for ten pounds sterling, which she and the Sagamore received in his life-time.

March 31, 1650. John Wadleigh took quiet and peaceable possession of the premises contained in his Indian right, "laying the whole continent from Cape Porpoise Falls, and so by a straight line to Negunquit, and so down to the sea-side, and

further assigns the same as it shall be inhabited to be liable to all common charges and rates for the town of Preston, alias Wells, and to this, as in the same, or like case required, we the witnesses have hereunto subscribed our names," etc.

Some other sanctions to this transfer give the same utterances of a very cautious civil policy, or of a still more extensive regard to the claims of life's various relationships. The Sagamore's sister signifies her approbation of the act; and the parties and witnesses also affirm that Ceasar gave his consent. Who Ceasar was, the record does not show. Neither can I ascertain who this John Wadleigh was. He must have been familiar with the natives, and the necessities of an effectual Indian conveyance, to have had all these provisions ingrafted in his deed. His son was with him and witnessed the instrument. He may have had a dwelling-place here, and been an inhabitant for years. He was conscious of a fact, that the town was also called *Preston*, which is not elsewhere mentioned.

It is possible, that from this deed to Wadleigh, the town acquired, or assumed, the right of making grants. As there was at that time no existing corporation capable of taking a deed, it may have been obtained purposely for the benefit of the plantation. By the terms of the record of possession, the land is assigned to be liable to all charges and rates for the town of Preston, alias Wells. The town assumed, soon after, to dispose of the lands at their pleasure, claiming, in a memorial to King Charles, that they honestly purchased them of the natives. In subsequent years, they were not very particular or cautious as to their mode of action, but obviated all difficulties in a very summary manner. Thus in the year 1716, being assembled together, they voted "that this be a legal meeting to do town business," and afterward, that all the lands within the limits of the town should be the exclusive property of those who were then inhabitants; and formed themselves into a proprietary, shutting out all who might thereafter come to reside with them. It may have been by some brief procedure of this kind, that they converted to their own use the title of Wadleigh.

Gorges authorized Wheelwright and others to allot and grant to settlers all the lands between Kennebunk and Ogunquit

rivers, extending from the sea, up into the country, eight miles. Here is something definite. But the Ogunquit river is not the boundary of Wells, and never has been, since its incorporation.

As the charters of these ancient towns are not readily accessible to the public, I here insert that of the town of Wells, as granted by commissioners appointed by the General Court of Massachusetts, on the fourth of July, 1653 :

“ Whereas the town of Wells have acknowledged themselves subject to the Government of the Massachusetts, in New England, as by their subscriptions may appear, we, the Commonwealth of the General Court of the Massachusetts, for the settling of government amongst them, and the rest, within the bounds of their charter, northerly to the full and just extent of their line, have thought meete and doe actually graunt—

That Wells shall be a townshipp of it selfe, and alwayes shall be a pt of Yorkshire, and shall enjoy ptection, aequal acts of favour and justice with the rest of the people inhabitinge on the south side of the river of Piscatag, within the limits of our jurisdiction, and enjoy the privileges of a town, as others of the jurisdiction do have and doe enjoy, with all other libties and priviledges to other inhabitants in o<sup>r</sup> jurisdiction.

2. That every inhabitant shall have and enjoy all their just properties, titles and intrests in the howses and land they doe possess, whether by graunt of the towne, possession, or of the former Generall Courts. 3d. That all the present inhabitants of Wells shall be ffreemen of the county, and having taken the oath of ffreemen, shall have libtie to give their votes for Gov<sup>r</sup>, Assistants, and other general officers of the country.

4. That the said town of Wells shall have three men, approved by the County Court from year to year, to end small causes, as other of the townshippes in the jurisdiction hath, where no magistrate is, according to law ; and for this present year, Mr. Henry Boade, Mr. Thomas Wheelwright, and Mr. Ezekiel Knight are appointed and authorized comissio<sup>n</sup> to end all small causes under forty shillings, according to law ; and further, these comission<sup>rs</sup>, or any two of them, are, and shall be emponered and invested w<sup>th</sup> full power and authoritie as a magistrate, to keep the peace, and in all civil cases to graunt atatchment and execu-

tions, if neede require. Any of the said Comission<sup>rs</sup> have power to examine offendo<sup>rs</sup>, to committ to prison, unles bayle be given, according to law, and when these or any of these shall judge needful, they shall have power to bind offendo<sup>rs</sup> to the peace or good behavio<sup>r</sup>; also any of these have power to administer oathes according to law; also marriage shall be solemnized by any of these according to law."

"It is further ordered and granted that for this present year, Mr. Henry Boade, Mr. Thomas Wheelwright, Mr. Ezekiel Knight, John Wadley and John Gooch shall be the Selectmen to order the prudential affairs of the town of Wells.

Lastly, it is graunted that the inhabitants of Wells shall be, from time to time, exempted from all public rates, and that they shall always bear their own charges of the Courts, etc., arising from amongst themselves."

Mr. Joseph Bolls was appointed Clerk of the Writs. The General Court appointed, in 1658, Nicholas Shapley, Brian Pendleton, and Nicholas Frost, to "pitch and lay out the dividing line between York and Wells;" and they established it, as they thought proper. Afterward, Kittery appointed a committee, which was joined by Wells, to fix and settle the line between them. How the north-western boundary was settled does not appear by any record. On the north-east, Wells claimed that Kennebunk river was the boundary. But Cape Porpoise insisted that that town extended to Cape Porpoise river. By what arguments these several claims were sustained, I do not know. Gorges had made the Kennebunk river the boundary of the territory graunted to Wheelwright and others for allotment. But the name, Cape Porpoise, would seem to imply that that town bordered on the river of that name. To adjust this controversy, in 1660, commissioners were appointed by each of the towns, viz., Edmund Littlefield and William Harmon by Wells, and William Scadlock and Morgan Howell by Cape Porpoise. They met at Harding's, at the mouth of Kennebunk river. But in consequence of a violent storm, lasting several days, they were detained there, at some considerable expense. When the storm was over, the Cape Porpoise commissioners proposed to those of Wells, that if they would pay the tavern bill, they would agree

on Kennebunk river as the dividing line. This proposition was accepted, and the boundary thus established. The disputed territory embraced nearly all the present town of Kennebunk. My own impression is, that it honestly belonged to Cape Porpoise, now called Kennebunkport.

Sullivan's History of the District of Maine has become a scarce book,—and the fact that the names of the first settlers of Wells are there given, is not a sufficient reason for omitting them in this article. Their names are as follows: Henry Boade, John Wadley, Edmund Littlefield, John Sanders, John White, John Bush, Robert Wadleigh, Francis Littlefield, Sen., William Wardall, Samuel Austin, William Harman, John Wakefield, Thomas Littlefield, Thomas Mills, Anthony Littlefield, John Barrett, Jr., Francis Littlefield, Jun., Nicholas Cole, William Cole, Joseph Emerson, Ezekiel Knight, John Gooch, Joseph Boles, Jonathan Thing, John Barret, Sen. These all took the oath of freemen. Thomas Wheelwright, being appointed a commissioner "to end small causes," must also have been an inhabitant.

Of these persons, the names of nearly all have disappeared from among those of the present population of Wells. The Wheelwrights, Littlefields, Harmons, Gooches, Coles, and Wakefields, remain.

## IV. EXTRACTS FROM RECORDS

IN THE

### COUNTY OF YORK.

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"THE early records of the Province of Maine were made upon unbound pamphlets or books of one or more quires of paper stitched together, and generally without any covering of parchment or strong cartridge paper, to secure them from injury; and prior to 1774 had no particular marks to distinguish them. When upon examining them from mere curiosity, they were by D. S. marked with the letters A, B, C, and so on as far as G.

They are a mixture of legislative and judicial orders and decisions of a criminal and civil nature, interspersed with inventories of estates of intestates, wills, accounts of administrators, and the like, made by the clerk of the Court of Common Pleas, who was usually the recorder of deeds.

These papers, before the American revolution, were in the office of the clerk of the Inferior Court of Common Pleas, in an old chest, with some other papers belonging to that office, and are now in the office of the clerk of the Judicial Courts in the county of York, at Alfred.

The extracts hereunto annexed were made in the year 1774. Some few of which were communicated to the Historical Society of Massachusetts, and have been published in the first series of collections."

The foregoing remarks, together with the extracts which follow, are taken from a manuscript presented to the Society in 1822, by the Hon. David Sewall, late of York, deceased.

## Book A.

Sir Ferdinando Gorge by Commission appoints

	Sr Thomas Josselin, Knight	}	Councillors.	
	Richard Vynes, Steward General			
Sept 2d 1639	Francis Champernoone			
	Henry Josselin			} Esq'rs.
	Richard Bonighton			
	Willm. Hooke			} Gent.
Edward Godfrey				

March 10 1639—40]	Thomas Gorges	}	Councillors.
	Richard Vines, Steward General		
	Henry Josselin		
	Francis Champernoone		
	Richard Bonithon		
	William Hook		
	Edward Godfrey, Esq'rs.		

Thomas Gorges appointed Secretary.

I do Swear and protest before God Allmighty and by the holy contents of this Book to be a faithfull Servant and Councillor unto Sir Ferdinando Gorges Knight my Lord of the Province of Mayne, and to his heirs and assigns, to do and perform to the utmost of my power all dutifull respects to him or them belonging, concealing their Councells, and without respect of persons to do, perform and give my opinion in all causes according to my conscience, and best understanding both as I am a Councillor for hearing of causes, and otherwise freely to give him or them my opinion as I am a Councillor for matters of State or Commonwealths, and that I will not conceal from him or them and their Councell any matter of conspiracy or mutinous practice against my said Lord and his heirs but will instantly after my knowledge thereof discover the same, and prosecute the authors thereof with all diligence and severity according to Justice, and thereupon do humbly kiss the Book.

25th March 1636 the Comis'rs met at Saco at the house of Cap. Richard Bonithon, present

Capt. Richard Bonithon,	Mr. Thomas Purchase,	} Gent.
Capt. Willm. Gorges,	Mr. Ed'd Godfrey,	
Capt. Thos. Camock,	Mr. Thos. Luis,	
Mr. Henry Josline, Gent.		

8th Sep., 1640, General Court at Saco. Before Thos. Gorges,  
Leaf 28. Richard Vines, Richard Bonighton, Henry Josselin, and Edmund Godfrey.

Mary, the wife of George Puddington, of Agamenticus, is here Indicted by the whole Bench for often frequenting the

House and company of Mr. George Burdett, minister of Agamenticus aforesaid, privately in his bed chamber, and elsewhere in a very suspicious manner, notwithstanding the said Mary was often forewarned thereof, by her said Husband, and the Constable of the said Plantation with divers others; and for abusing her said Husband, to the great disturbance and scandall of the said plantation, contrary to the peace of our Sovereign Lord the King. This Enquest find *Billa vera*.

Whereupon the Court enjoyneth the said Mary to make this publick confession, here in this Court, and likewise at Agamenticus aforesaid, when she shall be thereto called by the Worship'l Thomas Gorges and Edmund Godfrey, two of the Councillors of this Province. Her confessions followeth:

I, Mary Puddington, do hereby acknowledge that I have dishonoured God, the place where I live, and wronged my Husband by my disobedience and light carriage, for which I am heartily sorry, and desire forgiveness of this Court, and of my Husband, and do promise amendment of life and manners henceforth; and having made this confession, to ask her husband forgiveness on her knees.

A 28.

Mr. George Burdett, minister of Agamenticus, is Indicted by the whole Bench for a man of ill name and fame, Infamous for incontinency, a Publisher and Broacher of divers dangerous speeches, the better to seduce that weak sex of women to his Incontinent practices contrary to the peace of our Sovereign Lord the King, as by Depositions and Evidences. This Enquest find *Billa vera*.

Whereupon the said George Burdett is fined by the Bench for this his offence ten pounds sterling to our Sovereign Lord ye King.

Mr. George Burdett is also Indicted by the whole Bench for Deflowering Ruth, the wife of John Gouch, of Agamenticus aforesaid, as by depositions and evidence appeareth, contrary to the peace of our Sovereign Lord the King. This Enquest find *Billa vera*.

Whereupon the said George Burdett is fined by the bench for this his offence Twenty Pounds Sterling to our Sovereign Lord the King.

Mr. George Burdett, being found guilty by the grand Enquest for entertaining Mary, the wife of George Puddington, in his House, as by the first Indictment against the said George Burdett appeareth, is therefore fined by this Bench Ten Pounds Sterling to the said George Puddington for those his wrongs and Damage sustained by the said George Burdett. Page 29.

Ruth, the wife of John Gouch, being found guilty by the grand Inquest of Adultery with Mr. George Burdett, is therefore censured by this Court, that six weeks after she is delivered of child, she shall stand in a white sheet publickly in the Congregation at Agamenticus two several Sabbath Days, and likewise one day at this General Court when she shall be thereunto called by the Councillors of this Province, according to his majesty's laws in that case provided.

At a General Court held at Saco, September, 17th, 1640. It is ordered by this Court, that in regard of the great Damage the Inhabitants of this Province do sustain thro' the loss of their cattle by the devouring Wolves, that from henceforth if any one shall kill any wolf between Pascattaqua and Kenebunk, the partie so killing them shall have *Twelve pence* for every wolf so killed from every Family between Kennebunk and Sagadahock, for every Wolf so killed within those limits, and that the partie killing any Wolves (repairing to the next Councillor of this Province within said Limits,) shall have order for the taking up of the said money.

It is ordered by this Court that the Worshipfull Thos. Gorges and Edward Godfrey, Councillors of this Province, shall order all the Inhabitants from Piscatiqua to Kennebunk, which have any children unbaptized, that as soon as a minister is settled in any of their plantations, they bring their said children to Baptism, and if any shall refuse to submit to the said order, that then the partie so refusing shall be summoned to answer this their contempt at the next General Court to be holden in this province.

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At ye first General Court held at Saco June 25th 1640. Before Richard Vines, Richard Bonighton, Henry Josselin, Esq'rs., and Edward Godfrey, Gent., Councillors to Sr. Ferdinando Gorges.

Roger Garde, Register. Robert Sankey, provost Marshall.

Memorandum. That here is a matter depending in this Leaf 16. Court between Mr. Edward Godfrey and Mr. George

Cleaves, concerning twenty pounds, which the said Edward Godfrey doth demand of the said George Cleaves by virtue of an Order out of the high Court of Starrechamber, for costs in that Court by a Special Writ.

Leaf 19. Whereas divers priveledges have heretofore bin granted to the Patentees and Inhabitants of Agamenticus as by several pattents doth and may appear, we whose names are here subscribed being deputed for and in behalf of the said Inhabitants, do in the behalf of ourselves, and those we are deputed for, protest as followeth. That our appearance at this Court, shall be no prejudice to any Grants or priveledges which we now enjoy or ought to enjoy by Virtue of the said Pattents or otherwise, and that whatsoever we shall do or transact in this Court shall be, saving this Protestation. Notwithstanding we do humbly acknowledge his Majesty's Grant of the Provincial Patent to Sir Ferdinando Gorges, and humbly submit ourselves thereunto so far as by law we are bound. We also desire that a copy of this Protestation may be taken by some Notary or other officer of this Court, here to be recorded.

Edw. Johnson, Geo. Puddington, } Deputies for the Inhabi-  
John Baker, Bartho'w Barnes, } tants of Agamenticus.

It was ordered at this Court by Richard Vines, Richard Bonithon, Henry Joslin, and Edward Godfrey, Esq'rs., Counsellors for this Province, that the Government now established in Agamenticus shall so remain, untill such time as the said Counsellors have certified the Lord of the Province thereof, and heard again from him concerning his further pleasure therein.

At a General Court holden at Saco October 21, 1645. Before

Richard Vines, Deputy,  
Richard Bonithon, } Esq'rs.  
Henry Joselin, }

Francis Robinson, }  
Arthur Mackworth, } Magis-  
Edward Small, } trates.  
Abraham Prebble, }

Ordered by the General Court, that whereas we have Leaf 33. not heard of late from the Hon. Sir Ferdinando Gorges, knight, lord proprietor for this province of Mayne, for a full establishment of Government within the said Province for our peace and safety, this 21st of October, 1645, have chosen for

our Deputy Governour, Richard Vines, Esq., for one whole year, and also order yearly to choose a Deputy Governor, and further order that in case the said Richard Vines, Esq., should depart the country before the year be expired, Then we nominate and choose Henry Joselin, Esq., Deputy Governour in his place and stea l.

William Waldern, Recorder of the province of Mayne, chosen and sworn for one year.

At a General Court held at Wells, July 6th, 1646.

Henry Joselin, Esq., Deputy Gov.,	Henry Bode,	} Assis-
Richard Bonithon, Esq., } Comm'rs.	Bazil Parker,	
Edward Godfrey, Esq., }	Abraham Preble,	
		tants.

21st October, 1645, at Saco. Ordered that whereas John Bonithon, of Saco, in the Province of Mayne, hath been summoned divers times in his Majesty's name to appear at our Courts, and hath refused, threatening to kill and slay any person that should lay hands on him, whereupon the law hath had its due proceedings to an outlawry; and divers Judgments, executions and warrants of the good behaviour against him. We therefore, at a General Court assembled, adjudge the said John Bonighton outlawed and incapable of any of his majesty's laws, and proclaim him a Rebell.

Ordered by concent of the Court, that if Mr. John Bonithon be taken, that he be sent forthwith to Boston to answer such things as there shall be brought against him. p. 33.

Ordered for the charges of the General Court at Saco Leaf 34. for the Province of Maine, 21st of October, 1645. Saco to pay 10s. Casco 10s. Georgiana £1. Piscataqua £2 10s. Total £4 10s.

June 30, 1647. The Indictment of Charles Frost.

Whereas there was slain Warwick Heard of Sturgeon Creek, by Charles Frost doth stand here presented and Indicted, that he Feloniously contrary to the peace of our Sovereign Lord the King, his Crown and Dignity, did the 23d day of March last, with a fowling piece, murder the said Warwick Heard; having not the fear of God before his eyes. You are therefore to inquire whether it was wilfully done with malice pretence, quarrell, or by accident or unawares or misadventure.

The Jury find that Charles Frost did kill Warwick Heard by misadventure. And Charles Frost quit by proclamation.

BOOK B.

The Court holden this 30th of June, 1653, at York, in the county of York, by the Right Worshipfull Richard Bellingham, Esq., Capt. Thomas Wiggin, Majistrates; Edmun Godfrey, Capt. Nicholas Shapleigh, Edward Rishworth, Recorder Associates for this present year for the said county.

Nicholas Shapleigh, plant., in an action of the case Leaf 1. for unjust molestation, agt. Mr. Robert Knight, defendant. The Jury find for the plant. forty shillings Damage and costs of Court: This verdict disaccepted by the Court, the thing not being legall for the Jury to bring in a verdict into this Court which exceeded not the sum of forty shillings.

We present Christopher Fursone for living from his wife. One twelve month's time given him by the Court to procure his wife to come over, or else he is to returne to her again. p. 2.

Military officers elected by the Town of Kittery and confirmed by the Court held for this county 4th June, 1653. Nicholas Shapleigh, Capt., John Wilcoln, Lieut., Richard Nason, Ensign, Humphrey Chadborn, Clerk of the Band. p. 4.

A Court held at York for the County of Yorkshire, 25th October, 1653. Before Capt. Thomas Wiggin, Magistrate; Ed. Godfrey, Ni. Shapleigh, Edw. Rishworth. Assoc. Record. p. 5.

Robert Collens is this day by the Grand Inquest Indicted, That he by the suggestion of Satan did violently, not having the fear of God before his eyes, assault the House of Nicholas Bond on the 29th of May last, about twelve o'clock in the night, did then and there force the wife of the said Nicholas Bond, Jane Bond, to commit the act of incontineney contrary to the laws of God, our native Country, and this Province. Where to he pleadeth not guilty, and hath put himself on God and the Country, which Country you are for, you have heard the examination, proof and evidence; the Jury doth find Robert Collens guilty of the act of Incontineny, not guilty of the forcement.

Upon this verdict the Court ordereth that the delinq't Robert Collens shall have corporal punishment, to receive forty stripes save one, and fined ten pounds, the one half to the country, the

other half to Richard Bond, to be paid presently in goods or work, also give in surety to pay it att or before the next Court. Dated the 2 of July, 1650.

Whereas William Norman did acknowledge that he hath done Margery Randall much wrong in taking of her to his wife, whereas he himself confesses that he never had any legal divorce from his wife that he has in England, as appears by the evidence of Mrs. Mendum and Samuel Staple,

It is therefore ordered by this present Court that the said Margery Randall shall from henceforth have her divorce, and is now by order thereof clearly freed from the said Norman.

Oct. 15, 1651. And whereas it appears that William Noreman hath married two wives which were both alive, for any thing that can appear otherwise, at one time,

It is therefore ordered by this Court that the said Noreman shall henceforth be Banished out of this Countrie, and is to depart thence within seven days after the date hereof, and in case the said Noreman be found after that time in this Jurisdiction, he shall forthwith according to law be put to death.

We do present George Rogers and Mary Batchellor, the wife of Mr. Stephen Bachellor, min'r, for Adultery.

It is ordered by the Court that George Rogers, for his Adultery with Mrs. Bachellor, shall forthwith have forty stripes save one upon the bare skin given him.

It is ordered that Mrs. Bachellor, for her Adultery, shall receive forty stripes save one at the first town meeting held at Kittery six weeks after her delivery, and be branded with the letter A.

We present Jane, the wife of John Andrews, for selling of a Firkin of Butter unto Mr. Nic. Davis that had two stones in it, which contained fourteen Pounds, wanting two ounces in Weight. This presentment owned by Jane Andrews and John Andrews her husband, in five pound Bond, is bound thus: Jane his wife shall stand at a town meeting at York, and at a town meeting at Kittery, till two hours time be expired, with her offence written in Capital Letters pinned upon her forehead.

This Injunction fulfilled at a Commiss'n Court according to Order Jan'y 18, 1653. p. 6.

It is ordered that Alexander Maxwell, for his grosse offence in

his exorbitant and abusive carriages towards his master Mr. George Leader and Mrs., as by evidence doth appear; shall be publickly brought forth to the Whipping Post, where he shall be fastned till 30 lashes be given him upon the bare skin. The said Maxwell is likewise hereby enjoyned to give satisfaction to his aforesaid master for his expence of liveing and dyet, during the time of his imprisonment, with other charges, amounting to the value of seven pounds ten shillings, and in case the said Maxwell do at any time for the future misbehave himself towards his master Mr. Leader, that then he hath full liberty, forthwith, to make sale of the said Maxwell, to Virginia, Barbados, or any other of the English Plantations.

The coporal punishment exeected 2 5ths at the Court, 1654.

p. 9.

June 29th, 1654. Francis Raynes chosen Lieut. by the company at York, whom the court doth confirm in his place, and gives liberty to the company for the choice of an Ensign.

Mr. Abraham Prebble chosen Treasurer for the county this year and sworn.

The names of the Grand Jury, June 29th, 1654.

Mr. Thomas Wheelwright,

Mr. Francis Raynes,

Mr. William Hilton,

Mr. Ezek. Knight,

Peter Weare,

Arthur Bragdon,

Morgane Howell,

John Bush,

Mr. George Leader,

Antipas Mavaracke,

Robert Mendum,

Abraham Conley,

James Gibbens,

Willm. Seadlock.

p. 10.

We present William Wardell, who being demanded whether he would give any thing towards the Colledge, answered it was no ordinance of God, and that it was contrary to his judgment.

p. 11.

At a Court holden at York, for the county of Yorkshire, upon Thursday the 28th day of June, 1655, by the Worshipfull Samuel Symonds and Capt. Thomas Wiggins, Majistrates, Mr. Ed. Johnson and Ed. Rishworth, Recorder Associates for the said county.

We present Jonathan Thing for speaking discernfully of the Court of York, saying no question but you may cast any cause

at the Court of York, so long as Harry the Coatchman sits Judge.

Furthermore it is witnessed the said Thing sleighted the Government in saying he cared not what the Gov. sayd nor never a Governor in the Country.

Jonathan Thing censured to have 20 lashes or to redeem it with twelve pounds.

We present Robert Hethersaw for attempting the wife of Samuel Austin to Incontinency, both by words and actions.

Robert Hethersaw fined by the Court, either to have twenty lashes given him by the officer upon the bare skin, or to pay seven pounds ten shillings into the Treasury. For payment whereof Tho: Weelwright ingageth satisfaction.

We present Silvester Stover and his wife for complaining one of another on the Lord's Day, in the morning, in saying his wife did abuse him, and bid him go to Thomas Crockett's and carry some bread and cheese to his bastard, and the said wife of Stover sayd, that her Husband did call her commonly Hoare.

Silvester Stover for breach of ye Sabbath fined 10s. and fees 5s. admonished.

We present Mary Clay, the wife of Jonas Clay, for keeping company with John Davis, of Winter Harbour, in a suspicious manner, causing the neighbours to suspect them of Incontinency. An act of seperation betwixt Mary and Davis upon forfeiture of ten pounds to the Treasurer.

We present Frances Hilton, the wife of William Hilton, for rayling at her husband, and saying he was gone with John his Bastard unto his 3 half peny Hoare, and that he carryed a cloake of profession for his Knavery.

Mrs. Hilton for her offence toward her husband, and for several of her miscarriages toward others is censured to have 20 stripes upon the bare skin, only the execution thereof is respited till the next county Court, except any injurious complaint come in against her by her husband or any other person, then it is to be executed by order ye Commis'rs. p. 16.

To the Constable of Saco or his Deputy. Whereas information is given to this Court that Geo. Garland hath lately published an intent of marriage with the widow Hitchcock of Sacoe, notwithstanding he hath lately owned himself to be the husband

of another woman called Sarah Mills. These are therefore in his majesty's name to will and require you to forbid the Publication, and to give notice unto the said Garland, and to the widow Hitchcock, that they do henceforth forbear any further proceeding therein, and that they do not frequent the company of each other, untill authority take further order, wherein if the said persons shall be found defective upon complaynt to authority, they shall be forthwith sent or bound over unto the next Court of Assistants at Boston, there to answer their delinquency therein. p. 65.

July, 1659. Allowed and confirmed by the Court, military officers for ye town of Kittery, Charles Frost Lieut., James Heard Ensign, Miles Tompson, Daniel Gooding, Jos. Alcock and John Shapleigh Sargeants.

For the town of York, Francis Raynes Capt., John Davis, Lieut., John Alcock Esq., John Twisden and Mathew Austine, Sargeants. Entered but not allowed. p. 30.

At the Court at York, July 1, 1661. The town of Wells at present being destitute of any fit person to carry on the Worship of God amongst them on the Lord's day,

It is therefore Ordered by this Court, that till they can better provide for themselves, which we Hope they will not neglect any opportunity to do, that Mr. Ezekiel Knight and William Hammond shall duly attend the place of publick meeting on the Lord's day and they improve their best abilities in Speaking out of the Word of God, Praying, Singing of Psalms and reading some good Orthodox Sermons as may most tend to the Edification of those that Hear and the Sanctification of the Sabbath, as the Laws of God and this Jurisdiction require.

It is ordered by the Court that every Juriman either for the grand Inquest or Jury of Tryals shall have allowed him by the County 3s. pr day for their Service, He bearing all his own charges, while thereon, He continually being allowed for his Time of coming to Court and returning Back as followeth, viz.

5	days from home and back to Falmouth,	0	15	0
4	days do do Scarborough,	0	12	0
3	do do Sacoe,	0	9	0
2 1-2	days do do Cape Porpoise,	0	7	6
From Wells 2 days and from Kittery 2 days,		0	6	p. 43.

July, 1663. Capt. Francis Raynes tendereth to this Court the laying down of his Captains place, which by the Court was accepted, and hence forth the said Francis Raynes is not to be reputed any such officer. p. 58.

July, 1663. We Present Mr. Nic. Shapleigh, for the neglect of his Office, in not commanding the military officers to Train in the Town of Kittery according to Law.

We present Mr. Thomas Booth for vain Swearing, and slandering the country, by saying they were a company of Hypocritical Rogues, they feared neither God nor the King, with other uncivil Speeches.

This Court considering Mr. Booth's offence fineth him five Pounds, and further the said Booth Ingageth himself in a Bond of Ten pounds to be of good behaviour towards all persons, specially those that are in authority.

1669. Christopher Lawson who came into this Cort caring himself unseveley towards som partickilar memburs, saying that He or they should not be his Judges, with a Turbulent behaviour towards the said Cort; was comited to sitt on ower in the Stickes. p. 79.

July 5, 1670. We present Thomas Taylor for being Drunk on the Sabbath Day and comeing in that condition to the place of God's public worship.

We present Thomas Taylor for abusing Capt. Francis Rayns being in authority, by *Theing and thouing of him*, and many other abusive speeches. p. 94.

July, 1671. Mr. Thomas Withers complained of, and before this Court convicted for Seruptitiously indeavoring to pervert the providence of God, and priviledges of others, by putting in several Votes for himself to be an officer at a Town Meeting when He was Intrusted by divers Freemen to Vote for other men, and for now writing and forging of a Summons and subscribing the clerks of the Writ's Hand to itt without his order. For his delinquency herein the aforesaid Thomas Withers is fined Five pounds to be paid in money or other pay equivalent thereunto to the Treasurer of the County or to stand in the Pillory at York the next Training Day Two Hours; officers fees 5s.

And further, the said Thomas Withers is disfranchised and

henceforth disenabled to Elect or be chosen to any place of Public Trust as a freeman have and ought to have either in Town or more publick affairs untill under the Sense of his mis-carryage opportunity gives him leave to give suitable Satisfaction to Court and country. p. 103.

We present Mrs. Sarah Morgan for striking of her Husband. (*Testes Capt. Davis Jno. Ameredith, constable.*) The delinquent to stand with a gag in her mouth half an hour at Kittery at a publick Town meeting, and the cause of her offence writ and put upon her Forehead, or pay 50s. to the Treasurer. p. 106.

## B. B.

Court at Saco, 1665, Nov'r. Edward Rishworth is Plant. In an action of the case for not paiment of a Debt due to him out of Mr. Green his Estate deceased, contra Jere. Sheers, ad-ministr. of the said Green.

The Court finds a non suit against the plant. and gives the defendanth his charge, 18s. Because He is not capable to be sued within one year, and one day after Letters of admn. taken.

We present Joane Forde, the wife of Stephen Ford, for calling the constable Hornheaded Rogue and Cowhead Rogue. Joane Ford punished for this offence, by nine Stripes given her at the post at a Court holden at York, Decemr., 1665.

We present Joseph Winnock of Black Point for abusing Mr. Francis Hooke, Just. Peace, by saying that he was no more Drunk than Mr. Hooke, and called the said Hooke Mowne Calfe.

Joseph Winnock fined for offence Forty shillings. p. 13.

We present Joane Forde, the wife of Stephen Ford of the Isle of Shoales, for reviling and abusing the Neighbours by very evil speeches. Jane Ford, for abusing the Constable and other Her Neighbours, is appointed to have *Ten* lashes at the post, which was by John Parker in presence of the Court accordingly executed. p. 14.

In his majestys behalf we Indite Rich'd White of York for swearing and calling his wife whore.

Richard White fined for swearing 2s. 6d. and for abusing his wife 20s. The fine of 20s. for abusing his wife, upon her request and his promise of amendment, is remitted, and he paying 5s. for the officers fees is discharged.

In his majestys Behalf We Indite Richard White of York for Abusing Thomas Bragdon one of the grand Jury, by saying that the said Bragdon was not fitt to be a grand Juryman and that he would complain upon him tomorrow and have him put out of his place for he was a Knave.

Richard White fined for his offence 20s., and paying five shillings for the officers fees is acquitted. p. 15.

#### Book C.

At a Court holden at Casco by Henry Joeeylen, Esq'r., William Philips, Major Edward Rishworth, Francis Hook and Samuel Wheelwright, jr. appointed by special commission from the Right Hon'ble Sir Robert Carr, Knight, Col. George Cartwright and Samuel Maverick Esq. for the eastern division of the Province of Mayne, this 26th day of July, 1666. In the 18th year of our Sovereign Lord the King.

It is ordered that Mr. George Munjoy shall henceforth have power to administer Oaths in all matters of concernment unto any person residing within the limits of the town of Casco. He is likewise Impowered to marry within the precincts of the said town, and to take a carefull oversight of all weights and measures, to see that they be according to the King's standard, which is Winchester Weights and Measures, wherein if the said Weights and Measures be found faulse or faulty, in the hands of any person or persons, then the said weights and measures to be forthwith destroyed, and the person or persons to be bound over to the next Court holden for this division.

It is likewise ordered that any one Jus. Peace in the place where he resides hath power to sumnon in seven honest men for a Jury living within the said town, and to try any Action not exceeding 40s., and after judgment to grant Execution for the same to the constable of the town when the Marshall is not present.

Court at Casco 13th Nov., 1666, the same Judges as before, S. Wheelwright—excepted.

A Court of Pleas holden at Casco the 1st day of Oct. 1667 for the Eastern Division of this Province by Henry Jocelyn Esq. Major William Philips, Edward Rishworth Rec. Mr. Francis Hook and George Munjoy; Thomas Hayns chose clerk of the Band for Westgostogua. 13.

Elner Bonython examined by Esq. Jocelyn and Major William Philips, jr., Jus. Peace, in reference to Bastardy, but not finding upon examination, her owning of the reputed Father of her child, do therefore order that Elner Bonython for her offence, shall either within one month from the 20th day of September, 1667, stand three Sabbath Days in a White Sheet in the publick meeting or otherways to pay five pounds into the Treasury of this Division, which five pounds her father Mr. John Bonython doth ingage himself to pay into this Court between this and the last of May next ensuing, viz. to the Treasury.

We present Geo. Garland and Sarah Mills for living together as man and wife being never married, contrary to the laws of England.

In reference to more orderly living of the said Garland and Sarah Mills and for preventing of future Inconveniencys which will necessarily ensue such Incontinent courses ;

It is ordered that George Garland and Sarah Mills shall by the order of some Jus. Peace in this Province or some minister, be married within the term of one month from the date hereof, or otherwise they shall not fail to give in sufficient Bond of ten pounds for their good behaviour, to our Sovereign Lord the King to the next Court of pleas for this Division.

At a Court at Wells, Sept. 29, 1663. Capt. William Philips is legally chosen by the major part of the freemen and fidelity men of this county, to exercise the place of a Sargeant Major for the year ensuing, and his oath given him at this Court by the order of the county court last, as attest.

Edw. Rishworth, Associate.

#### Book E.

1669. In reference to James Hermans beating and abusing his wife. This Court doth adjudge that the said Hermans shall have ten stripes on the naked back, and to stand bound in a sum of twenty pounds for his good behaviour until the next county court. p. 36.

Joano Andrews there appearing was admonished by the Court and required not to entertain her daughter the wife of John Billing, so as to draw her from her husband, and she the said Ann Billing was required to repair home and live lovingly

with him, upon penalty of what further paine upon her neglect thereof may further inew. 42.

1671, March 8. James Smith complaynes to Capt. Wincol of Thoms. Nubery, for attempting to abuse his wife and Elizabeth Alline, by proffering and wayteing opportunitys to ly with them, and for swearing several oaths in their hearing.

Thomas Nubery, for his light and uncivil carriages about the wimen, is concluded either to pay five pounds to the Treasurer or to receive ten lashes upon the bare skin at the post. Nubery stands to the fine. p. 48.

Thomas Nubery fined for his profane swearing, twenty shillings.

1671. Mr. Thomas Withers complained of by a common report for an irregular way of contribution, by putting in money to lead on others to do the like, and taking of his own money if not more out again, whereby there lyes some suspicion of fraud.

Thos. Withers stands bound in a Bond of £10 to the Treasurer of this county, to answer to the premises at the next Court holden at York for this county. p. 51.

Thomas Cloyse comeing as a testimony into Court, upon occasion did own in Court that he played at cards; for which offence he is fined five shillings. p. 54.

#### BOOK F.

We indite Jonathan Hamons for charging John Baratt for slighting and abusing of — his wife, saying to Mr. Samuel Wheelwright, what hath any man to do with it, have not I power to correct my own wife?

#### BOOK G.

We present George Gray and Sarah his wife for living in fornication before they came into the bonds of Wedlock; the Court fined the delinquents three pounds, or to receive ten stripes.

1674. Richard Gibson complained of for his dangerous and churtonous carriage towards his commander Capt. Charles Frost, which misbehaviour appearing in Court, the Court orders as followeth :

1. That the said Gibson, for striking Capt. Frost at the head of his company, is appointed to receive by John Parker, senior,

twenty-five stripes on the bare skin, which were this day given him in presence of this Court.

And further considering the insolency of the said Gibson's behaviour in the premises, it is further ordered that Capt. Frost shall have and is hereby impowered by warrant to call before him the said Richard Gibson the next training day at Kittery, and wither he is to order him to be laid neck and heels together at the head of his company, for the time of two hours, or to ride the wooden horse at the head of the company, which of these punishments Capt. Frost shall see meet to appoint. And for the said Gibson's mallplying of oaths he is fined twenty shillings, and for being drunk is fined ten shillings, and to pay all charges of Court, and stand committed until the sentence be performed; and further, Gibson is required to give in bonds for his good behaviour, of twenty pounds, that the said Gibson shall be of the good behaviour towards all persons and more especially towards Capt. Charles Frost, until the next County Court, and that the said Gibson shall appear at Kittery when required by Capt. Frost, there to perform the order of Court, and further, that he do discharge that £4. 2s. 6d. unto the County Treasurer.

James Warren, appearing in Court an Abettor unto the said Gibson, in his Insolency for his delinquency therein, is adjudged by the Court, To give Bond of twenty pounds for his good Behaviour to the next County Court, as also to appear personally the next training Day at Kittery, at the Head of the Company, there to be tyed Neck and Heels for one Hour, or ride the Wooden Horse, at the discretion of Capt. Frost, and to pay charges of Court, and He to stand Committed till this be done.

We present Francis Littlefield, Jun., for want of Scales and Weights in his mill as the Law requires. The Court order him to provide Scales and Weights between this and the next Court of Associates.

We present Charles Potum for living an Idle lazy life, following no settled employment. Major Bryant Pendleton joined with the Selectmen of Cape Porpus, to dispose of Potum according to Law, and to put him under family Government.

p. 25.

We present Jere. Gutteridge for an Idle person and not providing for his family, and giving reproachfull language to Mr.

Nathan Fryer, when He reprov'd him for his Idleness. The Court for his offence adjudgeth the delinquent to have twenty lashes at the post, or to bring in forthwith security to the Court to be of better behav'r in providing for his family by using more diligence in his calling for the future.

We present Adam Gudding for deneying the morality of the fourth Commandment. Teste Capt. Wincoll, Charles Frost.

p. 35.

1675, July 6. We present the Selectmen of the town of Kittery, for not taking care that their children and youth be taught their catachism and education according to Law.

We present Capt. Francis Rayns, for presuming to act the part of a midwife; the delinquent, examined by the Court, fined fifty shillings for his offence, and paying the fees, five shillings, is discharged.

We present the Selectmen of Cape-Portus, for not taking care that their children and youth of the town be taught their catachism and educated according to law.

We present the Selectmen of Scarborough, for not taking care that the children and youth of that town be taught their catachism and educated according to Law. p. 36.

We present the Selectmen of the town of Falmouth, for not taking care that the children and youth of that town of Falmouth be taught their catachism and educated according to Law. p. 37.

At a Court at York, July 1, 1679. James Adams, the Court having considered your Inhuman and Barbarous offence, against the life of the children before the Court, and great disturbance to the country; and do Sentence you to have Thirty Stripes well laid on, to pay to the father of the said children, Henry Simpson, Five Pounds money, to the Treasurer of the County Ten Pounds; out of which the charge of Postage and Search of the Town is to be discharged, and to pay the charges and fees of the Prison, and to remain close prisoner during the Court's pleasure and furthur order. These thirty Stripes were given by Jno. Smith, Sen'r, The Executioner.

N. B. The Judges were The Right Worshipfull Jos. Dudley, Esq., Major Richard Waldron, Esq. Commissioners, Mr.

Edward Rishworth, Capt. Jno. Wincol, Mr. Sam'l Wheelwright and Capt. Jos: Scottow, associates. p. 64.

July 19th, '79. Philip Addams, In the behalf of his Son James Addams, appeared before us at the House of Capt. Davis, and did then acknowledge himself to stand Bound in the sum of one hundred Pounds in current pay of New England unto the Treasurer of this County, with one fortnight's or twenty-one days' time, to send away his Son James Addams out of this Jurisdiction, and in the — to take such effectual care and charge about him to continue his absence from the Town till —, so as to prevent future Inconveniencys to any of his Neighbors.

FRAN. HOOKE,

EDWD. RISHWORTH.

Philip Addams likewise ingaged before us to pay or cause to be paid the worth and full quantity of Two thousand of good merchantable Red Oak Pipe staves to Mr. Francis Johnson, here at York, between this and Michalmas next, which being done, the said Simpson accepts a full satisfaction for that five pounds the said Court gave him relating to his Son James Addams. p. 65.

July 15th, 1690. In the Court of Sessions of the Peace for the Province of Mayne held at York.

Before Major John Davis, Deputy President; Capt. Francis Hook, Maj. Charles Frost, John Wincol, Justices.

Whereas there is great complaint made of several abuses taken notice of in Ordinarys by excessive drinking of Rum, Flyp, &c. The Ill consequence whereof is publicly seen in the misbehaviour of several Persons in the presence of authority for the preventing the like for the future, it is therefore

Ordered, That from henceforth there shall not be any Rum or other strong Liquor or Flip be sold unto any Inhabitant of the town by any Ordinary keeper therein, directly or indirectly, except in case of great necessity, as in case of sickness, &c. Nor shall any Ordinary keeper sell unto any stranger more than one gill for a person at one time. And all civil officers especially Selectmen and Constables, in the respective towns in this Province, are required to take especial care by inspecting any Suspicious House or Houses where any such abuses or profaneness may be acted, and in case any Ordinary keeper shall presume to Transgress this order, he shall immediately forfeit his License.

## V. DEPOSITIONS

OF GEORGE CLEEVES, GEORGE LEWIS, AND MICHAEL MITTON, OF CASCO,  
AND HENRY WATTS, GEORGE DEARING, AND JOHN SMITH, OF BLACK  
POINT, RELATING TO THE DOINGS OF CAPT. ROBERT NASH ON THE COAST  
OF MAINE IN 1645.

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1645, May 1. I George Cleeves do affirme that about the 25th of the third month last, 1645, that three of Andrew Algar's men of Stratton's island came to my house in a botte to borrow scales and waits to way their fish, and I questioned them about all that shuting which trubled all the people in severall plantations, and they tould me that Mr. Nash shot them, and give them pouder to answer him againe, and I also demanded of them if they were not all drunk, and they said that they were all merrie, and farther, I affirme that I went, and Mr. Tucker with mee, to the house of John Cussin's and Thomas Smyth, in Cascoe bay and about three leagues from my house, to have taken there testimony consarning Nash's slandering your General Court, but could not prevail with them to take the oath, they being refreetorrie and saith that Nash is in their dept, but confessed verbalie to us, as they had formaylie tould Mr. Holland of Dorchester that Nash said that the Court had done great wrong to a pore woman about a sowe, and that none could have justice from you but such as were membars of the Church, and tould them that they had as good live in turkie as live under such<sup>a</sup> government, and told them that there were nineteen witnesses sworne against Mr. Cane,<sup>1</sup> yet he being a member carried the mattar against the poore woman, and other witnesses to this effect, and this is in the mouths of all our malignants, it being reported, say they, by thouse that live amongst them, and therefore is undoubtedlie trew.

<sup>1</sup> This affair of the sow, which produced great excitement at the time, may be found at large in Winthrop's Journal.

That this is their reports, and as they affirme from Nash, Mr. Holland can speak to the lick purpose, and I shall be readdie to affirme upon oath, who am your humble sarvant.

GEORG CLEEVES.

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George Lewis of Casco, sworne and examined, saith that Robert Nash of Boston sayd in his hearing to Tho. Wyte, who reproved the said Nash for shutting so many peeces at Stratten's island, that he would have shott so manie more in Casco bay at his coming in there if he had had so much pudder left, and this deponent heard Nash say at his retorne from the Easte, the same voyage which was the first of June last.

These words were heard from him upon the Sabbath day at his return from meeting. Tackn before me Julie 2, 1645.

GEORG CLEEVES,

RICHARD TUCKER.

Severall depossitions taken before us Georg Cleeves and Richard Tucker, both of Cascoe in the province of Ligonias, consarning Rob't Nash his miscarriage in our parts in the third month last 1645.

Henrie Wattes of Black Poient, sworn and examined, saith about the 20th May last, being the last voyaidge that Robert Nash of Boston made into our parts, this deponent being about his house and about 2 miles from Stratton's island, this deponent heard several peeces shott of in manar of a fight, he supposes about an hundred peeces, and terrified therewith as well as his neighbors, with what convenience he might be desired to know the mattar, and being informed from Stratton's Island that Nash and his company and the fishermen of the said Iland had shot them there to whome Nash had given powdar for that purpose to answer him and his company out of his vessel, and that they were shot of at the drinking of their healths, and that they did take powdar out of Nash his barrel by handfull without othar measure and vowed to have the last shot of the Ilanders to whome he had also given powdar without wait, insomuch that they shot so long that there peeces were so hott that they could hould them no longer in there hands, farthar deposeth that John Parkar of Dammarill's cove affirmeth that Robart Nash being with him gave and sould so much sack to his men that

Nash himselfe and Parkar's men weare all so drunke for severall daies together that his men could not goe to sea in the prime tyme of fishing, whereby the said Parkar and his company lost 40 or 50 pounds by the misdemeanor of said Nash. Taken the last of June 1645.

Georg Dearing of Black Point, sworne and examined, saith that at the same time he heard many peces shott about Stratton's island, and upon farthar inquirie he understoode that it was a drunken bout between Nash and the Ilanders, which put him and his wife and neighbours into such a fright that they all thought that the French or othar enemyes had ben at hand. Taken the day abovesaid.

John Smith of Sacoe, sworne and examined, saith that the same tyme he hard the peces shot off so thick that he and the rest of the people there judged yt to be a fight between the French or that Mr. Winter had been taken at Richmond Iland, and this deponent saith that hee counted 70 peces shot and ther left counting, and that upon repairing to enquire the cause he found that Nash and his company had shot them at Stratton's Iland and that he also gave the Ilanders powder to answer him from the Iland and that Nash vowed to have the last shott, and saith that he heard that they were all drunk. Taken the day abovesaid.

Michell Mitton of Casco, sworne and examined, saith that about the 20 of May last he heard severall peces shot of which he supposed had ben a fight between the French, or that Richman's Iland, Mr. Winter's plantation, had ben taken, and being terrified therewith could not rest till he went to Richman's Iland to know the mattar, and there understanding that Robert Nash of Boston shott them and gave powder for that purpose to shoot at the drinkings of healths, and farther saith that he heard 40 peces at least, Cascoe being no less than 3 leags of Stratton's Island.

All these several depositions were taken before us the last day of June and the first of Julie 1645. Before us

GEORG CLEEVES,  
RICHARD TUCKER.

[The foregoing were taken from the original documents on file in the Secretary of State's office of Massachusetts.]

## VI.

THE FOLLOWING DOCUMENT CONTAINS THE SUBMISSION OF SCARBOROUGH AND FALMOUTH, THEN THE EASTERN TOWNS IN THE PROVINCE OF MAINE, TO THE JURISDICTION OF MASSACHUSETTS, IN 1658. IT IS TAKEN FROM YORK RECORDS, AND HAS NEVER BEFORE BEEN PUBLISHED. THE SUBMISSION OF THE TOWNS OF KITTERY, YORK, WELLS, AND SACO, IN 1652, MAY BE FOUND IN SULLIVAN'S HISTORY OF MAINE.

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THE return of the Commissioners of the General Court of the Massachusetts being authorized and appointed to settle civil government in the eastern parts to the utmost extent of their line, as appears by a commission granted them bearing date May 20th, 1658.

In reference whereunto the commissioners aforesaid whose names are here subscribed according to order and trust therein to them committed, did repair unto the eastern parts and at York did adjourn the court unto the house of Mr. Robert Jordan at Spurwink, sending out summonses to all inhabitants residing within the line proposed, there to appear personally before them, which by the major part thereof was attended, and after some serious debate of matters betwixt us, removal of some doubts, and our tendering of some acts of favour and privilege to them, the good hand of God guiding therein by a joint consent, we mutually accorded in a free and comfortable close, as doth more fully appear by these following acts.

July 13, 1658. We the Inhabitants of Black Point, Blue Point, Spurwinke, and Casco Bay, with all the Islands thereunto belonging, do own and acknowledge ourselves to be subject to the government of the Massachusetts Bay in New-England, as appears by our particular subscriptions in reference of those articles formerly granted to Dover, Kittery, and York, which

are now granted and confirmed unto us, together with some additions, as upon record doth appear.

Francis Small,	Jon. Phillips, [mark.]
Nicho. White, [mark.]	George Taylor, [mark]
Tho. Stanford, [mark.]	Nicho. Edgeom, [mark.]
Robert Corbine,	Hene. Joclein,
Nath'l Wallis,	Geo. Cleeves,
Jon. Wallis,	Robt. Jordan,
Arthur Augur, Jun., [mark.]	Jon. Bonighton,
Ambros Boden, Jun.,	Rich'd Foxwell,
Samuel Oakeman, [mark.]	Hene. Watts,
Jonas Balie, [mark.]	Fran. Neale,
Andrew Browne, [mark.]	Abra. Follen,
Michael Madiver, [mark.]	Ambros Boden, Sen.,
Tho. Hamott, [mark.]	Michael Mitton,
John Tynny,	Richard Martine. [mark.]
George Lewis, [mark.]	

Every one of those persons as abovementioned which have subscribed to this writing have further by oath taken in court engaged themselves to this authority of the Massachusetts at the date hereof, July ye 13, '58.

Whereas the towns Black Point and Blue Point, Spurwinke and Casco Bay have acknowledged themselves subject to the Government of the Massachusetts, as by the several subscriptions under their hands doth appear.

We the commissioners of the General Court of Massachusetts do actually grant as followeth :

1. In case by an immediate power from the Supremacy of England, we are commanded and after address to the same Supremacy by the Massachusetts Authority, it be defined as proper to any other regulations than ours, this obligation to be nulled, we protecting them till the determination thereof.

2. That an act of indemnity or oblivion is freely granted them.

3. That all such acts and privileges as have been granted to Dover, Strawbury Bank, Kittery, York, Wells, and Saco, are granted unto them.

4. That in case of appeals to Boston, the appellant recovering shall have ordinary costs, but shall put in sufficient security not recovering to make good treble costs to the defendant.

5. That they shall have true transcripts of such privileges as

have been granted to the forementioned towns sent unto them to be recorded with all convenience.

6. That the civil privileges now granted them we do not intend shall be forfeited upon differences in matters of religion, but their regulations therein must be according to penal laws.

7. That those places which were formerly called Black Point, Blue Point, and Stratton's Island thereto adjacent shall henceforth be called by the name of Scarborough. The bounds of which town on the western side beginneth where the town of Saco endeth, and so runs along on the western side of the river of Spurwink eight miles back into the country.

8. That those places formerly called Spurwinke and Casco Bay, from the East side of Spurwinke river to the Clapboard Islands in Casco Bay, shall run back eight miles into the country and henceforth shall be called by the name of Falmouth.

9. That the towns of Scarborough and Falmouth shall by a survey take an effectual course to bound themselves betwixt this time and the next court holden for this county, whereunto they are to make their return, or upon their neglect thereof the county court shall appoint commissioners for bounding of them.

10. That the towns of Scarborough and Falmouth shall have commission courts to try causes as high as fifty pounds.

11. That those two towns of Scarborough and Falmouth are to send one deputy yearly to the court of election, and have liberty to send two deputies if they see cause. In court given under our hands July 14th, 1658.

SAM'L SYMONDS,  
THO. WIGGIN,  
NIC. SHAPLEIGH,  
EDW. RISHWORTH.

Whereas the county of Yorkshire is large and very remote from Boston, where the General Courts and Councils of this Common Weal of the Massachusetts do usually assemble, whereby it is more difficult to obtain the presence and help of any of the assistants of the Government as occasion from time to time doth require. We therefore the Commissioners of the General Court, considering their necessity of a constant supply till the General Court take further order therein, do grant and order as followeth.

1. That with the consent of the inhabitants of the aforesaid towns of Scarborough and Falmouth, we do constitute and appoint the right trusty Henry Jeelein, Esq., Mr. Robert Jordan, Mr. Geo. Cleeve, Mr. Henry Watts, and Mr. Francis Neale, Commissioners for the year ensuing, invested with full power or any three of them for the trial of all causes without a jury within the liberties of Scarborough and Falmouth, not exceeding the value of fifty pounds, and every one of the said commissioners have granted them magistratical power to hear and determine small causes as other magistrates and assistants have, whether they be of a civil or of a criminal nature. Any of the said commissioners may grant warrants, summonses, and executions if need require, and have power to examine offenders and commit to prison except bail be tendered according to law, also any of the said commissioners have power to administer oaths according to law, and if they judge needful, to bind offenders to the peace and good behaviour. Also to solemnize marriages according to law, and any three of the said commissioners have power to empower military officers under the degree of a captain.

The said commissioners are required to enjoin each towne to procure the Book of laws. They have also power to receive in all such persons living within our line as between this present time and the last of September shall come in by their voluntary subscriptions. The meaning is that they should not be barred from having the privileges that their neighbors enjoy by occasion of their necessary absence at the court.

2. That when county courts are called and through Providence hindering that there are none of the assistants present at York or elsewhere, that the said county court shall still proceed and the acts thereof shall be valid notwithstanding ye associates of the county or any three of them at least being then present.

3. We do likewise order that the associates chosen for this county or any three of them shall have full power without a jury to try any such civil actions as shall not exceed the value of sixty pounds, the party cast having liberty of appeal to the county court.

4. It is ordered hereby for the easing of charges and trouble in this county being so remote from the exercise of authority in

some considerable cases, that the three commissioners or more in this county in each town shall have full power to grant letters of administration, receive probates of wills and to order such estates as county courts have power to do in the like cases. Provided when any such acts are put forth by the commissioners of the towns of Scarborough or Falmouth, Mr. Henry Joecelein or Mr. Robert Jordan to be one of the three; for Saco and Cape Porpus, Capt. Nicholas Shapleigh to be one; for Wells, Mr. Abraham Preble to be one.

We do likewise grant the town commissioners of York and Kittery to have the same power therein, and that those particular gentlemen, Mr. Henry Joecelein, Mr. Robert Jordan, Capt. Nicholas Shapleigh, and Mr. Edward Rishworth and Mr. Abraham Preble, or either of them, shall have magistratical power throughout the whole county of Yorkshire for this year ensuing until others are chosen and sworn in their places, and the county courts from time to time have power to grant and renew licenses for ordinaries for selling of wine and strong water, and for keeping of houses of entertainment according to law.

5. And whereas henceforth there will be need of more associates for county courts than formerly. We do give power and order that there shall be five associates chosen yearly, whereas there was but three before, and that they may keep a county court at Saco or Scarborough (as at York) in the month of September yearly, provided the day and place be agreed on under the hands of three of the associates at least signified to the Recor. of the county, so that he may give due notice thereof unto the several towns six weeks before the said court at the least.

SAMUEL SYMONDS,  
THO: WIGGIN,  
NIC. SHAPLEIGH,  
EDW. RISHWORTH.

A true copy of those articles above mentioned granted unto Scarborough and Falmouth by the commissioners of the General Court unto them; Transcribed out of the original and examined word for word and truly recorded this 9th day of March 1658—59.

Per EDW. RISHWORTH, Recor.

## VII. A PETITION

OF EDWARD GODFREY TO THE GENERAL COURT OF MASSACHUSETTS IN 1654.

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THIS and the four following articles are copied from the original documents in the Secretary of State's office, Massachusetts. They have never before been published.

30 Oct. '54. To the Hon. Gov., Deputy Gov., the magistrates and deputies of the Court now assembled, the humble petition of Edw. Godfrey of the town of York.

Sheweth that he hath been a well willer, encourager and furderer of this Col. of N. E. for forty-five years past and above thirty-two years an adventurer on that design, twenty-four years an inhabitant of this place, the first that ever bylt or settled ther; some eighteen years passed by oppression of Sir Ferdinando Gorges, was forced to goe to Eng. to Provide a Patten from the Councell of N. E. for himself and partners, the south side to Sir Ferdinando Gorges, and onely the North side to himself and divers others his associates. Certain years after some settlement, the inhabitants petitioned to have their lands laid out and deeds for the same, which was granted and by that occasion the whole Bounds of the Patten were divided as upon Record appeareth, but since that time the inhabitants have been so Bould as amongst themselves to share and divide those lotts and proportions of land as were so long time since allotted being not proportionable and considerable to our great charge, as by a draft of the river and division of the same will appear to this Hon. Court this division was made by order of Court and by all freely allowed in Anno '40 and '41 and since, when wee came under this government confirmed as will appear. And the proportions to be less than many that came servants, all the marshes almost disposed of by the inhabitants and their petitioners, rentes and acknowledgements detayned having not marsh left him to

keepe five head of Cattle, in this cause it pleased the Council to send a Summons to the inhabitants and some of York by name which I heere was faithfully and safe delivered unto them in time which I presume they will obey.

Humbly desireth his cause may be heard and judicated by this hon. Court.

The magistrates desire the case in the petition shall be heard by the whole Court on the fourth day next, desiring their brethren the deputys consent hereto. E. RAWSON, Secretary.

The dep. consent hereto.

WM. TORREY, Clerk.

## VIII.

A PETITION FROM THE INHABITANTS OF MAINE TO OLIVER CROMWELL, 1656.

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To his Highnes Oliver Cromwell, Lord Protector of England, Scotland and Ireland. The petition of several of the inhabitants of the townes of York, Kittery, Sacoe, Welles, and Cape Porpus, sometime under the provincial government of Maine and Ligonias, now under the Jurisdiction of the Mass. in New-England.

Humbly sheweth, Whereas information doth report unto us of several addresses lately made unto your Highnesse by some gentlemen of worth for restitution of their right of jurisdiction over us claymed, by their pattents, the determination whereof we humbly conceive, after a Legall hearing, rests upon your pleasure, wherein ourselves being not so properly concerned as others at present, doe purposely wave, craving leave only to present your highnesse with a true narrative, though implictly of our first and last estate, before and since we had this Gov't. which through God's mercy we are to enjoy to our good satisfaction, and for our continual settlednesse under it we daily pray, for these reasons.

1st. Because of ourselves, we have small power to carry on government, being a people but few in number, and those not competent persons to manage weighty affairs, our weakness occasioning distraction, our paucity, division, our meannesse, contempt, as our own former experience, hath fully evinced to the total subverting of all civill order amongst us.

2dly. Because changes cannot reduce things from Impossibilities to make things of such as are not, to be. The case is ours, the places of our residence admit of but small enlargement,

the generality of the country from us Eastward is so confusedly taken up, being of sterile lands, swamps and rocky mountaynes, as not more than a few shreads are left by the sea shore fitt for Cohabitation, and these already populated by an inconsiderate number of people ; How ye wisest of such, who desire superintendency over us can settle a well governed Commonweale upon such basis, we leave to your wisdom to judge.

3dly. Because changes in these times may prove dangerous, where discontented spirits wait for such opportunities, which have not been the least part of that small number amongst us, who were professed Royalists whose breathings that way since our subjecting to their authoritie have been so farre stifled as that ye activitie of such spirits cannot find any or the least opportunity of motion.

4th. Because we feare the hurtfulnesse of our changes as our government now is, our persons and estates stand under ye securitie of wholesome laws, watchful Governors, the fathers of our nourishment and peace, whose joyous care not only tollerates but maintaynes us but ye purest institutions, for the encouragement of godly persons both ministers and others, to reside amongst us, but changing, it may throw us back into our former estate to live under negligent masters, ye danger of a confused Anarchy, and such other inconveniences as may make us a fitt shelter for ye worst of men, delinquents and ill affected persons, to make their resort unto, thereby to exempt themselves from justly deserved punishments.

5thly. Changes are apt to Inihilate, unlesse they prove much for the better, especially in weak bodyes, where heads are farr remote touching such events our former experience hath taught us something else we crave of those gentlemen, who are now so solicitous for government over us, what meant the deepnesse of their silence several years, both in their tongues and pennis, as not after our frequency of writing to them they not so much as return us one syllable of answer or afford us the least assistance in government, the want thereof let us sink into great distractions, for our recovery thence several among us petitioners for government unto ye Colony of ye Mass, who after some debate with us and confirmation of some articles of agreement

to us, took us under their authoritie, unto which we subscribed and subjected ourselves, under whose protection to continue we account it not the least part of our securitie and happinesse.

6thly. Because we conceive the confirming of the Mass. Patent in its due extent, in respect of its antiquity, nulls all patents whatsoever, as fully in titles of lands as of government, from both which we expect equall freedom, by their justice and our own subjection.

Our humble request therefore is that your goodnesse would favor our reasonable entreaties, whose weaknesse calls for support, our manners for some strictness of rule, whose distractions for some present settlement; wherein our voate is that it may be as it is under the government of ye Mass. against which if changes should interpose our inevitable troubles would follow our condition as it was in part, and as it now stands, lyes really before your gracious eye, although not so methodically presented, for which we hope our ignorance will excuse us, touching which if your Highnesse expect any further information, we beseech your Commands herein for a pyous and Reverend friend of ours, Mr. John Wheelwright sometimes of us, now in England, unto whom our estate is well knowne, and is fully able to satisfy any material inquiries therein, Craving pardon for our over much boldnesse and prolixity as our duties are, so pray wee for the Almighty's protection to secure your person, his spirit to guide, his blessing to croun your high and memorable endeavours with continued successe for the advancement of his own glory and kingdom and your happinesse here and eternally.

Aug. 12, 1656.

Tho. Williams,  
Robert Booth,  
Richard Hitchcox,  
John Leighton,  
Ralph Trustrum,  
Walter Newell, [mark.]  
Rich. Coman,  
Rob't Weymouth, [mark.]  
Jno. Diamont,  
Wm. Scadlock,  
Wm. Renolds,

Rob. Wadley,  
John Allcocke,  
Charles Frost,  
Humph. Chadborn,  
Edw. Johnson,  
Henry Norton,  
Silvester Stover, [mark.]  
Sampson Anger, [mark.]  
Jno. Parker,  
Jno. Barret, sen.,  
Sam. Austine,

Morgan Howell,	Griffin Montague, [mark.]
Edw. Clark,	Miles Thompson,
Gregory Jeffrys,	Dan. Goodwin,
Nich. Bully, sen., [mark.]	Hen. Symons,
Roger Hill,	Hugh Gullison,
Henry Waddock,	Roger Plaisted,
Wm. Horkett,	Tho. Spencer, [mark.]
Nich. Bully, [mark.]	Wm. Dixon, [mark.]
Hen. Boad,	John Smith, [mark.]
Jno. West,	Tho. Courtous,
James Heard,	Sam. Twisden,
Abra. Preble,	Abra. Cowley, [mark]
Nich. Frost, [mark.]	Nath. Lord, [mark.]
Edw. Rishworth,	Tho. Jones. [mark.]
Peter Wyre,	Wm. Symons,
Robt. Knight, [mark.]	Rob. Mendum, [mark.]
Nich. Davis,	Wm. Spencer,
Rich. Bankes,	Francis Raynes,
George Parker,	Hen. Donnell,
—— Fletcher,	Jos. Emerson,
Ezek. Knight,	Tho. Wheelwright,
Wm. Hammon,	John Davis,
Nich. Coole,	John Twisden,
Jno. Gouch, sen.,	Philip Hatch, [mark.]
Jno. Gouch, jun.,	

This is a true copie compared with its original.

Attest,

EDM. RAWSON, Secretary.

## IX.

LETTER FROM EDWARD RISHWORTH TO GOV. ENDICOTT, 1656.

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To the Right Worshipful John Endicott, Gov., &c.

Aug. 14, 1656.

Right Worshipful, I have not been wanting, although with some difficulty, (and ye more in respect of my own weaknesse and other opposition,) according to the best of my skill and knowledge of the state of things amongst us, to draw together the counsels of the best part, I hope, if not the greatest part of our inhabitants for the effecting of which being effected will conduce, as we trust, to our future good ; In the accomplishment whereof among many who have subscribed, I meet such an unexpected readinesse of rationall compliyanee as gives me some encouraging persuasions that these scattered intimations of our honest desires to his highnesse may introduce some for the confirmation of our continued settlement under your authority, being unfeignedly the end of our requests, as this inclosed petition of ours more at large doth and may demonstrate.

Sir, being at Sacoe not many days since, I could not but take notice of some discontent and trouble of spirit in several of them about the apprehending Jno. Bonighton, whom I really believe want rather of corage than cowardize doth only retract their resolutions from the faithful discharge of their dutys therein, which occasionally kindleth his impudence soe much the more to the exorbitant abuse both of our authority and themselves ; And might I presume to utter my own weaknesses under correction, if the Gen. Court should thinke meete to commissionate Mr. Francis Raynes our Lieut., or some else in our County with sufficient power or assistance, the matter I conceive prudently

attended would be easily affected without any great damage or difficulty and the men of Sacoe removed out of their inextricable feares, with which by their own conceate they are soe strangely affected. The truth is they dare not take him. I formerly moved a businesse to your worship and Reverend Mr. Norton, (of whose \*\*\*\*\* I rejoyce to hear,) about procuring a minister for the people of Newgeawanacke, which hitherto hath lyne dormant, by reason of Mr. Broughton's absence thence, on whom it hath some chief dependence, but we hope shortly to have an opportunity effectually to revive it again.

Sacoe and Cape Porpus are in a greate straye for some godly minister; for his maintenance they propound fifty pounds per annum, besides a house and some other conveniences, touching which I was moved to write to your worship, which I cannot well be so forward in till the people of Newgewanacke be supplied, altho' I cannot but be sensible of the deepe necessity thereof. Some of Wells and Sacoe I perceive are very desirous of having the Gen. Court moved that they might have one Magistrate allowed and settled, who lives in the County, or otherwise to have some fitt person or persons joyned in Commission with the Commission of each towne, that upon occasion might have power for more speedy punishment of offenders who by these protractions of \*\*\*\* punishments doth multiply their offences, and at length find a way by escape to avoyd all punishments. Had we persons meetly qualified for such place, the thing were more than needful to be done. This with my service to yourself, the Dep. Gov., and my due respects to Mr. Norton and all the rest of our Christian friends, I leave yourself, yours and all your weighty occasions with the Lord, remaining

Your worship to be commanded

in the Lord,

EDWARD RISHWORTH.

[The first part of this letter undoubtedly relates to the petition to Cromwell, which precedes it in this volume; and we are thus let into the secret that the petition was procured by the exertions of that government to secure its power in this province.]

## X.

A LETTER ON THE AFFAIRS OF NEW ENGLAND, 1663 OR 1664.

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SIR—I have been divers times with Col. Temple at his lodging,\* whom I find to be a reall cordial gentleman for poor N. E., who hath not wanted for foes, for I will tell you, sir, what not only I but a ten or a dozen besides myself can testify, which I doubt not but is writt by other hands to N. E.

Sir, the first day that Col. Temple came to the Exchange after he had been at Court, he went off to the Sunne to Dummer,<sup>1</sup> and I think most of N. E. men was there, amongst the rest was Mr. Mavericke; Col. Temple was then pleased to tell us what he had said to the King in behalf of N. E., which was very much and speeke merrylic as you know his manner is, and said for all those affidavies or oaths that are given in against the Country, yett I will hold six to four N. E. hath their liberty contrary to expectation. Mr. Mavericke thought to have found him far otherwise and of his judgment: Mr. Mavericke said before all the Company that N. E. were all rebels and he would prove them so, and that he had given in to the council so, but I think he will be shamed of it.

To morrow evening N. E. business is to be heard at the Council table, and we intend to be there.

Sir, you need not fear but N. E. will enjoy their libertys as ever, and consarning the Quakers, I tell you what Col. Temple

[\*This Col. Temple was Thomas, afterward Sir Thomas, who was Governor of Acadia by Cromwell's appointment. He contrived to be on good terms with Charles II., and thus to render aid to New England. He was a large speculator in lands here. He died in London, in 1674.]

<sup>1</sup> Jeremiah Dummer, agent for Massachusetts, and Samuel Maverick, afterward done of the Commissioners to New England.

saith, that in the letters that he delivered of the Country to the Council in presence of the King, they writt they should observe his Majesty's Commands in all things and that they had given the Quakers liberty, the King hearing this clapt his hand on his breast said that he intended not soe, but] that they should not hang them, while further order.

J. CURWINE.

There is no date to this letter, but as it relates to affairs just pending the sending of commissioners to New England, it must have been written in 1663 or '64.

## XI.

A PETITION FROM THE INHABITANTS OF MAINE TO CHARLES II., ABOUT 1680. IT IS WITHOUT DATE, BUT IT MUST HAVE BEEN PREPARED IN 1680, OR THE BEGINNING OF 1681,—ONE AT LEAST OF THE PETITIONERS DIED IN 1681, AND THE INDIAN WAR, TO WHICH REFERENCE IS MADE, ENDED IN 1679.

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To the King's most excellent Majesty, the humble petition of your Majesty's freeborn subjects, the inhabitants of the province of Maine in N. E.

Humbly sheweth That your Majesty's father of ever blessed memory by his letters patent bearing date at Westminster in the fifty-first year of his reigne, did grant unto Sir Ferdinando Gorges his heires and assigns that tract of land called the Province of Maine, making the same equal with the Palatinate of Durham and to enjoy the like privileges to lay out and grant townships, to dispose of lands not disposed of before, and that noe law be exercised in the Province but such as were made and consented to by your Majesties freeholders inhabiting the said Province. And that your petitioners upon these invitations and incouragements did settle in the said province in greate numbers and in short time incre ased unto several townships having amongst us several Courts of Judicature and Records and for divers years were governed according to their laws (agreeable to the laws of England) made by the Commissioners of Sir Ferdinando Gorges and the freeholders therein. That the Bostoners under pretence of an imaginary patent line did invade our rights and priviledges erecting their owne authority by causing the inhabitants to sweare fidelity to their government. That about the yeare 1661 upon our humble representation of these matters your Maj. was graciously pleased by your royal authority by

your royal letters of 1664 to that government to require them not farther to disturb nor meddle in the province, which they then refused to obey.

Whereupon your petitioners representing their grievances to your Majesties Commissioners in 1665, they solemnly restored and re-established your Majesties authority amongst us by which we administered the oaths of allegiance and proceeded to govern and —y to our former laws and so continued till about the year 1668 when Maj. Leveret, Walderne and others entered upon the province and with force of arms disturbed the inhabitants, then at a Court holden for your Majesty at Yorke in your Majesties province of Maine commanding all proceedings for the future to be managed by their own authority and laws; Since which time notwithstanding the greate loss sustained by the late Indian war we are still oppressed with heavy rates and taxes imposing the sum of three thousand pounds and upward to be collected and paid by the inhabitants of three towns (viz.) York, Wells and Kittery. Your petitioners humbly pray your Majesty to take the premises into your royal consideration and by your gracious letters to re-establish and confirm us under your royal authority granting liberty to tender consciences to impower such whose names we here humbly represent to govern according to the lawes and constitutions of this your Majesties province until your Majesties pleasure be further known therein, to which we shall in all readiness and duty submit. And your petitioners shall ever pray.

John Hole,  
Peter Lixon,  
Elihu Gunison,  
Joshua Downing,  
Rich. Jewell,  
Rich. Whiet,  
Tho. Rice,  
Rich. Nason,  
Richard King,  
Gabriel Tetherly,  
Christian Remuck,  
Enoch Howchins,  
Tho. Furnell,  
Tho. Hunscom,

Clement Short,  
Jno. Taylor,  
Wm. Furbish,  
Josiah Wite,  
Richard Calle,  
Jno. Granger,  
Benj. Nason,  
Nath Lord, jr.,  
Abra. Lord,  
James Stackpole,  
John Nason,  
Christo. Batt,  
And. Sarl, sen.,  
Jno. Sarl,

Richard Miller,  
Richard Green,  
Edmund Hammond,  
Nic. Shapleigh,  
Roger Davis,  
Jos. Twisden,  
James Wiggin, sen.,  
Diggerie Jaffrie,  
Stephen Jenkins,  
John Morrill,  
Adrian Frie,  
John Miller,  
Tho. Mussey,  
Tho. Drafton,  
Jasper Putnam,  
Alexand. Cooper,  
John Card,  
Thom. Curtis,  
Tho. Littlefield,  
Tho. Bragdon,  
James Wiggin, jun.,  
John Moggerage,  
John Ameradeath, sen.,  
William Tetherly,  
John Trickee,  
Jabis Jenkins,  
Rich. Bankes,  
John Batson,  
Jeremiah Shores,  
Nath. Raines,  
Nath. Donnel,  
Jona. Nason,  
Rich. Bray,  
John Whiet,  
John Ken,  
John Green,  
Jno. Pudington,  
George Buren,  
Rowland Young, sen.,  
Samson Angier,  
Joseph Daniel,  
Jno. Bray,  
Arthur Daniel,  
Wm. More,  
Francis Trickee,

Jno. Neale,  
Peter Grant,  
Nathan Beadford,  
Geo. Inggerston,  
Anth. Brackett,  
Thad. Clarke,  
John Davies,  
Lawr. Davies,  
Wm. Pearce,  
Wm. Rogers,  
Jno. Welding,  
Jno. Skilling,  
Jos. Ingerson,  
Geo. Ingerson,  
Philip Hues,  
Steph. Leatherbee,  
Rob. Hains,  
Wm. Hains,  
Tho. Bickford,  
Henry Libbe,  
Chris. Edgcom,  
Jno. Jordan,  
Sam. Jordan,  
Domin. Jordan,  
Jeremiah Jordan,  
Wm. Mansfield,  
Jno. Flee,  
Andrew Bodon,  
Peter Shaw,  
Christo. Spurrell,  
John Tinny,  
James Randal,  
Jno. Mackworth,  
Jno. Simson,  
Antho. Row,  
Phillip Foxwell,  
Waymouth Bickton,  
Henry Elkings,  
Tho. Mosse,  
Jno. Barrett,  
Robert Eadge (comb),  
John Hill,  
Wm. Scriven,  
Richard Rogers.

## XII.

### LATE GOV. LINCOLN'S MSS. PAPERS.

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#### PREFATORY NOTICE.

AMONG the memorials of the late Governor LINCOLN, to which value is attached by those acquainted with his favorite occupations, are a considerable number of rich and interesting manuscripts, relating to the Indian antiquities and historical annals connected with the territory, which is now chiefly contained within the limits of this State.

It may be observed, that the field of these researches, to an intelligent investigator, is not strictly confined to the original, or even the existing, geography of Maine; but that it may be considered as extended in some measure over the whole surface which once formed the scene of contest between the French and English titles in this quarter—to the verge of the St. Lawrence on one side, and the banks of the various streams that bore at one time or another the customary appellation of *St. Croix*, which the French were apt to bestow upon any spot to which they set up the European right of discovery and conquest. The view, therefore, spreads over all the country claimed by them under the rather poetical description of *Acadie*, and the space included also in the charter of William and Mary, to the north and east of the Piscataqua. The large tract of territory embraced by this bold, and vague, and somewhat irregular outline—altered as it was from time to time by political treaties, negotiated it may be noticed in different places in Holland—forming the subject of fierce conflict, upon the debatable ground, between the national arms of France and England—and exhibiting moreover a spectacle of border or feudal warfare between the opposite occupants and combatants for possession—may be termed the *Flanders*, or in more modern phraseology, the *Belgium*, of America.

No antiquarian or historical survey, therefore, of those subjects, which engaged the attention of the distinguished author of these MSS., could be sufficiently comprised within any more certain or determinate boundary. No scope less ample would in fact afford a distinct and proper perspective, either to the general topics or particular events about which the chronicles and records of that long period are concerned; and a definite limitation of regard to such a portion of the country as lay within the mere

acknowledged and undisputed allegiance of the English Sovereign until the termination of the war of 1756, would exclude from the horizon no inconsiderable part of what is proper to the province of inquiry. Further; from the early visits of the French to this projection of the continent, where it was their policy to make a permanent establishment, whether as a counterpoise to the English or for the simple purpose of extended empire and commercial consequence, from the conciliatory and successful intercourse which they cultivated with the natives, the superior facility with which they entered into the modes of Indian life, and the tact with which they discovered the shades of Indian character, from the familiarity with which they accommodated themselves to the habits and identified themselves with the interests of these ignorant and yet not intractable sons of the forest—from all these combined means of influence and knowledge in their affairs, as well as from the direct share which the French sustained in the work of colonization, and from the natural relations and perpetual effects springing out of their juxtaposition to the Anglo-American settlements on the Atlantic, there is a fund of valuable information to be found among the narratives of the French adventurers and historians, such as *Lescarbot*, *Charlevoix*, etc.; and this class of authorities, contained in a foreign language, is to be consulted with no less care, nor, it may be added, with less advantage, than the accounts of Smith, and Gorges, and Josselyn.

The papers bequeathed by Governor Lincoln bear evidence that he omitted no means, and neglected no opportunities that could avail him for acquiring all the appropriate knowledge which belongs to the treatment of the above mentioned topics; and that he had access to sources which do not lie within the familiar range nor come within the ordinary reach of those, who, whether as readers or writers, possess a competent general acquaintance with the early affairs and local antiquities of New England. If, as may be the case, there are others whose longer devotion to Indian researches has been rewarded by the most extensive acquirements, and who upon particular branches of the subject may possess a more profound and universal learning, those enlightened minds would not be prone to undervalue the contributions capable of being furnished by these papers to the stock of general information; and it may at least be said, that an abundant collection of materials in relation to the interesting subjects referred to, exhibit the proofs of a patient, partial, and persevering labor on the part of the historian, in the cherished employment of his mind at hours disengaged from public service or reserved from professional duty, for several years of his life; and that he has embodied a large quantity and rare variety of important information concerning the characteristics and circumstances, the dialect, religion, and fate of the aboriginal inhabitants of this broad promontory of the North American Continent.

These productions of his pen are obviously impressed with the tastes, opinions, and feelings of their benevolent and accomplished author. To those who regard these natives of the land as leaves scattered by the winds

of autumn, while these papers may shed a lingering and pensive light upon the relics of that unfortunate and vanishing race once among us—which may be grouped under the general denomination of Abenakis—not without a humane and friendly leaning in their favor, they are nevertheless marked with the reflective traits of a sensible and philanthropic philosophy, keeping in view as a point of paramount importance the advance of the best principles of progressive moral and social improvement.

It was apparently the design of Mr. Lincoln to have prepared these materials, which he had taken so much pains to collect, for publication; and it is probable that this intention was on the eve of being performed at the period when the execution of any literary purpose was necessarily interrupted and for a season postponed by the very general call of his fellow citizens to the cares of chief magistracy. From that point of time it does not appear that he was able to resume any regular portion of the attention he had been fond of bestowing upon this favorite occupation; and dying before his term of office was completed, it became scarcely possible to present the whole of his productions to the public with the advantage which they could have properly received only from his own revision. It is to be trusted that the main body of these valuable materials will not be quite lost; and the public may be warranted perhaps to place a reliance on those who were nearest to the deceased Governor Lincoln in the affinities of affection or the congenial and elevating associations of the mind, that they shall be presented in such a shape as may be suitable for their preservation. If we are not disappointed in the hope, which we permit ourselves to entertain, that his friends will not allow the work to be frustrated, the historical composition to which we have referred may be anticipated to constitute a prominent article in the ensuing volume.

Two portions have in the mean time been selected for publication in the present volume, in the state in which they were left, one of which relates to the language spoken by the Indians, and the other to the missions established by the Catholics among the Indians in this section of the country. It appeared that these were capable of being extracted without disadvantage, and may perhaps afford a taste of the remainder. It may be remarked as an opinion of him to whom we owe the benefit of these researches, that the French evinced an integrity and purity in relation to the interests of the Indian population, particularly in regard to their religious concerns, beyond any credit that could be assumed to the English for any political or proselyting services in their behalf. Such, it is plain enough, was the impression upon the minds of the natives themselves.

We are indebted to the pen of a friend well acquainted with the subject of his remarks for the following characteristic notice in regard to the gifted and lamented individual, who has accomplished so much to illustrate and adorn the objects of this Historical institution.

*Hei mihi—quantum  
Presidium, AUSONIA, et quantum tu perdis !*

THE papers here presented to the public are selected from a work which occupied much of the time and attention of the late Governor Lincoln, during many of the later years of his life. The subject is one in which he took a deep interest, and he spared no pains or labor in collecting the materials and endeavoring to make the work as perfect as the circumstances would permit. He searched every document to which he could obtain access ; he explored every page of history, which might afford a hint or an illustration of the task he had undertaken ; he visited all those spots in this State, rendered in any way remarkable for events connected with the early history of the primitive race, who once inhabited the places where civilization has now usurped the wildness of uncultivated nature. His very study bore testimony to the zeal he felt and the interest which he took in this subject, not merely by its books, but by the ornaments with which it was decorated. It was hung around with the branching antlers of the Moose, the Caribou, and the Deer ; and its walls ornamented by a map of the Umbagog lakes, delineated on birch bark by one of the natives ; over which hung a full length portrait of one of these ancient lords of the soil. Nothing was neglected that might serve to throw light upon the manners, character, habits, and disposition of our Indians. For this purpose he sought to obtain, both at home and abroad, all those documents that might be supposed to contain information upon this subject. He visited the neighboring Provinces, exploring their records for facts that might elucidate the task he had undertaken ; and that he might add to all this the benefit of observation and experience, he visited the Indian settlements, and sought information by intimacy and intercourse with them. In this way he had collected something of a dictionary of their language, and was fond of comparing its structure with that of ancient and modern languages, and tracing the analogies and discrepancies between them. His enthusiasm for whatever related to Indian character and manners, I believe to have been inspired by his own peculiar feelings and principles. The strong and pervading character of his mind was a love of nature, and consequent upon this, the love of liberty and hatred of oppression. This made him fly with such alacrity from the busy walks of life and the hum of men to the retirement of the country, and even to the solitude of the wilderness. Some weeks or months in each year he was fond of devoting to rambling in the woods, and holding converse with nature and her simple children. Our rugged but sublime scenery he dwelt upon with enthusiasm, and loved to draw comparisons between the eternal hills, the lakes, rivers, and forests of our State, and the splendid dwellings and cities of human art, but little to the advantage of the latter. It was this love of nature, combined with his hatred of oppression and sympathy for the suffering, that first inspired him with a fondness for Indian history. For the Indian in his pride of power and savage independence he would have felt simple emotions of admiration, somewhat allayed by those traits and tendencies in their nature which detract

from the kindlier sensibilities their condition would otherwise excite. But when he looked upon them as strangers in the land of their forefathers;—when he saw how they were wasted in numbers and degraded in character before the deadly warfare and more deadly intercourse of the white man;—when he looked back to all that they were as lords of the forest, and then turned to their present condition, humbled and calumniated as they have been,—made the victims of ambition, cupidity, and cruelty, he felt for them as he always did for the injured and oppressed, and their very vices seemed to him to serve only as memorials of their wrongs.

If there was anything that could arouse to indignation his naturally mild and gentle disposition, it was oppression. No matter how it was protected by law or usage—no matter under what form it presented itself—he was its constant and unceasing foe. He was the advocate of as entire freedom of thought and action as human society can endure. This was not theory and sentiment alone, but a living principle by which he was actuated, and which led him to extend to others the same liberty which he claimed for himself. There were few men who could bear difference of opinion or even contradiction with more patience. Always ready to listen calmly, and prompt to acknowledge error when exposed, his mind was peculiarly fitted for that most important of all intellectual operations, the search after truth.

Benevolent himself, he highly estimated this quality in others, and loved to dwell upon the praise due to those who sacrificed their own ease or comfort for the benefit or pleasure of others. It was these amiable qualities as exhibited in the French missionaries, that led him to regard them with perhaps more of favor and warmth of feeling than their character might, when viewed impartially, seem to deserve. For the catholic in his pride of place—thundering from the Vatican, or treading on the necks of prostrate kings, he had no sympathy. But for the humble and pious missionary, leaving home and all its comforts, civilization and all its allurements, for the purpose of spreading these advantages and diffusing the blessings of Christianity among the inhabitants of the forest, and with this view taking up their abode among them, and foregoing all those enjoyments and social connections that render life pleasant or even desirable—for such, whatever might be his views of their peculiar tenets and modes of belief, he had the sincerest veneration. It is not necessary to justify or condemn the conduct of our forefathers toward the natives of this country, but after all allowances are made that their peculiar situation might seem to require—after admitting all the palliations that the manners of the age or the law of retaliation can furnish, still there is left much room for the sympathies of the humane and the regrets of the philanthropic, at the miseries that the latter have been called on to endure at the hands of the former—miseries that were not confined to the warrior on the battle-field, nor even to their old men, their wives and helpless children, but were extended to all those who were found among them, no matter with what intentions or how employed. Even the ministers of the gospel of peace were cut down with the savage whom they were en-

deavoring to reclaim from blood and cruelty. To men thus engaged and thus sacrificed, we cannot but accord a merited approbation. The strongest emotions of sensibility are excited for their unhappy fate, and we forget the accidental differences of religious faith, of language, and of country. Such, at least, were the feelings with which the subject of these remarks was wont to regard the characters and lament the fate of those who thus by their life and death gave better evidence of the purity of their faith, than creeds or professions can afford. To contribute in any degree to rescue the memory of such from oblivion, or to assist in dispelling the mists and clouds that prejudice or fanaticism had endeavored to throw around them, was a task in which he delighted and for which he gladly toiled.

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#### GOVERNOR ENOCH LINCOLN.

THE two articles which introduce the "Papers" of Gov. Lincoln, which form an interesting portion of this volume, were prepared by two intimate friends of that distinguished gentleman. The "Prefatory Notice" was from the pen of the Hon. Charles S. Davis, of Portland, and the additional remarks were written by the late Judge Cole, of the District Court of Maine, who had been a student at law in the office of Gov. Lincoln. They were written near the period of his death, and express a grateful sense of his memory and his merits. To these affectionate memorials, we will add a few biographical facts. Gov. Lincoln was a son of the Hon. Levi Lincoln, of Worcester, a lineal descendant of Samuel Lincoln, of Hingham, who came to this country from Hingham, Eng., in 1637. Mr. Lincoln, the father, was a distinguished lawyer in Worcester, was Attorney General of the United States, by appointment of Mr. Jefferson, in 1801, and Lieutenant-Governor of Massachusetts in 1807 and 1808. In the latter year he became Governor of the State, on the death of Gov. Sullivan. Lieutenant-Governor Lincoln was an ardent politician of the Democratic school, in which he was followed by all his brilliant and accomplished sons. Only one of these sons now survives, the Hon. Levi Lincoln, of Worcester, who, having filled with distinguished honor the offices of Speaker of the House of Representatives of Massachusetts, Member of Congress, Judge of the Supreme Court of Massachusetts, and Governor of the State, lives in dignified retirement in his native town, at nearly the age of eighty years, honorably discharging the duties of a good and faithful citizen. He left the Democratic party and became a National Republican and Clay Whig, after the feverish excitements of his early life were over.

Enoch, a younger son of the elder Levi, was born in Worcester, December 28, 1788. Having prepared himself for college, he entered sophomore, in 1806, at Harvard, where his grandfather and his two brothers, Levi and Daniel

Waldo, had preceded him. But troubles occurring the next year in the college, he, with several others, left the halls of the university; and he never took a degree. Bowdoin College, however, not unmindful of his merits, bestowed upon him, in 1821, the honorary degree of A. M. On leaving college, he entered the office of his brother Levi, at Worcester, and was admitted to the bar of that county in 1811. He tried his fortunes as a practitioner first at Salem, but the next year he moved to Fryeburg, in this State. His brother, Daniel Waldo, a man of brilliant genius and attainments, had previously established himself at Portland. While at Fryeburg, he mingled with the duties of his profession the more graceful pursuits of literature, and engaged in the studies of nature, visiting the retired haunts of the aborigines and making acquaintance with the lingering remnants of the large and powerful tribe that once occupied that beautiful region of country. His romantic genius was enamored with the history of that wild, brave, and enduring race; and he pursued his researches into their habits, their language, their receding and perishing record, with the ardor which stirred all his conduct. Although this seducing subject was subsidiary to his profession, he gave to it much of the leisure which always remains on the hands of a country attorney. But he did not sacrifice his professional engagements even to a theme so attractive. The charms of the varied scenery in which his residence was cast, aroused his poetic talents, and in 1816 he published a poem entitled "The Village," descriptive of the beautiful scenery of Fryeburg and its vicinity, and of the social condition of that community. At a later period, at the centennial celebration in Fryeburg of the battle of Lovewell's Pond, he delivered a poem commemorative of the event; his friend Charles S. Daveis delivering the oration. All these attractions did not hinder him from engaging in the game of politics; and he enlisted with zeal in support of the principles and advancement of the Democratic party, which was then largely in the ascendant both in Oxford County and the State; and he had become so prominent in this and his many-sided pursuits, that on the resignation of Judge Parris of his seat in Congress, in 1818, to accept the appointment of District Judge of the United States Court, Mr. Lincoln was chosen his successor. Soon after, in 1819, he changed his residence to Paris, and became the successor of Judge Parris in that town, in the practice of law, who, after his appointment as Judge, established himself in Portland. He was re-elected to Congress the two succeeding terms, in the latter of which, 1826, he was chosen with great unanimity Governor of Maine, and this, before he had arrived at the age of thirty-eight years.

He was the third Governor of the State chosen by the people; William King, the first Governor, was succeeded by Mr. Parris, who in his turn was followed by Mr. Lincoln. In the last two cases, the coincidence is striking; Mr. Lincoln succeeded Mr. Parris as member of Congress from Oxford, took his place in the town of Paris when he left it, and was his successor in the Gubernatorial chair—shadow never followed closer, and both were of the same age, having been born in 1788.

He was re-elected Governor the two succeeding years, 1827 and 1828, and died while filling his third term, October 8, 1829. During his administration, which was quite popular, the subject of most interest which engaged public attention was that relating to the north-eastern boundary, which was acquiring serious and alarming dimensions. He earnestly defended the rights of the State to the whole territory, boldly and decidedly denying the right of the National Government to cede any portion of it without consent of the State. His correspondence with the governments at Washington and New Brunswick was copious and energetic, standing firmly on the ground of State sovereignty in regard to its soil. He appointed Mr. Daveis a commissioner to New Brunswick, on the subject of encroachments by the provincials on the territory of Maine, and on the arrest and imprisonment of John Baker, a citizen of the State. This mission resulted in an able report by Mr. Daveis, in January, 1828, and a change in the practice of the Provincial government. At the same session of the Legislature, the whole subject of the rights of Maine, the pretensions of Great Britain, and the entire history of the case, was exhaustively exhibited in a report of a large committee drawn up by John G. Deane, accompanied by documents to substantiate his statements and arguments. This session of the Legislature, 1828, under the guiding influences of Governor Lincoln, placed Maine upon an impregnable ground of justice and right, upon this vexed and exciting question.

The subjects of internal improvements and of education, were also particularly pressed by him upon the attention of the Legislature, and valuable reports relating to them were made in 1827 and 1828. Those by the Hon. George Evans on a road to Canada and other intercommunications, and by Judge Goodenow on internal improvements generally, are particularly worthy of notice. It was also in the administration of Governor Lincoln, that Capitol Hill, in Augusta, was determined on as the future site of the Capitol, at a session of the Governor and Council held at Augusta in June, 1827.

Governor Lincoln was a popular as well as an upright and honest chief-magistrate; he had a high sense of honor, and would not stoop for party purposes, or any purpose, to lower the dignity of his high station as a public officer, or his self-respect as a man. His heart glowed with generous impulses, and his conduct was guided by upright intentions. His communications to the Legislature were filled with appropriate suggestions and recommendations, without declamation or popular appeals; and his proclamations were peculiar for their point and brevity; one of them, for Thanksgiving, was so brief and comprehensive, and was so popular, as to be printed by his admirers on satin for general circulation.

Governor Lincoln died at Augusta, whither he had gone to deliver an oration, on occasion of laying the corner stone of the Capitol, and an address at the establishment of a female seminary in that place, on the 8th of October, 1829. He had previously been ill, and this exertion was too great for his physical strength. He died at the age of forty years, having never been

married, and without having completed the chosen labor of his leisure hours, a history of Maine, its resources and policy, and on the language and history of the aboriginal inhabitants of the State, for which he had gathered many materials, and a specimen only of which is contained in this volume. He was buried with public honors on the grounds fronting the Capitol, where still repose his remains. He is the only one of our Governors who has died in office. Of the twenty persons who have held that office, twelve survive.

I had hoped to have a memoir of this distinguished man from a source better qualified than myself to prepare it. I wrote to his brother Levi, more renowned than himself, for this purpose; and I cannot better close this brief and imperfect memoir than by presenting an extract of his reply. He says, January 30, 1864: "It is with inexpressible regret that I find myself unable to engage in the grateful task of preparing a memoir of my late brother, Governor Enoch Lincoln. It should be no party portraiture of his noble character, but should present in distinct relief the features of his gifted and well endowed mind, and the genial qualities of a universally benevolent and fervently affectionate heart. Unfortunately, for the purpose of your request, I had not those opportunities for personal intercourse with him, which furnish the materials for historic notice. By many years his senior, I was in college when he was a school-boy, and when he was in college, I was occupied by the pressure of professional business, having a family of my own, and seeing him only occasionally at the home of our father. Immediately on his admission to practice, he opened an office in Salem. Soon afterward he removed to Fryeburg, and subsequently to Paris. His public and private engagements became so multiplied, that only at long intervals and in brief visits did his friends see him in Worcester. I knew him and tenderly loved him indeed, as a brother, remembering the beautiful promise of his childhood, and cherishing the fraternal relation by occasional correspondence and never ceasing regard."

## REMARKS ON THE INDIAN LANGUAGES.

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[THE learned and valuable corrections and annotations in the following papers of Governor Lincoln, were prepared by the Rev. Edward Ballard, of Brunswick, whose knowledge of the dialects and the history of the aboriginal inhabitants of our State, gives authority to his statements and opinions.]—*Ed.*

### OF THE ABENAQUIS.<sup>1</sup>

THE materials necessary for the illustration of the Abenakis tongue are principally in the manuscripts of the Jesuit and Catholic missionaries. On the suppression of Jesuitism, which had been in some respects a valuable variety of enthusiasm, the manuscripts were carried from Quebec to France, and the efforts I have made have not enabled me, through favor or reward, to obtain copies. It will not, however, meet my view of my obligations to omit exhibiting the little share of information I have gathered concerning a language, once the oral currency of what is now our State, and undoubtedly drawn from a rich and copious source.

The Abenakis language is a dialect of that general one called by the French writers the Algonquin, by Carver the Chippeway, and by Heckewelder and others the Lenni-Lenape.

<sup>1</sup>[In the title of these "Papers," and through the first part, Governor Lincoln writes *Abenakis* (p. 412). In the second part he writes *Abenakis* (pp. 433, 434). Râle wrote it *Abnaki* (Pickering's Preface, p. 372). I prefer Râle's mode.

And how shall the name of Râle be printed? There are six modes, and Governor Lincoln uses two (p. 331), and two ways of accenting. Mr. Vetromilè and Mr. Shea say that in the only instances where his sign manual is preserved, it is Râle, pronounced Rahl. In the Jaques family, by whose ancestor he was killed, it is preserved as *Râl*.]

The analogy is very obvious to the philological critic who can discover resemblances as easily on this subject as Polonius could the likeness between the whale and cloud in Hamlet. Probably there is a remote affinity and possibly a common root.\*

As language is necessarily the production of numerous assemblages of men, of many circumstances and of long time, and as the nomenclature of tribes shows what qualities, substances, and acts have engaged their attention, it demands a research as serious as any part of their history.

La Hontan said of the Algonquin: "It is of as much esteem in New-France as the Greek and Latin are in Europe. It is the finest and most universal language on the continent."

M. Manach, a French priest, once resident among the Micmacs, the ancient friends and allies of the Abenakis, declares that if the beauties of their language were known in Europe, seminaries would be erected to teach it.

M. Duponceau exclaims: "Alas, if the beauties of the Lenni-Lenape language were found in the ancient Coptic, or an ancient Babylonish dialect, how would the learned of Europe be at work to display them in a variety of shapes, and raise a thousand fanciful theories on that foundation. What superior wisdom, talents, and knowledge would they not ascribe to nations, whose idioms were formed with so much skill and method."

These expressions of admiration may at first excite a smile from their singularity and the apparent want of importance in the subject, yet they were certainly uttered in sincerity from the most respectable authority.

\*[The structural similarity of the various Indian dialects, and of numerous words in the tribes of the British Provinces, and the North American States, excepting the Six Nations, known as the Iroquois, and the Hurons, show that one wide spread language extended over them all. By separation, hostilities, and lapse of time, changes were introduced; not sufficient to destroy the proof of a common origin, but to increase dialectic differences to such an extent as to make the several tribes appear to speak a different tongue. The entire diversity of the language of the Six Nations, the Esquimaux, and the tribes of the southern part of our country, as well as in Mexico and South America, may be accounted for in part on the theory of distinct emigrations from the eastern continent, where a diversity of languages had already prevailed, to undergo the mutations incident to all human speech, and especially the unwritten.]

Of the dialects of the Abenakis, two now remain in this State, retained with all that tenacity and perseverance with which the Indian grasp has always been distinguished. The one dialect is the Penobscot, and the other the Passamaquoddy. Of others no record has been preserved ;\* yet, although the contrary has been affirmed by a respectable writer, it is evident that all the natives of Maine could understand each other without an interpreter. The fact is so now, although the words used to express the same idea are very variant in the tongues of the Passamaquoddies and the Pénobscots. There is, undoubtedly, a common root to both.

The Penobscot language is the same as that of the ancient Norridgewock, of which Father Râle is the only person entitled to the honor of having preserved written specimens. These consist of a collection of phrases, of which, taking his own orthography and French sounds of letters, some use may be made.

To the confederacy of the Abenakis also belonged the Micmacs or Souriquois, who were the natives of Nova Scotia. Residing, as they do, beyond the limits of Maine, it will not be proper to use the comparatively ample materials for their history, which might be obtained. Like the rest of the Abenakis, they were of the most daring courage, and so adventurous, that they passed the stormy gulf of the St. Lawrence in their bark canoes to meet their enemies, the Esquimaux, in their caves and on their rocks in battle. There is also evidence that they trafficked along our shores and fought many battles, at different times, with the tribes spread over our territory.

It is evident that the great object of studying a language, so constructed as the Abenakis must have appeared to be, would consist in obtaining a knowledge of its terms and the rules by which they are compounded. The analysis of the student will show distinctly those elements, from which the art of speech proceeded, from a simple material to a vast fabric, and will give him possession, not only of the plan of the vast edifice, but will make him acquainted with the harmony of its parts and the beauty of the whole. In the instance under consideration, he

\* [Râle's Dictionary preserves a large portion of the Norridgewock dialect.]

would find a language, which, if it varied from its primitive model, yet adopted no incongruous piece work, and is free from the jargon of accidental and interpolated terms of foreign growth and a forced introduction, making a secondary and anomalous formation. He would find a language, probably essentially original, but at least of the synthetic cast, and that so extensively as not to require the borrowing of shreds of other tongues for mending its defects, but containing in itself the elements of new combinations, without the occasion for any furtive measures for increasing its stores.

#### THE NORRIDGEWOCK.

THE most remarkable property of the Norridgewock tongue is its unbounded susceptibility of composition, which rendered it copious and expressive. That this tribe had some rule of formation or composition of words, not in use with us, appears from the fact that in their long intercourse with the French and English, they very rarely adopted words from either, and even when they had no personal knowledge of the objects to be represented by vocal sounds, they preserved themselves as a distinct people, with all that pertinacity with which they have clung to their other habits of life, and retained their own dress for thought as faithfully as they did their peculiar garb. They formed words from domestic materials having no analogy in sound or structure with those by which the stranger presented his ideas and images to the ear and the mind. The Penobscots, in like manner to this day, have preserved the spirit of their language, and have not suffered it to be corrupted or changed, although they have for centuries, nearly, been familiar with English and French. Thus they have their Indian names for *elephant*, *lion*, and a great diversity of objects, unknown to them, except through the medium of verbal or pictured representation.

It is an advantage of a language, thus susceptible of composition, that it exhibits complex ideas by the least possible machinery, or rather, by the shortest mode. This is the most forcible. When ideas are thus presented, the imagination is excited by the full, bold, and sudden introduction of the object or

action, advanced at once in its beauty, or thrust forward in its terrors, instead of being gradually exhibited, so that the discovery of what it is, shall be as painful as the tedious tale of a verbose and circumlocutory storyteller. Selecting a mere common-place from the Norridgewock language, I will offer an example, not the case of an object with adjuncts, of which many might be produced, but of action as expressed by the verb, I break :

*I break it*—nepeskessamen.

*I break it with the hand*—napooskoonamen.

*I break it with the teeth*—napooskoodahmen.

*I break it with the feet*—napooskookahmen.

Entire English sentences are, in like manner, represented by a single word. It is apparent that a language of such a structure varies essentially from our own. We take the parts—the person, the verb, and the substance, with its qualities, and producing one only at a time, make out at last a proposition. The Norridgewock embodied all, and showed you the finished object at a glance.

Even their vocabulary, therefore, as was that of other Indians, as also of the Hebrew and all primitive tongues, was that of poetry. Thus, when we find the Indian word God signifying “the great father of life,” the name alone elevates the thought and kindles the fancy, while the flat and arbitrary term escapes the lips, and of itself, produces no excitement and no association of ideas. But this is the result of the descriptive character of a language combining in a word the sonorous and expressive power of composition.

Without a susceptibility of inflection and composition, without the capacity to take the materials which would have been necessary to exhibit each component part of a complex object and reduce them into a single mass to describe the united whole, a language would be, like that of hieroglyphics or Chinese characters, exceedingly barren; but when variation and synthesis can be adapted to it, energy, copiousness, and beauty are the results.

Such advantages the Norridgewock tongue clearly possessed. By what process the operation of forming words and the modifi-

cation as to tense, number, and gender was conducted, it has been impossible for me to discover, so far as to be able to infer more than a very few general rules. In other tongues it is easy to do so; as, for instance, in the English, the uniform use of the auxiliary verbs marks time with precision; and the inflections of the verb in the Greek and Latin have the same effect. The Norridgewocks had no auxiliaries, and even seem not to have regulated mode and tense by any determined and regular formations upon an indicative or primitive word. These qualities, however, of acting and being, belong to them so universally, that no intelligible communication can be held without means of describing them, and hence the language, the rudest ever formed, has contained methods of discriminating the present from the past, and the past from the future. For this purpose the Norridgewocks used, to a considerable extent, certain particles in combination with the verb, both so modified that they fitted together in a manner consistent with brevity and euphony. Thus the particle *amptsee* signified *now, yet, while*; and hence, in combination with action, determined the period of progress. Thus *amptsepoo* signified, *he is now eating*, and the terminating letter *a* was also used to express existing action. There were notes of the future, of a similar character, and these were either used as prefixes or suffixes of the capital word. This mode of inflexion is however supposed to be the origin of those in other languages, in which the primitive particle is now lost.

The singularity of this language, in regard to the verb, was not confined to the circumstances mentioned. That part of speech, with indeed all the others, were continually subjected to the process of being melted and amalgamated with each other, producing sometimes a very close compound, in which the original elements were scarcely discernible, and sometimes one in which they were perfectly obvious. Thus *ooahoomce, snow*, is easily seen in the word *nooisanoanre-ahgonbahdam, I am dazzled by the snow*.

So perfect and multifarious was the power of compounding, that it was varied even in reference to the person speaking, at least in some instances; so that the same affirmation when made

by the man and the woman was stated by a different term, and by still different ones by different persons, according to office, &c. Thus, when a man said, "*I am married*," he made the assertion by the word *nakitooda*, a woman, by *noossee*, &c.

It must be admitted that there is not generally any connection between sounds and ideas or external objects; but an artificial connection having been formed by use, as to those ideas and external objects of primary consideration, the formation of other sounds by which to represent other ideas and objects, being made upon the basis which had been established, the mind more naturally and readily forms its associations, than when arbitrary words are accidentally and capriciously adopted. Hence a striking beauty of the Greek tongue, and hence an excellence in the Abenakis language worthy of observation. Arbitrary and foreign words are not significant until, by the continued application of them, they have been rendered so by practice, and the memory is heavily taxed to retain them; but by composition significant terms are at once produced which strike the imagination agreeably and do not burden the memory. I revert to this point for the purpose of excusing the brevity of the vocabulary I shall offer, by impressing the primary importance of an acquaintance with the nature and character of the capacity of combination in such a language. This power of composition so extensive is undoubtedly as necessarily regulated and not capricious, and thus effect in a double sense is given to every letter. In this respect the Abenakis has one of those striking beauties belonging to the Sanscrit language, as illustrated by Sir William Jones, and which is also a characteristic of some of the most admired languages of the world.

To show, in reference to the particulars above named, the genius of the Norridgewock language, I will cite a few phrases containing the combinations of the English word *to sing*, with various parts of speech: \*

*I sing*—*nakeeooahhahdoo*.

*I sing quick*—*nanahbahronmootahmen*.

*I sing slowly*—*namonnahronmootahmen*.

\*[In this vocabulary, Gov. Lincoln has given the vowel sounds as they struck his ear, though in form to the eye somewhat different from the forms given by Ràle, in whose Dictionary they may be found.] *Ed.*

*I sing to cause dancing*—nanahooahdwa.  
*I sing well*—noorinto.  
*I sing badly*—nematsintoo.  
*I sing the death song*—nametsitsintoo.  
*I sing too high*—noossonmondwa.  
*I sing too low*—noossoamepeooandwa.  
*I sing the first*—naneetahmintoo.  
*I sing treble*—napeewandwa.  
*I sing bass*—namessoudwa.  
*I take the notes, I give the air*—nadarahronmootahmen.  
*I sing to lull the child to sleep*—nadattoomonsee.  
*I sing in sleeping*—naneepanto.  
*Let us sing together*—manoointoodah.  
*Let us sing together throughout*—ahasoointoodah.  
*Sing loud*—pessongoointookoo.  
*I sing in Iroquois*—namagoohantoo.  
*I sing in Algonquin*—noosonghenahantoo.  
*I sing in response to the song*—natasookanatoobena.

These remarks may have become very tedious, although by far insufficient to the purpose. Having exhibited some particulars in regard to the verb in the Norridgewock language, I will omit to prolong the investigation further by notices of other particulars, which could only be entertaining to those who take pleasure in studying the philosophy of grammar and the construction of languages. Knowing, however, how very important this subject is by many considered to be, I shall annex a short vocabulary.

It may be proper here to observe that the medium of communication with the Abenakis was not exclusively oral, as perhaps it never has been with any savages. The natural propensity to imitate is not confined to oral sounds, but as strongly applies to pictured representation, and the language of visible signs is, although more limited, as much the language of nature as that by those addressed only to the ear. Hence every savage, in situations in which he cannot use the latter, applies to his means to communicate by the former. Having little commerce, and of course but rarely occasion for the transmission of intelligence by signs to the eye, those means have always remained exceedingly rude. They were only used to a very restricted extent.

At a particular time Father Râle, a well known Catholic

missionary among the Norridgewocks, was absent from the post which he usually occupied so long that one of the savages was persuaded he was dead. Believing that he had fallen into the hands of his enemies, the same savage determined to communicate the intelligence to his tribe, and taking a piece of bark from what is usually called paper birch, (*betula papyracea*,) he painted with a coal Father Rale upon it, surrounded by the English, with his head cut off by one of them. This letter he attached to a stake on the bank of the river to inform the traveler of the event supposed to have happened. The Amalin-gans were a tribe who settled in the vicinity of the Norridgewocks during the period of Father Rale's mission among them. We learn, from the "Lettres Edifiantes," that the former of the tribes mentioned, practiced in their communications with other tribes, the sending of belts on which were placed various figures made with small pieces of shell of different colors, by which to instruct their messengers and preserve in their recollection the objects of the embassy.

Lescarbot also informs us that the Armouchiquois, before mentioned as Indians who lived within the present territory of Maine, practiced painting and sculpture, and made images of beasts, birds, and men on stone and wood as handsomely as good workmen in France.

*A Vocabulary of Words of the Norridgewock Tongue.*

SUBSTANTIVES.

<i>A bow</i> , tonbee.	<i>Song</i> , keooahdwangan.
<i>Its string</i> , non-paton.	<i>Horse</i> , alhassoo.
<i>Arrow, without a head</i> , ahroos.	<i>Chase</i> , 'pepamangon.
<i>Arrow, which has plumes on it</i> , konk-skahres.	<i>A way</i> , ahnoodee.
<i>Beast</i> , Ahooahasoo.	<i>A chief</i> , pakootahgahhegon.
<i>Any fierce wild beast</i> , ahooahannhdo-dooak.	<i>Crow</i> , mkahzes.
<i>Indian corn</i> , skahmoon.	<i>Horn</i> , ahooeooer.
<i>White corn</i> , o oanbighanoor skah-moonar, or oanbamanar.	<i>Head</i> , matep.
<i>Red corn</i> , meskoobessooeminar.	<i>Forehead</i> , meskatagwa.
<i>Black corn</i> , seghemenar.	<i>Eye</i> , tsesekoo.
	<i>Cheek</i> , mahnwa.
	<i>Tongue</i> , merahroo.
	<i>Ear</i> , mtahooahkoo. <sup>1</sup>

*Yellow corn*, ooisoomenar.  
*Little corn*, abann, nar.  
*Great corn*, skagoomenar.  
*Strong drink*, ahkoobee.  
*A branch*, paskahhahkoon.  
*Arm*, padan.  
*Cabin*, wigwam.  
*Canoe*, agoodiden.  
*Captain*, songmon.  
*Image*, ahookegon.  
*Flower*, pepskooahsahooek.  
*River*, seepoo.  
*Wave*, tagoo.  
*Ditch*, padangheeahkoo.  
*Thunder*, padangheeahkoo.  
*Musket*, peskooandee.  
*Boy*, ooskinoos.  
*Hook*, mkekan.  
*Winter*, paboon.  
*Man*, ahranamba.  
*Garden*, keekan.  
*Juggler*, mataooranoo.  
*Day*, keesookoo.  
*Lake*, pagwasabem.  
*Bed*, kahoodie.  
*Morning*, tsakwa.  
*Medicine*, nabezoon.  
*Mountain*, pamahdana.  
*Bird*, sipis.  
*Portage*, ooneegan.  
*Prayer*, panbahtahmooangan.  
*Cat*, paswis.

*Dart*, metahooahkoo.  
*Devil*, matseeneeooskoo.  
*Water*, nabee.  
*Child*, aooansis.  
*Orphan boy*, keeahpes.  
*Orphan girl*, oosakoois.  
*Star*, ooahtahooessoo.  
*Fire*, skootai.  
*Leaf*, meebie.  
*Tempest*, kesontgweo.  
*Deer*, norka.  
*Male Deer*, ajanba-norka.  
*Female Deer*, herar-norka.  
     [So of the Moose, &c.]  
*Bear*, aooasoo.  
*Male Bear*, nanooaskoo.  
*Female Bear*, atseskoo.  
*Yesterday*, oorongooa.  
*Continually*, kangkagah.  
*Soon*, tebne, tebnese.  
*Never*, mandahhatsee.  
*Slowly*, nasannmah.  
*Right or correct*, sassagheooe.  
*Different*, peerooeea.  
*High*, spamek.  
*Black*, mkahzaooeghen.  
*All*, messeewee.  
*Transparent*, asonbahmagooek.  
*I play*, nadannmka.  
*I die*, nametsena.  
*I weep*, nazaskadamee.  
*I am silent*, netseekapee.

Mortified, as I am, at the poverty of means of communicating information, notwithstanding many inquiries, I shall make no further remarks, as to the language of the Penobscots or Passamaquoddies. The literary men of the State, who have had the opportunity, ought to be depended upon for further developments, which it would be injustice to them to suppose they are unable to make.

## THE M I C M A C S .

It is said by Charlevoix that the Micmacs were closely connected with the Abenakis by language, as well as by interest and religion. It is evident that such remarks upon language are often very carelessly dropped ; and although we may be willing to yield to philologists who would have us believe that tongues, apparently as variant as the most incongruous objects, are radically the same, we must be permitted to exercise our common sense in determining the analogies and repugnances between visible signs. In the vocabularies of the Abenakis and Micmacs few words are similar, and in the grammar of those different languages there is also considerable diversity. Without pretending to analyze as to the euphony, powers, and general structure of each, so as to present a full comparative view, a few illustrations as to this curious subject of inquiry may be amusing.

I begin with an example of the inflexions in the conjugation of the verb :—For example,

## KELŌŌGIMK—ETRE BON. \*

POSITIVE.		NEGATIVE.	
<i>Sing.</i>	Nil-keloōgi—Je suis bon.	<i>Sing.</i>	Nil mookeloōgioo—Je ne suis pas bon.
	Kil-keloōgin—Tu es bon.		Kil mookeloogioon— Je ne pas, &c.
	Negueum keloōgit—Il est bon.		Negueum moo-keloogioōk—I ne pas, &c.
<i>Plu.</i>	Kenoo keloōgikoo—Nous sommes bons.	<i>Plu.</i>	Ninem moo-keloogioōek—Nous ne sommes pas.
	Kelau keloōgiok—Vous êtes bons.		Kilau mookeloōgioōok—Nous n'êtes pas.
	Negman keloogigik—Ils sont bons.		Negman mookeloōgioōk—Ils ne sont pas.
PASSE.		PASSE NEGATIF.	
<i>Sing.</i>	Keloōgiep—J'ai été bon.	<i>Sing.</i>	Mookeloōgiooep—J'n'ai pas été bon.
	Keloōchichep—Tu as été.		

\*[In this example of a Micmac verb of the first conjugation, as given with some variations in the manuscripts of the Abbé Maillard, the diphthong *oo* represents the French *ou*. The horizontal line over the second *o* [-] denotes that the diphthong receives the accent. Where *o* single follows the diphthong, it is to be sounded long and separately. Ed.]

	Keloögichp—Il a été.	Mookeloögiöochep, tu n'as.
<i>Plu.</i>	Keloögiekchep—Nous avons été.	Mookeloögiöökchep.
	Keloögiöekchep—Vous avez été.	<i>Plu.</i> Mookeloögiöökchep.
	Keloögichenik—Ils ont été.	Mookeloögiöökchep.

## FUTURE.

SINGULAR.	PLURAL.
Keloögidech—Je serai bon.	Keloöldedau—nous serons. &c.
Keloögidex—	Keloöldideknou.
Keloögidan—	Keloöldedal.
$\left\{ \begin{array}{l} \text{pour genre ignoble} \\ \text{keloögidechmen} \\ \text{keloögidechne} \end{array} \right\}$	

## SUBJUNCTIVE.

SINGULAR.	PLURAL.
1 N'keloögin—que je sois bon.	1 K'keloöginenou.
2 K'keloögin—	2 K'keloöginau.
3 Oöf keloögin.	3 Oöf keloöginau.

The subjunctive negative is formed by prefixing *moo*, without changing the termination.

## CONDITIONAL.

SINGULAR.	PLURAL.
1 Keloögik, Je serais bon.	1 Keloögiguckp—Nous, &c.
2 Keloögikp.	2 Keloögigokp.
3 Keloögich.	3 Keloögitch.

## CONDITIONAL PASSE.

SINGULAR.	PLURAL.
1 Keloögigaben—J'aurais été bon.	1 Keloögiguckpen.
2 Keloögikpen.	2 Keloögigokpen.
3 Keloögichok.	3 Keloögitchok.

## AUTRE.

SINGULAR.	PLURAL.
1 Keloögiachen, Si J'avois été bon.	1 Keloögikoochen } Keloögicheben. }
2 Keloögicheben.	
3 Keloögichen.	2 Keloögiöckcheben.
	3 Keloögitchen.

INFINITIVE—Keloögink—être bon.

PERFECT—Keloöginkchep—avoir été bon.

FUTURE—Keloögiden—on sera bon.

Conditional—Keloöginkechen—si t'on avoit été bon.

Keloöginech—on seroit bon.

Keloöginechok—on auroit été bon.

The accent on *oo* being made short, the meaning of the verb is changed to the word *speak*.

Adjectives make the plural in *quick*, as *tranquille*, *Ooantakeg*—pl., *Ooanta-kequick*.

Their Adjectives are words noble or ignoble, and distinguished by a termination accordingly, both in the singular and plural.

*Pegili*—prefixed expresses the comparative and superlative.

*Pagigioo*—expresses the highest degree.

The personal pronouns are *Nil*, I; *K'il*, Thou; *Negueum*, He, Him; *Kinoo* and *Ninen*, We; *K'lau*, You; *Negmau*, They.

The possessives are formed by the initials of the personals and of *aye*, as *Naye*, *mine*, &c.

The plurals are regularly formed by changing the terminations of the singular in the same manner, as in the following example:—

SINGULAR.	PLURAL.
N' Nixkam—my God.	K' Nixkaminal—our Gods.
K' Nixkam—thy God.	K' Nixkamooal—your Gods.
Oo' Nixkam'l—his God.	Oo' Nixkamooal—their Gods.

It should have been remarked in regard to the Micmaes, as well as to the Norridgewock tongue, that the French orthography and pronunciation are preserved, as the French are the only written or printed authorities, and the pronunciation is generally understood. The substantive, being only the name of a thing, and undergoing no changes but those of number, and gender, and case, is less interesting, except in those languages where it is modified by synthesis, than some of the other parts of speech, simply as such. As affected by syntax and in other respects, it may be more engaging. Of the syntax, by the way, of the Abenakis, no writer seems to have taken any notice.

In the Micmac language, the plural of the names of inanimate things is formed by adding *al*, *el*, *il*, *oul*.

Diminutives of all nouns are formed by adding *chich*, and the word is amplified by prefixing *To*, or *K'chi*, as *Oolakan*, Plat, *Oolakanel*, Plats. Petit plat, *Oolakanchich*, pl., *Oolakanelchich*. Grand plat, *K'chioo'akan*,—pl., *K'chioolakanel*.

*Iktook*, being added signifies *in*, as *oolakaniktook*, *dans plat*, i. e. *in the dish*.

This language, as well as the Penobscot has the Dual number of nouns.

The Plural of names of animate things is formed by adding *k* or *gik*, according to the termination of the singular.

## HIEROGLYPHICS.

The use of hieroglyphics is a natural expedient whenever it becomes necessary to speak to the eye, which is done by manual signs, motions of the body, and expression of the countenance, as in the instruction of the deaf and dumb; or by pictures, which, to those who understand not that wonderful contrivance, the alphabet, may be substituted. The Indians generally, in their earliest intercourse with the whites, ere interpreters could be found, or arbitrary signs agreed upon, resorted much more than they now do, to those methods of communication both among themselves and the white men. Hence we find that in the ancient treaties, instead of using, as at present, the unmeaning subscription of a cross, attested by a witness, they applied a designating sign manual, less rude than that of kings and noblemen in civilized countries at a distant period in history. Thus, in the treaty made at Falmouth in the year 1649—with the Penobscot, Norridgewock, and other Indians, Wawawnunka signed by the figure of the body and leg of a man, Nattoonos by the image of a fish, Seboowouset by that of a fly, and others by various strange and uncouth drawings. For the same reason their speeches in early times were more figurative and poetical than at present, because they were obliged to be descriptive, and resort to natural rather than agreed signs of thought; and made draughts on nature rather than on the self-chartered corporation of the lettered men, who made their own currency for ideas.

The belts of tribes were a species of hieroglyphic representation. "The Penobscots," said Loron, their speaker, in a conference with the Lieut. Governor of Massachusetts Bay in 1725, "sent belts to those tribes, and they sent their belts to the Penobscot tribe, for a confirmation of their agreeing to what shall be concluded, which belts are lodged with our chiefs, which is equivalent to a writing, or articles under their hands." The sacred character of a legal indenture was stamped only by a belt. Without the interchange of that symbol, "a talk" could only create honorary obligations, and the form and impress of law was not considered to be upon it. Among the tribes of

Maine, no messenger was accredited without his wampum belt, and from this single circumstance it is evident that the hieroglyphic marks identified it as genuine, and secured the nations against the arts to which confidence in a blank fabric would have subjected them. Ruin or safety depended on the reading of a belt, and in all history we have no account of that record having been counterfeited or falsified. We have been fed to repletion with stories of Indian faithlessness; but where is the authentication of the profaning of a faith pledged by this hieroglyphic belt, in which excuse ought not to have followed accusation, and explanation satisfied inquiry? Reiterated wrong has exploded precedent compacts, and the instances of war succeeding pacification are not few; but as to faith, if the English faith was English, the Indian was not Punie.

The diversities in the Indian tongues, especially of those radically the same, are the more astonishing when we consider how rare has been the process in other countries by which the effect has been produced. Indeed, we do not know from history of a language being formed since the confusion of tongues at the tower of Babel. The English language has undoubtedly been essentially changed, but it has been more in orthography than sound, and in the introduction than in the creation of new words. For more than two hundred years the Roman legions were quartered in Britain and disseminated there the knowledge and use of the Latin tongue. The Saxon conquerors succeeded to the Roman, and the Danes and the Normans followed in turn, each employing the customary means to imbue the vernacular language of the English with foreign idioms and terms; but who were the conquerors who imposed upon the tribes of Maine their dialects, and without the instrumentality of writing and printing, without schools, and without the consolidation of compact society, taught the vagrant hunters to forget the most fixed of the records of memory, and to place in their stead a new and strange vocabulary. It has seldom been the practice with Indians to sit down under the dominion of conquerors, or to amalgamate with triumphant invaders. They defend themselves with their lives, or they fly to occupy other grounds than those which are claimed by a successful foe.

The French language was formed not only by the instrumentality of conquest, but by various other means; yet it was the work of thirteen hundred years to give it its form and finishing. This progress was indeed slow; but it was from a cause which has always operated with savages, the warlike habits of the people; habits which produce a stationary condition in the arts of peace. In the instance of the French, as with other mixed languages of Europe, we trace the existing compound to the ancient original languages, as the Latin, Celtic, &c., and it is not strange that compositions of the elements here existing should have resulted in various forms of Spanish, Italian, French, and English character. But what primitive tongues, or what derivative ones are united to form the vast varieties of dialects of the Algonquin or the Leni Lenape? what migrations, conquests, alliances, or other causes, have wrought such mutations, while convenience, habit, and nature are opposed to all change? Without the means of solving these inquiries, the time for doing which has long since elapsed, we are left only to the painful resource of conjecture. We can only conclude that, in distant antiquity, the native inhabitants of this land, of the various races which belonged to it, have intermingled intimately and extensively in peace, and been often compelled into political amalgamation by war; that different tribes have occupied long together the same cabins, united in marriage, and as they mingled their blood, compromised also their pride and obstinacy of habit, by melting their languages together, and forming a currency for oral communication, of a new stamp and heterogeneous character.

## SOME ACCOUNT OF THE CATHOLIC MISSIONS IN MAINE.

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About the year sixteen hundred and ten, the condition of the settlement which Poutrincourt had made at Port Royal in Acadia, required him to send his son Biencourt to France for aid from that country. The Queen Regent, mother of the infant Louis XIII, was satisfied with directing her attention to the spiritual concerns of the New World, and her policy was confined to imposing upon Poutrincourt two Jesuits, the fathers Biart and Massé. The persons concerned in fitting out the expedition destined for the young colony, refused to receive those holy men, unless they would contribute to reimburse the expense they should occasion. A charitable donation of two thousand crowns enabled the pious fathers not only to remove the difficulty, but to make some provision of temporal good, by the purchase of a share in the adventure. This measure has been satirically remarked upon; but it should be recollected that the duty of benevolence to their order was considered as of primary obligation; and if it was not discharged, it was but a substitute for it in them to appropriate the misdirected charity, intended for other purposes, to the comfort of the missionary. Besides, the society were in the habit of offering some hundred thousand masses and rosaries per annum for the benefit of souls, and notwithstanding their vow of poverty, it had long been found by them entirely proper to extend their salutary influence, by gathering all the riches they could, and converting their missions to factories which secured much of the trade of the world.

They found in Poutrincourt an obstinate man, who would not allow them to manage the purse and sword with the breviary too, so that they were much impeded in the execution of their designs; nor did they agree better with the sayages, for they preached against plurality of wives; and their husbands, unwilling to renounce the sin, attacked with all the adroitness of civilized men those who forbade it, and expressed a very unfriendly opinion of such scrupulous teachers. In the meantime the Father Biart proceeded along the coast to the Cannibas on the Kennebec, where he exchanged the light and knowledge of his doctrines for provisions for the inhabitants of Port Royal, the place of his residence. The Cannibas received the reverend father with a respect and cordiality strikingly in contrast with the disposition they had a short time before exhibited toward those from England, who intended to form an establishment on their river, but who had not considered it prudent to execute their design.

Father Massé also engaged in a journey to explore the field of his apostolic labors, but was taken dangerously ill on the way. His guide and only companion was the son of Membertou, a distinguished chief, who prayed him to write to the Governor of Acadia to notify him that death would probably overtake him there in the wilderness, so that the Indian might be safe from the suspicion of murder. "That," said the wily Jesuit, "I shall specially avoid, for you, perhaps, will be the man to kill me and use my letter to conceal your crime." The conscience-stricken guide acknowledged that the sick man saw his heart and that it repented and drove away the bad thought which had harbored there.

The two missionaries were under the patronage of the Marchioness de Guercheville, who had taken a cession of the right of De Monts in New France, and became an associate with Poutrincourt. She prevailed on the Queen mother to aid in fitting out a vessel to be placed under the command of the Sieu de la Saussaye for the purpose of forming another establishment independent of that at Port Royal. In 1613 the vessel proceeded with two other Jesuits, Quantin and Gilbert du Thet, as coadjutors of Biart and Massé; and, taking these latter persons on the

passage, they disembarked, with twenty-five others, on the northerly bank of the Penobscot.\* Father Biart made an excursion from this place to visit the neighboring people, and arriving near a village of the Etchemins, he heard frightful cries, like those of lamentation for the dead. He hastened forward with the prompt anxiety which generally impels the ecclesiastics of certain orders to be present at that scene, where pleasure, interest, or duty are generally satisfied by the offering of penitence, bequests, and homage. He ascertained that the occasion of the clamor was the illness of a child, and found the inhabitants of the village ranged in two rows on each side of it; the father holding it in his arms and uttering loud cries, to which the whole assembly responded with one accord. The missionary took the child, and having administered the sacred mystery of baptism, prayed with a loud voice that God would vouchsafe some token of his power. He forgot not, however, to use the means which might contribute, humanly speaking, to the miracle he petitioned for, and presented the child to the warmth and cherishing virtue of the maternal bosom. It soon became well. Whatever else may be said, it must be admitted that the administration of the baptism was judiciously and admirably seasonable; for the Indians were persuaded that its divine efficacy drove away the disease which had so much distressed them; and they looked upon the missionary as one who could call down from the master of life the health of his children.

The auspicious dawn, which promised so bright a day for the harvest of souls to God, was soon overcast, and a storm succeeded, which swept away every vestige of the new establish-

\*[It had been the purpose of the Jesuits to found a mission on the Penobscot at Kadesquit, (Kenduskeag), now Bangor, just below the well ascertained location of the ancient Norumbega. On their way thither they "disembarked" on Pemetiq, now called from their naming, Mount Desert. Finding here the most interesting circumstances of encouragement from the Indians, and particularly from their sagamore, Asticou, they were led to relinquish the Penobscot, and to form their settlement on an attractive plat of land, gently sloping to the water, and designated by two fountains, still well known. This place is near the mouth of Soames' sound, and is at present a rich and productive farm. (See Biart's Relation, ch. xxiv.)] *Ed.*

ment of St. Sauveur on the Penobscot.\* A party of Anglo-Virginians under the command of one Samuel Argal, who had been to Mt. Desert on a fishing voyage, attacked the place, killed Du Thet and some others, compelled La Saussaye to surrender, stole his commission, then charged him with piracy, plundered everything of value, reduced the rest of the property to ashes, and carried away the surviving persons as captives. The robbers then went to Port Royal, under the guidance of Father Biart, as Biencourt affirmed, and committed similar ravages there.

I shall not pursue the chain of incidents which belong to the lives of these Jesuits, but will revert only to a single incident connected with them, which will probably be deemed of some importance.

When the settlements were first made on the coast of this continent, the natives had it in their power to exercise any violence toward them with impunity; and the breath of a hostile chief had been enough to have blown them into the sea. Had the Indians been permitted to have had but one glance into futurity, they would have fought against them until the soil had drank all the blood that flowed in the veins of every white man who stood upon it. It was important, however, in order to gain a foothold, to seize even upon the twigs of the shore. The Jesuits failed not to do so. They courted the chieftain Membertou, who had great influence over the surrounding tribes, and by his conversion first planted christianity on the region of which we are taking the survey. Membertou, as we are assured by Lescarbot, was more than a hundred years of age; yet active and vigorous, he bore the number of his years without bowing beneath them. He was the prophet of his tribe, and performed, with high authority, the functions of the mysterious and revered character of an Autmoin or Powaw.

Being taken dangerously ill, the fathers Biart and Massé caused the removal of this valuable proselyte to Port Royal, and attended upon him with the most sedulous care; but the old man sunk under the malignity of his disease, and they could not

\*[The word Penobscot seems to have been used in an extended sense, to denote the region.]

save him either by prayers or medicine. He desired that after his death his body might be removed and buried among the bones of his ancestors, to which the governor consented without hesitation; but the missionaries warmly remonstrated against placing the sacred carcase of a convert in a land profaned by the ashes of pagans, as a scandal to religion and a violence to their rules; and when they were urged to consecrate the place of sepulture, they declared that their benediction could never be bestowed upon it, before the remains of the heathen had ceased to sully it. The dying chieftain, who in his health would have risked all the penalties which the Jesuits denounced against him, in case of his non-compliance with their wishes, finally saved some moments of peace for the close of his life, by telling his importunate instructors that when his spirit should have departed for the other world, they might do as they thought proper with his body; a concession which secured him much solemn mummery at his funeral, and christian ground to rot in.

#### DREUILLETES.

The seed which had been sown by Father Biart during his transient visit among the Cannibas, had not fallen upon barren ground. They were so much pleased with the specimen he had furnished them of the excellence of religion, that they sent to the civil governor and religious superior of Canada for a teacher of the faith. It did not escape the sagacity of a Jesuit that the temporal policy of opposing a brave and unconquerable people, as a barrier against English aggression, happily coincided with the purposes of ecclesiastical piety and ambition; and Father Gabriel Dreuillettes was accorded to the request. He was the first evangelical laborer regularly settled in the wilderness of the Kennebec, where he found himself in the year 1646. His success was wonderful, for he succeeded in the fabrication of christians out of even the interested priests of the heathen, and wrought a marvelous number of conversions, or at least of baptisms. His catholic majesty was in the habit of exercising a parental liberality in the presents distributed among the Indians who at the same time acknowledged fealty to him and submis-

sion to the cross; and they seem never to have been less willing to become the recipients of the grace of royal munificence, than of Catholic dogmas. However that might have been, the double recommendation of diligence and success, which the report of the labors of Father Dreuilletes bore, produced the establishment of a regular mission.

He remained a faithful and efficient shepherd of the flock which he had gathered into the gospel fold. In the character of an envoy he twice journeyed to Boston to form, among other objects, an alliance for the protection of the Cannibas and others of the Abenakis against the invasion of their enemies the Iroquois. The Abenakis were, in fact, in 1652, the only nations within the limits of French America, where the Iroquois had not pushed their victories; but the enmity of the latter was a subject of most serious alarm to the former; and the apprehension they suffered not only furnished them a strong inducement to unite with the French, but also undoubtedly aided the missionary in gathering the harvest of his apostolical zeal.

The duties of Father Dreuilletes called him from the Cannibas, but he still sounded the "silver trumpet of the gospel" in remote regions of the North. By his eloquence, and the wonders which he wrought, he extended far and wide, to use the language of catholicism, the glory and the kingdom of God. Charlevoix has preserved a specimen of his miracles, which either proves the influence he had acquired over the imaginations even of the French, or the instrumentality which he had, as an agent of an overruling providence. The historian informs us that a lady, Madame de Connoyer, had fallen into a languor which the physicians could not cure; yet when the missionary did but make the sign of the cross upon his forehead, the disease was instantaneously dispelled. There is no doubt of the fact, as the author who has recorded it, received it from Madame de Lientot.

Aware of the credit of this priest among the Abenakis, the English flattered and caressed him with a view of securing the benefit of his influence. Meanwhile the adroit ecclesiastic received the incense with an accommodating condescension, but went on, at the same time, in the power of his words and works to advance his faith and diffuse that religion which bound his

proselytes to an unforgiving hatred of their protestant neighbors. Thus did the French acquire the possession of that lever which they could always use to impel the Abenakis to war, from the time when civilization first cursed them with its presence, until it triumphed by their extinction.

#### FATHERS VINCENT AND JAKUES BIGOT.

Of the mission of the Fathers Bigot, but little is recorded. By a letter of Mons. Denonville it appears that Vincent Bigot, in 1688, was at Penobscot for the purpose of gathering the savages into a new village on the lands of the king of France, and to guard against the efforts of Governor Andros to draw them to the English. And the same gentleman, in a memoir addressed to the Minister of Marine, says that he owed to the missionaries, particularly to the two Fathers Bigot, the good intelligence he had preserved with the Abenakis, and the success they had met with in their expeditions against the English.

Jaques Bigot, or Bigot the younger, was probably the missionary at Kennebec, for when the Governor of New England in 1699, proposed to treat with the savages there, Bigot repaired to Montreal to inform Monsieur de Callieres of the fact and to state to him the dispositions of the parties in regard to it. On his representation de Callieres determined not to interpose. The English made their proposition to the Cannibas, who in reply avowed their attachment to the French, and declared that no English habitation should stand upon their soil, and expressed their determination not to change their missionaries, but to support with their lives the religion they had taught them.

Charlevoix alleges that Vincent Bigot once accompanied the Abenakis in an expedition against New England, and knowing that on their return a large party was in pursuit, he endeavored to urge their flight. They replied that they did not fear the English and refused to hasten their march. At last they were overtaken by a force twenty times as numerous as their own; and, having placed the missionary in safety, they, with cool intrepidity, engaged in battle, strewed the field with dead bodies, and maintaining the fight during the whole day without the loss of a man, compelled the enemy to retire.

These missionaries were of the family of the Barons Bigots; and when we consider that circumstance, and compare it with the life of more than patriarchal simplicity which Vincent led at the established seat of his mission, we shall know how to appreciate the apostolic zeal with which he was inspired. Although often among the Abenakis of Maine, the place of his residence was at the village of St. Francois, to which the Governor of Canada had attracted many of the alert and intrepid warriors of our tribes, to guard the important and central settlement of Three Rivers from the incursions of the Iroquois. The Father dwelt among them and devoted his life to their conversion and guidance. His domicile was a rude cabin of bark, his bed a bear skin spread upon the earth, his dishes were taken from the birch tree, and his food was the sagamito and the game which the savages furnished him.

#### THURY.

In 1687 the conquest of Acadia had carried the boundary of New England as far as the river St. Croix, and the condition of the French prevented their resorting to force to recover a territory which had been yielded from weakness; but the savages were too much exasperated by the intrusion of a conqueror, to be able to resist an incitement to his destruction. There lived among them at Penobscot a man who suffered not the torch of discord to be extinguished, and knew as well how to inflame their martial fury as to kindle their spiritual fervor. He was the Jesuit, Father TURY. In the year 1689, being sensible of the danger that might result to the cause either of religion or his own ministry and influence, he summoned the Indians to his chapel, and assuming an air of the greatest affliction, made to them an address, in which he portrayed an image of British ambition which fully prepared them for his purpose. "My children," said he, "when shall the rapacity of the unsparing New Englanders cease to afflict you? and how long will you suffer your lands to be violated by the encroaching heretics? By the religion I have taught, by the liberty you love, I exhort you to resist them. It is time for you to open your eyes which have long been shut;—

to rise from your mats and look to your arms and make them once more bright. This land belonged to your fathers, long before these wicked men came over the great water, and are you ready to leave the bones of your ancestors, that the cattle of heretics may eat grass on your graves? The Englishmen think and say to themselves, 'We have many cannon; we have grown strong while the red man has slept. While they are lying in their cabins and do not see, we will knock them on the head; we will destroy their women and children, and then shall we possess their land without fear, for there shall be none left to revenge them.' My children! God commands you to shake the sleep from your eyes. The hatchet must be cleaned of its rust to avenge him of his enemies and secure to you your rights. Night and day a continual prayer shall ascend to him for your success; an unceasing rosary shall be observed till you return covered with the glory of triumph."

The savages were transported with all that fury of which they are so susceptible; and a hundred warriors made a vow at the altar to march to Pemaquid, and never to return until they had driven the English from the fort. They executed the resolution with a sort of pious mania of courage, and twenty pieces of cannon and a powerful garrison were surrendered to address and valor, as will be found more accurately traced in the history of this tragic event.

#### FATHER SEBASTIAN RALE.

A great and memorable portion of the life of Father Sebastian Rale was identified with the relations between the natives of our State and the English, and with incidents which must always be conspicuous on the pages of our early history. The faithful attachment of the Indians to his person and his doctrines, presented an insuperable barrier to the plans of occupancy and domination which our forefathers prosecuted with regard to the country and its inhabitants, where his influence extended; and the English have charged upon his head the christian blood which flowed in the wars in which these parties were engaged. However groundless or well founded such a charge may be, the character of the man is too remarkable, and the scenes in

which he was engaged too important, that he should be passed by without especial notice, in regard to so much of his life as was spent with the Abenakis.

The Indian village where Father R  le established his abode was then called Nanrantsouak, and is now known by the name of Norridgewock; and it certainly had, even then, some advantages in its situation to compensate for his immense sacrifice, in the abandonment of civilized society. It is seated near the confluence of the Sandy river with the Kennebec, on one of those beautiful prairies or spots of alluvial ground, to which nature seems to have invited the residence of man, as if to free him from toil and to lavish upon him all the goods which spring from fertility, and all the pleasure which conversation with the finest scenes of a romantic solitude can afford. Above, the rapids of the Kennebec gave the unceasing music of a water-fall; little islands below studded the expanse at the confluence of the streams, and the horizon around rested on a gently waving line of hills. To Quebec was a distance of more than five days of painful travel, and it was a journey of two days to the dwellings of the English. The country around in every direction was a wilderness inhabited only by savages. In this situation the missionary determined to consecrate his life to the political and spiritual services which he had been appointed to render; and began by building a church, supplied with all the decorations and implements calculated to engage the imagination in the pompous ceremonies and imposing worship of the catholic faith. Above the village, at the head of the rapids of the Kennebec, was a chapel dedicated to the most holy virgin, in which her image in relief demanded the prayers of the savages as they passed upward to the chase; and below, where the waters rested on their quiet level, another chapel stood, dedicated to the guardian angel of the tribe. The women contended with a holy emulation in the embellishment of their sanctuary by all the finery they possessed, and the chapels and the church were illumined by brilliant lights from the wax of the bayberries gathered upon the islands of the sea. Forty youths in cassocks and surplices officiated in performing the solemn functions around the altar. Such was the machinery of the holy office among the

rude people of Nanrantsouak; and multitudinous processions, symbolical images, paintings, and mysterious rites were combined to arrest the eye and catch the fancy of the savage neophytes. Every day was introduced by the performance of mass, and the evening was ushered in by prayer in their native tongue, in which their zeal was excited by the chanting and recitation in which they took part, while the frequent exhortations of the father allowed no distraction of their attention, no suspension of their piety, and no backslidings in their faith. Dictator of the consciences of his flock, where no envious rival, no jealous competitor, no heretical teacher, could break into the fold, the temporal concerns of their mortal welfare could not be kept from his hands; and they looked to him for advice at the council fire on the policy and arrangements for war, not less than for edification in the principles of the religion of peace. Dependence and devotedness were never more perfect, and never was a system adopted better calculated to obtain and preserve them. The christianizing of these savages, the regularity of their observances, their unreservedness of belief, was perfect; yet, what was the state of their civilization? They were hunters and warriors still.

While the Father Rale was enjoying the triumph of his zeal, he received the intelligence in the year 1697, that the Amalingans, an unconverted people, were coming to settle within a day's journey of his Nanrantsouaks; and he feared that his followers, like those of Moses, might fall into the idolatry of the heathen. The address with which he warded off the impending evil is well worthy of admiration and the imitation of the missionary. A deputation of the Amalingans having visited his tribe, he exhibited some of the most imposing spectacles of the pomp and magnificence of his pious exercises; and, perceiving the agreeable impression which was made, he thus addressed them.

"For a long time, my children, I have desired to see you;—now that I have that happiness my heart cannot contain its joy. Think of the pleasure that a father experiences, who tenderly loves his children, when he revisits them after a long absence, during which they have incurred the greatest dangers, and you will conceive a part of mine; for although you do not yet pray, I still regard you as my children, and entertain for you the

affection of a father, inasmuch as you are children of the Great Spirit, who is the author of being as well to you as to those who pray; who has created the heaven for you as well as for them; and who thinks of you as he thinks of them and of me, that they may enjoy an eternal happiness. That which pains me and diminishes the joy of this meeting is the reflection that one day I shall be separated from a part of my children, of whom their lot will be eternal misery, because they do not pray;—while the others who pray, will possess the joy which endures forever. When I reflect on this fatal separation, can I have a heart at ease? The joy I feel for the happiness of the one, does not balance the affliction I suffer for the misery of the other. If prevented from prayer by insurmountable obstacles, and remaining in the state in which you are, I could procure your admission into heaven, I would spare nothing to obtain you that blessing. I would aid you, I would cause you all to enter there, so much do I love you, so much do I desire your happiness; but that is impossible. It is necessary to pray, and it is necessary to be baptized, to be enabled to enter into that abode of pleasure." He then explained the articles of his faith and thus proceeded. "The words which I have spoken are not of men; they are the words of the Great Spirit; they are not written as your messages, figured on a wampum which you make to speak whatever you will; but they are written in the book of the Great Spirit, which cannot lie." After an address to their sympathies on their mission and some other remarks he concluded as follows: "Pray, my children, as I do, and you shall live forever. Take courage, let us not separate, that some may go in one way, and some in another. Let us all go into heaven:—It is our country, it is the place to which we are invited by the sole master of life, of whom I am but the interpreter." The Amalingans conversed together for some time, when their orator made the following reply.

"My father,—I am rejoiced to hear you. Your words have penetrated even into my heart, but my heart is yet shut and I cannot now open it, to show you what is there, nor to which side it will turn. I must delay until the chiefs and considerable persons of our tribe shall arrive in the autumn; then I shall open to you my heart. This, father, is all I have to say at present."

In the autumn one of the Nanrantsouaks, going to the Amalingans to obtain corn for planting, Father R  le charged him to inform them that they were always present in his mind, and to urge them to remember the promise which had been given.

They replied—"We are obliged to our father for thinking of us without ceasing. On our part we have reflected much on what he has said to us. We cannot forget his words while we have a heart, for they have been so deeply engraved that nothing can efface them. We are persuaded that he loves us; we wish to listen to him and to comply with his wishes. We consent to his proposition, and we see nothing but what is good and praiseworthy; we are determined to embrace it, and should before this time have gone to visit our father in his village, if he had been furnished with provisions sufficient for our subsistence during the time consecrated to our instruction. But in what condition shall we find him there? We know that famine is in the cabin of our father, and we are doubly afflicted that he is suffering, and that we cannot go to receive instruction. If our father will come to pass some time with us, we will furnish him with provisions and he shall instruct us."

The next day he embarked in a canoe to avail himself of the invitation, and for a French league before he landed, the continued salute of musketry assured him of their friendly disposition. Immediately on his arrival he planted the cross, caused a chapel to be erected of bark, placed in it an altar, and after due preparation, he accomplished the regeneration of the whole nation in the waters of holy baptism. He was prepared to depart, when they requested his attendance in their meeting, where one, in the name of all present, offered him the tribute of their gratitude and respect. "Our father," said the speaker, "We have not language to testify to you the joy we feel in having received baptism. It seems to us now that we have a new heart. All that gave us pain is dissipated: our thoughts are no longer wavering; baptism has fortified us inwardly, and we are resolved to honor it all our lives."

Peace under the treaty of Utrecht having been concluded, the Nanrantsouaks sent a deputation of some of their principal men to Boston to procure workmen to rebuild their church, which

had been destroyed by an irruption when they were absent. The Governor received them with the most seductive demonstrations of friendship. "I wish," said he, "to restore your church, and I will treat you better than the French Governor has done, whom you call your father. It belongs to him to rebuild it, since he caused its destruction by inducing you to strike me. For me, I defend myself as I can, but he makes use of you to protect him, and then abandons you. I will deal better with you, for I will not only furnish you workmen, I am willing also to pay them and to be at the expense of building the edifice you are desirous to have constructed; but as it is not reasonable that I, who am an Englishman, should build you a church without providing a minister to take care of it, and to teach you prayer, I will give you one with whom you shall be satisfied, and you must send to Quebec the French minister who is in your village."

"Your words astonish me," replied the savage deputy, "and I admire you in the proposition you make. When you came here you saw me a long time before the French governors knew me. Neither your predecessors, nor their servants, ever spoke to me of prayer, or of the Great Spirit. They have seen my peltries, my skins of the beaver and the deer, and of those only have they taken thought: those they have sought with eagerness. I could not furnish them enough, and when I brought them many I was their great friend; that was all. On the contrary, my canoe being one day lost, I mistook my course and wandered a long time by chance, until I stopped near to Quebec, at a great village of the Algonkins, where the black coats lived. Scarcely had I arrived when a black coat came to see me. I was loaded with peltries. The French black coat did not even deign to look at them. He spoke to me at once of the Great Spirit, of paradise, of hell, and of prayer, by which is the only path to heaven. I listened to him with pleasure, and relished so well his conversation that I stayed a long time in that village to hear him. Finally prayer was agreeable to me; I engaged him to teach me; I demanded baptism and received it. Afterwards I returned into my country and related what had happened to me. My people, emulous of my happiness, sought to partake it, and they also went to find the black coat and demand baptism. Thus

have the French conducted towards me. If when you saw me you had spoken to me of prayer, I should have had the misfortune of praying as you do; for I was not capable of distinguishing whether your prayer was good. Thus, I tell you that I hold fast the prayer of the French. I like it and will preserve it till the earth shall burn up and perish. Keep, then, your workmen, your money, and your minister. I will mention them to you no more. I will tell the French governor, my father, to send them to me.”<sup>1</sup>

In the manuscript dictionary of the Norridgewock language, compiled by R  le, I found a small loose scrap of paper, from which I present a short extract, strikingly descriptive of his habits and temper. “Here I am,” says he, “in a cabin in the woods on the borders of the sea, where I find both crosses and religious observances among the Indians. At the dawn of morning I say the mass in a chapel made of the branches of the fir tree. The residue of the day I spend in visiting and consoling the savages:—a severe affliction to see so many famished persons, without being able to relieve their hunger.”

Father R  le never abandoned the Indians. He attended them in all their expeditions and kept them in regular observance of their religious exercises. In a letter to his brother written in 1723, in which he describes most particularly his own habits of life, and relates many interesting particulars in regard to his tribe, he seems to entertain a mournful anticipation of the fate which, through the hatred of the English, was soon to befall him. During the next year a party of those enemies, with some allied Indians, marched to attack the village of Nanrantsouak. It was surrounded by a thicket of brush, and the first intelligence of the incursion was conveyed to the unsuspecting inhabitants by the report of musketry and the balls of an enemy whizzing through their cabins. Fifty only of the warriors were at home; but they seized their arms to withstand their enemies, while the women and children should make their escape. Father R  le, alarmed by the tumult, also departed from his cabin; but as soon as he appeared a great cry was raised, and a volley of musketry laid him dead at the foot of the cross he had planted in the

<sup>1</sup>The English, however, rebuilt the church.

village. Seven of the savages had surrounded him to protect his life; but they were all killed by his side. The others fled; but thirty of their number were slain and fourteen wounded, and the church and the cabins were given to the flames. The Nanrant-souaks, on the next day, returned to the desolated place of their ancient abode, to lament over the remains of their deceased and much loved missionary, and to pay them the last offices of their affection and respect. They buried him on the spot where the altar had stood, at which he had so often celebrated the rites of his faith. Thus terminated the painful mission of this remarkable man, which had lasted thirty-seven years amidst hunger, fatigue, privation, and danger in the wilderness. Never had a man more eminently united the talent, the apostolic zeal, the strength of constitution, and the courage necessary for such a life. He was master of the languages which prevailed over a large extent of country, and when he preached to the savages, his fervor of manner and pathos of expression left the profoundest impressions on the hearts of those who heard him. His conversation, too, had a charm and weight that compelled the savages to listen to him as children to the parent who amuses, instructs, and directs them. He spent his life, from choice, in the poverty and abstinence of a most vigorous penitent, suffering mortification for sin; but distributed his goods with the charity of an almoner of heaven. The savages mourned for him as for their dearest relatives, and so much was he esteemed by the French, that the religious superior at Montreal, when applied to in relation to the communication of prayers on his account, replied in the language of St. Augustin, that it was wronging a martyr to pray for him.

Our own historians have spoken with the greatest disrespect, and even bitterness of reproach, against Sebastian R  le, and if their accounts be true and their execrations could have been effectual, instead of having been the saint who made his calling and el  ction so sure that he needed not the prayers of the righteous, he deserved the hatred of men and the pity of angels. Certain it is that the strong bond of religious union by which he held the savages in amity and alliance with the French was an insuperable obstacle to the success of those claims which our forefathers made upon the Abenakis country, and that they

regarded him as a constant and most formidable enemy. In the winter of 1722, while the warriors were out on the chase they sent a detachment of two hundred men to arrest him in his village. He received timely notice to enable him to fly a short distance into the woods, but as he had suffered the misfortune of having had both his legs broken by a fall and could not travel far, his only resource was to conceal himself behind a tree, which his enemies approached almost to touch; but, says the father, as if they had been repelled by an invisible hand, they turned away and retired. His faithful and affectionate savages often urged to him the peril of his situation, and pressed him to retire for safety to Quebec; but he answered them in true devotion of spirit of the zealous apostle, "none of these things move me, neither count I my life dear unto myself, so that I might finish my course with joy, and the ministry I have received from the Lord Jesus."

Unfriendly historians have not, however, confined themselves to the general charges which would have been made against any Catholic missionary whose influence was so pernicious. They have followed him from the altar to his cabin, and endeavored to fix on him the imputation that he sometimes departed from his monastic discipline, to anticipate the rewards of the Mohammedan paradise, whose black-eyed houries were gathered around him in the sylvan shades of his retreat. He was not married, as indeed by the rules of his order he could not have been.

It is much to be regretted that Father Rale did not follow the example of his illustrious brethren in Paraguay, who introduced civilization as the handmaid of christianity, and directed conversion to the improvement of life. As the apostle of humanity as well as of the faith, what good might he not have accomplished? What a train of blessings might he not have established? But when the old man expired by the side of the altar he had reared, the barbarism he had only in a measure controlled, broke loose with a ferocity not softened by the dogmas he had taught. The religion he had introduced led his warriors to battle, and the obligations of mercy were dissolved in the fury of war. Yet it is generally true that his followers were not only the bravest, but the most sparing of that fierce

race to which they belonged, and that though spoil and havoc were their element, they could sometimes be generous and forbearing; and as to the unfortunate Jesuit, that to obey the Pope and the King might naturally enough be considered by him as rendering his duty to religion and his country. At the present day the justice of history cannot do less than to pay some homage to his virtues and his talents.

The catholics have, since the period last particularly noted, been perfectly unswerving in their attention to the sacred concern of religious instruction among the Indians of Maine; and the wall they erected against the inroads of protestantism has been preserved without a breach. At least once in every year, when the attendance of some anointed servant of the church has not been constantly devoted to the spiritual guidance of the savages, some reverend teacher has paid his visit to each of the tribes to relieve the sinner of his burdens, through the means of confession and penance, to offer his intercession for the benefit of the suffering souls of those who have died in his absence, to solemnize the marriages of those who wish to pass under the conjugal yoke, to recall the backsliding and confirm the faithful. On his periodical visits the wandering hunters and fishermen, the men, women, and children, collect together to attend his ministration of holy things, and apply themselves to the work with devout reverence for his doctrines, the highest respect for his person and office, and the most implicit obedience to his commands. In this case, as in all others, the submissiveness of the Indian to acknowledged authority is truly wonderful, and the pride of the priest is gratified by a power which is at the same time exercised with parental kindness and absolute sway, even beyond the utmost limits of ecclesiastical jurisdiction. The ambition of the human heart thus gratified, some solace is undoubtedly found to cheer the instructor of the sons of the forest, amidst the privations of his lot.

#### ROMAGNE.

For about twenty years, and until a few years past, M. Romagné was the person by whom the functions of the clerical character have been performed among the Penobscots and

Passamaquoddies. He became acquainted with their language so as to be able to converse in it, and the affectionate remembrance in which he is held by them is proof of the discreet manner in which he conducted toward them. He is spoken of as having been a faithful missionary and a man of unspotted life. He has been succeeded by various occasional instructors, each of whom has discharged his duty in a manner to command respect even from those who have, perhaps, some prejudices against his doctrines, and to be very useful to the savages. During the term of his visit among the Penobscots he lives in their village, in a small tenement prepared and kept for the purpose, and devotes himself to adjusting the balance of sin and repentance, to dealing out salutary admonitions, and to performing the rites of his church and the functions of his office among his pupils.

Such is the history of the missions and missionaries of the catholic faith, who undertook to convert to christianity the natives of Maine. As far as the personal interests of the priest, and the political one of the government, were concerned, the consequences were equal to the means; but the religious and moral improvement does not seem to have been worthy to be taken into account.

The Protestant missions among the neighboring tribes do not appear to have terminated in a manner much more successful. While the laborers in the vineyard of the church were prosecuting their work in this unfruitful field, the immortal Eliot, the first of Indian evangelists, was using the most faithful exertions to gather into the gospel fold the natives of Massachusetts. In 1649, the parliament of England, desirous of promoting the objects of that illustrious reformer of the heathen, created a company which acquired considerable funds, so as to be able from its revenues to support fifteen or sixteen missionaries, partly English and partly converted savages; yet all the aid of this powerful association, with the zeal and industry of the pious and charitable, did not save the savages from perishing by the effects of their own vices.

## XIII. ARNOLD'S LETTERS.

ON HIS EXPEDITION TO CANADA IN 1775.

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The following article contains the original letters of BENEDICT ARNOLD, while on his celebrated expedition to Quebec in the year 1775.

It will be recollected that this officer, then a colonel in the service of the American Colonies, was designated by Washington, to the command of a select corps, detached from the army at Cambridge, which, by penetrating the wilds of the Kennebec, was destined to co-operate with other forces ordered to enter Upper Canada by the lakes, and by the capture of Quebec to finish the campaign.

It is from a manuscript, in which the letters are preceded by the Journal of Col. Montresor, an officer of engineers in the British service, containing a narrative of an exploring expedition conducted by him from Quebec into the interior of Maine. It was from this Journal, which fell into the hands of Arnold, that the expedition by the Kennebec and Chaudiere rivers was first suggested. Arnold proposed it, and to him the command was given.

The first leaf of the manuscript is wanting; and the narrative, as will be perceived, begins without indicating the precise point of departure, or the year. The blanks are left as we found them in the manuscript.

To the kindness of Col. Burr of New York, himself a volunteer in the expedition, we are indebted for obtaining the manuscript. It was found originally among the papers of Arnold, whose effects were confiscated under an act of the State of

Connecticut, in the possession of the late Pierpont Edwards, Esq., who was commissioner appointed by virtue of that act, and on his decease it passed into the hands of Hon. Ogden Edwards of New York, by whom it was obligingly furnished.

It will be followed by a journal of the expedition, compiled by a member of this society from authentic documents, containing a full and very interesting narrative of events from the beginning to the termination of this most adventurous and hazardous enterprise.

#### MONTRESOR'S JOURNAL.

\* \* \* \*

It was intended at first to embark on the river Chaudiere, which falls into the St. Lawrence on the south side about four miles above Quebec; but as the rapids and falls prevent it from being navigable for some leagues from its mouth, we were obliged to cross the country to St. Egan or Nouvelle, eight leagues from Quebec.

From Pt. de Peres is five miles to St. Henri, a settled village on the banks of the river Etschemin. The river is rapid and too shallow even for canoes. It comes from the eastward and takes its rise not far from some of the western branches of St. John. Leaving the Etschemin the morning of the 13th, we struck into the woods. The country between St. Egan and St. Henri is almost a continued swamp or savanna, and the road is not practicable for carriages. The heat of the season, the badness of the roads, and the accidental fire in the woods altogether came to make this a very disagreeable day. Notwithstanding the care of the Indians, four of our canoes took fire and were soon reduced to ashes. These accidents happen frequently from fires left in the woods by workmen or passengers, the sparks remaining till the wind blows them up into a flame, which, in a dry season, rages with great fury. In coming out of the woods we crossed the Chaudiere.

14th June. Embarked on the Chaudiere in wooden canoes, being determined to make use of them as long as we could, and then to make canoes of the bark of the beech or spruce till we could find birch proper for the purpose. There are settlements

on the banks of the Chaudiere as far as eight leagues above St. Egan. The river in general is deep, with a moderate current; it has a few rifts, but they are not difficult, where there are no islands; its breadth is from one hundred to one hundred and fifty yards. This river, as well as all others in this frozen country, overflows its banks in the spring, on the melting of the snow, rising to the height of twenty or twenty-four feet. Except in very dry seasons, it is practicable for light batteaux as far as ten leagues above St. Egan. A violent storm of thunder and rain prevented us from going farther than two leagues on the 14th.

15th. We went near six leagues, and lay that night near the last habitations; course nearly south-east. A little below, the Chaudiere receives a pretty large river called the Bross, which comes from the south-west. It rises near the lake Megantic, to which it leads in a very straight line, and the Indians sometimes prefer this way to that of the Chaudiere, which takes its rise from the same lake, though its stream is so shallow that they can make but little use of canoes. As the banks of the Chaudiere hitherto are rich and fertile, so are the woods full of the tallest and most beautiful trees, much superior to what are usually met with in Canada. From the banks of the river the land rises into small mountains, running in short chains and ridges; some of these are to be seen from Quebec.

Happening luckily to meet here with some of the Abenakis, the natural proprietors of this country, though of late they have forsaken it for the banks of the St. Lawrence, we bought some birch canoes from them, by which we were enabled to pursue our journey without stopping.

The 16th having been spent in fitting up these canoes, &c., on the 17th we continued our course up the river and soon passed the last settlement. After having gone about two leagues, we came to a long and difficult rapid, which the Canadians have distinguished by the name of Rapid des Diables.

Hitherto the season has been gentle and moderate; the ascent has not been considerable. This may be considered as the end of the lower plain; and the second stage of land is begun by a long chain of rock mountains of no very great height. They cross the river in an easterly and westerly direction, and the Rapid des Diables lies immediately under them.

Having passed this rapid with a great deal of difficulty, we advanced about two leagues beyond it. The river continues moderately rapid, but extending itself and forming many islands, it becomes very shallow. Here we made our first encampment in the woods on the eastern banks of the river. We had the misfortune to see that by the dryness of the season, the waters were very low, which must make our voyage much longer than we had expected.

18th. Continued our voyage. As we advanced, the river became more rocky, shallow, and rapid. It receives or the river de Famine, which comes from the eastward, and, as well as the river Etschemin, rises near the sources of the St. John; above it we met with the Long Rapids, so called by the Canadians, which we passed with much difficulty, often dragging our canoes over rocks. Having surmounted them we came to Principal, where the river Des Loups falls into the Chaudiere. The route prescribed us was the river Des Loups. The appearance of both was much the same, rapid, rocky, and shallow; but the river Des Loups was much the least considerable. The trees most common here are the cedar and spruce, and some low birches.

Having encamped the \_\_\_\_\_, the Indians went up the banks of the river Des Loups on the 19th, that they might see whether our canoes were likely to be of any service. After having gone about three leagues they returned, and by their report we found ourselves obliged to carry our canoes and provisions along the banks of the river. In this manner we passed the 20th, 21st, 22d, and 23d—advancing those four days not above five leagues. The river was one continued bed of rocks. At last, on the 24th in the morning, I arrived at the real carrying place from the banks of this river to the Lakes of the Highlands. There is so little water in this river, that whoever passes this way in the summer season, except befriended by sudden heavy showers, must expect the same fate; but on the melting of the snow it is no uncommon thing to go from the Fork or crotch of the Chaudiere to the carrying place, in two days, though the stream must then be so rapid, and the channel is so full of rocks, that it cannot but be very difficult and dangerous.

On our first day's journey from the Fork, the country was as barbarous as can be imagined. The banks were rocky and steep, and two leagues above the Fork it has two falls, a small distance from one another, where it is necessary to make a short passage. A little higher I found here and there little intervals of land tolerably good, especially about a league below the great carrying place. The river has plenty of fish. I saw no game in the woods, except hares and pheasants. Where the carrying place begins, the river receives a large brook, which rises from the lake to which we were to bend our course. Here I left the river Des Loups, which turns toward the south-south-westerly and derives its source from the height of land.

The course across the carrying place was about south-easterly; the ascent is considerable. After walking about seven miles we crossed the brook, which having formed a kind of semi-circle from whence we left it, meets , after which it takes a sweep round and then returns to its first course, dividing the carrying place into two nearly equal parts. Though the path was better than many we met with afterward, yet we were often in danger of losing it.

The Abenakis, jealous of the knowledge of their country, took care to leave but few vestiges of their route. Even here we found but few notches on the trees, commonly called blazes, the savages' constant guide in the woods. We encamped the night of the 24th nigh the Brook.

25th. Continued our route over the carrying place. The second part of it has more ascent than the first. The woods blocked up with fallen trees, some of them fresh, others just crumbling to dust. The soil is loose, as is usual on a height of land. At the end of the carrying place I discerned a steep hill, and encamped near the source of the Brook, one of the arms or branches of the lake.

26th. I continued my encampment, the Indians having need of refreshment, after a continued carrying place of four leagues. I had my canoes repaired, which were much damaged.

27th. I embarked, and after having passed through two small basins divided by a narrow channel, where the current was pretty swift, I entered the Lake and enjoyed a noble prospect,

after having been so long confined in the woods. The lake is about three miles in length north-east and south-west, and a little less than one, or one and a half miles in breadth. My course over it was easterly near the north shore. The range of mountains of the height of land and

from the S. S. east shore they run from the north-east to the south-west. As the land round the lake is high, it is probable it has a great depth of water. We sounded to twelve fathoms without finding any bottom. It has no known discharge but by the route I came. Having kept along the eastern shore the whole breadth of the lake, I entered into an arm between the south and eastern shores, and steering to the north-east, I soon ran our canoes ashore, and after a short search found the carrying place. This portage, which is over a low gap or breach of the mountains of the height of land, is not above half a mile in length. The course of the springs is now to the southward; keeping my course easterly, I soon arrived on the banks of another lake. The first of the opposite streams that empty themselves into five

This differs much in figure from the former. It is nowhere above half a mile in breadth, but is about four miles in length. I paddled its whole length keeping my course south-westerly to the south-west at the distance of sixteen miles. I had a view of Onegula,<sup>1</sup> one of the highest mountains in this part of North America, named after who always hunted there. From the southern extremity of this lake rises a brook which is one of the sources of the river Penobscot, but it is too inconsiderable to be of any service for canoes. The portage is a little eastward of it. This portage is a mile in length; the course over it south-easterly; it leads to a third lake. This lake is divided into two large basins, separated by a narrow passage. It is about three-quarters of a mile in length and two or three hundred yards wide. Course over it, south 30° east. The brook above mentioned empties itself into this lake and rises at the extremity of it. The portage is, as before, a little to the eastward on the left hand, and leads to the principal branch of the river Penobscot. The descent here is very perceptible. It is also to be observed that the climate and soil are

<sup>1</sup>Bald Mt.

much altered. The trees are a better sort and larger growth; the woods free from entangling shrubs and undergrowth. The soil is richer and the woods more full of game. After marching near five miles, I came to the brook and encamped on the branches of it, near an old camp of the Abenakis. My course thus far was south-easterly.

28th. Continued our progress on the carrying place. The brook formerly on our right was now become on my left. After marching about three miles I arrived on the Penobscot at the discharge of the brook. It is to be observed that all the carrying places from the lake to this river are very difficult, the path often being imperceptible except to the Indians: the compass, therefore, is absolutely necessary. I now launched my canoes into the Penobscot, or a western branch of it, which is said to rise from the bottom of the mountain. The river was so small that my navigation was often interrupted, and I was obliged to drag my canoes, although I had it supplied by opening the Beaver dams. This is often practised and is of great use in small rivers. The course of the Penobscot is south-easterly; it is full of windings and rapids—has a gravelly bottom. Here I had a second view of the mountain Onegula, bearing westerly about fourteen miles. After sailing thus for two leagues we came into a fine country; the Penobscot expands itself; its waters are deep and silent, the current very gentle; the banks are covered with the finest trees and the country opens into most beautiful meadows; some of these are marshy and give large supplies of water to the river. The country is very level, and the woods full of bears, moose, deer, &c., as appeared by the prints of their feet on the beach. We went down the river this day about five leagues in all; towards evening it underwent another change, and now much resembles the Chaudiere below the Fork, rapid, rocky, and shallow. This, with a violent shower of rain, obliged us to encamp sooner than we intended.

29th. Having gone in the morning a league further down the river with much difficulty, we came to a carrying place. Here the Penobscot is too rapid for canoes, sometimes precipitating itself eight or ten feet perpendicularly. The portage is about two miles in length, the path on the left hand bank, and always

pretty near the river. After passing the portage we launched our canoes again into the stream, but the river was still rapid, and often so shallow that we were obliged to drag them. This continued till we came to where the Penobscot receives a river equal, if not superior to, itself. This branch comes from

The country here is very beautiful, and has always been a favorite residence of the Abenakis. When we had gone about a league further, the Indians stopped all at once. We found this was owing to one of them, on whose knowledge of this part of the country we much depended. He was at a loss to know whether we had not passed the place where we ought to leave the Penobscot, and by the description he gave of it, such a mistake seemed very pardonable. This obliged us to halt about five leagues from where we set out. We sent out some Indians to view the river, that we might be assured of our route. They returned in the evening without having seen anything particular; but after comparing circumstances, the Indians agreed among themselves that the place looked for must be further down the river; so that we determined to continue our course as before.

30th. Went into our canoes very early; for about half a league we found the stream rapid and shallow; we then came into smooth and deep water. The river is extremely gentle; its breadth from one hundred and fifty to two hundred yards. The country is extremely beautiful where it is cleared. The windings of the Penobscot, with the many islands that it forms, would afford a noble prospect. After having sailed about three leagues we found the river divided itself into two almost equal parts to form a large woody island. We kept close to the south shore, and began to see the end of the island, when we came to a large, but deep brook, which empties itself into the river. This was the place so much sought for. We entered the brook and bade adieu to the Penobscot. We advanced about very slowly, clearing away the bushes which choaked up the brook, and at length came to a beaver dam, at least ten feet high. We lifted our canoes into the upper stream, and after having gone further, we came to a small lake. This lake the Indians call

because it is shallow and full of and slime. At this time, thanks to the beavers, it was pretty full. Our course over

it was . . . We had no sooner landed than our guides found out the carrying place. This lake, it is seen, has a discharge by this brook into the Penobscot. We were now to cross over a small mountain, on the other side of which the streams run a contrary way, and empty themselves into the great lake Original.<sup>1</sup> The carrying place is . . . in length . . . the course over it . . . , at the end of it we found ourselves on the banks of a small river, into which we put the canoes. It was deep, but so narrow that the passage was often barred up by trees fallen across. After sailing half a mile, we entered the Original, and put on shore at a small rocky island near the mouth of the river. We were now close to the shore and near the extremity of a large bay or arm of the lake, from . . . to . . . shore was not more than . . . view to the east and north, was as yet bounded on the . . . rose into small woody hills, but to the . . . appeared a high and rocky mountain, which seemed about two leagues from the lake. Behind was a ridge of high mountains, at a considerable distance, which run from . . . . The lake extended southerly, but we were as yet kept from a full view of it by the points of land which intervened. . . . Leaving the rocky island, we embarked, and keeping close to the shore, steered southerly. Having gone about two miles we found ourselves opposite to two islands. As we advanced we perceived that a large arm of the lake had been concealed from us by the shore. Here it joined with that we were upon, and the breadth from . . . increased to about four miles. How far this arm runs we could not know, points of land soon depriving us of the sight of it. We went three miles further, and leaving a small island a mile from the shore on our left hand, we landed and encamped on a point of land covered with very fine birch and . . . trees. For the birch, of the sort most valued, the banks of this lake are particularly famous.

July 1st. Continued our voyage, and having sailed about a league, we found ourselves opposite to the Rocky mountain.<sup>2</sup> We left several islands betwixt us and the shore. We had now

<sup>1</sup>Moosehead Lake. (French for elk or moose.)

<sup>2</sup>Spencer Mt., the same as the Usgha.

a view of the mountain from which the lake takes its name.<sup>1</sup> It resembles a moose deer in a stooping posture. As we advanced the lake changed its figure, extending so far toward the east that the distance from            to the south shore could not be less than eleven miles. We now stood out to sea, steering for the point of the mountain Usgha, which we gained in an hour. The distance was about four miles. A range of large stones which runs out into the lake, forms here a natural harbor.<sup>2</sup> As we passed along we had the pleasure of beholding at the same time the most considerable mountains in this part of the world. The Onegnla, which I formerly mentioned, the Panavansot hill,<sup>3</sup> higher, at the foot of which runs the Penobscot; the            which I shall often have occasion to mention hereafter; the Ongueachonta,<sup>4</sup> on the banks of the Kennebec. We saw many others, but these were most remarkable. We left the Usgha and having passed the large island,<sup>5</sup> we altered our course to the            . We saw the extremity of the lake toward the east; what yet remained lay to the south. We steered across westerly, endeavoring to gain the right hand shore            . Here the river Moose empties itself into the Original. It rises near lake Megantie, and running almost parallel to the mountains of the height of land, traverses a long tract of            country, and passes through several considerable lakes, till at last it loses itself in lake Original. The Indians do not allow this, but call it the beginning of the Arransoak,<sup>6</sup> tracing the Arransoak through this and the other lakes, in the same manner as they do the St. Lawrence through the great lakes of Canada. We passed several islands, and after having sailed about seven miles, stopped at a spot well deserving notice. A very narrow point of land runs out about four hundred yards into the lake, after which it expands itself with the most graceful regularity. It forms a peninsula<sup>7</sup> equally remarkable and beautiful. We had

<sup>1</sup>Kineo.

<sup>2</sup>Kineo Bay.

<sup>3</sup>Katahdin.

<sup>4</sup>On the upper part of the Kennebec.

<sup>5</sup>Fame Island.

<sup>6</sup>The upper Kennebec, probably the same word as *Nanrantsouac*.

<sup>7</sup>Sand bar I.

already passed one discharge of the lake.<sup>1</sup> This stream, after a winding course through the woods, joins the Arransoak, and is navigable in the spring only. Where we now were, the shores incline to each other so much that the lake is not half a mile over; but they soon fall off, and the lake is ever after of a great breadth. Leaving this very remarkable spot, we sailed two miles, keeping close to the western shore. The opposite shore seeming to retire from us till, islands intervening, we lost it altogether. We saw three large points of land, almost parallel, running out a great way into the lake, but which of these were islands, and which the main land, if any, was not in our power to know. Leaving a large bay on our right, we stood over the lake, steering south-easterly, and keeping betwixt the nearest of these great points of land and a cluster of islands on the outside of the bay. After having sailed about two miles we perceived a motion or gentle descent in the waters of the lake, which informed us of our approach to the Arransoak. This river is considerable from its first source. Its breadth is about one hundred and fifty yards; its depth more than is required for canoes. Being used to suffer from the shallowness of the river, we rejoiced to see it so full of water, little expecting other difficulties we were to meet with. Having gone a little way with great velocity, all at once we found ourselves engaged in rapids. The river was narrow, deep, and full of rocks. To go back or gain the shore was equally impossible. One of the canoes was over-set; all the rest filled with water, but with much difficulty we gained the shore. Our provisions being all wet and in danger of being lost, we were obliged to encamp. We had not the consolation of a better prospect before us, for along the bank, as well as in the river, there was nothing to be seen but rocks; the woods filled with spruce, cedars, &c., certain marks of a country good for nothing. The descent everywhere so great, that the river runs with vast rapidity.

July 2d. Having repaired our canoes we pursued our voyage. After going some miles with great swiftness, without meeting with any disaster, by the great dexterity of the Indians, we entered the lakes of the Arransoak under the mountain Onguea-

<sup>1</sup>West Outlet.

chonta. The course of the river which had hitherto been nearly changed to . We had here a short respite from the rapidity of the current. The first lake is about a mile in length and from four hundred to six hundred yards in breadth. The second is not so broad, but is almost two miles in length. The Ongueachonta is a short ridge of mountains of a considerable height. These two lakes are separated by a fall, where the river contracts itself to fifteen yards in breadth. We were obliged here to make a short carrying place. We halted about an hour on a small island nigh the end of the two lakes. The island and country all around make a most desolate appearance, and a great part of the woods bear the marks of having been burnt. Those who enter this lake from the river Arransoak will see two high mountains close together and much resembling one another in figure and shape. We were no sooner out of the second lake than we found ourselves again in rapids. The banks of the river are rocky and very high. We quitted the river and struck into the woods, steering . This night encamped in the woods at some distance from the river, after a very laborious march, for there were hardly any marks to be found of a carrying place.

3d July. Continued the portage through the woods. After walking about we launched the canoes into a muddy creek in the middle of a marshy savanna. Upon this creek we advanced miles, and opened a vast number of beaver dams, which were of some use to us. It seems the Governor of Canada had been formerly acquainted with this, and all hunters were by his edict forbid to molest the beavers in this part of the country. These marshes are of great extent, and are often cut by deep gullies or pools of water. We had all along been much annoyed by the musquitoes, but never suffered from them so much as here. Though much fatigued we made but small progress this day. Toward night we reached the end of the marsh, where our muddy creek changed to a small and took its course down the of the hill to the Arransoak. Here we encamped.

4th July. Began another portage, steering

. After having walked about two miles we descended a steep hill and came to the river, into which we launched our canoes. Though less confined and rapid than before, the Arran-

soak still continued dangerous, till after having gone about three leagues, we came to the north branch, called the                    river. Here the country began to wear a better face, and the current to be more moderate; so that it may be looked upon as the end of the steep and rocky stage which prevails from this to the height of land. The Indians told us that in the spring this river is less difficult; for, being then full of water, they were able to keep close to the shore without being in the rapidity of the current. After passing the Fourche,<sup>1</sup> we went at a great rate. At sunset encamped on the south shore. Went this day, in all, not less than                    leagues.

5th July. The current still inclining to be rapid; the land mountainous, running in short ridges, like that on the Chaudiere; the course of the river is southerly. The country is now open and very beautiful. The woods full of large and noble trees. The river abounds in salmon, trout, &c. We saw a great many bears, moose, deer, wolves, &c., several of which we killed. The river hereabouts forms many islands and receives the <sup>2</sup> which comes from the west. The Arransoak afterward takes a long circuit to the east before it returns to its proper course. We saw this day the falls of Carrartoank or Devil's Falls,<sup>3</sup> where it contracts itself to a few yards in breadth and shoots about twelve or fifteen feet perpendicular.

July 6th. After having gone about                    we came to a deep fall, where begins a carrying place of about two miles in length, the river being too rapid for canoes. This bears the name of the Falls of Arransoak, from a village<sup>4</sup> of the Abenakis so called by them in the beginning of the war. It is on the left hand shore half a mile below the rapids. Opposite to this village the Arransoak receives a large river.<sup>5</sup> It now makes a noble appearance, very broad and deeper than any we have yet met with. Its current is very gentle to the Nine Mile Falls;<sup>6</sup>

<sup>1</sup> The Forks.

<sup>2</sup> Seven Mile Brook, or Carrabasset river.

<sup>3</sup> In Embden.

<sup>4</sup> Norridgewock.

<sup>5</sup> Sandy river.

<sup>6</sup> Skowhegan,

here it precipitates itself with great fury over high rocks, and being confined by high rocky banks, runs a quarter of a mile with vast rapidity, below which it forms a large basin, and then directs its course to the south. We encamped on an island half a league below the falls.

July 7th. Continued our voyage, and after sailing about three leagues with much difficulty, the river being often very shallow and rapid, we came to Ticonic Falls, which are immediately above Fort Halifax.<sup>1</sup> We left our canoes above the falls and went into the fort. Fort Halifax was built by Mr. Shirley in 1754, to awe the Indians and to cover the frontiers of New England. It stands on the east branch of the river at the

of the                    into the Arransoak. It is square; its defence a bad palisade                    by two block houses, in which there are some guns mounted, but as the fort is entirely commanded by a rising ground behind it, they have been obliged to erect two other block houses and to clear the woods for some distance around. They are capable of making a better defence, and it must be confessed that either of them are more than sufficient against an enemy who has no other offensive weapons than small arms. The fort is garrisoned by a company of New-Englanders and supplied from the settlement below. The tide brings sloops as far as Fort Western, six leagues below Fort Halifax. From this fort to where the Kennebec empties itself into the sea, a little eastward of Casco Bay, is about forty-one miles. We continued here at Fort Halifax two days to refresh ourselves and renew our provisions. That done, on the evening of the 9th, we remounted the river about two leagues. 10th, 11th, 12th, continued to go up the river. Through the excessive heat and dryness of the season, the waters are visibly decreased.

13th. We had now remounted the river about twenty-three leagues and drew very nigh the great Fourche. We came this day to where we were to begin our portage across the country westerly to the western branch of Kennebec river, called the Dead river, which western branch

. The                    before it joins the eastern branch of the Kennebec, has a great many windings, is

<sup>1</sup> At Waterville.

full of islands, shallow, and rapid. To avoid these inconveniences it is usual to carry the canoes through the woods till you meet the river, where it is of great depth and its current hardly perceivable. This portage is divided by three different lakes, each of which is to be passed before you can arrive at the Dead river, so called, being the western branch of the Kennebec. It has been formerly mentioned that, although the French made use of the eastern road to go into New England, yet this was always looked upon, both by them and the English, as the most eligible road to enter Canada. In order, therefore, to make these portages more remarkable, we took care to blais all the portages from the Kennebec to Lake Megantic in such a manner as to make the way much less difficult for whoever may follow us. A little above the portage a remarkable brook falls into the river, which forms the first or nearest lake.

July 14th. We took leave of the Arransoak or Kennebec river, and early in the morning entered the woods, advancing but slowly, the way being difficult to find, the ascent very great, and the weather sultry. Our course was

. After walking about eight miles, we came to the first lake . . . it is the least considerable of the three, not being above six hundred yards in length and four hundred in breadth. Our course over it was . . . We entered on the second portage, steering . . . and in an hour came to another lake . . . This extends itself about three-fourths of a mile from . . . but of no great breadth. Our course over it was . . . When we came to the other side we paddled through the rushes to the mouth of a large creek, into which we went. After carrying us about five hundred yards it took a second sweep to the right, inclining backward toward the lake. Here we landed and after a long search found the portage. No nation having been more jealous of their country than the Abenakis, they have made it a constant rule to leave the fewest vestiges of their route. The course over this portage is . . . As it is not long, we soon came to the Third Lake. We had made a long and fatiguing march; the night came on, the weather threatening, so that we made no attempt to pass over, but encamped.

15th. Next morning set out early. The lake seemed to be in breadth and in length extending from the opposite bank. The land rose to a ridge of hills, over which appeared the mountain rising to a great height. As we passed the lake we were overtaken by a heavy shower; what was more disagreeable, we could find on shore no marks of a portage. In vain we coasted along the lake and examined every opening; we were obliged to send Indians into the woods, and it was not till after a long search that they found any way. Our course over the lake was . Our course now over the portage was . We ascended the hill, the portage conducting through the gap or breach. Its whole length cannot be less than . After descending we winded a long time along the foot of the hill, till we came at last to a low savanna, where we halted. The brooks were all dry from the excessive heat of the season. After crossing this savanna, we continued our course through the woods till we arrived at a second, more swampy than the first. This gave rise to a large brook into which we put our canoes. We followed the stream, which in a few minutes brought us to the river. This noble river<sup>1</sup> more than answered our expectation. We found it about sixty yards in breadth, uniformly deep and gentle in its current. The land on both shores is rich and beautiful, and by the prints on the sand, must be full of game. We were now very near the mountains from which this river takes its name, but we had not gone far, when a violent shower obliged us to encamp.

July 16th, Continued our voyage; course for two leagues nearly . We had now passed the mountain, but the river, by its extraordinary windings, seemed unwilling to leave it. Two hours passed away and we had gained nothing in our course, but at last by slow degrees it became more regular and returned to its proper course. When we had gone about four leagues we found the river parted into two branches, the chief of which we left on the left hand.<sup>2</sup> It comes from . The other which we followed has a few rifts a little above the Fork,

<sup>1</sup>Dead river.

<sup>2</sup>South Branch.

but the river soon became deep and gentle as before, though its breadth is greatly diminished.

July 17th. We gained this day four leagues further up the river. We had more difficulty than before, as we met with two falls and some rapids, though not considerable.

18th. The river being extremely diminished, we divided; some striking into the woods, the others leading the canoes up the shallow rapids. After having gone about two leagues with much fatigue, we launched the canoes into a large beaver dam, which leads into the first lake of . These lakes<sup>1</sup> are of a great depth and entirely surrounded with mountains. The first is about half a mile in length, but of a very small breadth. In one place, where it contracts itself, the current is easily perceivable. The further end is marshy. Here we again found the brook, and after having gone on it about a quarter of a mile, we came to the second lake. This is larger than the first, though little different in appearance from it. We had a view of the mountains of the height of land. After passing these lakes the is no more than a small brook. We continued to lead our canoes in it, till at length we arrived at the long looked for portage. Here the river turns off to the although a rivulet which falls into it here, springs from lakes I have yet to mention. The appearance of the country here, though inferior to what it was below, is still very beautiful. We were now four leagues from lake Megantic, and divided from it by the height of land; but though we could have no further assistance from rivers, we had still a chain of lakes to conduct us the great part of the way.

July 19th. Set out very early. Just by us we found a small lake bearing from the portage . Having passed it, we again entered on the carrying place. Our course was . After walking about we came to a very beautiful lake about seven hundred yards in length and two hundred and seventy in breadth. The brook which falls into passes through it. Leaving the brook, which has a cascade, on our right hand, a portage of five hundred yards brought us to another lake. This is much smaller, its form very

<sup>1</sup>Chain Lakes.

regular, the shore rocky. We passed over and landed at the mouth of the same brook, to the source of which we now drew nigh. A short portage brought us to the last and most considerable lake.<sup>1</sup> We entered on it nigh the source of the brook; it is about three-fourths of a mile in length and almost five hundred yards wide. Our course over it carried us its full length. Bidding adieu to the southern waters, we entered on the portage to the height of land. Our course was nearly the ascent very considerable. After walking two miles we gained the greatest height and begun to descend. Three miles further brought us to a low, swampy ground, where the river Megantic<sup>2</sup> takes its rise. We were here a long time at a loss for the path but at last happily found it. Having crossed a large brook we came into a most beautiful meadow, much excelling any we had yet seen, and still more beautiful from the disagreeable tract we had just left. Keeping a course we soon arrived on the banks of the river Megantic. It is only a large brook, but the descent being very gentle, the canoes made good progress. The New Englanders who measured this carrying place, call it a little more than four and a half miles. This must be understood only from the last lake to the river Megantic; though even that did not seem less to us than six miles. The Megantic, about two miles from where we entered on it, receives a large brook coming from the . It soon becomes a considerable river, and though not so large, yet in depth resembling the . The meadow still continues, and it and the river are mutual ornaments to each other, but cannot surpass the beauties which nature has here been lavish of. The Megantic, deep, gentle, full of beautiful meadows, though without the wildness of those of the river; the soil, fertile to the greatest degree, no trees to be seen but oak, the ash, but most frequently knots of beautiful elms. This beautiful prospect continued with little variation for some miles, but we lost it by degrees as we approached the lake. We had gone down the river about four miles, when night overtook us; but being resolved to reach the lake, we still pushed on.

<sup>1</sup>Moose Horn Lake.

<sup>2</sup>Arnold's river.

Two miles more and we entered the lake Megantic. Our guides kept still rowing and passed over to the opposite shore, where we encamped.

July 20th. We now found ourselves on the lake, second in greatness to the Original. Before we embarked we examined, as well as we could, what appeared most remarkable. The Megantic extends from \_\_\_\_\_ to \_\_\_\_\_. We were now \_\_\_\_\_ near the \_\_\_\_\_ extremity of it, over which a small mountain, round at the top, is very easy to be distinguished. The mouth of the river Megantic bore from us \_\_\_\_\_. The land near it is very low. The breach of land where we passed the night bore \_\_\_\_\_. The chain of mountains which compose the height of land appeared irregular, none of them of great height. The land rises by a very gentle ascent from the shore on all sides of the lake; no steep, rocky mountains to be seen as on the Original. We embarked on the lake, keeping nigh the left hand shore. It is here upwards of a mile in breadth. After we had gone five miles we found the lake increased much in breadth. Soon after it takes a sweep to the left, and we lost sight of the height of land. Finding the lake run out on the left into a large bay, we passed over to the opposite shore. As we approached this shore we observed this lake from another bay to the \_\_\_\_\_, over which appeared a mountain, remarkable because it is single. We were now near the \_\_\_\_\_ discharge of the lake, and kept close to the right hand shore. After a little time we arrived at the source of the Chaudiere. As near as we could judge we had sailed on the lake about thirteen miles. We halted some time at the source of the Chaudiere and caught a number of fish, which this river is famous for. Over the \_\_\_\_\_ bay we had a view of a chain of high and rugged mountains running from \_\_\_\_\_. Behind these are the lakes from whence the Sagadahoc, the St. Francis, and other remarkable rivers take their rise. From the source of the Chaudiere they bore \_\_\_\_\_.\*

\* The Rev. Mr. Ballard, having carefully traced the route of Col. Montresor in Maine, has furnished the following explanation of the terms and places mentioned in the Journal:

"I have carefully traced Col. Montresor's route, and think that he

entered Maine from the Chaudiere and its branch Des Loups or Du Loup, by Portage Lake in Canada, and across the dividing ridge into Lake Penobscot, and the connected lakes, by portages into the S. W. Branch of the Penobscot, to the falls (29th day) in the new township of Pittston, and soon after to the junction of the S. W. and N. W. branches of the Penobscot. The next day they came to the Seboomook, in the township of the same name, a short stream rising in a lake, and by means of both, across to what is now called the "N. W. Carry," and so to the "N. W. arm of the lake" (Moosehead).

Thus far it is quite plain, and I could delineate it more accurately on the large map of Somerset Co.

July 1. Opposite Spencer Mt., pointed, rocky, and barren, and saw the Moose Mountain, Kineo. For *Usgha* see further on.

The "very narrow point of land running out about four hundred yards, and making a peninsula," must be "Land Bar I," which is now a peninsula at a low stage of water, and *was* so before the dams were built. The west outlet is easily recognized. The three large points of land (p. 457.) were the northern parts of Deer and Sugar Islands, and the western point of township A. He could not distinguish whether they were islands or main land. Thence to the S. W. outlet,—the upper Kennebec,—and the rapids, where now is a dam.

*The mountains*.—*Onegnla* was seen when he was going southerly from the head lakes of the Penobscot—probably before him. (p. 452.) Again it was seen in a westerly direction, after he had descended the river several miles, and these views indicate that he saw "Bald Mountain."

The Panavansot Hill is Katahdin, "at the foot of which runs the Penobscot." Panavansot should be Panawanscot, as the Abenaki did not use *v*, and this is the present name given by the Oldtown Indians to their place, in this form, "Panawamskik," and *Râle*\* much the same. This "hill" therefore is the hill on the river that runs by Oldtown. It can be seen in the upper part of the lake.

The *Usgha* is on the easterly side of the lake, because after leaving it and the bay on the north and west part of Day's Academy Grant, he proceeded "westerly" toward Moose R. I therefore take the *Usgha* to be one of the same group as the Rocky Mt. (p. 455.) which must be Spencer Mt., to which the description will well apply.

*Onqueachonta* denotes the mountains on the east side of the upper Kennebec, near the dams, of which Squaw Mt. appears to be a part, as seen from the lake. Perhaps he took the name *Usgha* from the name of this Mt. *Esquaw*, a *girl*, or the settlers may have changed the application in an opposite way.

\* *Pannasanbskek*.

## ARNOLD'S LETTERS.

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FORT WESTERN, 27th SEPTEMBER, 1775.

*To his Excellency General Washington,*

*May it please your Excellency :*

I have ordered James McCormick, the criminal condemned for the murder of Reuben Bishop, on board the schooner Broad Bay, Capt. Clarkson, with directions for him to be delivered to Capt. Moses Nowell, at Newburyport, who has orders to send him to your Excellency. The criminal appears to be very simple and ignorant; and in the company he belonged to, had the character of being a peaceable fellow. His place of residence is North Yarmouth, was drafted out of Col. Seamman's regiment, Capt. Hill's company, where his character may be fully known. I wish he may be found a proper object of mercy; and am

With the greatest respect,

Your excellency's most obed't humble servt.

B. ARNOLD.

FORT WESTERN, 27th SEPT. 1775.

*To Capt. Moses Nowell :*

SIR—You are hereby ordered to receive from Capt. James Clarkson, one James McCormick, a criminal condemned for the murder of Reuben Bishop, and him safely convey under a proper guard, to his excellency Gen. Washington at Head Quarters.

I am your humble servt.

B. ARNOLD.

FORT WESTERN, 28th SEPT., 1775.

*Mr. Nathaniel Tracy :*

DEAR SIR—This will be handed you by Capt. Clarkson, who will acquaint you with the particulars of our voyage, which has been very troublesome indeed. To Capt. Clarkson I am under many obligations for his activity, vigilance, and care of the whole fleet, both on our passage and since our arrival here; for which he may very possibly be blamed by some of the other captains; but he has really merited much, and it will always give me sensible pleasure to hear of his welfare and success, as I think him very deserving.

I must embrace this opportunity to acknowledge the many favors received from you at Newbury—and am with my best respects to Mrs. Tracy, your brother, and Mr. Jackson, &c.

Dear Sir, yours &c.

B. ARNOLD.

FORT WESTERN, 29th SEPT. 1775.

*Lt. Col. Enos :*

SIR—You will forward on Capts. Williams and Scott's companies, with the remainder of Capt. McCobb's and any others left behind, as fast as possible. Order them to follow the route of the army and join at Chaudiere pond. You will bring up the rear and order on all stragglers, except those sick, which you will send on board the Broad Bay, Capt. Clarkson. Leave two or three men with the Commissary to assist him, and hurry on as fast as possible without fatiguing the men too much. Bring on with you all the carpenters of Capt. Colburn's company, and as much provision as the batteaux will carry. When the Indians arrive, hurry them on as fast as possible.

I am Sir, your humble servt.

B. ARNOLD.

FORT WESTERN, 29th SEPT. 1775.

*Capt. Farnsworth :*

SIR—You will forward on all the provisions here as fast as possible to Fort Halifax, and such as the batteaux carry on, order stored there. You will have two or three people left to

assist you. The sick you will order on board the Broad Bay, Capt. Clarkson, to be returned to Newbury. The \* at Colburn's secure, and leave until the event of this expedition is known. Forward on all the new batteaux, poles, oars, pitch, nails, &c., that are or shall be procured, and as soon as you can, join the detachment. Leave particular directions with Mr. Howard to take care of the goods left.

I am Sir, your humble servt.

B. ARNOLD.

DEAD RIVER, about 160 miles from Quebec, Oct. 13, 1775.

DEAR SIR—I am now on my march for Quebec with about 2000 men, where I expect to have the pleasure of seeing you soon. This detachment is designed to co-operate with General Schuyler to frustrate the unjust and arbitrary measures of the ministry, and restore liberty to our brethren of Canada, to whom we make no doubt our exertions in their favor will be acceptable; and that we shall have their assistance, or at least their friendly wishes, as the expedition is undertaken at the request of many of their principal inhabitants. I beg the favor of you on receipt of this, which will be delivered you by one Eneas, a faithful Indian, that you would immediately write me by him of the disposition of the Canadians, the number of troops in Quebec, by whom commanded, and every advice you have received from Gen. Schuyler, and the situation of matters in general, what ships are at Quebec, and, in short, what we have to expect from the Canadians and merchants in the city. Whether any advice has been received of the march of this detachment. If any gentleman of my acquaintance will undertake to meet me on the road, he will be received with pleasure and handsomely rewarded.

The enclosed letter to Gen. Schuyler, I beg the favor of you to forward by express, which charge shall be reimbursed you with thankfulness.

I am, with much esteem, dear Sir,

Your friend and very humble servt.

B. ARNOLD.

JOHN MANIR, Esq., or in his absence to  
Captain WM. GREGORY, or  
MR. JOHN MAYNARD.

DEAD RIVER, 160 miles from Quebec, Oct. 13, 1775.

DEAR SIR—I make no doubt his excellency Gen. Washington has advised you of his ordering me, with a detachment of the army at Cambridge, to march against Quebec; in consequence of which I left Cambridge on the 13th of September, and after a very fatiguing and hazardous march over a rough country up the Kennebec river, against a very rapid stream, through an uninhabited country, and meeting with many other difficulties which we have happily surmounted, we have at last arrived at the Dead River, which we have examined to Chaudiere pond; and hope in a fortnight of having the pleasure of meeting you in Quebec. Any intelligence or advice you can communicate will be gratefully received, as this detachment was intended to co-operate with your army.

I am, with much esteem, dear Sir,  
Your most obed't humble servt.

B. ARNOLD.

*To the Hble Major General and  
Commander in Chief of the Northern Army.*

OCTOBER 13, 1775.

*Lieut. Steel:*

SIR—I have sent the bearer and another Indian to Quebec with letters, and must have John Hall, as he speaks French, to go to Sartigan with them, and get all the intelligence he possibly can in regard to the number of troops there, the disposition of the Canadians, and advice from Gen. Schuyler. When he arrives at Sartigan, he must employ some Frenchmen, that can be depended on, to go to Quebec with the Indians, to deliver their letter and to get an answer; for which purpose I have sent twenty dollars for him to take. Desire him to caution the Indians not to let any one know of our march, but to sound the inhabitants and find out how they stand affected, and whether our coming would be agreeable to them. If he does not choose to go alone, you must send a man with him, and both must return to us at Chaudiere pond as soon as possible; taking particular notice of the river, whether our batteaux can pass down.

I am Sir, your humble servant,

B. ARNOLD.

SECOND PORTAGE from Kennebec to the Dead River, }  
Oct. 13, 1775. }

*May it please your Excellency,*

A person going down the river presents the first opportunity I have had of writing your excellency since I left Fort Western; since which we have had a very fatiguing time. The men in general, not understanding batteaux, have been obliged to wade and haul them for more than half way up the river. The last division is just arrived except a few batteaux. Three divisions are over the first carrying place, and as the men are in high spirits, I make no doubt of reaching the Chaudiere river in eight or ten days; the greatest difficulty being, I hope, already past. We have now with us about twenty-five days' provisions for the whole detachment, consisting of about nine hundred and fifty effective men. I intended making an exact return, but must defer it until I come to Chaudiere. I have ordered the commissary to hire people acquainted with the river, and forward on the provisions left behind (about 100 barrels) to the Great Carrying place to secure our retreat. The expense will be considerable, but when set in competition with the lives or liberty of so many brave men, I think it trifling, and if we succeed, the provisions will not be lost.

I have had no intelligence from Gen. Schuyler or Canada, and expect none until I reach Chaudiere pond, where I expect a return of my express, and to determine my plan of operation; which, as it is to be governed by circumstances, I can say no more than if we are obliged to return, I believe we shall have a sufficiency of provisions to reach this place, where the supply ordered the commissary to send forward, will enable us to return on our way home so far that your excellency will be able to relieve us. If we proceed on we shall have sufficient stock to reach the French inhabitants, when we can be supplied, if not Quebec.

I am with the greatest respect,

Your excellency's most obed't h'ble serv't.

B. ARNOLD.

P. S. Your excellency may possibly think we have been tardy in our march, as we have gained so little; but when you

consider the badness and weight of the batteaux, and the large quantity of provisions, &c., we have been obliged to force up against a very rapid stream, where you would have taken the men for amphibious animals, as they were great part of the time under water; add to this the great fatigue in portage, you will think I have pushed the men as fast as could possibly have been. The officers, volunteers, and privates, have in general acted with the greatest spirit and industry.

Inclosed is a copy of my journal, which I fancied your excellency might be glad to see.

SECOND CARRYING-PLACE, OCT. 14, 1775.

*Col. Farnsworth :*

SIR—I wrote you on the road here to send forward to the great carrying-place all the provisions, and for that purpose to hire men on the river well acquainted with setting up. I have thought proper to write you again for fear my former letter should have miscarried. You will hurry on the provisions as fast as possible. We have now about twenty-five days' allowance. Hope before that is gone to be in Québec. However, I think it necessary to have the provisions forwarded on, that our retreat may be secured in case of any accident.

I am Sir, your h'ble serv't.

B. ARNOLD.

THIRD CARRYING-PLACE, OCT. 15, 1775.

DEAR SIR—I forgot to desire you to send on the yoke of oxen to Dead River, as soon as can be, for I intend killing them there for the whole detachment. Your proposal in regard to Mr. North will be agreeable to me, if it is so to the detachment; but I am at a loss whether they will be fond of having an officer introduced not belonging to the detachment. When we arrive at the Dead River, will determine that matter, where you will hurry as fast as possible. There I design holding a council of war, and expect particular advice from Canada.

I am Sir, your most h'ble serv't.

Lt. COL. ENOS.

B. ARNOLD.

THIRD CARRYING-PLACE, OCT. 15, 1775.

DEAR SIR—Yours of yesterday was this moment delivered to me. I had just wrote you in regard to Mr. North, and to forward on the oxen, &c. When I left the Carrying Place, I expected to have found some subaltern unwell, who might have been detained with fifteen or twenty men who were feeble and not so well able to proceed, yet capable of taking care of the sick, provisions, &c. If none such is sent back before you leave the carrying-place, you must order some subaltern to remain there, and have a batteaux at each lake. Give him orders to send the sick down, and take particular care of the batteaux left behind. The three first divisions have twenty-five days' provision, which will carry them to Chaudiero pond and back, where we shall doubtless have intelligence, and shall be able to proceed or return as shall be thought best. Give the officer who stays behind orders to send down the river and secure the batteaux a drift.

I am dear Sir, your h'ble serv't.

COL. ROGER ENOS.

B. ARNOLD.

• On the DEAD RIVER, 20 miles above the Portage, }  
Oct. 17, 1775. }

DEAR SIR—I arrived here last night late, and find Col. Green's division very short of provisions; the whole having only four barrels flour and ten barrels of pork. I have therefore ordered Major Bigelow, a Lieut., and thirty-one men out of each company, to return and meet your division, and bring up as much provisions as you can spare, which is to be divided equally among the three; in particular of flour. This will lighten the rear, and they will be able to make greater dispatch and will be no hindrance, as I shall keep the men here making up cartridges. I make no doubt you will hurry on as fast as possible.

I am with esteem dear Sir,

Your h'ble serv't.

B. ARNOLD.

N. B. If you find your men much fatigued and this party can bring on more of your provision than their share, let them have it;—you shall have it again when you come up, and it will

forward the whole. The carpenters of Colburn's company have more than they can bring up.

Oct. 17, 1775.

*Major Bigelow :*

SIR—you are as soon as possible to go back until you meet Col. Enos's division, and take from him as much provision as he can spare, which you will return with as soon as you can. Leave your batteaux this side of the carrying place, and one man to take care of the whole. I am Sir, your h'ble serv't.

B. ARNOLD.

DEAD RIVER, 30 miles from Chaudiere Pond, Oct. 24, 1775.

DEAR SIR—The extreme rains and freshets in the river have hindered our proceeding any farther. When I wrote you last, I expected before this to have been at Chaudiere. I then wrote you that we had about twenty-five days' provisions for the whole. We are now reduced to twelve or fifteen days, and don't expect to reach the pond under four days. We have had a council of war last night, when it was thought best, and ordered, to send back all the sick and feeble with three days' provisions, and directions for you to furnish them until they can reach the commissary or Norridgewock; and that on receipt of this you should proceed with as many of the best men of your division as you can furnish with fifteen days' provision; and that the remainder, whether sick or well, should be immediately sent back to the commissary, to whom I wrote to take all possible care of them. I make no doubt you will join with me in this matter, as it may be the means of preserving the whole detachment, and of executing our plan without running any great hazard, as fifteen days will doubtless bring us to Canada. I make no doubt you will make all possible expedition.

I am dear Sir, your's

COL. ENOS.

B. ARNOLD.

DEAD RIVER, 24th Oct. 1775.

DEAR SIR—The heavy rains which have lately fallen and rendered the river almost impassable, with many accidents, have

so far retarded our proceeding, that I find it necessary for the safety of the detachment, to send back the sick, and to reduce the detachment so as to leave fifteen days' provisions for the whole, which I make no doubt will enable us to reach Canada. Those who are sent back you will take all possible care of, and supply with provisions, &c. and send back to Cambridge as soon as possible.

I wrote to you the 14th instant to send forward to the Great Carrying-place all the provisions you had. This I make no doubt you have done, to secure our retreat.

I am dear Sir, your obed't serv't.

B. ARNOLD.

DEAD RIVER, 30 milos from Chaudiere, Oct. 24, 1775.

DEAR SIR—Enclosed is a letter from Col. Enos, and also one from the commissary, by which you will see our present situation and the necessity of sending back all the sick and feeble of your division, and proceeding on with the best men, and fifteen days' provisions for each. You will, after perusing the letter, (if Col. Enos has not joined you,) send them down the river, with all your sick, &c. Pray hurry on as fast as possible.

I am with esteem dear Sir,

Your h'ble serv't.

COL. GREEN.

B. ARNOLD.

OCT. 27, 1775, 2 1-2 miles on the GREAT CARRYING-PLACE.

GENTLEMEN—I arrived here late last night. Capt. Hanchet informs me the roads through the woods are well spotted, and not so bad but men will make greater despatch than by water. The carrying-places from lake to lake are so many and difficult, that I think the whole will get forward much sooner by leaving all the batteaux. If there are any people sick, you will perhaps be under a necessity of bringing on some batteaux. We are now near by the stream which is about six miles to the lake. I believe the walking here is pretty good, if you go a little back from the stream. When you arrive at the lake the walking is very good; the land rises gently with a good road, I am told good all the way down.

I have heard nothing from Jackson. Lieut. Steele has gone over the pond. His party are here and most of them going forward. I shall proceed with what men I have as fast as possible, to the inhabitants, to send back provisions. Pray make all possible despatch, I am Gent. your h'ble serv't.

B. ARNOLD.

*To Col's Green, Enos, and the  
Captains in the rear of the detachment.*

CHAUDIERE POND, 27th Oct., 1775.

*May it please your Excellency,*

My last, of the 13th inst. from the Portage to the Dead River, advising your excellency of our proceedings, I make no doubt you have received. I then expected to have reached this place by the 24th, but the excessive heavy rains and bad weather have much retarded our march. I have this minute arrived here with seventy men, and met a person on his return, whom I sent down some time since to the French inhabitants. He informs me they appear very friendly, and by the best information he could get, will very gladly join us. He says they informed him Gen. Schuyler had had a battle with the regular troops at or near St. Johns, in which the latter lost in killed and wounded, near 500; (this account appears very imperfect) and that there were few or none of the king's troops at Quebec, and no advice of our coming.

Three days since, I left the principal part of the detachment about three leagues below the Great Carrying-place; and as our provisions were short, by reason of losing a number of loaded batteaux at the falls and rapid waters, I ordered all the sick and feeble to return, and wrote Col's Enos and Green to bring on in their divisions no more men than they could furnish with fifteen days' provisions, and to send back the remainder to the commissary. As the roads prove much worse than I expected, and the season may possibly be severe in a few days, I am determined to set out immediately with five batteaux and about fifteen men, for Sartigan, which I expect to reach in three or four days, in order to procure a supply of provisions and forward back to the

detachment: the whole of which I don't expect will reach them in less than eight or ten days. If I find the enemy are not apprised of our coming, and there is any prospect of surprising the city, I shall attempt it as soon as I have a proper number of men up. If I should be disappointed in my prospect that way, I shall wait the arrival of the whole and endeavor to cut off their communication with Gov. Carleton, who, I am told, is at Montreal.

Our march has been attended with an amazing deal of fatigue, which the officers and men have borne with cheerfulness. I have been much deceived in every account of our route, which is longer, and has been attended with a thousand difficulties I never apprehended; but if crowned with success and conducive to the public good, I shall think it but trifling.

I am with the greatest respect,

Your excellency's most obed't h'ble serv't.

B. ARNOLD.

P. S. As soon as I can get time, shall send your excellency a continuation of my journal.

B. A.

CHAUDIERE RIVER, 27th OCT. 1775.

*To the field officers and captains in the detachment:*

*N. B. To be sent on, that the whole may see it.*

GENTLEMEN—I have this minute arrived here and met my express from the French inhabitants, who, he tells me, are rejoiced to hear we are coming, and that they will gladly supply us with provisions. He says there are few or no regulars at Quebec, which may be easily taken. I have just met Lt's. Steele and Church, and are determined to proceed as fast as possible with four batteaux and fifteen men to the inhabitants, and send back provisions as soon as possible. I hope to be there in three days, as my express tells me we can go most of the way by water. You must all of you keep the east side of the Lake. You will find only one small river until you reach the crotch, which is just above the inhabitants. I hope in six days from this time to have provisions half way up the river. Pray make all possible despatch.

If any companies on their arrival at the river have more than four or five days' provisions, let it be despatched to others, or left for their coming on. I am Gent. your h'ble serv't.

B. ARNOLD.

P. S. The bearer, Isaac Hull, I have sent back in order to direct the people in coming from the Great Carrying-place to Chaudiere Pond. From the west side of the Great Carrying-place, before they come to the Meadows, strike off to the right hand and keep about a north and by east course, which will escape the low swampy land and save a very great distance; and about six miles will bring you to the pond. By no means keep the brook, which will carry you into a swamp, out of which it will be impossible for you to get.

CHAUDIERE POND, 27th OCT., 1775.

*To Col. Enos :*

DEAR SIR—Forward on the enclosed letter to his excellency Gen. Washington by express. If you have any officer who is not hearty and well, send him; and give orders to take particular care of the sick and those who are returning, as well as of any other matters that are necessary. I hope soon to see you in Quebec, and am,

Dear Sir, your humble servant.

B. ARNOLD.

SARTIGAN, OCT. 31, 1775.

GENTLEMEN.—I have now sent forward for the use of the detachment, five bbls. and two tierces and five hundred lbs. of flour by Lieut. Church, Mr. Barrin, and eight Frenchmen, and shall immediately forward on more, as far as the falls. Those who have provisions to reach the falls will let this pass on for the rear; and those who want will take sparingly as possible, that the whole may meet with relief. The inhabitants received us kindly, and appear friendly in offering us provisions, &c. Pray make all possible despatch.

I am Gent. yours &c.

*Officers of the Detachment.*

B. ARNOLD.

SARTIGAN, 1st Nov., 1775.

DEAR SIR—As I make no doubt of your being hearty in the cause of liberty and your country, I have taken the liberty to inform you that I have just arrived here with a large detachment of the American army. I have several times on my march wrote you by the Indians, some of whom have returned and brought no answer. I am apprehensive they have betrayed me. This will be delivered you by \_\_\_\_\_ on whose secrecy you may depend. I beg the favor of you, on receipt of this, to write me by the bearer the number of troops in Quebec and Montreal; how the French inhabitants stand affected; if any ships of war are at Quebec, and any other intelligence you may judge necessary for me to know. I find the inhabitants very friendly this way, and make no doubt they are the same with you. I hope to see you in Quebec in a few days. In the meantime I should take it as a particular favor if some one or two of my friends would meet me on the road, and that you would let me know if the enemy are apprised of our coming. Also the situation that General Schuyler is in.

Your compliance will much oblige, dear Sir,

Your friend and humble serv't,

B. ARNOLD.

SARTIGAN, 1st Nov., 1775.

*To Major Meigs:*

DEAR SIR—You may let each captain have about twenty or thirty dollars out of the money I gave you, as I suppose they will want a little pocket money for present use, and to supply their men. Keep a particular account of what you deliver and to whom.

Pray hurry on as fast as possible. I am just preparing to go down the river to make further provision for the army.

I am dear Sir, your h'ble serv't.

B. ARNOLD.

St. MARY'S, 4 leagues from Point Levi, Nov. 7, 1775.

DEAR SIR—I wrote you the 13th of October, from the Dead River, advising you of my being there, with a large detachment

of the American army; and that I expected to reach Quebec in about a fortnight. The badness of the roads and weather prevented making the despatch I expected, and I am but just arrived here. Near one third of the detachment returned from the Dead River short of provisions. The remainder are here or within two days' march, and in good spirits. My letter of the 13th I sent by an Indian, who I believe has betrayed me, and given it up to some of the king's officers, as I find they have been some time apprised of our coming, and prepared to receive us, and I have received no answer. The canoes belonging to the French people on this side the river, are all taken away or destroyed to prevent our passing. This inconvenience is obviated, as we have those of our own. I am informed there are two frigates lying before Quebec. We have been very kindly received by the inhabitants, who appear very friendly, and willing to supply us with provisions. I intend crossing the St. Lawrence if possible, in two or three days, and if practicable to attack the city; though I am fearful of their being reinforced from Montreal, which may possibly put it out of my power: in which case I intend to march for Montreal, where I hope, if you have not already taken possession, I shall have the pleasure of seeing you. I make no doubt of every advice and assistance in your power.

I am dear Sir, very respectfully,  
Your most humble servant,  
B. ARNOLD.

ST. MARIE, 2 1-2 leagues from Point Levi, Nov. 8, 1775.

DEAR SIR—Your favor of the 29th ult. I received at 1 o'clock this morning, which gave me much pleasure. I heartily congratulate you on your success thus far. I think you had great reason to be apprehensive for me, the time I mentioned to Gen. Washington being so long since elapsed. I was not then apprised or even apprehensive of one half of the difficulties we had to encounter; of which I cannot at present give you a particular detail: can only say we have hauled our batteaux over falls, up rapid streams, over carrying-places; and marched through morasses, thick woods, and over mountains, about three

hundred and twenty miles; many of which we had to pass several times to bring our baggage. These difficulties the soldiers have, with the greatest fortitude, surmounted. About two thirds of the detachment are, happily, arrived here and within two days' march; most of them in good health and spirits. The other part with Col. Enos returned from the Dead River, contrary to my expectation, he having orders to send back only the sick, and those that could not be furnished with provisions. I wrote to Gen. Schuyler, the 13th of October, by an Indian, I thought trusty, enclosed to my friend in Québec; and as I have had no answer from either, and he pretends being taken at Quebec, I make no doubt he has betrayed his trust, which I am confirmed in, as I find they have been some time apprised of our coming in Quebec, and have destroyed all the canoes at Point Levi, to prevent our passing. This difficulty will be obviated by birch canoes, as we have about twenty of them with forty savages who have joined us, and profess great friendship, as well as the Canadians, by whom we have been very friendly received, and who will be able to furnish us with a number of canoes.

I am informed by the French that there are two frigates and several small armed vessels lying before Quebec, and a large ship or two lately arrived from Boston. However, I propose crossing the St. Lawrence as soon as possible; and, if any opportunity offers of attacking Quebec with success, shall improve it, otherwise shall endeavor to join your army at Montreal. I shall, as often as in my power, advise you of my proceedings, and beg the favor of hearing from you by every opportunity. The enclosed letter to his excellency Gen. Washington, beg the favor of your forwarding by express.

I am, dear Sir, very respectfully,

Your most obdt. humble servant,

Brig. Gen. MONTGOMERY.

B. ARNOLD.

P. S. Since writing the above, I have seen a friend from Quebec, who informs me a frigate of twenty-six guns, and two transports with one hundred and fifty recruits arrived from St. Johns, Newfoundland, last Sunday, which, with the inhabitants who have been compelled to take up arms, amount to about three

hundred men; that the French and English inhabitants in general, are on our side, and that the city is short of provisions. I shall endeavor to cut off their communication with the country, and make no doubt, if no more recruits arrive, to bring them to terms soon, or at least keep them in close quarters, until your arrival here, which I shall wait with impatience; but if St. Johns should not have surrendered, and you can possibly spare a regiment this way, I think the city must of course fall into our hands.

B. A.

POINT LEVI, Nov. 8, 1775.

*May it please your Excellency:*

My last letter was of the 27th of October, from Chaudiere pond, advising your excellency that as the detachment was short of provisions, (by reason of losing many of our batteaux,) I had ordered Col. Enos to send back the sick and feeble, and those of his division who could not be supplied with fifteen days' provisions, and that I intended proceeding the next day with fifteen men to Sartigan, to send back provisions to the detachment. I accordingly set out on the 28th, early in the morning, descended the river, amazingly rapid and rocky, for about twenty miles, when we had the misfortune to stave three of the batteaux, and lose their provisions, &c., but happily, no lives. I then divided the little provisions left, and proceeded on with the two remaining batteaux and six men, and very fortunately reached the French inhabitants the 30th at night, who received us in the most hospitable manner, and sent off early the next morning a supply of fresh provisions, flour, &c., to the detachment, who are all happily arrived (except one man drowned and one or two sick—and Col. Enos's division, who, I am surprised to hear, are all gone back) and are here and within two or three days' march. I have this minute received a letter from Brig. Gen. Montgomery, advising of the reduction of Chamblé, &c. I have had about forty savages join me, and intend as soon as possible crossing the St. Lawrence.

I am just informed by a friend from Quebec that a frigate of twenty-six guns, and two transports with one hundred and fifty recruits arrived there last Sunday, which, with another small

frigate, and four other small armed vessels at the river, is all the force they have, except the inhabitants, very few of whom have taken up arms, and those by compulsion, who declare (except a few English) that they will lay them down when attacked. The town is very short of provisions, but well fortified. I shall endeavour to cut off their communication with the country, which I hope to be able to effect and bring them to terms, or at least keep them in close quarters until the arrivl of Gen. Montgomery, which I wait with impatience. I hope at any rate to effect a junction with him at Montreal.

I am, with the greatest respect,

Your excellency's most ob'd. servt,

B. ARNOLD.

POINT LEVI, 14th Nov., 1775.

DEAR SIR—The foregoing is a copy of my last by the two Indians you sent express the 29th ult., who, I hear this moment, are taken five leagues above this. Since which I have waited two or three days for the rear to come up, and in preparing ladders, &c. The wind has been so high these three nights past, that I have not been able to cross the river. I have nearly forty canoes ready, and as the wind has moderated, I design crossing this evening. The Hunter, sloop, and Lizard, frigate, lie opposite to prevent us; but make no doubt I shall be able to evade them. I have this moment received the agreeable intelligence, via Sorrell, that you are in possession of St. Johns and have invested Montreal. I can give you no intelligence save that the merchant ships are busy day and night in loading, and four have already sailed. I am Sir, your most humble servant,

*Brig. Gen. Montgomery.*

B. ARNOLD.

POINT LEVI, 14th Nov., 1775.

*May it please your Excellency :*

The foregoing is a copy of my last of the 8th inst, by an express sent me by Gen. Montgomery, who I am this instant informed was taken, fifteen leagues above this, on his return. I have waited three days for the rear to come up, and in preparing scaling-ladders. The wind has been so high these three nights, I

have not been able to cross the river, but it is now moderated, and I intend crossing this evening with about forty canoes. To prevent which, the Hunter, sloop, and Lizard, frigate, lie opposite—however expect to be able to evade them.

I have received the agreeable intelligence that St. Johns is in our hands and Montreal invested. The merchant shipping in the harbor, about fifteen, are loading day and night, and four have already sailed.

I am very respectfully, your excellency's

Most obed't and very humble servant,

B. ARNOLD.

POINT LEVI, 14th Nov., 1775.

SIR—I have this moment received a letter from the commanding officer at Sorrell, advising that Gen. Montgomery was anxious to hear from me. I wrote him the 8th instant by an Indian he sent express, who, I am informed, was taken on his return. The enclosed you will please to forward him by express.

I am, Sir, your h'ble serv't,

B. ARNOLD, *Commander of the forces before Quebec.*

*To the Commanding }  
Officer at Sorrell. }*

COLVIL PLACE, 1½ miles from Quebec, 14th Nov., 1775.

DEAR SIR—I wrote you yesterday from Point Levi, by an express sent from Sorrell by Col. Easton, of my intention of crossing the St. Lawrence, which I happily effected between nine and four in the morning without being discovered, until my party of five hundred men were nearly all over, when a frigate's barge coming up, discovered our landing and prevented our surprising the town. We fired into her and killed three men. I am this minute informed by a gentleman from town, that Col. McClean had determined to pay us a visit this morning with six hundred men and some field pieces. We are prepared and anxious to see him. Others from town inform me that the inhabitants in general had laid down their arms. By the best information they are in the greatest confusion; very short of wood and provisions, much divided, and refused provisions from

the inhabitants; and, if blocked up by a superior force, must, as soon as the frost sets in, surrender. I have thought proper to despatch the bearer to inform you of my situation, as also with a request I have to make. I must refer you to him for particulars, as I have been so unfortunate in my former letters, I don't choose to commit every intelligence to writing; It is the current report here, that you have invested Montreal, and cut off their retreat. This I hope is true, and that I shall soon have the pleasure of seeing you here. I am, dear Sir, with great respect,

Your obed't, humble servant,

*B. Gen. Montgomery.*

B. ARNOLD.

P. S. Since writing the foregoing, the enemy found means to make prisoner of one of our sentinels. I immediately invested the town as near as possible with my troops, which has occasioned them to set fire to the suburbs of St. John, and several of the houses without the wall are now in flames.

B. A.

*Capt. Hanchet :*

SIR—The night we left you we had the good luck to get well over, undiscovered; but many of the men I expected are left behind. I should have sent the boats over again had the weather been suitable. I shall send them as soon as possible, and would have you send over all the men you have, as soon as possible, except sixty, with all the flour and pork you can spare, and as many ladders as you can send. Let the whole be collected at the mill if they cannot be sent over directly, so that we can take them off as soon as the weather serves. The people in town are in great confusion. Yesterday they took one of our sentinels, through his carelessness. We paraded and marched up within half a mile of the walls, and gave them three cheers, and were in hopes of their coming out, but we were disappointed. They fired about fifteen, twelve, and twenty-four pound shot at us, some of which we picked up, but did us no harm. They are much divided and short of provisions, and I believe, will not venture to come out or cross the river. I have not heard from Gen. Montgomery since we came over, but expect it every minute. Let the people know I shall be over and settle with them

very soon. Whenever the weather permits, send your boats over and let them land at Scillery, which may be done any time of day when the tide serves, as the frigate is down.

I am, Sir, your h'ble serv't, B. ARNOLD.

P. S. I forgot to tell you we fired on the frigate's barge and killed three men the night we came over.

SIR—I yesterday sent the enclosed with a flag and officer, who approaching near the walls of the town, was, contrary to humanity and the laws of nations, fired on, and narrowly escaped being killed. This I imputed to the ignorance of your guards, and ordered him to return this morning, and to my great surprise he was received in the same manner as yesterday. This is an insult I could not have expected from a private soldier; much more from an officer of your rank; and through me, offered to the United Colonies, will be deeply resented; but at any rate cannot redound to your honor or valor. I am informed you have put a prisoner taken from me, into irons. I desire to know the truth of this, and the manner in which he is treated. As I have several prisoners taken from you, who now feed at my own table, you may expect that they will be treated in the same manner in future as you treat mine.

I am, Sir, your ob't serv't,

*To the H'ble H. T. Cramake.*

B. ARNOLD.

CAMP BEFORE QUEBEC, Nov. 14, 1775.

SIR—The unjust, cruel, and tyrannical acts of a venal British parliament, tending to enslave the American Colonies, have obliged them to appeal to God and the sword for redress. That Being in whose hands are all human events, has hitherto smiled on their virtuous efforts. And as every artifice has been used to make the innocent Canadians instruments of their cruelty, by instigating them against the Colonies, and oppressing them on their refusing to enforce every oppressive mandate; the American Congress, induced by motives of humanity, have at their request sent Gen. Schuyler into Canada for their relief. To coöperate with him, I am ordered by his excellency Gen. Washington to take possession of the town of Quebec. I do therefore in the

name of the United Colonies, demand immediate surrender of the town, fortifications, &c., of Quebec to the forces of the United Colonies under my command; forbidding you to injure any of the inhabitants of the town in their persons or property, as you will answer the same at your peril. On surrendering the town, the property of every individual shall be secured to him; but if I am obliged to carry the town by storm, you may expect every severity practiced on such occasions; and the merchants who may now save their property will probably be involved in the general ruin. I am Sir, your most ob't h'ble serv't,

*Hon. HECT. T. CRAMAKE, }  
Lt. Gov. of Quebec. }*

B. ARNOLD.

CAMP BEFORE QUEBEC, NOV. 16, 1775.

DEAR SIR—My last was of the 13th inst. advising you of my crossing the St. Lawrence, and being before Quebec; since which I have not had the pleasure of hearing from you. I then informed you of my situation and prospects. Fearing that may have miscarried I have thought proper to despatch the bearer, a merchant of Quebec, and particuar friend of mine, who has been kind enough to offer his service, and will inform you more fully than in my power to write. I am very anxious to hear from you, and much more so to see you here.

I am dear Sir, with great esteem

Your obed't h'ble servant,

*Brig. Gen. Montgomery.*

B. ARNOLD.

POINT AUX TREMBLES, NOV. 20, 1775.

DEAR SIR—I wrote you the 14th and 16th inst. from before Quebec, which I make no doubt you have received. I have this minute the pleasure of yours of the 17th inst., and I heartily congratulate you on your success and hope, (as fortune has been so far favorable, and is generally so to the brave,) it may in future be equal to your warmest wishes. It was not in my power before the 18th to make an exact scrutiny into the arms and ammunition of my detachment; when, upon examination, great part of our cartridges proved unfit for service, and to my great surprise we had no more than five rounds for each man, and near

one hundred guns unfit for service. Add to this many of the men invalids, and almost naked, and wanting everything to make them comfortable. The same day I received advice from my friends in town, that Col. McClean was making preparations, and had determined in a day or two to come out and attack us; and as his numbers were greatly superior to ours, with a number of field pieces, and the limits of Quebec were so extensive, I found it impossible entirely to cut off their communication with the country, without dividing the small number of men (about five hundred and fifty effective) so as to render them an easy sacrifice to the besieged. I therefore concluded it most prudent to retire to this place; and ordered the main body to march at three o'clock yesterday morning, and waited with a small detachment to watch the motions of the enemy until the main body was out of danger. They all arrived here last night. I have procured leather (and sufficient to shoe them all in a day or two) the only article of clothing to be had in this part of the country. Enclosed is a memorandum of clothing absolutely necessary for a winter's campaign, which I beg the favor of your forwarding as soon as possible. Should it be troublesome, I have desired the bearer, Capt. Ogden, to procure them, and some other articles the officers are in want of, and by the favor of your order to forward them on.

Capt. Napier, in the snow, and a small schooner passed us yesterday, and are now at Quebec. The two frigates were laid up the 18th, their guns and men all taken on shore. They are getting all the provisions they possibly can out of the country, and are doubtless determined to make the best defence.

From the best account I can get their force is about nineteen hundred men, viz :

Landed from the frigates and two transports

from St. John,	150 recruits.
Col. McClean's Regiment,	170 regulars.
From the Lizard, marines and seamen	200
From the Hunter, sloop,	100
On board Capt. Napier,	150
Inhabitants, French and English, on their side,	130
	<hr/> 900

Do. obliged to bear arms against their inclination, and who would join us if an opportunity presented,	600
Neutrals in town,	400
	<hr/>
	1900

You will from the above account be better able to judge of the force necessary to carry the town. If my opinion is of any service I should think two thousand necessary, as they must be divided at the distance of three or four miles to secure the passes effectually. And as there is no probability of cannon making a breach in the walls, I should think mortars of the most service, the situation for throwing shells being extremely good, and I think of course would soon bring them to compliance. If not, time and perseverance must effect it before they can possibly be relieved.

Col. Allen and his party have been sometime since sent to England in irons.—Mr. Walker I have not yet heard of. I have ordered Capt. Ogden to send down all the powder and ball on the road. If he should not be able to procure sufficient, I make no doubt of your forwarding it as soon as possible. The inhabitants are very friendly, and give all the assistance they dare to do at present. Had we a sufficient force to blockade the garrison I make no doubt of their coming to our assistance in great numbers. As it will doubtless take some time in bringing down your artillery, would it not be better, if you can spare them, to send down five or six hundred men, who, joined to my little corps, will be able to cut off their communication with the country.

I am dear Gen'l, with great esteem,

Your most obedient and very humble serv't,

B. ARNOLD.

P. S. My hard cash is nearly exhausted. It will not be sufficient for more than ten days or a fortnight; and as the French have been such sufferers by paper, I don't think it prudent to offer it them at present.

B. A.

MEMORANDUM—600 pr. coarse yarn stockings,  
500 yds. coarse woollen for breeches,  
1000 yds. flannel or baize for shirts,  
300 milled caps,  
300 do. mittens or gloves,  
300 blankets,  
Powder and ball,  
1 bbl. West India rum,  
1 do. sugar.

POINT AUX TREMBLES, Nov. 20, 1775.

*May it please your Excellency:*

My last of the 14th inst. from Point Levi, the same evening I passed the St. Lawrence without obstruction, except from a barge, into which we fired, and killed three men; but as the enemy were apprised of our coming and the garrison augmented to near seven hundred men besides the inhabitants, it was not thought proper to storm the place, but cut off their communication with the country, until the arrival of Gen. Montgomery. We accordingly invested the town with about five hundred and fifty effective men, took possession of a nunnery, and Col. C's. house, about half a league from town. We marched up several times near the walls, in hopes of drawing them out, but to no effect, though they kept a constant cannonading and killed us one man. On the 18th, having intelligence that Capt. Napier in an armed snow with near two hundred men, having made his escape from Montreal, was very near, and that the garrison, furnished with a number of good field pieces, intended attacking us the next day. I ordered a strict examination to be made into the state of our arms and ammunition, when to my great surprise, I found many of our cartridges unfit for use, (which to appearance were very good,) and that we had no more than five rounds to each man. It was judged prudent in our situation not to hazard a battle, but retire to this place, eight leagues from Quebec; which we did yesterday, and are waiting here with impatience the arrival of Gen. Montgomery, which we expect in a few days. I have been obliged to send to Montreal for clothing for my people, about six hundred and fifty in the whole, who are almost naked,

and in want of every necessary. I have been as careful of cash as possible, but shall soon have occasion for hard money. As the French have been such sufferers from paper heretofore, and mine so large, I thought it not prudent to offer it them at present. I have written to Gen. Montgomery my situation and wants, which I expect will be supplied by him. Had I been ten days sooner, Quebec must inevitably have fallen into our hands, as there was not a man then to oppose us. However, I make no doubt Gen. Montgomery will reduce it this winter, if properly supported with men, which in my opinion cannot in the whole be less than two thousand five hundred, though it may possibly be effected with a less number. The fatigue will be severe at this season and in this inclement climate.

I have the honor to be, with the greatest respect,

Your excellency's most obed't and very humble servt.

B. ARNOLD.

Mem. sent in the foregoing—six hundred blankets, six hundred thick clothes, six hundred shirts, woolen, six hundred milled caps, six hundred do. gloves, six hundred do. hose, six hundred thick woolen breeches lined with wool or leather.

B. A.

POINT AUX TREMBLES, 20th Nov., 1775.

GENTLEMEN—The bearer, Capt. Ogden, is a young gentleman of good and opulent family from Jersey, and a volunteer in the army. I have sent him to Montreal to procure some clothing, &c., for the army. If he has not cash sufficient for his purpose, any articles you are kind enough to furnish him with, you will please to place to my account, which I will see duly paid. If he has occasion for any goods out of your way, if you will be kind enough to recommend him, I will be accountable; or the persons who supply him may, by virtue of this letter, charge the same to me. I hope this will find you and family well; and am with much esteem,

Gentlemen, your most obed't h'ble serv't.

*Messrs. Prince & Haywood, }*  
*Merchants, Montreal. }*

B. ARNOLD.

DEAR SIR—The bearer, Capt. Ogden, is a particular friend of mine and on business of mine. Any assistance or favor shown him, will be gratefully acknowledged by

Sir, your obed't serv't.

*Pt. Aux Trembles, Nov. 20, 1775.*

B. ARNOLD.

MR. JOS. TERRY.

POINT AUX TREMBLES, NOV. 24, 1775.

GENTLEMEN—I was informed a few days since that all the ships at Quebec were laid up, and their guns taken out; of which I advised Gen. Montgomery; since which I find my information was premature. I am now informed by some of my officers, who have seen, that a large snow, supposed to be Napier, the Hunter frigate, and two small schooners, came up from Quebec this morning and now lie at Cape Rouge; I suppose with a design to interrupt our vessels or batteaux expected from Montreal. It is probable they will proceed higher up next tide; of which I have thought proper to give you notice by express, and advise your sending three or four boats ahead, at a proper distance, to give you timely notice of their approach.

I am Gent. your h'ble serv't.

B. ARNOLD.

*To the officers of the Continental Army,* }  
*On their way from Montreal to Quebec.* }

POINT AUX TREMBLES, NOV 25, 1775.

GENTLEMEN— I wrote you last night (and sent a canoe up the river) of two large and two small vessels being anchored off Cape Rouge. This morning they have weighed and are now opposite this place, and will be able to proceed about one league higher up this tide. Their design is, doubtless, to proceed as high up as the foot of the Rissallien, or rapids above Cape Santé, four leagues above this place. I think it will be impossible for them to go higher up, without a strong easterly wind, or to stay there long, as the ice must certainly drive them away the first

cold weather. I make no doubt of your necessary precaution to avoid them; and am,

Gentlemen, your h'ble servant,

B. ARNOLD.

*To the officers of the Continental Army,* }  
*On the way from Montreal to Quebec.* }

DEAR SIR—My last was the 20th instant, by Capt. Ogden, advising you that the two frigates were laid up and Capt. Napier's passed us for Quebec; since which I find the large frigate only laid up. Yesterday the Hunter sloop and Captain Napier in the snow, with a topsail schooner, came up as high as Cape Rouge, and this morning to this place. Their intention is, doubtless, to go up as high as the Rissallien, or rapids at Cape Santé, to interrupt your vessels and batteaux. I think it will be impossible for them to proceed higher without a strong easterly wind. I last night sent off an express by the river. Fearing that should miscarry, I have despatched my friend Halstead post, that your advance may have timely notice to take every precaution. My detachment are as ready as naked men can be, to march wherever they may be required; but are yet in want of powder, ball, &c., and some arms. The enemy are very busy in collecting provisions, fixing cannon on the walls, and putting themselves in the best posture of defence; but seem to be still wavering in their plan, as I am told this morning several ships are hauled into the stream for sailing.

With great esteem, dear Sir,

Your obed't and very humble servt.

*Brig. Gen. Montgomery,*

B. ARNOLD.

PT. AUX TREMBLES, }  
 Nov. 25, 1775. }

POINT AUX TREMBLES, Nov. 25, 1775.

DEAR SIR—I am now to acknowledge the receipt of your favor of the 18th instant and return you my thanks for the same. I congratulate you on your post, but am sorry to hear that Gen. Wooster and you are likely to stay at Montreal. I am waiting with great anxiety the arrival of Gen. Montgomery, when I

expect we shall knock up a dust with the garrison at Quebec, who are already panic struck. Had we been fortunate enough to have arrived ten days sooner, we should have met no opposition, and should, I make no doubt, have carried it as it was, if we had had ammunition. My brave men were in want of everything but stout hearts, and would have gladly met the enemy, whom we endeavored in vain to draw out of the city, though we had not ten rounds of ammunition a man, and they double our numbers.

I have gone through a variety of scenes since I saw you, an amazing deal of fatigue, trouble, and anxiety, but, thank God, am very hearty and well. Capt. Oswald begs you'd accept his compliments. Please make my compliments to Gen. Wooster and all enquiring friends; and accept the same from,

Dear Sir, your friend and very humble serv't.

B. ARNOLD.

POINT AUX TREMBLES, 27th Nov., 1775.

•*Lieut. Buell:*

SIR—You will proceed with the miller, who will direct you where you will find some cattle, which you will bring to headquarters.

I am Sir, &c.

Your obed't servant,

B. ARNOLD.

POINT AUX TREMBLES, Nov. 27, 1775.

DEAR SIR—An incessant hurry of business since my arrival in Canada, has deprived me of the pleasure of writing you before this, to give you a short sketch of our tour, the fatigue and hazard of which are beyond description. A future day may possibly present you with the particulars.

The 15th September, left Cambridge: same night arrived at Newburyport. 18th, embarked and sailed. 19th, thick weather and gale of wind, which divided the fleet. 20th, arrived in Kennebec river. 21st, reached Fort Western. 25th to 29th, sent off one division each day with forty-five days' provisions. From 29th to Oct. 8th, the whole detachment were daily up to

their waists in water, hauling up the batteaux against the rapid streams to Norridgewock, fifty miles from Fort Western. From the 9th to the 16th, not a minute was lost in gaining the Dead River, about fifty miles. From the 16th to 27th we ascended the Dead River to Lake Megantic or Chaudiere pond, distance eighty-three miles. 28th, I embarked with seventeen men in five batteaux, being resolved to proceed to the French inhabitants and send back provisions to the detachment, who were nearly out, and must inevitably suffer without a supply. At ten we had passed on the lake thirteen miles long, and entered the Chaudiere, which we descended about twenty miles in two hours; amazing rocky, rapid, and dangerous, when we had the misfortune of oversetting and staving three batteaux, and lost all the baggage, provisions, &c. and with great difficulty saved the men. This disaster, though unfortunate at first view, we must think a very happy circumstance on the whole, and a kind interposition of Providence; for had we proceeded half a mile farther, we must have gone over a prodigious fall which we were not apprised of, and all inevitably perished. Here I divided the little provisions left, and proceeded on with two batteaux and five men with all possible expedition; and on the 30th at night, arrived at the first inhabitants, upward of eighty miles from the Lake, where I was kindly received. The next morning early sent off a supply of fresh provisions to the detachment by the Canadians and savages, about forty of the latter having joined me. By the 8th the whole arrived except two or three sick left behind. The 10th, I reached Point Levi, seventy-five miles from Sartigan, the first inhabitants; waited until the 13th for the rear to come up, and employed the carpenters in making ladders and collecting canoes; those on Point Levi being all destroyed to prevent our crossing. Having collected about thirty, we embarked at 9 P. M., and at 4 A. M. had carried over at several times five hundred men without being discovered.

Thus in about eight weeks we completed a march of near six hundred miles, not to be paralleled in history; the men having, with the greatest fortitude and perseverance, hauled their batteaux up rapid streams, being obliged to wade almost the whole way near one hundred and eighty miles, carried them on their

shoulders near forty miles, over hills, swamps, and bogs almost impenetrable, and to their knees in mire; being often obliged to cross three or four times with their baggage. Short of provisions, part of the detachment disheartened and gone back; famine staring us in the face; an enemy's country and uncertainty ahead. Notwithstanding all these obstacles, the officers and men inspired and fired with a love of liberty and their country, pushed on with a fortitude superior to every obstacle, and most of them had not one day's provision for a week.

I have thus given you a short but imperfect sketch of our march. The night we crossed the St. Lawrence, found it impossible to get our ladders over, and the enemy being apprised of our coming, we found it impracticable to attack them without too great a risk, we therefore invested the town and cut off their communication with the country. We continued in this situation until the 20th, having often attempted to draw out the garrison in vain. On a strict scrutiny into our ammunition, found many of our cartridges (which to appearance were good) inserviceable and not ten rounds each for the men, who were almost naked, barefooted, and much fatigued; and as the garrison was daily increasing and nearly double our numbers, we thought it prudent to retire to this place and wait the arrival of Gen. Montgomery, with artillery, clothing, &c. who to our great joy has this morning joined us with about three hundred men. We propose immediately investing the town, and make no doubt in a few days to bring Gov. Carlton to terms. You will excuse the incorrectness of my letter, and believe me with the greatest esteem,

Dear Sir, your friend and very h'ble serv't.

B. ARNOLD.

POINT AUX TREMBLES, 27th Nov., 1775.

SIR—Yours of the 26th from Champlain, I received this minute, and have ordered a party of forty men to Grand Isle to escort the ammunition down. By no means venture by water, but on the receipt of this procure carts to bring down the whole. Pray make all possible despatch.

I am Sir, Your humble servant,

*Capt. J. Dugan.*

B. ARNOLD.

POINT AUX TREMBLES, 30th Nov., 1775.

DEAR SIR—My last was of the 25th inst. advising you of the Hunter sloop, Capt. Napier in the snow, and a schooner's, going up to Cape Santé. They have been there until this morning, when they came down and are now off this place under full sail down. It will be impossible for them to ascend the river again this season; so that your vessels, if you think proper to send them down, will run no risk, except of ice, and may be laid up in safety at Cape Rouge.

I have not had the pleasure of hearing from you these ten days; and am very anxious for your safe arrival. The ammunition you ordered us has been strangely delayed, and is not yet come to hand, but hourly expected. On receipt of it I intend returning to my old quarters near Quebec.

Nothing has lately occurred worth notice, except the burning of Major Caldwell's house, supposed to be done by order of Gov. Carlton to deprive us of winter quarters. The inhabitants of Quebec are much disunited and short of provisions. We have many friends there, and if the place is attacked with spirit, I believe will hold out but a short time.

I am very respectfully,

Dear Sir, your most obed't humble servt.

*Brig. Gen. Montgomery.*

B. ARNOLD.

POINT AUX TREMBLES, 30th Nov., 1775.

GENTLEMEN—This serves to advise you that the armed ships in the river, which have been sometime off Cape Santé are now returned to Quebec; so that there will be no danger of your coming down in boats, or any kind of water craft, except that of ice.

I am Gentlemen, your humble servt,

B. ARNOLD.

*To the officers of the Cont. Army on their }  
way from Montreal to Quebec. }*

POINT AUX TREMBLES, 30th Nov., 1775.

DEAR SIR—This will be handed you by Mr. Burr, a volunteer in the army, and son to the former president of New Jersey college. He is a young gentleman of much life and activity, and

has acted with much spirit and resolution on our fatiguing march. His conduct, I make no doubt, will be a sufficient recommendation to your favor.

I am dear Sir, your most obed't humble serv't.

*Brig. Gen. Montgomery.*

B. ARNOLD.

BEFORE QUEBEC, Dec. 5, 1775.

*May it please your Excellency,*

My last of the 20th ult. from Point Aux Trembles advising of my retreating from before Quebec, I make no doubt your excellency has received. I continued at Pt. Aux Trembles until the third instant, when, to my great joy, Gen. Montgomery joined us with artillery and about three hundred men. Yesterday we arrived here and are making all possible preparations to attack the city, which has a wretched, motley garrison of disaffected seamen, marines, and inhabitants, the walls in a ruinous situation, and cannot hold out long. Enclosed is a return of my detachment amounting to six hundred and seventy-five men, for whom I have received clothing of Gen. Montgomery. I hope there will soon be provision made for paying the soldiers, as many of them have families who are in want. A continual hurry has prevented my sending a continuation of my journal.

I am with very great respect,

Your excellency's most obed't h'ble serv't.

B. ARNOLD.

[The history of this expedition, so far as it can be gathered from the foregoing letters, terminates abruptly on the 5th of Dec., 1775, the date of the last of the series. A full account of the subsequent events will, however, be found in the journal prepared by President ALLEN, to which we have already alluded, and which immediately follows.]

## XIV. ACCOUNT OF ARNOLD'S EXPEDITION.

COMPILED BY WILLIAM ALLEN.

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### INTRODUCTION.

Gen. Washington, in his letter to Congress, dated Sept. 21, 1775, says, "I am now to inform the honourable Congress, that, encouraged by the repeated declarations of the Canadians and Indians, and urged by their requests, I have detached Colonel Arnold with a thousand men to penetrate into Canada by way of Kennebec river, and, if possible, to make himself master of Quebec. By this manœuvre I proposed either to divert Carleton from St. Johns, which would leave a free passage to Gen. Schuyler; or, if this did not take effect, Quebec in its present defenceless state, must fall into his hands an easy prey." At the same time he furnished Arnold with copies of a Manifesto, printed at Cambridge, that he might distribute them among the Canadians. This address to the "Inhabitants of Canada" was in Washington's name, and concludes with these words: "Let no man desert his habitation—let no one flee as before an enemy. The cause of America and of Liberty is the cause of every virtuous American citizen; whatever may be his religion or his descent, the United Colonies know no distinction, but such as slavery, corruption, and arbitrary dominion may create. Come, then, ye generous citizens, range yourselves under the standard of general Liberty—against which all the force and artifice of tyranny will never be able to prevail."

In his instructions to Arnold, Gen. Washington charged him, and the army, to consider themselves not as marching through

an enemy's country, but through that of friends and brethren. "Should any American soldier be so base and infamous, as to injure any Canadian in his person or property, I do most earnestly enjoin you to bring him to such severe and exemplary punishment as the enormity of the crime may require." All disrespect also to the religion of the country was prohibited, and the strictest order enjoined.

#### THE EXPEDITION AGAINST QUEBEC, ACROSS THE WILDERNESS.

Soon after the commencement of the revolutionary war, Gen. Washington resolved to send a detachment of his army into Canada, through the wilderness of Maine, in order to co-operate with the troops which were to penetrate into Canada from the State of New York by lake Champlain. The detachment consisted of ten companies of musket men, belonging to New England, and three companies of riflemen, from Virginia and Pennsylvania, amounting to about eleven hundred men, each company consisting of eighty-four men, rank and file. The commander was Col. Benedict Arnold of Connecticut. The field officers were, Col. Christopher Green of Rhode Island, Col. Roger Enos, Maj. Return J. Meigs, and Maj. Timothy Bigelow. The staff consisted of Adjutant Frebecer of Denmark, Quartermaster Hyde of Massachusetts, Dr. Senter of Rhode Island, and another surgeon, and Mr. Spring, Chaplain. Matthew Ogden and Aaron Burr of New Jersey, John McGuyer and Charles Porterfield of Virginia, volunteers. Mr. Oswald was private secretary to Arnold. The captains of the companies were, Henry Dearborn of New Hampshire, McCobb of Georgetown, Williams, Goodrich, Hubbard, and Scott of Massachusetts, Hanchett of Connecticut, Topham, Thayer, and Ward from Rhode Island; and the captains of the riflemen were Daniel Morgan of Virginia, the commander, William Hendricks of Cumberland county, Pennsylvania, and Matthew Smith of Lancaster county, Pennsylvania. There was only one chaplain, Mr. Samuel Spring, a young preacher who had graduated at Princeton College in 1771. Some of the other officers were, Lieuts., Archibald Steele, Michael Simpson, F. Nichols, Humphreys,

Heath, Tisdale, Cooper; Sergeant Major, Joseph Aston, and Sergeant, Thos. Gibson, John Joseph Henry was a private soldier.<sup>1</sup>

Of these names several are distinguished in American History. Colonel Arnold is sufficiently notorious for his attempt as a traitor to deliver the post of West Point into the hands of the enemy. Major Meigs, afterwards colonel, received a vote of thanks from Congress for the skill and valor with which he conducted the expedition against Long Island, in 1777. He was with Wayne at the capture of Stony Point, in 1779. He was afterwards one of the first settlers of Ohio, and agent for the Cherokee Indian affairs. He died at the Cherokee Agency, Jan. 28, 1823. He was the father of the late Postmaster General of the United States. Gen. Morgan's name is interwoven in the whole history of the war. Gen. Dearborn has held various high offices in our country, and in the war of 1812 made a successful descent upon Upper Canada. Col. Burr has been Vice President of the United States. Mr. Henry was president of the second judicial district in Pennsylvania, and died in 1810. Lieutenants Nichols and Simpson became, thirty or forty years afterward, generals in the militia of Pennsylvania. Chaplain Spring was the late Rev. Dr. Spring of Newburyport, an eminent minister, who died March 4, 1819, aged seventy-two years.

Major Meigs kept a short journal of occurrences from Sept. 9, 1775, to Jan. 1, 1776. There was also published in 1812, an account of this expedition, compiled from memory a few years before his death, by Judge Henry. From these accounts the facts in the following narrative are chiefly derived.

Sept. 6, 1775, orders were given to draft the men, collect provisions, and build two hundred batteaux.

Sept. 13th, in the evening, the troops of this detachment

<sup>1</sup> Additional officers mentioned by Gen. Dearborn, May, 1826. Lieut. Hutchins, afterward a captain, now living in Fryeburg. Lieut. Andrews, now living in New Hillsboro', Hampshire, aged ninety-one. Lieut. Thomas, afterward killed in battle. Lieuts. Webb, Humphreys, (or Humptsnys,) Slocum, Shaw, of Rhode Island; Brown, Cumstock, of Massachusetts; Savage of Connecticut; Brewer of Virginia. There were two Lts. Humphreys, one of Rhode Island, and one of Virginia.

marched from Cambridge, a few miles, to Mystic or Medford; the next day through Salem to Danvers; on the 16th, in the forenoon, they arrived at Newburyport and encamped. Major Meigs says that on Sunday, the 17th, he attended divine service at Rev. Mr. Parsons' meeting, and dined at Mr. N. Tracy's.

Tuesday, 19th. The whole detachment was embarked on board ten transports, one of them called the sloop *Britannia*, in the morning, and sailed out of the harbor. At 1 o'clock P. M. orders were received to sail to the Kennebec, fifty leagues distant. The wind was fair and very fresh, so that in the morning of the 20th they made the mouth of the Kennebec right ahead, and soon entered it. Being hailed by armed men from the shore, they answered that they were continental troops, and requested a pilot, who was immediately put on board. With favorable wind and tide they proceeded up the river. Five miles from the mouth was a large island called Rousack, (Arrouseag, or Arrousick,) where were several good dwelling-houses and a handsome meeting-house.<sup>1</sup>

Twenty miles from the mouth of the river the detachment passed a large bay on the left, called Merry Meeting Bay, formed by the Androscoggin river in its junction from the west with the Kennebec; and five miles higher up they passed Swan Island, just above which they came to anchor opposite to Pownallborough, (now Dresden,) where was a block-house called Fort Pownal. It was but fourteen days since the first orders for the expedition had been given. During the 21st the troops were at Gardiner's town. At Major Colburn's ship-yard at Pittston, on the east side of the river, the vessels were abandoned, and the troops obtained batteaux, built for the purpose, in which they proceeded up the river. On the evening of the 22d, Major Meigs lodged at the house of Mr. North. Saturday, the 23d, the troops ascended the river six miles to Fort Western,—a fort at Augusta, on the east bank of the Kennebec, which

<sup>1</sup> At this place, in Georgetown, opposite Phipsburg, it is believed the late Gov. Sullivan of Massachusetts then lived, for it was here that he commenced the practice of the law. When once asked by Gen. Knox, why he selected such an obscure spot, he replied, that he knew he must break into the world, and he thought it prudent to make the attempt in a *weak place*.

was built in the year 1754.<sup>1</sup> On the evening of their arrival, some of the soldiers being at a private house, one of them, by the name of McCormick, being turned out of the house in a quarrel, discharged his gun into it and killed a man. He was tried by a court-martial, and received sentence of death, but was reprieved till the pleasure of Gen. Washington could be known.

Most of the troops remained several days at Fort Western, in order to complete the necessary preparations for their arduous undertaking. Here it was resolved to send forward a small party of eight or ten men, to explore and mark the Indian paths at the carrying-places in the wilderness, and to proceed to the Chaudiere river in Canada, and ascertain its course; and then to send forward Capt. Morgan with the three companies of riflemen to the Great Carrying-place as pioneers, to clear the road for other divisions of the army.

#### THE EXPLORING PARTY.

To the command of the small party Arnold appointed Lieut. Steele, who was active, hardy, and courageous. He selected seven men, namely, Jesse Wheeler, George Merchant, and James Clifton of Morgan's company; Robert Cunningham, Thomas Boyd, John Tidd, and John McKonkey of Smith's. Steele also selected John Joseph Henry, a youth of sixteen years, the author of the account already referred to, because he was his mess mate and friend, and was acquainted with the hardships of a wilderness. Henry was the son of W. Henry, Esq., of Lancaster, Pennsylvania, born Nov. 4, 1758. On his return from Detroit, whither he accompanied an uncle, he had become acquainted with difficulties of the same kind with those which

<sup>1</sup> This fort was formed by two block-houses and a large house, one hundred feet long, the property of James Howard, Esq., the whole inclosed with pickets. One of the block-houses is now standing, a venerable memorial of Indian wars, near the covered bridge, which now stretches across the river. Judge Howard, at whose house the officers were well entertained, died in May, 1787, aged eighty-six years. He was the first commandant of the fort, and although he reached a remarkably old age, yet one of his soldiers at this fort lived to be much older; it was *John Gilley*, a native of Ireland, who enlisted about the year 1756, and died at Augusta, July 9, 1813, aged about one hundred and twenty-four years.

he was now about to encounter, subsisting several days between Sandusky and the Ohio river on acorns. He had joined the Pennsylvania troops without the knowledge of his father. Besides these men, two guides were employed, Nehemiah Getchel, a respectable man, and John Horne, an aged and grey-headed Irishman.

This party of eleven men left Fort Western, Sept 23d or 24th, in two birch-bark canoes, each of which carried five or six men, a barrel of pork, a bag of meal, and two or three hundred pounds of biscuit. They arrived in the evening at Fort Halifax, about twenty miles from Fort Western, situated on the point of land in the town of Winslow, opposite to Waterville, which is formed by the junction of the Sabasticook river on the east, with Keenebec on the west. The fort consisted of old block-houses and a stockade in a ruinous condition. Here a barrel of pork was exchanged for a barrel of smoke-dried salmon, with the commander of the fort; near the fort resided a Capt. Harrison of Huddleston, a whig, who treated the company with much hospitality. Probably the next day the party arrived at Skowhegan Falls, five miles east of the village of Norridgewock, at a point where the river separates the present town of Bloomfield on the south, from Milburne on the north. These falls are about seventeen miles from Fort Halifax. This was the country of beavers. With two men, met with not far from the falls, two fresh beaver tails were obtained in exchange for pork.

Just below the falls there was a rock of bluish flint in a conical form, five feet in height, and ten or twelve feet in diameter at the base, which was scalloped out down to the water's edge. Getchel had been informed, that the Indians of former times had obtained from it their spear and arrow-heads or points.<sup>1</sup>

The carrying-place round the falls was ascertained, and the trees to designate it were carefully marked or *blazed* with the hatchet, as they were also at other portages. The canoes at such places were carried on the back in the following manner: A broad straight stave was bound to the central cross bar of

<sup>1</sup> Of this fact I have no doubt, as I obtained myself an Indian arrow-head, apparently answering to this description, at the old Indian village in Norridgewock.

the canoe by a stout leather thong passing through two perforations an inch or more apart at the middle of the stave. This rested upon the back side of the head and on the shoulders, when the canoe was thrown upon the shoulders to be carried.

Above the falls there were few impediments to navigation for a considerable distance. The last white inhabitants lived at Norridgewock. After entering the uninhabited wilderness, it was thought prudent, lest Indians should be lurking near, not to fire a gun, although the temptation presented by fine ducks and moose, was almost irresistible. About the 29th of Sept., having passed the Cariotunk Falls, they arrived at the Great Carrying-place, distant between forty and fifty miles from Skowhegan. This twelve-mile carrying-place is in the northern range of townships of what is now called the Bingham purchase, or the Million of Acres. The distance from the Kennebec to Dead River on the west is but twelve miles, and the communication is facilitated by three or four considerable ponds; but to ascend the Kennebec nearly twenty miles to the mouth of Dead River, and then to proceed up this river in its circuitous course would make the whole distance fifty or sixty miles. It is, however, impossible to ascend in this manner, for Dead River, for fifteen or twenty miles from its mouth, is a broad shallow and rapid river, and has one considerable fall. It receives its name from its sluggishness in that portion of it which is below and above the twelve mile carrying-place.

On leaving the Kennebec the path was found tolerably distinct; but it was made more so by marking the trees and cutting the bushes with the hatchet or tomahawk. In the evening the party encamped on the margin of the first pond or lake, where there was plenty of trout, which old Clifton caught in abundance. Here it was determined the next day, to leave Clifton and M'Konkey, with half the provisions; the other part was divided equally by a kind of lot in the following manner. Steele made a division into as many parts as there were men, in the presence of all concerned. He then directed some one to turn his back, and asked him, laying his hand on a particular portion, "*Whose shall be this?*" To the one whose name he happened to mention it was given. The two men left here were directed to retire to

the south end of the pond, and there remain concealed, and await the return of the others, who expected to be absent about eight or ten days.

It required two days for the party to pass the two other ponds, to explore and mark the Indian path, and to reach Dead River. This was found to be deep, with an imperceptible current, about two hundred and fifty yards wide. The trees observed were chiefly evergreens. The Balsam Fir (*Pinus Fraseri*, overlooked by Michaux, but differing from the Silver Fir) was found to be very abundant. It has many protuberances or blisters on the bark, which yield a balsamic liquid, useful in medicine. Getchel taught Henry to place the edge of a broad knife at the under side of the blister in the morning, and to receive the balsam by placing his mouth at the back part of the knife. The liquid was found to be heating and cordial, and was thought to contribute to the preservation of health.

Leaving the encampment at Dead River about the 2d of October, they ascended the river rapidly to the foot of a rapid, where, as usual, they made their bed of the branches of fir or spruce. It was resolved to eat their pork raw, and to eat but twice a day. Half a biscuit and half an inch square of pork constituted their supper; for, ignorant of the distance to the Chaudiere, it was necessary to be economical in expending their stock of provisions.

Oct. 3. Surmounting the rapids in the boats in about an hour, there was good water during the rest of the day; at night they encamped at the foot of a fall of four feet. During the next day there was good water. They caught trout and a delicious chub, which they call *fall fish*. The common trout of the river were pale with pink spots; but some larger trout, caught in a deep spring-head, were of a dark hue, with beautiful crimson spots.

The party were now approaching the wigwam of Natanis, the only remaining Norridgewock Indian, whom they were instructed by Arnold to seize or kill, in the persuasion that he was employed by the Canadian government as a spy. His abode was at a middle point between the American and Canadian settlements; it was chosen probably with reference to the convenience of hunting. The cabin of Natanis was surrounded, but he was not

found; it stood on a bank about twenty yards from the river, and a grass plat extended around a little more than shooting distance with the rifle. Near this place a considerable stream from the west fell into Dead River, and seven miles up that stream it was said there lived a number of Indians. Natanis afterwards joined the invading army on the Chaudiere, with about forty of the St. Francois band, who lived nearly opposite the mouth of the De Loup.<sup>1</sup>

At the junction of the west stream with Dead River, a stake was found driven down to the water's edge, with a piece of birch bark, neatly folded up, inserted into a split at the top. On opening the bark, it was found to be a map of the streams above them. It was probably placed there with friendly intentions by Natanis, who had discovered the party at their first encampment on Dead River, and was now hovering around them, although afraid to show himself lest he should be killed.

The first pond at the head of Dead River appeared to be a mile in diameter. Here, on a small island of a quarter of an acre, the party discovered a delicious cranberry, growing on a bush ten feet high, and the fruit as large as a cherry.<sup>2</sup> A second pond was found in one or two miles, and a third pond not far distant. The country was mountainous. One mountain was a beautiful cone; and perpendicular cliffs formed the border of one of the ponds.

The weather began now to be cold. Mr. Henry describes his dress as follows: a roundabout woolen jacket, a pair of half worn buckskin breeches, a hat with a feather, a hunting shirt, leggins, a pair of moccasins, and woollen stockings and shoes in

<sup>1</sup> Judge Henry remembered an Indian by the name of Sabattis. I am happy to have it in my power, after the lapse of fifty years from the time of this expedition, to confirm the correctness of his memory, and the fidelity of his narrative. In August, 1824, an Indian woman from Penobscot presented herself at my house with baskets to sell, and soliciting charity. She exhibited a certificate, signed by Major General Ulmer, now living at Penobscot, stating that she was the daughter of *Sa Bates*, a Penobscot Indian, who piloted Arnold's army to Quebec in 1775. I asked her to pronounce the name of her father, and she gave the sound—*Sah-Báh-tis*.

<sup>2</sup> This was doubtless the acid fruit of *Viburnum oxycoccus*, which I found on the river De Loup, a branch of the Chaudiere, in Sept. 1824.

reserve. At the end of the fifth pond or lake they saw "the height of land." Covering their canoes with leaves, they now crossed over about five miles, by an Indian path, to the bank of the Chaudiere. Here Cunningham climbed a high tree and descried, ten or fifteen miles distant, the great Chaudiere lake, the intermediate country being flat.

Thus, about the 7th of October, the great object of this exploring party was accomplished. The stream in Canada which they reached was probably a stream which lies north of the last pond, and which, rising in the seventh range of surveyed townships, runs westerly and empties into Nepess lake,—the lake that was mistaken for the Great Chaudiere, or Ammeguntick lake, with which it communicates by a river five or six miles in length.<sup>1</sup>

As the sun was setting they set out to return to their canoes, proceeding in Indian file, one after the other, all treading in the steps of their leader, and Getchel bringing up the rear and covering the track with leaves with his feet. This was to prevent discovery by the Indians. After being thoroughly wet in a heavy shower, they arrived in the dark at their place of encampment; and here during the night they were protected from a heavy rain only by the branches of fir, forming a kind of wigwam. It was extremely laborious to cross this ridge of land. Mr. Henry had fallen down a precipice, and did not arrive until an hour after his friends. The next morning they crossed the pond, the water of which, and of the streams, was found to be raised about four feet, so that the return was easy and rapid.

During the day a small duck, called a diver, was shot. At night, after deliberation, it was concluded to boil the duck in the camp kettle, together with each man's inch of pork, which was designated by a skewer of wood having a distinctive mark on it. The broth thus made was to be the supper; and the duck in the morning was to be the breakfast, divided into nine or ten parts by the method—"Whose shall be this?" in addition to each man's

<sup>1</sup> If this stream should not prove to be the principal branch of the Chaudiere, the name of Steele's river might with propriety be given to it, especially as the name of Arnold river has been given to a more westerly branch, emptying into Ammeguntick, in the erroneous belief, I presume, that it was the river which was passed by the detachment under his command.

bit of pork. Mr. Henry received one of the thighs; Cunningham the head and feet. After this breakfast they pursued their way with speed till night, when they devoured their last pork and biscuit. About the 10th of October, they saw at the east a great smoke, which inspired them with joy, as they thought it marked the encampment of the army, though it proved to be a fire at one of their camps. They were delayed several hours in consequence of injuries to one of their canoes by running upon the limb of a tree in the river. Birch bark was procured, and the roots of cedar for twine, and the canoe was covered with pitch made from the turpentine of the pine and scrapings of the pork bag. Just at night, these hungry and starving men beheld an object which gave them more pleasure than they could have experienced had they seen a mountain of gold; it was a moose, which was shot by Steele on the north bank, and the fall of which was proclaimed by a huzza. In a moment the second guide cut off the nose and upper lip and put it on the fire. Now indeed was the time of feasting; the night was spent in selecting the titbits and in boiling, roasting, and broiling, though but little was eaten at a time. The next day another moose was killed, and they arrived at their encampment at Dead River. Steele and two others were sent immediately forward to meet the army, and to their great joy they met it the same day. Major Meigs says that he discovered "Steele and party" at the third pond, Oct. 11th; but it appears from Henry that only three of the party could have been met at this time. The others remained in order to "*jerk*" their venison to provide against emergencies, lest the army should have abandoned the expedition.<sup>1</sup>

Several days were thus employed, during which there was much suffering in the midst of plenty; for the meat was eaten without bread, or salt, or oil; the appetite was not satisfied, and a diarrhea reduced them to still greater weakness. On the 16th of October, taking their knapsacks of food they crossed the river, and abandoning their canoes from inability to carry them,

<sup>1</sup> The jerking was performed by cutting the meat into thin strips, and laying it on a square rack of poles laid across each other to the height of four feet from the ground. A smoke-fire was made beneath in order to dry the meat, thus preserving it for future use, and rendering it lighter to carry.

proceeded along the Carrying-place. At the bog near the third pond they met some pioneers of the army, making a causeway, and soon made a feast on boiled pork and dumplings. They were kindly received by Major Febiger, and by Morgan, whose person was large and commanding, and who wore leggins and cloth in the Indian style. His thighs uncovered seemed to have been roughly handled by the bushes. Thus the whole exploring party rejoined the army after an absence of more than three weeks in the wilderness. Steele had not returned to his party, having dislocated his shoulder; and Clifton and M'Konkey had deserted their post soon after they were left at the first pond.

#### THE PROGRESS OF THE ARMY.

The army was left by the exploring party at Fort Western. Morgan with three companies of riflemen embarked in batteaux, Sept. 25th, with orders to proceed rapidly to the Great Carrying-place and clear the road. Sept. 26th. Colonel Green, with Major Bigelow, and three companies of musket-men also embarked with the second division. Sept. 27th, Major Meigs embarked with the third division, consisting of four companies and forty-five days' provision. His progress was slow. At Fort Halifax, where he arrived the 29th, was a carrying-place of ninety-seven rods around Toconock falls. He encamped five miles above them. The next day he proceeded seven miles, and at night was joined by Arnold. Sabattis, a Penobscot Indian, and a St. Francois Indian, well recommended, accompanied the army from Fort Western. A guide of the name of Jakins was obtained, living above Toconock Falls. Oct. 1. The army ascended the river nine miles. Among the trees observed were butternuts and red cedars. Oct. 2. At Scohegin Falls there was a carrying-place of two hundred and fifty paces across a small island. Oct. 3. Major Meigs proceeded to Norridgewock. On his way he called at a house and saw a child fourteen months old, the first white child born in Norridgewock. This was Abel Farrington, son of Capt. Thomas F., formerly of Groton. Near the site of the Indian village, in going up the falls, his batteaux filled with water, and he lost his kettle, butter, and sugar.

Father Rale's grave was still to be seen. There appeared to have been an intrenchment, and a covered way through the bank of the river for the convenience of getting water. Oct. 4. He proceeded one mile to a carrying-place of a mile and a quarter; and here he was detained two days. In the afternoon of the 6th he proceeded five miles. Oct. 7th, at noon, arrived at the *Curatuncas* carrying-place of four hundred and thirty-three paces, where the river is confined between two rocks, not more than forty rods apart. Here he remained one day. Oct. 9th, in the afternoon, he proceeded four miles and encamped; the river very rapid, and in some places very shoal, being divided by a number of islands. Oct. 10, he reached the Great Carrying place of twelve miles. Oct. 11, he went as far as the third pond where he discovered Lieut. Steele and party. Oct. 12, he returned, to give orders to build a block-house, to the Kennebec, where Col. Enos arrived with the fourth division of the army, consisting of three companies of musket-men.

Oct. 13. This day Arnold wrote a letter to Gen. Schuyler and enclosed it to a friend in Quebec, and sent it by the St. Francois Indian. The wind was so high, that the boats could not cross the third pond, One man was severely injured by the fall of a tree in the night. Four moose had been killed. Oct. 15. Major Meigs crossed the third pond, which was much larger than the other two, and appeared to be nine miles in circumference. He encamped in a cedar swamp. Orders were given that the allowance should be three-quarters of a pound of pork and the same of flour to each man a day. Oct. 18. Two oxen were killed and divided. Major M. proceeded up the river about twenty miles, the water being smooth, and encamped on the south side. The land this day appeared fine and mostly covered with grass as high as a man's waist. The rifle corps always preceded the other troops; the boats loaded usually had three men in them; the remainder of the army marched by land. Oct. 19. On account of rain Major M. remained in camp till two o'clock, then proceeded five miles and encamped on the north side of the river; passing three small falls, but finding the current otherwise gentle. He was ordered to proceed with his

division with the greatest expedition to the Chaudiere, and furnish pioneers under Capt. Ayres, to clear the carrying-place. Oct. 20. He passed several small falls and one portage of thirteen rods. It was a rainy day. Oct. 21. Proceeding three miles there was a portage of thirty-five rods, and two miles further a portage of thirty rods. The whole distance was only five miles. Oct. 22. Major M. proceeded only three miles, passing two portages, each of seventy-four rods. Last night the water of the river rose eight feet, overflowing the country, so that the men on shore proceeded with difficulty. Oct. 23. The progress was very slow, as the stream was rapid. A number of the men marched up the river which comes in from the west, mistaking it for Dead River. Some boats were dispatched after them. At the encampment was a portage of fifteen rods, the river being extremely rapid. Here five or six batteaux filled, by which were lost several barrels of provisions, and some cash, clothes, and guns. By the upsetting of a boat, Mr. Henry was thrown into the river and narrowly escaped drowning. A council was held and it was resolved that the sick should return to Cambridge, and that fifty men should proceed with dispatch to the Chaudiere pond. The next day a progress of only four miles was made. Oct. 25. A progress of six miles, passing three portages, two of them of four rods, and one of ninety rods. Oct. 26. The ponds at the head of the river were crossed; first a pond two miles across; then was passed its outlet, two and one-half rods wide and four rods long, communicating with the second small pond a mile in length; the next strait was a mile and a half long leading to a pond three miles wide; after a narrow strait the fourth pond was found a quarter of a mile wide; then there was a narrow, crooked river of three miles. A carrying-place of fifteen rods led to the fifth pond of one hundred rods. The encampment was on a high hill, which was a carrying-place at the north-west; the ponds were surrounded with high mountains. Oct. 27. After a portage of one mile a pond of fifty rods was crossed; a second portage of forty-four rods led to a pond two miles wide. From this pond was the portage of four miles and sixty rods, to the right, across the height of land to the Chaudiere. From the pond to the height of land is about two miles. Oct. 28. The army pro-

ceeded to the Chaudiere. Some of the captains, on account of the difficult navigation of that river, carried over but one boat for each of their companies; but Morgan, with excessive labor, transported all his boats. Near this point are the heads not only of the Kennebec, but of the Connecticut, Androscoggin, Penobscot, and Chaudiere rivers.

The army had now entered Canada, but its situation was perilous and discouraging. From Dead River Col. Enos had returned to Cambridge with the sick, and with his whole rear division, consisting of William's, McCobb's, and Scott's companies. This measure was the result of a council of war of his own officers in order to avoid the horrors of famine; but without order or permission from Arnold. He was tried by a court-martial in December, and acquitted with honor. He had but three days' provisions, when we set out to return, and was distant one hundred miles from the nearest settlement. The army now consisted of not more than six or seven hundred men; the provisions and ammunition were divided; Mr. Henry says, that in his corps there was no meat of any kind; of the flour five pints constituted the portion of each rifleman. This was baked into five cakes under the ashes. The distance was now eighty or ninety miles to the settlements in Canada, and the way most difficult and dreary.

Oct. 29. The army arrived at one o'clock, at Nepess lake, which lies south of Ammeguntic, and encamped at night on its bank, where there had been an Indian camp. Oct. 30. They marched through the woods about fifteen miles along the eastern side of lake Ammeguntic, and encamped near its north end, or where the Chaudiere issues from it. The travelling this day and the day following was extremely bad, over mountains, and through morasses, in which the men would sink deep in the mud. Attached to the Pennsylvania troops were two heroic women, one the wife of Sergeant Grier, the other the wife of a private named Warner. Mr. Henry says that he passed two streams, wide and deep, flowing into the lake from the east, the northern one being the largest. They were crossed in batteaux or rafts stationed for the purpose by Arnold; the batteaux at the larger river being under the superintendence of Capt. Dearborn.

Nov. 1. The army continued its march through the woods along the Chaudiere. This French word means a boiler or cauldron; and the name is well given, for the river is rapid and furious in its course for sixty or seventy miles. Every boat put into the river was split upon the rocks or abandoned. There was a fall of ten or fifteen feet. It was with difficulty that Morgan escaped destruction. One of his soldiers was drowned. Major Meigs this day passed a number of men that had no provisions, and it was not in his power to supply them. Several were sick, and they must have perished in the wilderness. While the flour lasted, what was called a *bleary* was made by boiling it with water without salt.<sup>1</sup> Nov. 2. The marching along the east bank of the Chaudiere was to-day less difficult than yesterday. The river grew wider and became rapid and in some places shallow.

The weather was fine, clear, and warm, as in Connecticut at this season. In passing a low sandy shore or beach, some of the men darted from the ranks and with fingers dug up the roots of plants and ate them raw. Mr. Henry obtained to-day a little broth, given him by some of his friends; it was greenish; they called it bear's broth, but it was made from a dog. Some of the men washed their moccasins of moose skin, and boiled them in a kettle in order to obtain a little nutriment.

Friday, Nov. 3, was a memorable day to this little army; for weary, disconsolate, and starving, as they were proceeding down the river, their eyes were gladdened with the sight of cattle,

<sup>1</sup> "My dog," says Gen. Dearborn in a letter to me, "was very large and a great favorite. I gave him up to several men of Capt. Goodrich's company on their earnest solicitation. They carried him to their company and killed and divided him among those who were suffering most severely with hunger. They ate every part of him, not excepting his entrails; and after finishing their meal, they collected the bones and carried them to be pounded up, and to make broth for another meal. There was but one other dog with the detachment. It was small, and had been privately killed and eaten. Old moose-hide breeches were boiled and then broiled on the coals and eaten. A barber's powder-bag made a soup in the course of the last three or four days before we reached the first settlements in Canada. Many men died with hunger and fatigue, frequently four or five minutes after making their last effort and sitting down."

which an advance party with Arnold had procured for their relief, and which they were now driving up the shore. A feeble huzza proclaimed the joy of these wretched adventurers; and it is hoped, that many a grateful acknowledgment went up to that beneficent Being, who "heareth the ravens when they cry." At this moment Capt. Smith gave Henry, who was the youngest in the army, a paper containing a slice of bacon fat. It was instantly devoured. Here it was that Henry first met Aaron Burr, an amiable youth of twenty years. The cattle were devoured even to the very entrails, and some received only a little coarse oaten meal. Nov. 4th was another remarkable day in the history of this expedition, for about noon, after fording a wide stream coming in from the east, (the river De Loup,) and within a few hundred yards of the mouth of this branch of the Chaudiere, they reached "*the first house*" in Canada. They approached it with the rapture of men now assured that they should not perish with famine.<sup>1</sup>

Here the army was supplied with beef, fowls, pheasants, butter, and vegetables. Several men lost their lives by the imprudent indulgence of their appetites. Here were found *Natanis*, *Sabatis*, and seventeen other Indians of their family. They were *Abonnekee*, or *Abenaqui* Indians; they marched with the army,

<sup>1</sup> It was at this point that, in a journey across the wilderness to Quebec, in Sept. 1824, I first struck the river Chaudiere, having traveled down the north-eastern bank of this same river De Loup. There were then two houses at this fork of the river, one of them inhabited by Mr. Annaï or Hanna, who is called the *Seigneur*, having a venerable appearance, and the other, which is nearer the De Loup, by Mr. Owen. It was probably Mr. Hanna's which was "*the first house*," and inhabited by a Frenchman, as its situation accords with a description of it given me by Gen. Dearborn. The settlement was called *Sertigan*; the distance was twenty-five leagues from Quebec.

I can form some little conception of the joy of this little army; for after being myself five days in the wilderness, I know not that I ever beheld any natural scenery with greater delight, than I gazed upon this very spot. It is very remarkable that, after the lapse of half a century, this may still be considered as the first house in Canada, for there were in 1824, only two or three small houses to the east, on the De Loup, and they were within half a mile or a mile of its mouth. From this place to Quebec, every object is interesting and gladdening to the eye.

and fought against the British, being employed, as Mr. Henry says, by Arnold. From this place two Indians were sent back to the fall of the Chaudiere in order to bring down Lieut M'Clelland, of Hendrick's company, who had been left there sick. In three days they returned with him, but he died the day after his arrival at the first house and was decently buried by the inhabitants. He was much beloved, and his fate was deeply lamented.

Nov. 5. The army, in part, marched about thirty miles to the parish of St. Mary, going down the right bank of the river. Mr Henry gives a correct account of the country as it appears at the present time :

"We marched in straggling parties through a flat and rich country, sprinkled, it might be said decorated, by many low houses, all white-washed, which appeared to be the warm abodes of a contented people. Every now and then a chapel came in sight ; but more frequently the rude but pious imitations of the sufferings of our Savior and the image of the Virgin. These things created surprise, at least in my mind, for where I thought there could be little other than barbarity, we found civilized men, in a comfortable state, enjoying all the benefits arising from the institutions of society." Mr. Henry also describes a breakfast in one of these white-washed houses, as consisting of "a bowl of milk with excellent bread," for himself, while the family had "bread, garlic, and salt." In one of these cottages a similar breakfast was presented to me, with the addition of boiled potatoes. The milk was in a small tin pan with a nose or spout for the convenience of turning out the milk. Of the bread, however, I can only say, that it was coarse and sour, like most of the bread used in Lower Canada. Mr. Henry's host refused to receive any compensation. I found the like cheerful and courteous hospitality.

It has been represented by several American historians, that the appearance of Arnold's army at Point Levi, was the first notice to the British of the approach of an enemy, and that could he have crossed the river without delay, the city of Quebec would have fallen without opposition. But this is a very erroneous representation. Arnold's own imprudence had com-

municated the intelligence to the British in Quebec, nearly twenty days before his arrival at Point Levi, and it is not improbable, that his own folly defeated the enterprise, as may appear from a letter, which he wrote to Gen. Montgomery. It is dated, "St. Maria, two leagues and a half from Point Levi, Nov. 8, 1775."<sup>1</sup>

Arnold had been extremely imprudent in forwarding a letter to Mr. Mercier a month before by an Indian, who had betrayed him, and delivered the letter to the Lieut. Governor; but still, it is very probable he would have taken Quebec, had he pushed on from St. Mary's, thirty miles from Quebec, where he arrived on the 5th. Allowing five days to bring up the rear of the army, to march thirty miles, and to procure canoes (and on the 8th he had twenty canoes) he might have crossed the river, one would think without difficulty by the 10th; and had this been done, the gates of the city would have been opened to him. But the arrival of Col. Maclean on the 12th with one hundred and seventy men of his regiment produced a new state of things. On the arrival of the vessel from Newfoundland, Sunday, Nov. 5th, bringing one hundred men, chiefly carpenters, there was not a single soldier in Quebec. These men, by the delay, had time to repair the defenses, and to make platforms for the cannon; and being joined by Col. Maclean, the crisis of danger had passed. Had Quebec fallen, it would have seemed a most important and glorious event; yet it might have been the ruin of America; for in order to defend it, a considerable force would have been requisite, thus dividing our strength, while the British, in despair of recovering so strong a place, might have concentrated their forces at New York, and the capture of Burgoyne would not have electrified the friends of liberty through America.

Nov. 9. Midshipman M'Kenzie of the Hunter sloop of war, on landing from a boat near a mill above Point Levi, was taken prisoner in the water. Mr. Henry relates, that Sabattis rushed forward, after he had indicated his intention to surrender, in order

<sup>1</sup> I suppose he should have dated it at St. Henry, which is at that distance from Point Levi; and St. Mary is more than twice that distance. The letter above referred to, may be found among Arnold's correspondence, in preceding pages of this volume.

to kill him; but that Morgan or other officers interposed and saved his life.

Nov. 13th, at nine o'clock in the evening, the embarkation commenced near the mill above Point Levi in thirty-five canoes, and at four o'clock five hundred men, with their ladders, were landed undiscovered at Wolfe's Cove. As one hundred and fifty men were left behind from the state of the tide, and did not cross under three or four days, the whole number of the troops appears to have been six hundred and fifty. The canoes were obliged to pass the river three times. One of these birch bark vessels broke down in the middle of the river, and the men were picked up, excepting poor Steele. Unluckily the canoe to which he swam, was full of men, so that he could not be received without sinking it. In this dilemma he hung by the stern, and was dragged through the chilling water to Wolfe's cove.

Nov. 14. The little army found no difficulty in ascending the precipice by an oblique path; they then sent a reconnoitering party toward the city and marched across the plains of Abraham, and found good quarters in a large house, formerly owned by General Murray, and in other houses adjacent. Had they marched immediately to the city, they probably would have captured it with ease, for it was afterward ascertained, that St. John's gate, opening toward the plains of Abraham, was then unfastened and open. Soon after the landing, a barque from the Lizard frigate, rowing by, was hailed and fired upon, It was supposed that the men of this barge would have immediately apprised the commanding officer of the discovery, but they did not. The critical moment was lost. In the morning guards were placed on the different roads. About noon Merchant, one of Morgan's men, who had been placed as an advance sentry in a thicket, was made prisoner by the enemy. The guard pursued in vain, and Arnold marched the main body upon the heights near the city; but after receiving a few shot and giving three huzzas, he marched back a mile or more to his quarters. This was a very unnecessary and useless movement. In the afternoon the enemy set fire to the suburbs and burned several houses. At evening, Arnold sent a flag, demanding the surren-

der of the city; but Maclean fired upon him, thinking it prudent to have no communication with the American commander. The next day another flag was sent and treated in the same manner. On the 16th, a company was sent to take possession of the general hospital, a nunnery on the low grounds near the river St. Charles. At the ferry across this river, Sergeant Dixon of the rifle corps was wounded by a cannon ball from a gun near Palace gate, three-quarters of a mile distant; so that amputation was necessary, and he died the next day. He was a respectable man of good education, and of a good estate in West Hanover, Lancaster county, now Dauphin county, Penns. He was the first man who fell at Quebec.

News having been received of the surrender of Montreal to Montgomery, and a junction with him being necessary before Quebec could be assaulted with the hope of success, on the 19th November the army marched up the river about seven leagues, to Point Aux Trembles. While the army was lying here, Governor Carleton passed down the river and safely reached Quebec, — a circumstance extremely interesting and important to the enemy. Montgomery arrived December 1, with three armed schooners, with men, artillery, ammunition, provisions, and clothing to the great joy of Arnold's troops, to whom, as they were paraded in two battalions before the Catholic chapel, he made an energetic speech, praising them for their hardihood and appearance. He immediately marched down to the neighborhood of Quebec, and encamped at the suburbs, called St. Foy.

In a few days the town was bombarded by throwing into it at different times about two hundred shells; a battery was erected before St. John's gate; and a few lives were lost on both sides. December 24, Mr. Spring preached a sermon in the chapel of the general hospital, an elegant room, richly decorated with carvings and gilt work. The troops were assembled in the evening of the 27th, in order to make an attack on the works of Quebec, the ladders being ready; but it was found prudent to postpone the assault until the weather should be stormy. As it snowed December 30th, it was determined to make the attack,

and the troops were ordered to parade at two o'clock the next morning.<sup>1</sup>

December 31, 1775, being the last day of the year, was memorable for the attempt to take the city of Quebec by assault, and the fall of Montgomery. The number of his army, as stated in his letter of December 18th, was upwards of eight hundred men. Gordon says, that the whole, including the sick, did not exceed eight hundred men, and that only seven hundred and thirty were fit for duty. But this is probably a mistake; for were this the whole army, as four hundred men were lost in the attack, the remainder would not have been able to continue the siege. I should judge, that this might be the amount of the troops actually engaged in the attack of the lower town. Indeed Gen. Dearborn states, that Arnold's troops were five hundred strong, and Montgomery's six or seven hundred, including Livingston's and Brown's. The garrison consisted of two hundred and thirty soldiers, forty marines, eight hundred militia, and four hundred and fifty seamen, — in all one thousand five hundred and twenty.

The plan determined upon, was to make two false attacks upon the upper town, and at the same time, two real attacks upon the lower town, which stretched at the foot of the precipice along the St. Lawrence in a northerly and southerly direction, about three-quarters of a mile. On the south, the lower town was to be attacked by Montgomery, who was to descend from the plains or heights of Abraham to the bank of the river, and who would meet the first barrier or battery at the foot of Cape Diamond. At the same time Arnold was to assault the barriers at the northern and western extremities of the lower town, which he would approach from the suburbs of St. Roch on the west, by passing by Palace gate at the foot of the preci-

<sup>1</sup> A few days before the attack, Capt. Dearborn rejoined the army, so as to participate in it. He had been left in a hut on the Chaudiere, sixty miles from Quebec, sick with a nervous fever, the violence of which was so great that during ten days his life was despaired of. Although without medicine, he gradually recovered, after being sick a month, and proceeding to Point Levi in a sleigh, crossed over to Wolfe's cove, and took the command of his company.

piece, and proceeding easterly along the bay formed by St. Charles river, as it joins the St. Lawrence, in a narrow way between the precipice and the water or ice of the bay. After overcoming one barrier he would turn the angle at the north-east corner of the city, and turning to his right was to meet Montgomery, if he succeeded, in the center of the lower town. Some houses were to be passed before he could reach the corner, but the lower town was chiefly to the east on the St. Lawrence, and not to the north on the St. Charles. In order to favor this attack, the upper town was to be threatened by Col. Livingston, with his regiment of one hundred and sixty Canadians, who was to set fire if possible, to St. John's gate, and by Major Brown, with a small detachment of Massachusetts' troops, who was to assault the wall further to the south at Cape Diamond. Had this project succeeded, it would have been difficult to storm the upper town, for it must have been approached either by ascending Mountain street, and overcoming the great obstacle, presented by Prescott gate; or by an equally hopeless attack on Palace gate on the opposite side; or by St. John's gate, and the high wall on the south and west. There could have been little chance of success by force; but after taking the lower town, containing most of the houses and property, it was believed, with the greatest reason, that the garrison, chiefly of citizens, would immediately propose to capitulate.

The troops, headed by Montgomery, assembled at his quarters on the plains of Abraham at two o'clock, consisting of four battalions of New York troops, and part of Col. Easton's regiment. Arnold's troops assembled at the same hour at the guard house at St. Roch, consisting of two battalions. At five o'clock they moved to the attack in a violent storm of snow from the north-east. Maj. Meigs says, that various obstacles prevented the execution of Col. Livingston's command; but as Carleton wrote to Gen. How, that, "the alarm was general, from the side of the river St. Lawrence, along the fortified front, every part seemed equally threatened," it is probable, that Livingston and Brown appeared before the fortified front, although the depth of the snow and the violence of the storm on the heights may have occasioned some delay in their progress.

At the appointed moment Montgomery descended from the heights of Abraham, by an easy descent, to the river south of Cape Diamond, and proceeded to attack the defences at what was called *Anse des Meres*, or the Bay of Mothers, a small bay or harbor at the foot of Cape Diamond.

Mr. Henry represents, that there were two rows of pickets, (other accounts speak of but one,) or two stockades of strong posts, fifteen or twenty feet high, connected by a stout railing; and that the first palisade was one hundred yards south of the point or angle of Cape Diamond, extending from the declivity of the hill to the river. Three or four of these posts were sawed by the carpenters and an opening made, and the troops passed without being discovered. On reaching the second palisade close under Cape Diamond, the saw was employed with the same success, and the general with his own hands assisted in pulling down two or three pickets. About fifty yards in front of the advancing troops or within the stockade, was a block-house in the middle of the small space, between the cliff and the river, leaving only a narrow passage each side of it. This was a square log-building, with loop-holes for musketry in the lower story, and several port-holes in the upper story for cannon, charged with grape or canister shot, and pointed towards the avenue, by which the troops must approach. The second row of pickets being passed, the only obstacle remaining was the block-house. The general at the head of his troops was now pressing on, saying to them, "Push on, brave boys, Quebec is ours;"—when a discharge of the cannon and small arms at the guard-house, killed him and his aid, Capt. McPherson, Capt. Cheeseman, an orderly sergeant, and a private. This was a most disastrous event; but had the troops pressed on they would instantly have taken the block-house, for the lights were out, and it is said, the guard immediately fled; or they might have passed it and entered the town, and co-operated effectually with Arnold's troops, fighting at the other extremity of the street. Mr. Henry says, he was credibly informed on the spot, that it was a drunken sailor, who discharged the cannon, resolving, that he would have one fire before he took to his heels.

Colonel Campbell, the deputy quarter-master general, who suc-

ceeded to the command, was destitute of the heroism and enterprise, necessary for such a crisis; instead of pushing on, he ordered a retreat, taking the wounded with him to his camp, but leaving his general and the dead on the ground, where they fell. In the morning the enemy found their bodies covered with snow, that of the general two paces from the brink of the river, McPherson on the right, and Cheeseman on the left.

Arnold made his attack from the suburbs of St. Roch; marching at the head, Capt. Oswald and thirty men followed him as the advanced guard, then Capt. Lamb with his company of artillery, having a field piece mounted on a sled, followed by the main body, of which Morgan's company was the first. It was necessary to pass by Palace gate, which is about half a mile from the angle of the town, formed by the St. Charles and the St. Lawrence, and the whole distance was at the foot of the hill and beneath the ramparts. On approaching Palace gate the cannon began to play, and all the bells of the city were ringing. The troops ran in single file, holding down their heads on account of the storm, and covering their guns with their coats; and for several hundred feet there were insulated buildings, in the interstices of which they received a fire of musketry from the ramparts above them, and some brave men fell. The snow being deep, it was soon found necessary to abandon the field piece. There being no path, and the way dark and intricate among stores, houses, boats, and wharves, the main body was led wrong. But the advanced party with Morgan's company, soon reached the first barrier or battery, and commenced the attack. Here Arnold was wounded in the leg by a musket ball, which shattered the bone, and supported by Mr. Spring and Mr. Ogden returned to the general hospital, the distance of upwards of a mile, urging the troops forward as he met them. The battery was west of the angle of the town, in a street called *Sault au Matelot*, or Sailor's Leap, and not Saint des Matelots, as Marshall has it, so called from a high, overhanging rock; and consisted of two twelve-pounders. Morgan's men rushed up to the port-holes or embrasures, and firing into them, and mounting the barricade by ladders, soon carried the battery and made prisoners of the captain and most of the guard of thirty men. The

enemy had discharged only one of their cannon ; and only one or two men were lost on each side. After a delay at this point of half an hour, waiting for the troops to come up, Col. Green now in command, marched about daylight to the second barrier, which was just around the angle of the town. An heroic attack was made upon it, but in vain, for within there was a double row of bayonets ready to destroy every one, who should throw himself by means of a ladder over the barrier, and the fire was warm and fatal, not only from the port-holes, but also from the high stone houses on each side of the street. There was also a cannon on a height or platform twenty yards within the barrier and overtopping it, which poured grape shot upon the assailants. Under these circumstances, and the whole force of the enemy, since the fall of Montgomery, being now brought to this point, it was found necessary for the troops to enter the nearest houses, from which the attack was continued.

In the mean while Capt. Dearborn and his company, who had been quartered on the north side of the river St. Charles, in endeavoring to join the main body, were captured by a party of two hundred men, under Capt. Law, who made a sortie with cannon from Palace gate. Some valuable officers had now fallen, and it was very obvious, that the barrier could not be carried. Lieut. Humphreys was killed in the street, as was also Lieut. Cooper of Connecticut. Captain Hendricks, in a stone house, as he was aiming his rifle, was shot through the heart. Capt. Lamb had a part of his face shot away. Steele lost three of his fingers. Despairing of success Morgan with Lieut. Heth returned to the first barrier, and on consultation with Majors Bigelow and Meigs an immediate retreat was determined on. But Heth, who was sent to draw the troops from the houses, could induce only a part of them to venture into the street, exposed as they must be, until they turned the angle of the street, to the dreadful fire of the battery. All the Indians and Canadians, excepting Natanis and another, had made their escape across the ice of the bay two miles. The retreat from the first barrier would have been chiefly under the walls of the town, exposed to the fire of the enemy for a quarter of a mile ; besides the obstacle presented by Capt. Law and his party in front. In these circumstances,

after firing from half-after five o'clock, until ten o'clock, the troops surrendered as prisoners of war, at about ten.

Arnold in one of his letters says, that about three hundred were taken prisoners, and as near as he could judge about sixty killed and wounded. Marshall says the loss was about four hundred, of which three hundred and forty were prisoners. Carleton says the rebels lost six or seven hundred men and forty or fifty officers, while his loss was only one lieutenant and seventeen men. Notwithstanding this loss of about four hundred men, it appears from a letter of Arnold, written a few days afterward, that there remained under him an army of seven hundred men, which enabled him to continue the blockade until he was reinforced.

Besides those already mentioned, Capt. Hubbard, Lieut. Tisdale, and Brigade Major Ogden, were also wounded. Of the prisoners, the officers were confined in the Seminary, and the soldiers in the Jesuit's college or Recollets, and were treated by Carleton with a humanity, very honorable to his character. In one of his letters he says, that March 31st, 1776, he discovered a plot of the prisoners to escape after seizing the guard at St. John's gate, and let in Arnold. Of this plot, Mr. Henry, who was engaged in it, gives a minute account. The prisoners had been removed to the Dauphin jail, an old French building about three hundred yards from St. John's gate. Their ingenuity soon supplied them with arms; for peeping through the key-hole of the door of a small room at the stair-head, they perceived large iron hoops. Of these, by forcing the door, a large number was obtained, as well as a quantity of iron of different shapes. Rough, stout swords, with wooden handles, were made, and spear-heads were fashioned and affixed to splits of fir plank, about ten feet in length, which had formed the bottoms of the lowest berths. The proposed method of escape was by removing the bars of their windows and by the cellar door, which opened inwards, and the hinges and padlock of which were inside, and within their reach. Joseph Aston, of Lamb's company, afterwards a major, was chosen commander-in-chief of the prisoners, McKoy and others were colonels, Boyd, Henry, and others were majors, captains, &c. Getting into the street, one party was to attack the guard-house near the jail, and another

party of one hundred and fifty men were to attack the guard of thirty or forty men at St. John's gate; the jail and buildings near, were to be set on fire the same time by way of signal to Arnold, who had been made acquainted with the project by Martin, a prisoner, who in a storm of snow, had clambered over the wall of the prison and escaped the sentries, and threw himself from the wall of the city southerly of St. John's gate. If the guard should be overcome at St. John's gate, the cannon were to be turned upon the city. As some matches might be necessary in that event, and there would be occasion for powder, it was procured in the following ingenious way. Some small gun carriages were made, mounted with *paper* cannon, a few inches in length. Embrasures were cut with a knife in the front board of the berths on opposite sides of the room; and two parties were formed for the pigmy contest. The blaze and report, as loud as small pistols, created much merriment. For this sport many cartridges were obtained, most of which were carefully laid aside for other purposes. Some money was also obtained, from charitable nuns, who visited the prison; but obtained in a method remarkable rather for ingenuity than fairness or propriety, but it was thought, that all artifices were allowable, especially, as life was to be hazarded for liberty. Once a nun was seen approaching; when Doctor Gibson, who had studied physic at Cornish, and who afterwards died at Valley Forge, in the winter of 1778, a young man of ruddy cheeks and with a beautiful head of hair, was hurried into a bed, to play the part of a man sick with a high fever. The nun being introduced, crossed herself, whispered an Ave Maria or Pater Noster, and poured the contents of her purse, twenty-four coppers, into the hand of the patient. The money procured powder, and the manner of obtaining it occasioned some merriment to cheer the gloom of a prison.

Every thing being prepared and arranged by the council of war, the moment of executing the long meditated plan was fixed. A spring of water in the cellar, which furnished the supply of water to the prisoners, had accumulated a considerable quantity of ice at the foot of the door, which was to be the sally-port. Immediately after the locking up, sixteen men with long knives

were to descend into the cellar, and pare away the ice in a silent manner. But it was not the will of Providence, that the perilous attempt should be made. The scheme was exploded, as greater schemes have been by thoughtlessness and imprudence. Two young men without authority from the council, descended into the cellar, and began to pick the ice, not with knives, but with hatchets. They were overheard by the sentry; the guard was immediately doubled; and the well digested plan was defeated in a moment. This happened, as appears by Carleton's letter, March 31. The next morning an inquiry was made into the affair, and nothing would have been discovered but the attempt in the cellar, when as Major Murray was leaving the room, a prisoner, an Englishman who had deserted from the British at Boston and joined Arnold, rushed by him to escape the vengeance of his companions, saying to him, that "he had something to disclose." The traitor revealed the whole plan; in consequence of which, there soon arrived several cart-loads of irons, such as bilboes, foot-hobbles, and hand-cuffs, and instead of finding themselves in the enjoyment of the sweets of liberty, the poor wretches found themselves in chains. The bilboes were long bars of iron, to which ten men were fastened by the feet. In a few days many were able to extricate themselves from their irons by saws made from knives, and in other ways. They suffered miserably from the scurvey, and from a diarrhœa, occasioned by the water. It was not before the month of May, after the arrival of reinforcements to the British and the retreat of the American army, that the irons were struck off.

As Carleton was about to proceed up the St. Lawrence to drive the Americans from Canada, his prisoners were sent home on parole in August, and were afterwards exchanged. The parole, signed by Henry, was as follows: "We whose names are hereunder written do solemnly promise and engage to his excellency, General Carleton, not to say or do any thing against his Majesty's person or government; and to repair wherever required so to do by his excellency, or any of his Majesty's commanders in chief in America doth please to direct; in testimony of which we have hereunto set our hands this day at Quebec, August 7th, 1776." The prisoners were embarked on board of

five transports, convoyed by the Pearl frigate; in the number of them was Gen. William Thompson, who had been taken at Three Rivers. On the 11th of September they anchored near Governor's island, New York. After being detained some time, they were landed in boats at Elizabethtown point; it was ten or eleven o'clock at night, the moon shining beautifully, when Morgan, standing in the bow of the boat as it approached the land, sprang upon the shore, and throwing himself upon the ground as if to embrace it, cried out, "Oh, my Country!" Indeed they were all delirious with gladness, for the night was passed in singing, dancing, the Indian halloo, and every wild expression of joy. Henry, with the late Col. Frebecer, or Febiger, and Gen. Nichols, soon reached Philadelphia, and was restored to the arms of his parents.

Major Meigs and Captain Dearborn had been permitted to return on parole in the month of May. They were sent to Halifax in the frigate Niger, and there were put on board another ship, in which they cruised thirty days experiencing the grossest insults, before they were landed in Penobscot bay. Thence they proceeded to Portland by land, and were exchanged in March, 1777.

Of some of the men, engaged in this attack upon Quebec, a short account may be interesting to the reader.

RICHARD MONTGOMERY was born in the north of Ireland in 1737, and possessed a fine genius, which was matured by a good education. He fought under Wolfe at Quebec, in 1759. In 1772, after his return to England, he left his regiment, and from his attachment to America, emigrated to the Hudson river, a hundred miles above the city of New York. At the commencement of the revolutionary war he offered his services to our country. The sickness of Gen. Schuyler gave him the chief command of the northern army in October, 1775. He captured St. Johns, November 3d, and took Montreal on the 12th. Of his subsequent operations an account has been given. He was shot through both his thighs and his head. Carleton, who had been his fellow soldier in the war with the French, buried him honorably. The coffin was covered with a pall, surmounted by transverse swords, and was followed by British troops, particu-

larly the 7th Regiment, with reversed arms and scarfs on the left elbow. The other officers were buried in a very proper manner. He was tall and slender, of an easy, graceful, and manly address, with a handsome countenance, although it was much marked by the small pox. He had the confidence, esteem, and love of the whole army. When he addressed his troops, he spoke with elegance and energy and transfused his own heroic spirit into the hearts of his men.

In consequence of an act of the legislature of New York, his remains were taken up by his nephew, Col. L. Livingston, in June, 1818, and conveyed to New York, where they were again entombed with the highest honors. His widow was then alive. The following inscription was on his coffin: "The State of New York, in honor of Gen. Richard Montgomery, who fell gloriously fighting for the Independence and Liberty of the United States before the walls of Quebec, the 31st day of December, 1775, caused these remains of this distinguished hero to be conveyed from Quebec and deposited, on the 8th of July, in St. Paul's church, in the city of New York, near the monument erected to his memory by the United States."

By the direction of Congress, a monument of white marble of the most beautiful simplicity, with emblematical devices, was executed by Mr. Cassiers at Paris, and it is erected to his memory in front of St. Paul's church, New York.

Of ARNOLD, who was next in command to Montgomery, every one knows, that he proved a traitor to his country, and fled from West Point to the enemy at New York in September, 1780. Although a brave man, yet he was destitute of some of the qualifications of a good commander, and was lost to the influence of moral principle. In Canada he was accused of plundering the inhabitants. In Philadelphia he was accused of peculation and various acts of extortion, and was reprimanded in 1779 by the decision of a court martial. He died in London, June 14th, 1801. Mr. Henry describes him as a short, handsome man, of a florid complexion, stoutly made, as complaisant, and possessed of great powers of persuasion, but sordidly avaricious.

Col. GREEN was advanced in years, yet he had the ardor of youth, and afterwards did service to his country at Redbank, on

the Delaware, in the autumn of 1777, in repelling the attack of Count Donop, who was killed. Col. Green was cut to pieces by horseman's sabers at an outpost, called Pine's Bridge, near the Hudson river, in the spring of 1780.

MORGAN, who was eminent during the whole revolutionary war, was of a large person, strong, of rough and severe manners. At the beginning of the expedition he claimed for the rifle officers to be independent of all the superior officers except Arnold; but Washington corrected the evil. Morgan was of an impetuous temper; his passions were easily excited, but they were also soon cooled, and he was prudent in war, while totally fearless of danger. The severity of his discipline was sometimes great, although perhaps necessary. On entering the wilderness he prohibited firing. Soon afterwards a gun was discharged in the woods. Having reason to suspect a man, who returned to camp, he accused him of the offence, and on his denial, seized a billet of wood and threatened to knock him down, unless he confessed. The man escaped by the interference of another officer.

Of Captain HENRY DEARBORN, afterwards Major General Dearborn, deceased within a few years past, a detailed account, it is understood, has been prepared by his son, Gen. Dearborn of Roxbury.

JOHN JOSEPH HENRY was 17 years old the day he crossed the river De Loup, and reached the first house in Canada. He was the son of Wm. Henry, Esq., of Lancaster, Pa. At the age of fourteen he was an apprentice to his uncle, a gun-smith, and probably acquired some skill, which was useful to him in prison. He accompanied his uncle to Detroit, and on his return on foot through the wilderness, his guide perished, and he himself was obliged to subsist on acorns before he reached the Ohio. After his expedition to Quebec, Morgan procured for him the appointment of captain in the Virginia line; but a slight cold, occasioning the return of the scurvy, put an end to his military career. A contusion on his knee, occasioned by a fall on the ice in the battle of Quebec, as he was running towards the first barrier, became a dangerous wound. He had run against a cable fastening a vessel to the shore, and was thrown down a declivity ten feet. He was confined to his bed, and a lameness ever remained

with him. Having studied law under Stephen Chambers, Esq. whose youngest sister he married, he practiced law from the year 1785, until December, 1793, when he was appointed by Gov. Mitlin, to the office of President of the second judicial district of Pennsylvania. He held this office seventeen years, although the gout and other disorders often interrupted his duties during the last seven years. Under the long years of his bodily sufferings his mind reverted with delight to the adventurous scenes of his youth, and he drew up for his children an account of the expedition against Quebec. His infirmities at last induced him to resign his office, and in four months afterwards, about the year 1810, at his residence in Paxton, Dauphin county, died at the age of 52 years. At the close of his account he expresses a wish which it is afflicting to read, that his sufferings in his sickness, immediately after his return from Quebec, had ended a life, which afterwards was a tissue of labor, pain, and misery. Calamity is indeed the lot of man; and Judge Henry had an unusual share of suffering. It might have gladdened the hearts of other sufferers, if his narrative had rather closed with the expression of his hope, founded upon the religion of Jesus Christ, which he believed and vindicated, that he should soon be translated to a world, in which pain and misery are unknown.

THOMAS BOYD, Henry's companion in the exploring party, and in imprisonment, and the largest and strongest man in his company, was in 1789, the captain of a company of riflemen of the first Pennsylvania regiment. Under Gen. Sullivan he penetrated into the western part of the State of New York in the expedition against the Indians of the Six Nations in the Seneca country, or country south of Seneca lake. He was sent in the night of September 12th from the camp, near a lake called Conesus with twenty soldiers, five volunteers, and an Oneida Indian chief, named Han-Jost, directed by Sullivan to reconnoiter an Indian town, supposed to be six miles distant. This party fell into an ambuscade the next day, and were all killed but three or four, who escaped. Boyd and Han-Jost and Michael Parker were taken and carried to the Indian town, or Genesee castle, and there tortured and put to death. On the 14th, the army arrived at the town or castle. Boyd's head was found separated from the

body and scalped, right eye taken out, and also his tongue. His right foot from the ball of the heel to the toes was cut open. His bowels had been taken out, and a long knife was sticking in deep between his shoulders. General Simpson, his companion in the wilderness of Maine, with Captain Thomas Campbell, decently buried him on the 14th of September. His scalp, hooped and painted, found in one of the wigwams, was recognized by General Simpson by its long, brown, silky hair; and the dreadful relic was still preserved when Henry wrote his narrative.

## APPENDIX.

### No. I.

#### C L E E V E S    v s .    W I N T E R .

*From the Record of a Court held at Saco in 1640.*

THE plaintiffe declareth that for ten years last past or thereabouts he was lawfully seized and in peaceable possession of a certain tract of land lyeing within this province, knowne by the name of Spurwink the wch. lot of land of two thousand acres the plaint. held as his owne inheritance by virtue of a pmise made unto him by you Sr. Ferdinando Gorges, being then one of the Pattentees unto whom with the rest of the Pattentees was assigned all the land in New England betweene forty and forty-eight degrees of north latitude, with the government thereof—wch. pmise I was made unto me for my encouragement before my coming into this country in any place unpossessed, as is to you well knowne.

The plaint. further declareth that aboute the time aforesaid he joyneing himself in p'tenership<sup>2</sup> with Richard Tucker then of Spurwink, who had also a right of inheritance there, the wch. he bought and purchased for a valueable consideration of Richard Bradshaw, who was formerlie settled there by Capt. Walter Neale by virtue of a commission to him given by some of the lords Pattentees, and soe as appeareth the said Richard Tucker was lawfully possessed of a right of inheritance at and in the said Spurwink.\*

Alsoe the plaint. further declareth that he joyneing his right by pmise and possession with his pt'ner's right of purchase and possession, and soe being accountable to his said pt'ner, they both agreed to joyne their rights together, and there to build, plante and continue: wch. when the plaint. had done and was there settled for two years or thereabouts, this defendt. Jno. Winter came and pretended an interest there by virtue of a succeeding pattent surruptiouslie obtained, and soe by force of armes expelled and thrust away the plaint. from his house, lands and goods; all wch. the said defendt. to this day unjustly and unlawfully detaineth and keepeth contrarie to equitie and justice for wch. wrongs and injuries the plaint. in this Courte commenceth his action of trespass upon the case for the trover, and demandeth for his damage two hundred pounds sterling—for all wch. the plaint. of this Courte humbly desireth, and in his Mat'ties<sup>3</sup> name requireth a legal proceeding according to his Mat'ties lawes.

The defendt. John Winter cometh into this Courte and saith that he defendeth all the wrongs, injuries and damage where and when he ought—first he answareth and saith that the plaint. was never lawfully seised and possessed of two thousand acres of land knowne by the name of Spurwink, nor any pte or pcell t thereof as his owne inheritance by any lawfull grant from Sr. Ferdinando Gorges (in manner and form as the plaint. declareth) for the plaint. declaring a pmise to him made by Sr. Ferdinando Gorges nether showeth herein the year, day

1 Promise.

2 Partnership.

3 Majesties.

4 Part nor parcell.

\*[Bradshaw's patent was dated November, 1631, the same day with Thomas Cummock's of Black Point.]

nor place where and when this pmise was made, nor any consideration, wch. the plaint. ought here to have declared, for by the law no man can have action lye against another upon a bare pmise, wch. said pmise the said Sr. Ferdinando Gorges doth utterly deny. And whereas the plaint. deklareth that Richard Tucker had also a right of inheritance at Spurwink aforesaid by purchase from Richard Bradshay, who was formerly settled there by Capt. Walter Neale by virtue of a commission to him given by some of the lords pattentees, and that the plaint. joyned his right wth. the right of the said Rich. Tucker his ptener there to build, plant and continue. To this the defendt. answeareth that Capt. Walter Neale had then no power from anie of the Lords pattentees to dispose of any land within this province but only in Pascattaqua. And the defendt. in answeare to the plaint. further saith that the President and Councell of New-England by their deed indented bearing date the First day of December, 1631, for the considerations therein expressed, did give, grant, allott, assigne, and confirme unto Robert Trelawny and Moses Goodyear of Plimouth, marchants, their heires, associates and assignes for ever, all those lands and hereditaments with appurtances, situate, lyeinge and being alonge the sea coast eastward betweene the land formerly granted to Capt. Tho. Cammock his heires, associatts and assignes and the bay and river of Cascoe, extending and to be extended northwards into the Mayne land soe farr as the limitts and bounds of the land granted to the said Capt. Tho. Cammock as aforesaid—doe or ought to extend towards the north, wth all and singular the pmisses<sup>1</sup> with appurtances as by the said deede indented more at large it doth and may appeare—the said deede writinge being under the hands of the Right honorable Robert Earle of Warwick, Edward Lord Gorges, and Sr. Ferdinando Gorges, knight, in the behalfe of the whole Councell; now this defendt. being an associatt to the aforesaid Robert Trelawny and Principall agent for him in those partes, upon receiveing a coppie of the aforesaid deed indented wth orders for the takeing and receiveing livery and possession of the said land and pmisses, did forthwith repaire to Capt. Walter Neale, Henry Joselin, Leiffenant, and Richard Vines, gent. who were authorised and appointed by the said President and Councell to be their lawfull attorneyes or attorney, they or any of them to deliver full and peaceable posession of the pmisses, or some pte in the name of the whole, to the said Robt Trelawny and Moses Goodyear, or to their certaine attorney or attorneyes. Whereupon the aforesaid Richard Vines on the 21th day of July, 1632, and likewise againe on the 30th day of the same month, did give livery and posession of pte of the pmisses in the name of the whole unto the defendt for the use of the aforesaid Robert Trelawny and Moses Goodyear according to law and the true intent and meaning of the aforesaid deed. After this that the defendt was lawfully seised of all the land mentioned in the aforesaid deed, and finding the plaint unlawfully settled at Spurwink aforesaid upon pte of the aforesaid land granted to the said Robert Trelawny and Moses Gooryear their heires, associatts, and assignes by the aforesaid president and Councell for New-England and Sr Ferdinando Gorges, knight, did in a friendly manner (without force) warne the said plaint. to leave the posession of the said land at Spurwink showing him withall the contents of the aforesaid deed (and withall by order from the said Robt Trelawny did proffer the plaint. that if he pleased to become a tenant to the said Robt Trelawny on such conditions as the defendt pponnded that he might still remayne there in some other pte of his land and enjoy the same accordingly, wch. the plaint then refused to accept of but still continued his unlawfull clayme by virtue of a prmise from Sr Ferdinando Gorges. And hereupon the defendt repaired to Capt. Walter Neale then Governor of those ptes, and required justice of him for the removeinge of the plaint out of the aforesaid posession, and to give the defendt livery and posession thereof according to the aforesaid deed, whereupon the said Capt. Walter Neale required the plaint. to yeeld up the said posession, affirming that he had no right to that land. But soone after the plaintiff left his said possession to the defendt. And this the defendt is ready to affirme, and for the residue of the difference he humbly accepteth the power of the Courte to heare and determine their pleas of this matter, and so putteth himselfe upon the country.

<sup>1</sup> Premises.

The plaint, and defendt. hereupon joyne issue and put themselves upon the trial of a Jury, viz.

- |                          |                     |
|--------------------------|---------------------|
| 1. Richard Foxill, gent. | 7. Jno. Smith       |
| 2. Mr. Tho. Page         | 8. Jno. Baker       |
| 3. Mr. Francis Robinson  | 9. Arnold Allin     |
| 4. Mr. Willm. Cole       | 10. Willm. Scadlock |
| 5. Mr. Tho. Williams     | 11. Henry Warwick   |
| 6. Jno. West             | 12. Jno. Wadly      |

The Jury find for the plaint the house and land enclosed containing foure acres or thereabouts joyning wth the said house, and give him eighty pounds for damage, and twelve shillings and six pence for the cost of the Courte.

Judgement is given upon this verdict by the worsp<sup>ll</sup> Tho. Gorges, Henry Joselin, Richard Bonython and Edward Godfrey, and execution by them awarded. Mr. Rich. Vines refused to give judgment on this verdict.

## No. II.

### PETITION OF ROBERT JORDAN IN 1648, AND THE PROCEEDINGS THEREON.

To the right honoured Alexander Rigby, President, Mr. George Cleave, Deputy President, together with the whole body of the general Assembly of the Province of Lygonia assembled this 12th day of September, 1648.—Your Petitioner, sheweth.

Whereas he hath by the order of the authority here estated, endeavoured to the utmost to accomplish the last Testament of Mr. John Winter, deceased, for the satisfying of whose legacies he hath emptied himself of his proper estate, the mostness of which the said Mr. John Winter his estate lieth in the hands of the executors of Mr. Robert Trelawny, and hath been by them detained for these many years, notwithstanding the deceased John Winter did in his life time press them for an accompt, as likewise hath your Petitioner by divers swasive letters and the mediation of friends addressed unto them, for the pass of accompts and rectifying of former proceeds the distance of place allowing him no other means to that end: yet still he is left without hope of any timous recovery of the said estate; neither can he so much as receive a letter from them, but is made to know that their Intentions in appearance are to deprive your Petitioner of what he hath in his hands, in common employment with them, and so to forbear all satisfaction of dues, until the heir of the said Trelawny (being now about seven or eight years old) shall come to full age, which will tend to the destruction of your Petitioner and his whole family, as also to the prejudice of this growing Commonwealth; your Petitioner being desirous, if he could obtain his rights, to employ his estate to the furtherance of public good, from which he is now disenabled.—Your Petitioner, therefore, humbly craveth your serious consideration of this his desperate condition and that in your wisdoms you would either by yourselves or a committee by you appointed, take an examination of the accompts betwixt them and upon the invent thereof that you would in your care provide, that your Petitioner may have secured and sequestered unto himself and for his singular use, what he hath of the said Trelawny in his hands, or at least so much as you shall find due from him to your Petitioner. It being but a case of common equity, that whereas you by law having engaged your Petitioner to satisfie debts and bequeathments, you should likewise see to the safeguard, and procure the dutys that should make the same satisfaction for which legal favour your blessedness shall be prayed for by your Petitioner, Robert Jordan.

September 14th, 1648. This Petition is granted by this assembly and referred to a committee of this house, viz. Mr. George Cleave, Mr. Wm. Royall, Mr. Richard Foxwell, Mr. Hene: Watts,

to be satt on ye tenth day of October next, at Richman's Island, to make Report of the state of the thing petitioned for, to this Court, at the next Sessions, under the hand of the clerk of this Assembly, Peyton Cooke.

Taken out of the original—examined and recorded this 14th August, '58. Pr. Edw : Rishworth, Re: Cor.

A true copy from the Records of Deeds for York County, Maine, the first book, pages 57 and 58.

The Report of us Commissrs. for the business of the Plantation at Richmond's Island, as it was taken by order, the tenth day of October, and is delivered to the General Assembly, this 16th December, 1648.

1. We find by an instrument bearing date the 26th of March, 1636, under Mr. Robert Trelawny's hand, that the full government of the plantation was by him wholly committed to Mr. John Winter.

2. We find Mr. John Winter then had one tenth part of the patent Mr. Trelawny then had or thereafter should have and that Mr. John Winter then had the tenth part of all things on the plantation and ought to have the tenth part of all the profits that should thence arise.

3. We find that Mr. John Winter had then paid his part for what had been disbursed, and was to pay from time to time, his tenth part of what should be disbursed.

4. We find that Mr. John Winter was to have out of the general forty pounds pr. annum in money and a share for his personal care and charge.

5. We find that the whole disposing of all things was committed to Mr John Winter, which Mr. Robert Trelawny promiseth to approve of.

6. We find that Mr. Robert Trelawny acknowledgeth to have remaining in his hands one hundred and twenty pounds of Mr. John Winter's toward the payment of his one tenth part of his disbursments, on the ship Agnis and one other ship to be sent on Michaelmas following.

7. We find that Mr. Robert Trelawny promiseth to manage the business in England for the advantage of Mr. John Winter, as for his own advantage in all things.

8. We find by an accompt under the hand of Mr. Robert Trelawny, bearing date the 17th of March, 1639, that Mr. John Winter left in Mr. Robert Trelawny his hand 120 pounds as abovesaid, the profit of which said sum from the 26th day of March, to that time, being three years, did arise to the sum of one hundred twenty and five pounds 17s. 9d. so the total due to Mr. John Winter at that time was £245. 17s. 9d. out of which sum Mr. Robert Trelawny doth deduct sixty-seven pounds seven shillings and eleven pence for such sums he had in the said interim disbursed for Mr. Winter his particular accompt, so Mr. Robert Trelawny doth acknowledge there was due then unto Mr. Winter for balance of accompts for all things in return £178. 9s. 10d. £178. 9s. 10d.

9. We find by a book of accompts left by Mr. John Winter under his hand, from the year 1636, to the last of June, 1639, due unto him for wages and shares for himself and servants £178. 9s. 9 1-4d. of which his tenth is £17. 16s. 11d. so his due is £160. 12s. 10 1-4d.

10. We find from the 24th of May, '36 to the 5th of June '39, Mr. Winter did disburse for the plantation servants £4. 9s. 10d. his tenth part is nine shillings, so his due resting is, £4. 0s. 10d. so the total due to Mr. John Winter in March, 1639, is £343. 3s. 6 1-4d. which said sum, according to the improvement formerly allowed by Mr. Robert Trelawny, doth and will amount from the 17th of March, 1639, to the 17th of March, 1648, to above the sum of £1393. 12s. 0d. £1393. 12s. 0d.

A Report of further proceeds to be added to the former—

1. We find by letters, under the hand of Mr. Robert Trelawny, on the 20th of July, 1639, the barke Richmond about thirty tons, improved likewise in the years aforesaid, was sent by Mr. John Winter for England loaden with six thousand of pipe staves, which cost here £08. 08s 0d. per thousand, of which staves Mr. John Winter's one tenth part is £6. 14s 3 1-2d. and according to former improvement, doth amount unto above £26. 17s. 0d.

2. We find that the 1-10 part of the sd bark and the profit by her employment doth appertain to Mr. John Winter ever since her arrival in England, September, 1639, having been ever

since solely employed by Mr. R. Trelawny, which 1-10 we estimate for her Hull, rigging, and provision at £20, and according to improvement allowed by Mr. Trelawny in former years is above £30.

3. We find by a book of acps from 1640 to the 10th of June '41 due to Mr. John Winter £117. 12s. 2d. whereof his 1-10 part is £11. 15s. 4d. so his principal is £105. 16s. 10 1-2d. and according to allowance June 10th, 1648, ariseth to above £320.

4. We find by a book of acps from 1641 to the last of May 1642 due to Mr. John Winter the sum of £96. 14s. 1d. whereof his 1-10 part is £9. 13s. 0d. so his due is £87. 1s. which May last 1648 doth arise to above £176.

5. We find by the same book due to Mr. J. Winter for the supply of the ship *Hercules* £47. 12s. 9d. which according to former allowance in May 1648 doth arise to above £142. 16.

6. We find a certain quantity of goods delivered by John Winter from the plantation amounting to £63. 10s. 2d. whereof his 1-10 is £6. 13s. and according to allowance is £19. 19s.

7. We find by a book of acpts to the last of May 1643 Mr. J. Winter Dr. £31. 6s. 2d. of which 1-10 is £3. 2s. 8d. so is due to the plantation £28. 3s. 6d. toward the payt. whereof we find disbursed by Mr. J. Winter £5. 15s. 10d. of which his 1-10 is 11s. 7d. so he hath paid £5. 4s. 4d. also we find certain goods delivered from the plantation of which Mr. Winter's 1-10 is £2. 3s. 1d. so having paid £7. 7s. 5d. he is still Dr. for that year £20. 16s. 1d.

8. We find by a book of acpts, to the last of May 1644 Mr. Winter Cr. the sum of £230. 19s. 6d. also for disbursements on the servants £2. 19s. 3d. so the whole is £233. 18s. 9d.—(9.) We find Mr. Winter Dr. the same year £76. 17s. of which his 1-10 is £7. 13s. 8d. so is due to the plantation £69. 3s. (10.) We find that Mr. Winter is Dr. for the years 1644 and 45 the sum of £488. 10s. 7d. for which his 1-10 is £48. 17s. 8d. so there resteth £439. 18s 11d. (11.) We find Mr. Winter is Cr. in the same book £409. 11s. 8. of which his 1-10 is £40. 19s. 1 1-2d. so there is due to Mr. Winter £360. 12s. 6 1-2. so on the balance of these years there is due to Mr. Winter the sum of £64 13s. 31-2d which according to former allowance from the last of May 1644 to the last of May 1648 did arise to above £150 17s. 8d. (12.) We find by a letter from Mr. John Trelawny one of the Ex'rs, that Mr. Robert Trelawny gave to Mr. J. Winter the sum of £12. in legacy, so the total since 1639 is £1393. 12s. 0d.

A report of what we find by letters that Mr. R. Trelawny hath disbursed for Mr. J. Winter on his own particular acp. 1. We find by an invoice Mr. Trelawny disbursed £25. 5s. 0d. in the year 1642 and is according to allowance £72. 6s. 0d. (2.) We find by letters £3. paid to Mary Hooper by his order 1643 and is £8. (3) We find £15. pd by letters to Mary Hooper 1644 and is £35. (4.) We find by invoice sent by Mr. Trelawny his Ex'r in the year 1644 £16. 0s. 6d. Portugal money worse by £17. in the hundred than our English and according to allowance may be about £34. (5.) A bill of Exch. pd. by Mr. John Holland £10. and is by allowance about £20.

According to this Report Mr. John Winter is Cr. £2322. 1s. 8d.

and “ “ “ “ Dr. 168. 5s.

£2153. 16s. 0d. remaining.

A Report of what we find Mr. Trelawny hath had sent unto him by Mr. J. Winter since the year 1639. (1.) We find Mr. J. Winter hath sent unto him in several ships in fish merchantable and refuse 3656 1-2 quint. 2nd of Core fish 38 1-2 quint. Train Oil 11 bhds. fish peas 28 1-2 which fish peas and train according to price here cannot amount to less than £2292.—Also we find he hath had Mr. Winter's 1-10 of the bark *Richmond* ever since her departure in 1639, also he hath reed the whole voyage made by the *Hercules* in 1641.—Also he hath reed the whole voyage made by the *Margery* in 1642, also he hath reed the whole voyage made by the ship *Hercules* in 1643. Also he hath had the whole employment of the ship *Richmond* and reed to himself all her several voyages in all which Mr. J. Winter ought to have his part according to his interest, but hath not reed. Besides his other adventures which his stock of money in Mr. Trelawny's hand, would and haply did carry on to profit, at least wise Mr. Trelawny did engage to turn all to advantage as for himself; also we find there is due to Mr. John Winter the 1-10 part of the ship *Richmond*, which in the former acp. is not valued because not belonging to the petitioner only her employment from 1641 to 1645 belongeth to

the petitioner and is to be added to the above acp. as in discretion it may be valued. We also find that by letters Mr. Winter desired a pass of acps. but it doth not appear that any hath been sent only a promise from Mr. John Trelawny that they shall be sent when the peace of England is settled.

The acp. of Robert Jordan since his attorneyship deputed by J. Winter May 20 1645.

The plantation Cr. from 1645 to June 1, 1646 £241. 18s. 10d. whereof the 1-10 is £24. 3s. 11d. so there resteth £217. 14s. 11d. The plantation Cr. from 1645, to Oct. 1, 1648, £924. 3s. 8d. 1-10. whereof is 92. 8. 4 1-2. so there rests £832. 15. 3 1-2. The plantation Cr. for goods sent on particular acp. £192. 4. 5. The plantation Cr. for goods in general £60. 3. whereof 1-10 is £6. 3. 0 1-2. The plantation Cr. for pd. by bill of Exch. £30. £1278. 17. 8.

Contra Debitor. From 1645 to June 1646, £248. 18. 8. 1-10 is £24. 18. so there is resting £224 0. 0. 1646 to Oct. 10, 1648 plantation Dr. £1152. 9. 3. of which 1-10th is £115. 4. 11 1-4. so there rests 1037 4. 3 3-4. In 1645 I sent to Bilboa on the plantation acp. 140 quint. merchantable fish, my 1-10th being 14 quint. £14.—total Dr. 1275. 4. 3 1-2. so it appears I remain Dr. to the Plantation £3. 13. 4. 1-4. which you shall find added to the inventory.—This writing was attested to by the oaths of George Cleeve and Henry Watts, July 16, 1658, before us Saml. Symonds, Thos. Wiggins, Nich. Shapleigh, Ed. Rishworth.

*Inventory of the property belonging to Trelawny's plantation.*

A true inventory of all the goods cattle and chattels that now are on the plantation at Richmond island and Spurwink in joint ownership between Mr. Robert Trelawny merchant, deed and Mr. John Winter deed, taken by com'n this 10th Oct. A. D. 1648 and by us approved according to our knowledge and conscience.

*Imp.* The land is left in suspense for want of appearance of any right Mr. Trelawny hath in it, only the court to adjudge how long the petitioner shall retain the possession.

To the housing and several buildings on the island and at Spurwink we value to be worth £80. "3 boats in use with their moorings and appurt. £28. "2 old boats out of use at £2. "3 pieces of ordnance with a small number of shot, their sponges worm and ladles £50. "4 muskets, 3 halberts, 5 long pikes, 3 old fowling pieces out of all order and "4 old swords £3. 10. 1 murderer and two chambers £1. 10. "The ministers bedding, the communion vessels, one cushion, one table cloth, 1 1-2 pint pot £4. 1 old skiff, 1 old canoe £1. The stage with a quantity of old eask £10. 6. 1 old adze with 3 old axes 5s. 6 old hoes 1 old drawing knife 2s. 6 doz hooks at 16s. 5 doz lines at £7 3 lbs. twine 4s. 6d. 1 doz and 4 Newfoundland lines £1. 6 lb. match £1. 0. 6. 2 whip saws 1 thwart saw, 1 old thwart saw 11s.

1 old drum,		5s.	
4 beetle rings, 5 iron wedges, 1 old Fins hook,		8	
2 bill hooks, 7 reap hooks whole and broken,		10	
3 balls 2 iron bars, 1 of them broken,		10	
2 grinding stones, 1 trowell,		5 6d.	
1 old pick ax, 1 tining lanthorn, 3 pieces of lanthorn,		3 6	
2 pitch forks for hay,		1 6	
2 shovels and 1 spade,		10	
1 old mill out of all use,		£1	
1 old bozier, at		1	
1 brewing kettle, 1 old kettle, 1 French kettle, 1 iron			
kettle, and two iron pots, 1 pitch pot,	£6	—	£201. 1s.
		£. s. d.	
2 trifoots, 2 iron pothangers, 1 pair of pot hooks,		0 15 0	
1 old chamber pot, 2 tin platters, 1 tin basin, and 1 qt. pot,		0 6 6	
1 water bucket and a cowl,		0 2 6	
1 pair of tongs, 5 milk pails, 1 water bucket, 2 bowls, 3			
wooden platters, 1 churn and 12 milk pans,		1 4 6	
5 chests, 25 lbs. Lead, 1 pr steelyards, 1 pr scales, 3 coulter and 4			
shares out of use		2 19 0	

2 old wheelbarrows, 16 white hats moth eaten, 1 old flagg, some small earthen ware and 40 lbs hoops	14	0	0
4 cows,	20	0	0
12 calves whereof one is since dead,	13	10	0
18 goats young and old,	4	10	0
about 20 bushels of meal,	4	10	0
4 hundred of 2s nails	0	8	0
a small quantity of musty peas	0	10	0
1-4 of cwt of bread	0	5	3
4 cwt of beef	4	10	0
21 cheeses	1	15	0
160 lbs of butter	4	0	0
1 seine and 2 old nets	4	10	0
7 pickaxes and 4 trows	0	18	0
6 old bags	0	6	0
22 ll-s soap	0	12	0
24 pigs on the island young and old	18	0	0
about 90 hds salt	65	10	0
2 bushels malt	0	10	0
about 30 lbs cannon powder	1	10	0
10 fishing leads	0	5	0
1 lock and key, 2 splitters and 5 gutters	0	9	6
	153	19	0

Goods at Spurwink to be added.

13 cows	64	0	0
6 yearlings	13	0	0
5 oxen for the yoke	40	0	0
1 bull	9	5	0
5 bullocks,	32	0	0
4 steers £20, 3 heifers 9	29	0	0
5 steers	20	0	0
16 pigs of two years and vantage	28	0	0
7 pigs of 1 year old	3	10	0
3 boars cut this spring,	2	10	0
2 sucking pigs	0	5	0
	232	10	0
to be further added 1 kettle	2	0	0
2 tubs, 5 milk pans, 2 cheese fats, 1 post and hanger, 1 hand saw, 1 pickax, 2 old boziers, 6 old scythes	1	4	0
1 largubus, 1 fowling piece, a quantity of old iron, pr. of wheels	3	0	0
6 harrow tines, 2 plow chains, 1 dung pot, 6 yokes, 1 pot hanger, 1 old hoe, 2 wooden platters and 1 old lanthorne	1	4	6
	7	8	6
So the general total is	594	1	3
the tenth whereoff is	59	8	1 1-2
which being deducted there resteth to Mr. Trelawny and is at your disposal	534	13	1 1-2
the crop of corn, peas, barley and wheat which we estimate at	53	0	0
the 1-10 whereoff is	5	6	0
So the total is	582	7	0

An act added by Robt. Jordan since this inventory was taken the 10th Oct. 1648. Plantation is Cr.

due to the plantation 133 quint. of fish sold to Mr. Hill, but not yet paid	84	15	9
whereof the 1-10 is	8	9	6 1-2
so there rests due to Mr. Trelawny	72	10	5 1-2
2-3 of 2 hhds of train oil	3	10	0
2 1-2 hhds of mackerel	6	0	0
	82	0	5 1-2

An account added by Robt Jordan.

The plantation is Dr. for his charge 1-2 a year	20	0	0
for his ministry as by composition 1-2 a year	10	0	0
for his 1-10 part of train and mackerel	0	19	0
his share of mackerel and train	0	5	0
For his share of fish	5	0	0
For his wages to Roger Satterly	3	0	0
For his wages to Jerh Humphrey	1	10	0
277 lbs of beef spent since the account in attending on the fish before it was delivered	3	9	3
16 bushels of meal	3	4	0
3 goats	1	0	0
for 1-3 part of this year's portage,	20	0	0
whereof his 1-10 is £2			
for extraordinaries in shipping of men and entertaining the merchant	2	0	0
	69	15	3
the 1-10 £6 19 6 1-4 resting for Mr. Trelawny	62	15	8 3-5
Mr. Trelawny is Cr.	82	0	5 1-2
" " Dr.	62	4	8 1-2
Bal.	19	4	8 1-2
	582	7	1
The total is	601	11	9 1-4
By so much owing by me Robt. Jordan on former acct. as doth appear	3	13	4 1-4
	605	5	1 1-2

So the whole proper to Mr. Robt Trelawny according to valuation doth amount unto £605 5 1 1-2—whereas there is an error in the first of the acct. taken since the inventory it being defective £3 15 9 is here added as due to Mr. Trelawny.

Praised by us Geo. Cleeves, Wm. Ryall, Hen. Watts.

#### DECREE.

December 18, 1648. Whereas there was a petition presented to ye General Assembly of the province of Lygonia, holden in Casco Bay, the 12th day of September, in the year 1648, by Robert Jordan, gent. against the executors of Mr. Robert Trelawny, merchant deceased, for relief from said executors for a debt due unto Mr. Jno. Winter, decd. to whose last will the said petitioner standeth executor.

Upon the petition, the whole assembly referred the examination of the state of the cause unto a com'tee, of the said assembly, namely, to Georgo Cleeve, gent. deputy presidt, to Mr. William Royall, Mr. Henry Watts and Mr. Richard Foxwell, and upon the said Committee's report, in the General Assembly this present 18th day of December, 1648. It is ordered, that it shall be lawful for the said petitioner Robert Jordan, his heirs, execrs. admirs. and assignes, to

retain, occupy to his and their proper use and profit, to convert all the goods, lands, cattle and chattels belonging to Robt Trelawny, deed, within this province, from this day forward and forever, against any claim or demand whatsoever, by what party or parties soever, unless the execrs. of the sd. Robert Trelawny shall redeem and release them by the consent and allowance of the sd. Robert Jordan, his heirs, execrs. adminrs. and assigns—which sd. order is enacted for and towards the party's satisfaction of a debt due to the said Robert Jordan, and is in lieu and valuation of 609 0 10 1-2—six hundred and nine pounds 10 1-2d.—only ye remainder of this debt being left by us recoverable by any just course of law, according to conveniency.

Subscribed by

GEORGE CLEEVES, deputy president,  
WILLIAM ROYALL, HENRY WATTS,  
JOHN COSSONS ✕ his mark,  
PETER HILL, ✕ his mark ROBT. BOOTH.

Vera copia—pr. me, Peyton Cooke.

July 16, Anno Domini 1658—attested Before us Commissrs. of ye General Court of the Massachusetts Governmt. in New-England, since the change of the government by George Cleeves aforesaid, then deputy president, and Henry Watts, being taken upon their several oaths ye day and year last above written.

THO: WIGGIN, EDWD. RISHWORTH,  
SAMUEL SYMONDS, NICHOLAS SHAPLEIGH.

Vera copia taken out of the original, and examined this 20th day of August, 1658.

Pr. EDW. Rishworth, Ro. Cor.

### No. III.

#### COPY OF A JUDGMENT — CLEEVES *vs.* WINTER.

Saco in the Province of Mayne. . . . At a Court holden here the Eighth day of September 1640, before the Worshipfull Thomas Gorges, Richard Vines, Richard Bonython, Hen: Joselin and Edward Godfrey Esquires, Councillors of this Province.

The Declaration of Geo: Cleeves Gent. Plant. against Mr. Jno. Winter Defendt.

The Plt. Declareth that he now is and hath been for these seven years and upwards Possessed of a Tract of Land in Casco Bay known first by the name of Machigouney, being a neck of Land which was in no man's Possession or occupation and therefore the Plt. seised on it for his own inheritance by virtue of a Royal Proclamation of our late sovereign lord King James of Blessed Memory by which he freely gave unto every subject of his which should Transport himself over into this Country upon his own charge for himself and for every Person that he should soe Transport one Hundred and fifty acres of Land which Proclamation standeth still in force to this Day by which right the Plt held and enjoyed it for the space of four years together without Molestation, Interruption or Demand of any and at the end of the said first four years the Plaintiff Desireous to enlarge his limitts in a lawfull way addressed himself to Sr Ferdinando Gorges the Proprietor of this Province and obtained for a sum of money and other considerations a Warrantable Lease of Enlargement bounded as by relation thereunto had doth and may appear. The Plt. Further Declareth that the Deft. John Winter after all this and four years Peaceable Possession without any Demand or title Pretended being moved with envie and for some other sinister cause hath now for these three years Past and still doth unjustly pretend an interest and thereupon hath and Doth still interrupt me to my great hindrance thereby seeking my ruin and utter overthrow for all which the Plt. in this Court commenceth his action of Interruption and requireth a Virdiet from a Jury of Twelve honest and Indifferent men for the continuance of his Peaceable Possession for time to come and also three Hundred Pounds Sterling for his Damage to be paid him by the Deft for his wrongful Interruption, and for all this the Plt. humbly Desireth of this Court and in his Majesty's Name requireth a legal proceeding according to the Law.

## THE ANSWER OF JOHN WINTER DEFENDANT.

The Deft. John Winter cometh into this Court and saith that he Defendeth all the wrongs Interruptions and Damage where and when he ought; first he saith that the Plt. was never lawfully Possessed of that Tract of Land in Casco Bay which he calleth by the name of Machigony but hath unjustly and contrary to the Law of our sovereign lord the King held the same as the Deft. hereafter shall make it appear and whereas the Plf. claimes the Inheritance of the said land mentioned in his Declaration by Virtue of a proclamation of our late sovereign Lord King James of blessed memory which Proclamation he saith standeth still in force and further he Declares that being Desireous to enlarge his limits in a lawfull way addressed himself to Sr fferdinando Gorges the Proprietor of this Province and obtained for a sum of money and other Considerations a warrantable lease of enlargement, this the Deft. answereth that he denyeth that then there was or is any such Proclamation now in force, neither hath the Plt. any Warrantable lease from Sr fferdinando Gorges for it will evidently appear that the aforesaid Land was formerly Granted by some of the Lords Pattentees and Sr fferdinando Gorges unto Robert Trelawny and Moses Goodyear of Plymouth and livery and seisen thereof given to the Deft. to the use of the aforesaid Robert Trelawny and Moses Goodyear, and that the Plf. cunningly and Fraudulently by false Information obtained the aforesaid lease from the said Sr fferdinando Gorges who did not know that any parte or portion of the said Robert Trelawny and Moses Goodyear's Grant was called by the Name of Machigony neither hath the Plf. given any Consideration for the same. But the said fferdinando Gorges finding himself much abused by the Plts. wrong information hath Given Express order by his Letter Directed to Richard Vines his Steward General for this Province to put this Deft. in Possession of the said Land which the said Richard Vines hath done accordingly as the Deft. is ready to prove, and the Deft saith further in answer to the Plf. that the President and Councill of New England, and Sr fferdinando Gorges Knight by their Deed Indented bearing Date the first day of December 1631, for the Consideration therein expressed did Give, Grant, Allot, Assign, and confirm unto Robert Trelawny and Moses Goodyear of Plymouth Merchants their heirs Associates and Assigns for ever all those Lands and heriditaments with appurtenances situate Lying and being along the sea coast eastward between the land formerly Granted to Capt. Thomas Cammock and the Bay and River of Casco extending and to be extended Northwards into the Main lands so far as the Limitts and bounds of the Lands Granted to the said Capt. Thomas Cammock as aforesaid doe and ought to extend towards the north with all and singular the Premises with appurtenances as by the said Deed more at Large it doth and may appear Now this Deft being an associate to the aforesaid Robert Trelawny and having receeved order from him for the Dispossession of the Plf of that parte of his Land did often Treat with the Plf in a friendly manner to have him yeald up the Possession of the said Lands Proffering him that he should be a tenant there if he Pleased on such Conditions as the Deft propounded otherwise if he would depart Quietly he would give him some Consideration for what he had done upon the said lands otherwise he would give him nothing, but the Plf accepting none of these Proffers unjustly continues his clame and Possession to the Great Damage of the Deft, and all this the Deft is ready to affirm and for the residue of the Defference he humbly accepteth the Power of the Court to here and Determine their please of this matter and so putteth himself upon the Country.

The Plt. and Deft. hereupon Joyne Issue and put themselves upon the Trial of this Jury, viz.

- |                           |                          |                      |
|---------------------------|--------------------------|----------------------|
| 1. Henry Bode, Gent.      | 5. Mr. Richard ffoxill   | 9. Capt Tho: Cammock |
| 2. Arthur Mackworth Gent. | 6. Mr. ffrancis Robinson | 10. Jno. Baker       |
| 3. Willm Cole Gent.       | 7. Jno. Smith            | 11. Arnole Allin     |
| 4. Mr. Tho: Page          | 8. Jno. West             | 12. Thomas Withers   |

The Jury find for the Plts. the title of Land according to his Deede, and give him twelve pence for his Damage and twelve shillings and six pence for the cost of the Court.

Judgment is given upon this Verdict by the whole bench and Execution by them awarded.

## No. IV.

This Indenture made the twenty-seventh day of January in the twelfth year of the reign of our Sovereign Lord Charles by the Grace of God King of England Scotland France and Ireland, Defender of the Faith, &c.

Between Sir Ferdinando Gorges of Ashton Phillipps in the County of Somerset, Knight, of the one party and George Cleeve of Casco in the Province of New Somersett in New-England in America Esquiro and Richard Tucker of Casco aforesaid of the said Province of New Somersett in New England in America gent. of the other party witnesseth that the said Sir Ferdinando Gorges for and in consideration of the sum of one hundred pounds of good and lawful money of England to him in hand paid before the en sealing and delivery of these presents as also for divers other good causes and considerations him the said Ferdinando Gorges hereunto especially moving hath given granted bargained sold and confirmed unto the said George Cleeve and Richard Tucker their heirs and assigns—all that part purport and portion of lands in America parcell of New England in America hereafter in these presents described and to be described by the limits and bounds thereof that is to say all that part purpart and portion of lands beginning at the furthermost point of a neck of land called by the Indians Machegonne and now and forever from henceforth to be called or known by the name of Stogummor and so along the same westerly as it tendeth to the first fall of a little river issuing out of a very small pond and from thence over land to the falls of Pesumsca being the first falls in that river upon a strait line containing by estimation from fall to fall as aforesaid near about an English mile which together with the said neck of land that the said George Cleeve and the said Richard Tucker have planted for divers years already expired, is estimated in the whole to be fifteen hundred acres or thereabouts, as also one island adjacent to the said premises and now in the tenor or occupation of the said George Cleeve and Richard Tucker commonly called or known by the name of Hogg Island, which said premises with their appurtenances are not already possessed or passed to any other person or persons whatsoever but now granted by me and this my special order for confirmation thereof under my hand and seal, all which premises now are and hereafter shall be deemed reputed and taken to be parts parcels and members of the Province of New Somersettshire in New England aforesaid, and also the said Sir Ferdinando Gorges for the considerations aforesaid hath given granted bargained sold and confirmed and by these presents doth give grant bargain sell and confirm unto the said George Cleeve and the said Richard Tucker their heirs and assigns, together with the said portion of lands and premises all the soils grounds woods and underwoods havens ports rivers waters lakes fishings, fowlings mines and minerals as well royall mines of gold and silver as other mines and minerals precious stones quarries and all and singular other commodities jurisdictions royalties privileges franchises and preeminences whatsoever within the said tract of lands and premises or within any part or parcel thereof. Saving excepting and reserving only out of this present grant the first part of all the ore of gold and silver found and to be found in or upon the premises or any part or parcel thereof due unto his majesty his heirs and successors and now or at any other time hereafter reserved or to be reserved. To have and to hold all and singular the said part purpart, and portion of lands and all other the premises herein mentioned to be bargained sold or granted with their and every of their appurtenances unto the said George Cleeve and Richard Tucker their heirs and assigns to the only and proper use and behoof of them the said George Cleeve and Richard Tucker their heirs and assigns to the end and full term of two thousand years fully to be complete and ended, to be holden of the said Sir Ferdinando Gorges and his heirs Lord or Lords of the said Province of New Somersettshire as of his or their manner of Williton and free manners in free and common soccage by fealty only for all manner of services, and the yearly rent of two shillings the hundred for every hundred acres thereof be it in wood meadowing pasture or tillage. The same to be levied by distress or otherwise according to the laws and customs of the realm of England used and approved within the same for tenants of like nature; and the said Ferdinando Gorges for himself his heirs and assigns doth covenant promise and grant to and with the said George Cleeve and Richard Tucker their heirs and assigns by these presents that he the said Sir Ferdinando Gorges his heirs and assigns shall and will from time to time and at all times

hereafter do make acknowledge execute and suffer, or cause to be done made acknowledged executed and suffered all and every such further and other reasonable act and acts thing and things devise and devises in the law for the further and better assurance and sure making of all and singular the said lands and other the said premises with their and every of their appurtenances unto the said George Cleeve and the said Richard Tucker their heirs and assigns as by his and their counsell learned in the laws shall be reasonably devised advised or required and lastly the said Sir Ferdinando Gorges hath constituted ordained and appointed, and by these presents doth constitute ordain and appoint his trusty and well-beloved Isaache Allerton and Arthur Mackworth gentlemen his true and lawful attorney and attornies jointly or severally for him and in his name to enter into the said lands and other the said bargained premises or into any part or parcel thereof in the name of the whole and thereof to take full and peaceable possession and seizen, and after such possession and seizen so had and taken then for him and in his name to deliver full and peaceable possession and seizen of the same lands and premises unto the said George Cleeve and Richard Tucker their heirs and assigns according to the tenour effect and true meaning of these presents. In witness whereof the said parties to these present indentures interexchangeably have set their hands and seals. Dated the day and year first herein above written Annoque Domini 1636.

FERD. GORGES.

Sealed signed and delivered } William Withington  
 In the presence of } John Winnington

Memorandum that I Arthur Mackworth gent. have taken and delivered possession and seizen unto George Cleeve Esq. and Richard Tucker gent. according to the order within prescribed. In witness whereof I have hereunto set my hand this eight day of June 1637.

ARTHUR MACKWORTH.

In the presence of Thomas Lewis,  
 John Lukeford, Geo. Frost.

This is a true copy of the original deed examined and recorded the 24th day of May—by me.  
 ROGER GARD, Recorder.

## LETTERS OF GORGES, VINES, JENNER, AND CLEEVES.

After considerable progress had been made in the publication of this volume, I had the privilege, by the kindness of Charles Deane, Esq., of Cambridge, of examining several very interesting letters from the early settlers of Maine written to Gov. John Winthrop of Massachusetts. The Winthrop papers are in process of publication by the Mass. Historical Society, Vol. VII. of their 4th series, under editorship of Mr. Deane, and will throw much light upon the early, and hitherto somewhat obscure transactions of that distracted period of our history. I am permitted to make extracts from those letters, and to furnish *fac-similes* of the signatures. I feel gratified that they confirm my conjectures on the causes that seriously disturbed the first colonists upon these shores. Jealousy among the principal men, ambition to rule, disputes as to titles and jurisdiction, and religious differences, were the prominent causes of most of the troubles which produced the agitations and conflicts of that day, and opened the door for Massachusetts to come in and assume the government. I have room for only a few extracts, and I take those which have the most direct application to our local history. The letters of Gorges cast a dark shadow upon the character of Cleeves which is however relieved by the favorable opinion of Gov. Winthrop, and we may reasonably suppose that the expressions freely bestowed upon each party by its opponents, are to be attributed rather to partizan zeal than as true exponents of character.

### SIR FERDINANDO GORGES TO SIR HENRY VANE, JOHN WINTHROP, AND OTHERS.

*To my much respected freindes, Henry Vane, John Winthrop, John Haines, John Humfrey and John Dudley, Esquiers, give theis with speed.*

MADE IT PLEASE YOU,—Having received several leres from my servant Vines, & others, of the generall dislike conceaved against Mr. Cleeves, for having to doe with anie my affaires, by

# Fac-similes of Signatures and Seals.



Tho: Gorges.



Frederick Gorges



Tho: Jemere.



Rich: J. Vines



Edw: Godfrey.



George O'Brien



reason (as it is affirmed) of the miscarriage of him, as well towards my selfe in particular, as the wronges hee offered them by his misreports to mee of their miscarriage in their places, whereby hee hath intruded himselfe into my good opinion soe far forth as to bee joyned with you in matters of soe greate trust, being soe vnworthey. \* \* \* As for Vines, I know his honesty to bee such as I could not abandon him out of my affection, as formerly I haue written, yet I conceived itt not amisse to rancke him with the rest in the generall discharge, that it might appeare there was noe partiallity vsed, nor respect of persons, for therein I spared not my nephewe,\* whome I esteeme next my owne children. As for Vines, I intend hee shall still continue Deputie Governour, and soe doe pray you to settle him as before hee was, and to joyne with him my nephewe Champowne, & such others as you shall receave notice to bee fittest for such service; that thereby you maie avoid the troubles you may otherwise bee put vnto, by the maney trobbles that maie arise soe farr distant from you. What resteth more to bee done in this, I refer to your best resolutions, as tyme & occasion serves, wherein I feare I haue too much trenched vpon your favours.

Your true friend, to serve you

FERDE: GORGES.

AISHTON PHILLIPPES, 23<sup>o</sup>. Augustij, 1637.

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SIR FERDINANDO GORGES TO JOHN WINTHIROP.

*To the Worshipfull & my much respected frend, John Wintrupp, Esqr, at Boston in the Bay, these present.*

WORTHY SIR,—The suddain approach of our longe wished for Parliament invites me to attend the happy issue thereof, that otherwise had a resolution to haue visited you this springe, but I haue sent a neer kinsman of mine own name, with other necessary seruants, for the better ordering of my affaires, & making of my prouision agaynst the time it shall please God I come my selfe. In the mean while I am bound to intreat of you to second this my cosen Gorges in any just and reasonable occasion he shall haue cause to vse your fauour in, I hauinge given him command to be carefull to doe his best that all fayr correspondency be maintayned between those two seuerall Plantations, as a speciall means, by Gods fauour, to giue furtherance to the happinesse thereof.

Your very louinge frend

FERDE. GORGES.

AISHTON, March 26th, 1640.

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RICHARD VINES TO JOHN WINTHIROP.

*To the right Worshipfull his honored ffreind, John Winthrop: Esqr, at Boston, thes in Massachusetts.*

RIGHT WORSHIPFULL,—I received your letter concerning Mr. Jenner; acknowledging your former courtesies to my selfe, and for your furtherance of a minister for vs, our whole Plantacion ar greatly behoulding vnto you. We haue ioyned both sides of our river together for his mayntenance, and haue willingly contributed for his stipend, 47*li* per annum: hoping the Lord will blesse and sanctifie his word vnto vs, that we may be both hearers and doers of the word and will of God. I like Mr. Jenner his life and conversacion, and alsoe his preaching, if he would lett the Church of England alone; that doth much trouble me, to heare our mother Church questioned for her impurity vpon every occasion, as if Men (ministers I meane) had no other marko to aime at, but the paps that gaue them suck, and from whence they first received the bread of life.

It seemes the governour† makes a question that Sir Ferdinando Gorges was not in the Ffrench wars in his tyme. Capt. Bonyphon intreats me to write a word or two thereof. I beliene it was before Mr. Dudley his tyme, Sir Fferd: being now nere 80 yeares old, and he went to those warres very young, and ther he received his honour. I haue often heard him discourse of those warlike accions, and that the king of Ffrance himselfe fetched him of from a breach, being wounded, either at the seige of Amiens,‡ or before Paris, I know not whether.

Your assured freind and servant,

RICH: VINES.

SACO, 25th of January, 1640.

\*[Wm. Gorges.]

†[Dudley.]

‡[In 1597.]

## RICHARD VINES TO JOHN WINTHROP.

SIR,—Three or 4 yeares since Mr Cleiues (Cleeves) being in England, procured a writ out of the Starr chamber office to command Mr. Edward Godfrey, Mr. John Winter, Mr. Purches, and my selfe, to appeare at the Counsell table; to answere some supposed wrongs. Mr. Godfrey went over to answere for himselfe Mr. Winter, and my selfe, and out of the same Court brings a writ to command Cleiues to pay vnto him 20*li*: for his charges, which he refuses to doe. Now Sir Fferdinando Gorges gaue me order to see Mr. Godfrey haue right in this case. Cleiues says we haue nothing to doe, neither haue wee any power to levy money here vpon any writts that come out of England, for he will answere it from whence it came. I shall humbly intreate your advise herein, what course is to be taken, that I may free my selfe from blame and the malice of Cleiues, who is a fire brand of dissention, and hath sett the whole Province together by the yeares. I make bould to trouble you herin, as a case of greate difficultie, desiring your answere by the first convenience.

I vnderstood by Mr. Shurt that you desired some gray pease for seed. Out of my small store I haue sent you a bushell, desiring your acceptance thereof, from

Your freind and servant,

RICH: VINES.

Saco. 25th Janu: 1640.

## RICHARD VINES TO JOHN WINTHROP.

*To the right worshipfull his much honored freind John Winthorpe, Esqr. governor of the Massachusetts Colony, these, Boston.*

RIGHT WORSHIPFULL,—I am forced to complayne vnto you of diverse insufferable wrongs don vnto Sir fferdinando Gorges, his Comuissioners and Province, by Mr. Cleiues and his agent, Mr. Tucker, who report that you protect and countenance there exorbitant practices, which I cannot beleave, for I never yet knew you giue the least encouragement to any sinister practice. Mr. Cleiues having perswaded Mr. Rigby, (a worthy gent. by report) to buy the Plough Patent which I esteeme no better then a broken tytle, by Mr. Rigby his authority, (and as he sayes by your approbacon) he hath nominated Commissioners, a Coronell generall, Proxost marshal, and other officers, extending his government from Sackadelock to Cape Porpus, being about 13 leagues in lenth, haue likewise appoynted a Court to be kept in Cascoe bay the 25th of March next, and hath sent his agent Tucker with a paper, perswading all such as he findes any way inclyning to innovation, to set there handes to it, for the better approving of what they haue begun, and allsoe to intreate your Worship and the rest of your magistrates to defend them from Ffrench, Indians, and other enemies, which wee construe to be Sir Fferd: Gorges Commissioners. Neither hath Cleiues (as he ought) presented any his authority at our last generall Court; but, 2 dayes before our Court tooke a vioage into the bay, and all the way as he went from Pascataquack to Boston, he reported he was going for ayde against mee, for that I had threatened him and his authority, to beate him out of this Province. By this false report and many other the like, I am held an enemy to iustice and piety. \* \* \* I am troubled at these seditious proceedings; and much more at his most notorius scandalls of Sir fferdinando Gorges, a man for his age and in integrity worthy of much honor; him he brandes with the foule name of traytor by circumstance, in reporting that he hath counterfeited the King's broad Seale, (if he haue any patent for the Province of Mayne) ffor, sayes he, I haue serched all the Courtes of Record, and can finde noe such grant. How could he haue giuen that graue Knight a deeper wound in his reputacion, the which I know is more deare to him then all the wealth in America; he likewise maynetaynes his false report of his death, flight into Walles, not with standing a letter dated the 25th of 9ber last, from a marchant in London, of very good credit, and brought in Mr. Payne his ship, which letter imports Sir fferd: Gorges his good health with the restauracion of his possessions agayne. \* \* \* Now for the Patent that Mr. Rigby hath bought, it is not from our kings majestie, as Cleiues reportes, but from the President and Counsell of New-England, as myne and others are, wherein Mr. Rigby hath from there LLordships *jura regalia*, but his majestie takes that away by his royall grant to Sir fferd: Gorges,

bearing date thir[teen]th of Aprill, in the fifteenth yeare of his highnes raigne. Now I conceiue Mr. Rigby his agent is but to recover soe much land as the grant specifies, and to relinquish there *Jura regalia*, as you may perceiue in the last clawse of our grant here with sent you. \* \* \* Yet I did ever, and doe intend, whensoever Mr. Rigby shall send over people, to lett them settle peaceably, to ayde and assist them to the best of my power, without questioning of *meum et tuum*; for this I know, if Sir Eferdinando Gorges and Mr. Rigby meete, all matters will be quietly ended, if there be no incendiaries here. \* \* \*

Your faythfull freind and servant,

RICH: VINES.

Saco, the 9th of January, 1643.

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\*THOMAS JENNER TO JOHN WINTHROP.

*To the Right Worship his very loucing & kind friend Mr. Wintrop, at his house in Boston in N. E. giue theise I pray.*

WORTHY SIR:—My due respect being remembered to you, I heartily salute you in the Lord; giuing you humble thanks, for your favourable aspect which hath alwaies bin towards me, (though of me most undeserued,) and especially for your late kind letter on my behalfe; for which sake I was kindly imbraced, aboue the expectation of my selfe, & others, and am still (I thank God) loucingly respected amongst them: but not with out some hot discourses, (especially about the ceremonies;) yet they all haue ended (through mercy) in peace; and for aught I can perceiue, doe prize the word, & relish it, dayly better then other, and some promise faire: euen in Mr. Vines his family. But generally they were very ignorant, superstitious, & vitious: and scarce any religious. Efre leane they giue me to doe what soever I please; imposing nothing on me, either publicly or privately, which my selfe dislike, onely this, Mr. Vines & the captainet both, haue timely expressed themselves to be utterly against church-way, saying, their Patent doth prohibit the same: yet I, for my part neuer once touched upon it, except when they themselves haue in private discourse put me upon it by questions of their owne, for I count it no season asyet to go build, before God sends vs materials to build with all. Thus being in some hast, I end humbly craueing your prayers:

Your worships to command

THO: JENNER.

Saco, 4th of the last, 1640.

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THOMAS JENNER TO JOHN WINTHROP.

*To the Right Worshipfull his very worthy friend Jo: Wintrop Esqr. & Deputy Gouvernor of N. E. at his house in Boston giue theise.*

RIGHT WORSHIPFULL,—My due respects remembered to you. This is to informe you (according to request made vnto me, both by Mr. Jocelyne & Mr. Cleeve) that in Casco Bay on the last of March the major part of the Province of Lygonia meet together, at an intended Court of Mr. Cleeve. Mr. Jocelyne & his company came armed with gunes & swords, or both; Mr. Cleeve &

\*[Thomas Jenner was at Saco as early as the winter of 1640-1, and was probably the first minister of the Puritan faith that ever preached in Maine; unless that wretched man, Burditt, preached at York as early. Jenner was, without doubt, the first minister settled at Saco. Richard Gibson, an Episcopal clergyman, living in the vicinity, at Spurwink, as early as 1636, may sometimes have preached here. Jenner remained here till 1646, as appears by a letter of his in this volume, dated April 6, 1646; in which he says, "I am, as it were, on the wing of removal; but whither, as yet I know not."

Jenner was of Roxbury in 1634 or 1635, but not long after went to Weymouth, which town he represented in the General Court of 1640. He is said to have returned to England before 1650, and to have resided in Norfolk. He was compelled by straitened circumstances, to sell his library before his death.]

†[Bonython.]

his company vnarmed. After sermon was ended, Mr. Jocelyne & his company separated themselves about a furlong from Mr. Cleeve & his company. They sent vnto Mr. Cleeve a demand in writing (with all their hands subscribed,) to haue a sight of his originals, promising a safe returne. After some hesitation & demur, Mr. Cleeve, vpon condition they would come together into one place, promised to gratifie them. The which being publicly read & scanned, the next morneing Mr. Jocelyne & his company deliuered vnto Mr. Cleeve in writinge, with all their hands subscribed, a Protest against Mr. Righbies authority of gouernment, that is to say, in any part of that bound or tract of land which Mr. Cleeve doth challeng by vertue of his Patent, viz. from Sacadehock River to Cape Porpus. They furthermore required & enjoined Mr. Cleeve & his company to submit themselves vnto the authority & gouernment derived from Sir Fferdinando Gorges, & that for the future they addresse themselves vnto their Courts.

Lastly they demanded of Mr. Cleeve a friendly triall concerning the bounds afore sayd, for Mr. Jocelyne would that Mr. Cleeve his *terminus a quo* should begin 60 miles vp Chenebec River, because the Patent saith, it must lie nere two llands which are about 60 miles from the sea. For answer to it the Patent also saith, the tract of land of 40 miles square, must lie on the south side of Sacadehock-River.

Now Sacadehock riner reacheth but to Merry Meeting, & then its branched into Begipscot, & Chenebeck, & is no further cald by the name of Sacadehock. Now Sacadehock River is a certaine and sure place for one terme of its bounds, but the llands are doubtfull, which they are, or wher they are; more ouer ther possession was first taken. Mr. Cleeue in his answee readily accepted their offer of a triall at Boston; wherypon they both bound themselves each to other in a bond of 500*li*. personally to appeare at Boston the next Court after May, then & ther to impleade each other.

\* \* \*

Furthermore Mr. Cleeue demanded a sight of their originals for gouernment, none being produced, he disclaimed obedience, and told ther was no equality betweene his something & their nothing. It was also agreed, that none of each company or party should, at any time or vpon any occasion, be troubled or molested by any of the other party or company, vntill the suit afore-sayd be ended.

Mr. Cleeue layd his injunction in particular on Mr. Jordane, neuer more to administer the seales of the Covenant promiscuously, & without due order & ordination, within the province of Lygonia.

I must needs acknowledge, to their high commendation, that both Mr. Jocelyne\* & Mr. Cleeue carried on the interaction very friendly, like men of wisdom & prudence, not giueing one misbeholding word each together, such was the power of Gods Holy Word, aweing their hearts. Your letters were also very valide, & gratefully accepted on both parties. Thus after two or three daies agitation, each man departed very peaceably to his owne home.

Thus, right worthy Sir, according to the trust committed to me, I haue faithfully (though rudly) composed the chiefe matters in that their transaction, & haue here sent them vnto you. So I comit you to God & rest.

Yours to comand

THO: JENNER.

Saco, 6, 2 m. 46.

\* \* \* \* \*

Sir, I haue lately ben earnestly solicited by one Mrs. Tucker, an intimate friend of mine, & an approved godly woman, that I would writ vnto your worship; that in case Mr. Cleaue & her husband (Mr. Tucker) shall happen shortly to haue recourse to your selfe, to end some matters of difference betweene them, now at their departure each from other, that you would be pleased, as much as in you lye, not to suffer Mr. Cleaue to wrong her husband, for though her husband hath ben as it were a servant hitherto for Mr. Cleaue, yet now at their making vp of accounts, Mr. Cleaue by his subtil head, brings in Mr. Tucker 100*li*. debter to him.

\*[Vines had now left the country, and Jocelyne had taken his place as the representative of Gorges in the colony.]

## GEORGE CLEEVE TO JOHN WINTHROP.

*To the honored John Winthrop Esquire Gouverneur thes present.*

CASCO BAY, this 27th of the 11 moneth, 1643.

HONORED SIR,—With my most humble service I salute you, accenolidging my duty of thankfullnes to you for all former favors shewed mee: and whereas you were plesed at my request to writ to Mr. Vines & others in behalfe of Mr. Rigbies authority, of which I informed him in my last lettars, assuring my selfe that hee will not be vnmmyndfull to requit your love therein. What Mr. Vines answered you I know not, but thus can afferme & prone, that by his practis he doth slittly regard your advice therein (as may appeare by the supplication of the inhabitants of Ligonía and other passages, the truth whereof this beaerar can informe you, as also of thero c[on]sultations with Mr. Gurdin (Jordan) a ministar of antichrist, there chefe counsellar) who doth not only calumniat and slander the parliament of England with vile reprehachfull termes, as rebellious, factias, trayterous parssons against the king) but also belteth out his blasfemise against the Churches of Christ in this land, charging them with seisme and faction for fasting & praying for the affliction of there brethren in England, denying it to be the hand of God vpon the land for sinn nor the ocaation of papist or evell counsellars, but for the rebellion of the parliament and the puritan faction there, with many other passages of that vnworthy Ballitte, of which this beaerar Mr. Tuckar can informe you: as also of Vines his dealings with him, and of his thretning to send mee pressonar to England in Mr. Trelanies ship, which inforketh mee once more to joyne with the inhabitants of Ligonía and humbly to desire your assistance against there vnlawfull practisises, and so much the rather for there wicked oposition of the ways of Christ. They seeing vs about to settle our selues vnder the ministry, and that wee ar in hope that the Lord will gather a Church amovngst vs,\* this causeth them & there prelati-  
cally counsellar to raidge the more, which will insite you to assist vs so much the rather. \* \*

Whilst I am

GEORGE CLEEVE.

GEORGE CLEEVE AND OTHERS TO THE GOVERNOR, DEPUTY GOVERNOR, AND  
ASSISTANTS OF MASSACHUSETTS.

*To the honoured Gouverneur & Deputie Governour, & Court of Assistants in the Massetusets Bay, thes present.*

HONOURD SIRS,—With our most humble service we salute yow in the Lord Jesus Christ Shewing vnto yow that we are in great distresse by a company of factious men, who haue leagued them selues together to murder vs, together with all the well affected in Mr. Rigbys Province of Ligonía, vnder pretence of a protest against vs, whoe have severall Commissions from Mr. Rigby for the present government of his Province. The heads of this leaguo are Mr. Henry Jocelyn, Mr. Arthur Mackworth, & Ffrancis Robinson, which Mr. Mackworth did willingly submit to Mr. Rigbys authority formerly, and did subscribe to his constitucions, & received a Commission from him to be an Assistant, & acted by it till he was drawne away by the perswasion of Mr. Vines & Mr. Jorden, (one vnworthily called a minister of Christ.) From these two men all this evill doth principally flowe, for though Mr. Vines be now gone, yet he hath presumed to depute Mr. Jocelyn in his stead, although he never had any Commission soe to doe: yet he, by the conncell of Mr. Jorden, hath taken vpon him, as a lawfull Magistrate to come into Cascoe Bay & hath gone from house to house, being accompanied with Ffrancis Robinson & Arthur Mackworth, & have discouraged the people of Ligonía, & drawne them offe, some by fraude & some by force, from there subiection to Mr. Rigbys lawfull authority; contrary to there oathes freely and willingly taken, a true copy whereof is herewith sent. And haue alsoe presumed to take deposicions of severall people, to accuse some of vs falsely and slanderously with treason & other crimes, whereof we are innocent; intending vpon those grounds to deale with vs at there pleasure, and thus we are all destined by them vnto destruction, if the Lord prevent not their wicked plotts against vs. And this is to be put in execu-

\*[Stephen Bachiller appears to have had a call from Casco about this time to settle.—Eps.]

cion vpon the last day of March next, vpon which day we haue appoynted to keepe a Court in Cascoe Bay, which Court is already summond, & severall actions entred, which are at issue, & some of theire party bound over for misdemeanor, & seuerall actions against many of them, & therefore cannot be reiourned; at which time, they having made a party of neare an hundred (as we are informed) to set vpon vs, & violently to resist Mr. Rigbys authority, & so take vs & our partie, & slay vs, or deale with vs at their pleasures. And further, we are truly informed that they intend to make thus the begining of a sivil warre, which they intend to blowe abroade into all parts of this land, & giue it out there be many amongst yow, & elsewhere, that doe but looke for an opportunity to declare themselves Cavilleers, & for the King, as if yow or wee were the Kings enemies, & they onely his friends. Commending you all to the grace of God & resting your humble seruants.

WILLIAM RYALL.

GEORGE CLEEVE.

RICHARD TUCKER.

THOMAS PERCHES.

CASCO BAY, this 18th febr: 1645.

[The following draught of an answer to the foregoing letter, in the handwriting of Gov. Winthrop, is written vpon the reverse of the leaf.]

*To our worthy friends Mr. George Cleeves, Deputy President of Ligonias, & his Assistants, at Casco, dd.*

SIR,—We haue received & considered your lettres by this bearer, Mr. Purchas, together with the Testimony and other writings sent therewith: we received also lettres & other writings from Mr. Jocelin & others; by all which we perceine that the differences between you are growne to a great height of contention, which we are very sorrye for, & would not be wantinge to doe what lyes in vs for composinge the same. But whereas the differences grewe vpon extent of some Patents & right of Jurisdiction wherein Mr. Rigby & others in E: are interested, & lettres have been sent to them from both parties, & answer is expected by the first return, therevpon we have thought it expedient to perswade you bothe to forbear any further contention in the meane tyme, & have written to Mr. Jocelin, &c, to that ende, who having desired our advice, we may presume they will observe the same, & will not attempt any acts of hostility against you; and we doubt not but you wilbe perswaded to the same; which we judge will conduce most to Mr. Rigbys right, and your owne & your neighbours peace. Your loving friends.

BOSTON, 5. (1), 1645.

## NO. V.

### FROM JOHN JOCELYN'S VOYAGES.<sup>1</sup>

Towns there are not many in this province. *Kittery* situated not far from Pascataway is the most populous.

Next to that eastward is seated by a river near the sea *Gorgiana*, a majoraltie and the metropolitan of the province. Further to the eastward is the town of *Wells*. Cape Porpus eastward of that, where there is a town of the same name, the houses scatteringly built, all these towns have store of salt and fresh marsh with arable land, and all well stocked with cattle. About 8 or nine miles to the Eastward of *Cape Porpus* is *Winter harbour*, a noted place for fishers, here they have many stages. *Saco* adjoins to this, and both make one scattering town of large extent, well stored with cattle, arable land and marshes and a saw mill. Six miles to the eastward of *Saco* and 40 miles from *Georgiana* is seated the town of *black point*, consisting of about 50 dwelling houses, and a magazine or *doganne* scatteringly built, they have store of neat and horses, of sheep near upon 7 or 800, much arable and marsh salt and fresh and a corn-mill. To the southward of the *point* (upon which are stages for fishermen) lie two small islands; beyond the point,<sup>1</sup> North eastward runs the river of *Spurwink*. p. 200.

<sup>1</sup>The period to which this narrative relates is 1670: Jocelyn returned to England in 1671.

p. 201. Four miles from black point, one mile from Spurwink river eastward lyeth Richmond's island, whose long. is  $317^{\circ} 30''$  and lat,  $43^{\circ} 34'$ , it is 3 miles in circumference and hath a passable and gravelly ford on the North side, between the main and the sea at low water, here are found excellent whetstones and here likewise are stages for fishermen. Nine miles eastward of Black point lieth scatteringly the town of *Casco* upon a large bay, stored with cattle, sheep, swine, abundance of marsh and arable land, a corn-mill or two, with stages for fishermen. Further eastward is the town of Kennebec seated upon the river. Further yet eastward is Sagadahock, where there are many houses scattering and all along stages for fishermen, these two are stored with cattle and corn lands.

p. 202. 12 miles from Casco bay, and passable for men and horses, is a lake called by the indians Sebog on the brink thereof at one end is the famous rock shaped like a *moose deer* or *helk*, *diaphanous*, and called the moose rock. Here are found stones like crystals and lapis specularis or muscovia glass both white and purple.

p. 205. From Sagadahock to Nova Scotia is called the Duke of York's province, here Pemaquid, Montineus, Mohegan, Capemawhagen, where Capt. Smith fished for whales; Muscataquid all filled with dwelling houses and stages for fishermen and have plenty of cattle, arable land and marshes.

p. 207. The people in the Province of Maine may be divided into magistrates, husbandmen or planters, and fishermen; of the magistrates some be royalists, the rest perverse spirits, the like are the planters and fishers, of which some be planters and fishers both, others meer fishers.

Handicraftsmen there are but few, the tuncelor or cooper, smiths or carpenters are best welcome amongst them, shopkeepers there are none, being supplied by the Massachusetts merchants with all things they stand in need of. English shoes are sold for 8 or 9 shils. a pair, worsted stockings of 3s. 6d. for 7 and 8s. a pair, Douglass that is sold in England for 1 or 2 and 20 pence an ell, for 4s. a yard, serges of 2 or 3s. a yard for 6 and 7 shillings.

p. 208. They have a custom of taking tobacco, sleeping at noon sitting long at meals sometimes four times a day, and now and then drinking a dram of the bottle extraordinarily \* \*. They feed generally upon as good flesh, beef, pork, mutton, fowl, and fish as any in the world besides. Their servants which are for the most part English, will not work under a half a crown a day, when they are out of their time, although it be for to make hay, and for less I do not see how they can by reason of the dearness of clothing. If they hire them by the year they pay them 14 or £15 at the years end in corn, cattle and in fish: some of these prove excellent fowlers, bringing in as many as will maintain their master's house: besides the profit that accrues by their feathers.

p. 210. The fishermen take yearly upon the coast many hundred kentals of cod, lake, had-dock, polluck, &c. &c. which they split, salt and dry at their stages, making three voyages in a year. When they share their fish, which is at the end of every voyage, they separate the best from the worst, which is known when it is clear like a lanthorn horn and without spots; the second sort they call refuse fish, that is such as is salt burnt, spotted, rotten and carelessly ordered; these they put off to the Massachusetts merchants; the merchantable for 30 and 32 reals a kental (112 pounds) the refuse for 9 and 10s. the quintal. The merchants send the merchantable fish to Lisbon, Bilbo, Burdeaux, Marsiles, Talloon, Rochel, Roan, and other cities of France, to the Canaries with claw board and pipe staves, which is there and at the Charibs a prime commodity; the refuse fish they put off at the Charib islands, Barbadoes, Jamaica, &c. who feed their Negros with it.

p. 211. To every shallop belong four fishermen, a master or steersman, a Midshipman, and a foremast man and a shore man, who washes it out of the salt and dries it upon bundles and tends their cookery.

These often get in one voyage 8 or £9 a man, but it doth some of them little good, for the merchant to increase his gain by putting off his commodity in the midst of their voyages, and at the end thereof comes in with a walking tavern, a bark laden with the legitimate blond of the rich grape which they bring from Phial, Madera, Canaries, with brandy, rum, the Barbadoes strong water and tobacco, coming a shore he gives them a taster or two, which so charms them, that for no persuasions will they go to sea, although fair and seasonable weather for 2 or 3 days,

may sometimes a whole week, till they are wearied with drinking, taking a shore 2 or 3 hhd. of wine and rum to drink when the merchant is gone.

They often have to run in debt for their necessities on account of the lavish expense for drink and are constrained to mortgage their plantations if they have any, and the merchant when the time is expired is sure to turn them out of house and home, seizing their plantations and cattle, poor creatures, to look out for a new habitation in some remote place, where they begin the world again. p. 212.

Of the same nature are the people in the Duke's province, who not long before I left the country petitioned Mass. to take them into their government. p. 212.

## No. VI.

### ROBERT JORDAN'S WILL.

IN THE NAME OF GOD, AMEN.

I Robert Jordan, senior gentlem: formerly of Spurwinke, and now resident on the Great Island in the township of Portsmouth, in New-England, being weak of body, but of sound and perfect memory, prayed be God,—Do make, ordayne, and declare this present writing to be and remayne my last, undoubted Will and Testament, in manner and forme following:

Imps. I bequeath my soule to God, hoping by the meritts of Christ my Saviour, to enjoy eternal life, and my body to ye earth to bee decently buried—And what temporall things I am blessed with, all by ye Providence of Almighty God, I give and bequeath as followeth:

Item—I do hereby ratify, allow and confirme two deeds or writings, which I formerly made and gave under my hand and seale, one to my eldest sonn John Jordan, and another to my second sonn Robert Jordan, according to the contents y<sup>r</sup>in exprest.

Item—I give and grant to my wife Saraih Jordan, now living, the ould plantation at Spurwinke, containing one thousand acres, bee it more or less, begining wt the grant belonging to my sonn John Jordan doth one and ending where the lott bequeathed by this my will to my 3d sonn Dominicus Jordan doth begine, and soe along the highway untill you come to the Greate Pond; for and during the terme of her natural life; the reversion and inheretance y<sup>r</sup>of to bee and remaine unto my youngest sonn Jeremiah Jordan, his heyers and successors forever, as his part and portion.

Item—I give and bequeath unto my sayd wife Saraih Jordan, one other farme, called Nonn-such, containing two thousand acres, be it more or less, for and during her naturall life; and for ye more strict obleighing my children's duty to her, my will is that shee wholly and absolutely dispose the succession and inheritance thereof, to either or any of my sonns, they or their or any of their heyres, or issue, lawfully by them or any of them begotten, forever.

Item—I give and bequeath unto my sonn Dominicus Jordan, one thousand acres of land, at Spurwinke, to begin where the abovesd ould plantation endeth, as hee shall make choyce of, to be layd out by the onereferees hereafter nominated.

Item—I give and bequeath unto my sonn Jedediah Jordan, one thousand acres of my land, at Spurwinke aforesaid, to bee chosen by him out of my land not disposed before, to bee to the use of him and his heyres, forever.

Item—I give and bequeath unto my sonn Samuel Jordan, by reason of his posterity's choyce of eleaven hundred acres of land of my said land at Spurwinke, to bee to the use of him and his heyres forever; and what part or preell of land remaynes not bequeathed nor given of my sayd lands, at Spurwinke, by any or all of the above rescited and expressed articles, I do hereby give and bequeath the same, being nplands, unto my sonns above named, to be divided and equally alloted amongst them.

Item—My will is that my meddow, bordering along by the river Spurwinke, bee equally divided to each portion of the above given lands, nearest and most conveniently adjoyning to each preell or portion as is above disposed.

Item—I give and bequeath unto my foure youngest sonns, namely, Dominicus, Jedediah, Samuel and Jeremiah Jordan, to each of them one feather bedd and bowlisters.

Item—I make and ordayne my sayd wife Sarah, and my two sonns John and Robert Jordan to be my joynt executors.

I make and hereby ordayne Major Nicho. Shapleigh of Kittery, Mr. Nathl Fryer, and Mr. William Bickham, merchants, to be onereferees and to end all differences in any matters arising, by means of my not fully expressing myselfe in this my last will and testament, between my legitees and the executors hereof, and to settle all things according to their best judgments, and nearest intent of this my will that noe further or future differences may arise.

Lastly—My will and intent is, that each and every of my afore-mentioned sonns, their heyres and successors, shall have and enjoy all and singular the aforesayd prescribed grants, gyfts, and legacies; and if any or either of them want naturall issue, that then that legacy shall redown and bee equally divided amongst the rest.

Great Island, 28th of January 1678: Mr. Robert Jordan senior, acknowledged this within written, to bee his last Will and Testament, and was at the same tyme of a sound mind and perfect memory, but having lost the use of his hands could not signe and seale the same; and owned alsoe Mr. Nathl Fryer to bee one of his onereferees, who is interlined above. This owned before mee,

ELIAS STYLMAN, Commissioner.

This will was exhibited in Court, July 1, 79, by Mr. Nathl Fryer under the attestation annexed, and is allowed to bee recorded.

Jos. DEDLEY, assistant.

Very copia of this Will and Testament above written, transcribed and compared with original, this 7th day of July, one thousand six hundred and seaventy-nine, and pr. ye County Court allowed, as attesteth.

EDW. RISHWORTH, R. C.

## No. VII.

### COPY OF A DEED FROM INDIAN SAGAMORES TO GEORGE MUNJOY.

*June 4, 1666.*

Be it known unto all men by these presents that Wee Nunateconett and Warabitta alias Jhone of Casco Bay do acknowledge to have received of George Munjoy on Great Rogg to the value of three Skings which we acknowledge ourselves fully satisfied for in consideration of which we do by these presents assigne sell and make over unto Georg Munjoy of the same Bay a tract or parcel of Land by the Bounds hereafter mentioned, which is to begin on the other side of Amancongau River at the great falls the uppermost part of them called Sacarabigg and so down the river side unto the lowermost planting ground, the lowermost part thereof, and so from each aforesaid bounds to go directly into the woods so far as said Munjoy will, not exceeding one mile, with all the woods and privileges thereunto belonging: To have and to hold to him the said Munjoy his heirs, executors, administrators and assigns from us our heirs, executors and administrators truly by these presents, and also from any other person or persons whatever claiming any right title or interest thereunto shall warrant and defend the same and do further hereby engage ourselves and our heirs unto the said Munjoy his heirs and assigns that he and they shall quietly and peaceably enjoy the premises and for the performance hereof Wee have hereunto set our hands and seals this 4th June 1666.

Signed, sealed and delivered

in presence of us.


Mark


John I Breme

Jane I Cloys

Philip L Lewis

mark

WARRABITTA  Seal

NUNANICUT  Seal.

## No. VIII.

## DEED FROM PRES. DANFORTH TO THE TRUSTEES OF FALMOUTH.

1684.

This Indenture made the twenty-sixth day of July Anno Domini one thousand six hundred eighty and four and in the thirty-sixth year of the reign of our Sovereign Lord Charles the second by the grace of God of England Scotland France and Ireland, King, defender of the Faith &c.

Between Thomas Danforth Esq. president of his majesty's Province of Maine in New England on the one party, and Capt. Edward Tyng, Capt. Sylvanus Davis, Mr. Walter Gendall, Mr. Thaddeus Clark, Capt. Anthony Brackett, Mr. Dominicus Jordan, Mr. George Bramhall and Mr. Robert Lawrence, trustees on the behalf and for the sole use and benefit of the Inhabitants of the town of Falmouth within the abovenamed Province of Maine on the other party, Witnesseth That whereas the abovenamed Thomas Danforth by the Governor and Company of the Massachusetts Colony in New England the now Lord Proprietors of the abovenamed Province of Maine at a general assembly held at Boston on the eleventh day of May 1681 is fully authorized and empowered to make legal confirmation unto the Inhabitants of the abovesaid Province of Maine of all their lands or proprieties to them justly appertaining or belonging within the limits or bounds of said Province.

Now, know all men by these presents that the said Thomas Danforth pursuant to the trust in him reposed and power to him given as abovesaid by and on the behalf of the Governor and Company of the Massachusetts Colony aforesaid, hath given granted and confirmed and by these presents doth fully clearly and absolutely give grant and confirm unto the abovenamed Capt. Edward Tyng, Capt. Sylvanus Davis, Mr. Walter Gendall, Mr. Thaddeus Clarke, Capt. Anthony Brackett, Mr. Dominicus Jordan, Mr. George Bramhall and Mr. Robert Lawrence trustees as above expressed—all that tract or parcel of land within the township of Falmouth in said Province according to the bounds and limits of said township to them formerly granted by Sir Ferdinando Gorges knight or by any of his agents or by the General Assembly of the Massachusetts with all privileges and appurtenances to the same appertaining or in any wise belonging—all royalties reserved to his Majesty by the Charter granted to Sir Ferdinando Gorges knight as also those by said charter given to the said Ferdinando Gorges knight, his heirs and assigns—Together with the rivers streams and coves contained within the limits or bounds of said township always to be excepted and reserved.

To have and to hold all the abovesaid tract of land by these Presents granted and confirmed be the same more or less with all the privileges and appurtenances to the same appertaining or in any wise belonging (excepting as is above excepted and reserved) to them the said Capt. Edward Tyng, Capt. Sylvanus Davis, Mr. Walter Gendall, Mr. Thaddeus Clarke, Capt. Anthony Brackett, Mr. Dominicus Jordan, Mr. George Bramhall and Mr. Robert Lawrence as trustees abovesaid forever to the only proper use and behoof of the inhabitants of the said town that now are and to them that shall there survive and succeed from time to time and forever more hereafter. And the abovenamed Thomas Danforth for and on the behalf of the Governor and Company of the Massachusetts Colony and for their successors and assigns doth further covenant promise and grant to and with the abovenamed Edward Tyng, Sylvanus Davis, Walter Gendall, Thaddeus Clarke, Anthony Brackett, Dominicus Jordan, George Bramhall and Robert Lawrence their heirs and assigns trustees as above expressed, that they the said Edward Tyng, Sylvanus Davis, Walter Gendall, Thaddeus Clarke, Anthony Brackett, Dominicus Jordan, George Bramhall and Robert Lawrence shall and may at all times and from time to time forever hereafter peaceably and quietly have hold occupy and enjoy all the above given and granted premises without the let denial or contradiction of the Governor and Company of the Massachusetts Colony or of any other person or persons whatsoever claiming and having any lawful right title or interest therein or in any part or parcel thereof by from or under them the said Governor and Company or by any of their assigns. They the abovenamed Inhabitants of the said town of Falmouth for the time being and in like manner that shall there be

from time to time forever hereafter yielding and paying in consideration thereof to the Governor and Company of the Massachusetts colony or to the President of the said Province of Maine by them authorized and empowered for the time being or to other their agent and lawful assignee or assignees the quit rent to the said Governor and Company due and belonging according to the proposal made and mutually agreed upon at the General Assembly held in the abovesaid Province of York June 1681, viz. That they the abovenamed Inhabitants of the said town of Falmouth for the time being and in like manner that shall there be from time to time forever hereafter as an acknowledgment of Sir Ferdinando Gorges and his assigns right to soile and Government do pay twelve pence for every family whose single country rate is not above two shillings, and for all that exceed the sum of two shillings in a single rate to pay three shillings per family annually in money to the treasurer of the said Province for the use of the chief Proprietor thereof. And in case of omission or neglect on the part and behalf of the said Inhabitants to make full payment annually in manner as is above exprest, and hath been mutually concerted and agreed unto, it shall then be lawful for the said President of the said Province for the time being or for other the agent or agents assignee or assignees of the Governor and Company of the Massachusetts Colony to levy and make distress upon the estates of any of the Inhabitants for the time being within the limits and bounds of the said township as well for said quit rent as also for all costs and charges accruing and arising upon the same. And the estates so levied and distrained to bear drive or carry away with so much as it shall cost to convey the same to the treasurer of the Province for the time being or to such place as he shall order and appoint. In witness whereof the parties above named to these present Indentures have interchangeably put their hands and seals the day and year first above written.

Signed sealed and delivered by  
Sylvanus Davis, Walter Gendall,  
Thaddeus Clark, Dominicus Jordan, in presence of us

SYLVANUS DAVIS. (Seal)  
WALTER GENDALL, (Seal)  
THADEUS CLARK. (Seal)  
DOMINICUS JORDAN. (Seal)

John Davis, }  
Josh. Scottow, }

A true copy of the originals indented recd. Jan. 1, 1731.

Attest,

JOSEPH MOODY, Reg.

A true copy from the Record of Deeds for the County of York, Book 14, page 227.

WM. FROST, Reg.

## No. IX.

### PAPERS RELATING TO GEORGE BRAMHALL.

(No. 1.)

Mr. Georg Bramhall

Sir: Yours I have recd. and according to your order have sent to you pr. Mr. Phillips' Slope as under and hop it will be to \* \* if thar be any thing omitted order for itt ye next being what is nedfull from your friend.

THEODOSIUS MOORE. 1

Boston ye 21 Oct. 1687.

on bbl	£0 2 06	10 yds blew linnig 3d.	£0 10 10
3 bush salt	0 7 06	10 yds fin whit cloth	0 15 00
2 lb whale bon	0 3 00	2 lbs powd	0 02 08
500 larg bord nayls	0 10 00	6 lbs shot	0 02 00
5 lbs do att	0 04 06	2 oz silk	0 05 00
5 lbs hob nayls	0 2 06	4 yds collord callyon at	
1 lb cold thread att	0 5 00	20d. per yd	0 06 08
4 doz guisp bottoms	0 1 06	1 1-2 yd cloth to pack	0 01 06
			£4 00 2

1 Moore after this time married the widow of Walter Gendall and lived in Marshfield.

If you have any bottar or pork be pleased to send me what you can. Yr glass is nott redy yett.

(Superscribed) For Mr. Georg Bramhall at Caskow with a baril solt and snall chest.

Per Joseph Pike

Caskow Bay.

(Another from the same.)

(No. 2.)

Mr. Bramhall,

I have sent a parsell of Butter potts to Mr. Bragett,\* if you have occasion for any can send you som or ferkins for butter wh. you pleas in ye intrem. I sopose Capt. Bragett will spar you one or two. If I shall send you any send word by ye next slop and I will send them by Mr. Inglish being all in hast I rest yrs to serve you.

THEODOSIUS MOORE.

Boston ye 16th July 1688.

(No. 3.)

I underwritten doe Ingage myself my Heyres or Assigns to pay unto Sylvanus Davis or his assigns for the acco'pt of Anthony Libbee the soom of twenty shillings and Three pence and other charges about the attachment, eight shillings and sixpence to be paid him in wite oke Barrall stafts or Red oke hh stafts upon demand at hie water mark by the river side in Casco river at fifteen shillings per Thousand as witness my hand this sixth day of March Annoque Domini 1687-8

Witnes

GEORG BRAMHALL.

Peter Bowdoin

John Hollman.

Charges

Warrant

0 1 0 Sarving warrant and Constable 0 2 0

a man \* \* itt 1 day

0 1 0 Waighting 3 days and forrig 0 3 6

(No. 4.)

Receved of Georg Bremhall upon the accompt of Anthony Lebbee the soom of thirty shillings and three pence being the full Ball. of all accompts betwixt me and said Lebbee, I say received by me in August 1689.

SILVANUS DAVIS.

Falmouth Province of Maine August 1689 Received of Georg Bremhall for the supply of forte Loyal one quarter of Booll Beef waight seventy tow pouns I say received pr me Silvanus Davis Capt.

(No. 5.)

Daniel Chambeling acknowledgth that he hath set an apprentice unto Georg Bramhall of Portsmouth in Piscataway for the term of 9 years for ye consideration of eyght pounds and 10 shillings in hand paid before the acknowledging hereof, witness my hand this third day of July 1689 before me Roger Kelley Comuissioner

Daniel Chammerin sone of

the mark of

Arone X Savaghe.

\*[Brackett.]

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